

Case No. SCSL-2004-14-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
SAM HINGA NORMAN
MOININA FOFANA
ALLIEU KONDEWA

THURSDAY, 18 MAY 2006
9.41 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Roza Salibekova. Ms Andrea Marlowe (intern)
For the Registry:	Mr Geoff Walker
For the Prosecution:	Mr Joseph Kamara Mr Mohamed Bangura Ms Bianca Suciu Ms Wendy van Tongeren
For the Principal Defender:	Mr Lansana Dumbuya
For the accused Sam Hinga Norman:	Dr Bu-Buakei Jabbi Mr Alusine Sesay Ms Claire da Silva (legal assistant) Mr Kingsley Belle (legal assistant)
For the accused Moinina Fofana:	Mr Arrow Bockarie Mr Michiel Pestman Mr Andrew Ianuzzi
For the accused Allieu Kondewa:	Mr Charles Margai Mr Ansu Lansana Mr Martin Michael (legal assistant)

1 [CDF18MAY06A - SV]
2 Thursday, 18 May 2006
3 [Open session]
4 [The accused Kondewa and Fofana present]
09:41:26 5 [The accused Norman not present]
6 [Upon commencing at 9.41 a.m.]
7 WITNESS: KEIKULA AMARA [Continued]
8 PRESIDING JUDGE: Good morning, counsel. Good morning,
9 Mr Witness.
09:42:43 10 THE WITNESS: Yes.
11 PRESIDING JUDGE: And good morning to you, Dr Jabbi.
12 Dr Jabbi, are you ready to resume the examination-in-chief of
13 your witness?
14 MR JABBI: Yes, My Lord.
09:42:55 15 PRESIDING JUDGE: Please do so.
16 MR JABBI: My Lord, first of all to again draw attention to
17 the fact that the first accused is not present today and
18 presumably for the same reasons.
19 PRESIDING JUDGE: Thank you for the information, Dr Jabbi.
09:43:18 20 EXAMINED BY MR JABBI: [Continued]
21 Q. Good morning, Mr Witness.
22 A. Yes, Dr Jabbi, good morning.
23 Q. We broke off yesterday with your narration of an incident
24 at Tongo Field when you went to visit the Kamajor office and,
09:43:58 25 according to you, there was some firing by the junta forces. You
26 remember that, do you?
27 A. Yes.
28 Q. Now, what year did that incident take place?
29 PRESIDING JUDGE: I think he had said it was in 1996.

1 JUDGE ITOE: 1996.
2 MR JABBI: As Your Lordship pleases.
3 JUDGE ITOE: Yes, he had said so.
4 MR JABBI: Thank you.
09:44:29 5 Q. Did anything happen after that incident?
6 A. Yes.
7 Q. Yes, can you tell the Court, please?
8 A. They killed so many Kamajors on that day.
9 PRESIDING JUDGE: Yes.
09:45:01 10 THE WITNESS: We were unable to forestall the fighting,
11 because all the civilians that had come from that market came to
12 us.
13 MR JABBI:
14 Q. Why did you not fight back?
09:45:29 15 A. If we had fought on that day, so many people would have
16 died.
17 Q. Which people?
18 A. The civilians.
19 Q. And so what did you do?
09:45:50 20 A. I told the Kamajors that we should leave the ground for
21 them. So we pulled out.
22 Q. Yes, did anything else happen?
23 A. Yes.
24 Q. Carry on, please.
09:46:28 25 A. When we pulled out, we warned all our people that they
26 should leave and go to the villages around Tongo.
27 Q. What do you mean by "our people"?
28 A. Our people, the civilians. Our people.
29 Q. Yes?

1 A. They too left, all of them, and left them in the town and
2 they went to the villages.
3 Q. They left whom in the town?
4 A. They left the soldiers in the town, those who had attacked
09:47:19 5 us. They left them in the town.
6 Q. Yes, what did you do next?
7 A. We too assembled at Lalehun. All the Kamajors assembled
8 there.
9 MR JABBI: Lalehun, My Lords.
09:48:02 10 JUDGE THOMPSON: That's okay.
11 PRESIDING JUDGE: That's okay.
12 JUDGE THOMPSON: We can spell it.
13 MR JABBI:
14 Q. In what chiefdom is Lalehun?
09:48:15 15 A. Lower Bambara Chiefdom.
16 Q. Yes, what happened?
17 A. We too sent our Kamajors to go and touch them, to go and
18 touch them to find out how -- what their strength was. So they
19 went and attacked them in Tongo.
09:48:49 20 Q. How long was that after their own --
21 PRESIDING JUDGE: I'm not sure the witness has said to
22 touch them. I would imagine that the translation has not been --
23 I would doubt this is what he meant.
24 THE INTERPRETER: Your Honours, he actually meant to hit
09:49:05 25 them.
26 MR JABBI: My Lord, I noted it but I hesitated to make
27 mention of it.
28 PRESIDING JUDGE: That's fine. Touch didn't make much
29 sense in that scenario. Hit them would make more sense to me,

1 anyhow.

2 MR JABBI: Yes, My Lord.

3 Q. How long after your own attack did you, the Kamajors,
4 attack the soldiers?

09:49:35 5 A. One week. One week was in between them.

6 Q. Can you explain what happened in that encounter?

7 A. They went and when they went at first, the Kamajors whom we
8 had sent to attack them, they were unable to overpower them. So
9 they came and told us that their strength was too much for them.

09:50:11 10 Q. And so?

11 A. We too prepared ourselves. All of us to assembled and got
12 ready properly and we went. So together with all the Kamajors we
13 went and entered there.

14 Q. Entered where?

09:50:58 15 A. Tongo.

16 Q. And what was the encounter?

17 A. We met them ready. Their loads were in vehicles, because a
18 spy had told them that Kamajors were coming and they were many.
19 So they were at the airfield. So their things were in the
09:51:23 20 vehicle. They were getting ready to go towards Kono.

21 Q. Was there any engagement?

22 A. We did not fight with them. We were just scaring them.
23 They were entering into their vehicles and running away and some
24 were running away on foot.

09:52:00 25 Q. Did you then do anything?

26 A. That's what we did. When we were frightening them, we were
27 going after them, they were going towards Kono and they were
28 throwing bombs and leaving fire, killing people towards that
29 Kangama end, those villages along the way.

1 Q. "Leaving fire," what do you mean by that?

2 A. They were torching the houses on fire, in all those
3 villages that were on the way to go to Kono towards Kangama, they
4 were burning houses on their way.

09:53:16 5 Q. On the departure of the soldiers what did you do in Tongo,
6 you the Kamajors?

7 A. We too settled in Tongo, called our people, all of them
8 came and we settled there just like we've been before.

9 Q. Your people meaning whom?

09:53:42 10 A. My mothers, our siblings, our wives and our fathers and the
11 chiefs with whom we were all together in Tongo.

12 Q. Can you say when this incident took place?

13 A. I can't tell the time, but when it happened I know how it
14 happened, but I do not -- I did not actually record the time.

09:54:36 15 Q. Would you be able to say whether it was, for instance,
16 before the military coup of May 25, 1997? Was that before or
17 after that?

18 A. It happened first, before the coup took place.

19 Q. And was that during the time when the soldiers and the
09:55:18 20 Kamajors were supposed to be working together? Was it during
21 that time?

22 A. Yes. When we were working as one, that was the time that
23 they attacked us.

24 Q. So after you had dislodged the soldiers from Tongo on this
09:56:22 25 occasion, what happened next?

26 A. At the time that we dislodged them from Tongo, they went
27 towards Kono. As they were going towards Kono, they went to
28 Makeni, went round and some of them came to Kenema and they
29 stayed there for us to launch another attack on Tongo.

1 Q. And that was still before the coup of 1997?

2 A. Yes.

3 Q. So did any major incident take place after that?

4 A. Yes. We were in Togo when we heard that the government
09:57:51 5 had been overthrown in Freetown here. Then they announced, and
6 the person whose voice we heard on the radio was Gborie.

7 Q. Mr Witness, remember to be talking slowly as we were doing
8 yesterday so that you are taken down.

9 A. Okay.

09:58:20 10 Q. Yes?

11 A. We heard Gborie announce on the radio that whichever
12 Kamajor, you, your gun -- and your guns should be reported to any
13 nearest police station to you immediately, just like he was
14 reporting.

09:59:14 15 Q. Yes?

16 A. When we heard that announcement in Togo, where we were we
17 decided immediately that we were not going to do that.

18 Q. Why did you decide that?

19 A. For one reason: You were together with the people as one
09:59:48 20 and they have attacked us when we were not expecting that. Now
21 they have taken over power and they are threatening us that we
22 should disarm to the police. We were not going to accept that
23 government.

24 Q. Did you have any other reason?

10:00:19 25 A. Yes.

26 Q. And what was it?

27 A. After that, immediately they started making checkpoints
28 from Kenema up to Mano Junction and they started arresting
29 relatives of Kamajors, and some of our colleague Kamajors were

1 arrested and killed and we were getting that information in
2 Tongo.

3 PRESIDING JUDGE: Slowly, please.

4 MR JABBI:

10:00:45 5 Q. Can you go over that slowly, please?

6 A. After that had happened, immediately they erected
7 checkpoints. At that time they had invited the rebels from the
8 bush and they had all come as one and they were doing things as
9 one. So they created checkpoints from Kenema up to Mano Junction

10:01:10 10 and they were searching people, arresting Kamajors. This is a
11 Kamajor's brother, this is a Kamajor's mother, and they started
12 killing them.

13 Q. In what area was this happening?

14 A. Starting from Kenema up to Mano Junction, we used to hear,
10:01:38 15 in all those areas wherever Kamajors were.

16 Q. How far is Mano Junction from Kenema, do you know?

17 A. From Mano Junction to Kenema, it could be about eight
18 miles. From Mano Junction to Kenema.

19 Q. And in what direction is that from Kenema? In what
10:02:17 20 direction? Going towards what big town, for instance?

21 A. If you left from the Kenema end, there is a road from Mano
22 Junction going to Segbwema, Daru up to Kailahun. There is a road
23 coming to Tongo up to Kono.

24 Q. Apart from these searches between Mano Junction and Kenema,
10:03:07 25 were there any other incidents?

26 A. Yes.

27 Q. Yes, please?

28 A. They started using force just so that they could dislodge
29 us from Tongo.

1 Q. What do you mean by "force"? They used force to dislodge
2 you from Tongo. What do you mean by "force"?

3 A. They were attacking us in order to dislodge us from Tongo.

4 Q. How long did that take place?

10:04:16 5 A. It happened for up to two times and three times before they
6 finally dislodged us from Tongo. When they did the overthrow,
7 three months and in the fourth month they were finally able to
8 dislodge us from Tongo.

9 Q. Did they attack you in Tongo itself before --

10:04:52 10 JUDGE ITOE: Did he say three months after they took over
11 government?

12 MR JABBI: Yes, My Lord. He said three months of attacks.
13 Then in the fourth month, after the takeover --

14 JUDGE ITOE: After the military takeover.

10:05:05 15 MR JABBI: Yes, My Lord, the soldiers and rebels dislodged
16 them from Tongo.

17 Q. Now did they attack you in Tongo itself before they
18 dislodged you from there?

19 A. The last attack that they launched on us in Tongo that they
10:05:27 20 dislodged us, that was when they brought a large crowd, they
21 brought AA vehicles, they continued shooting it. Those guys whom
22 were at Mano Gieya --

23 Q. Mr Witness, please say that slowly. Don't rush your
24 statement, please. Can you begin that and go over it slowly,
10:05:45 25 please?

26 A. That last attack, when they dislodged us from Tongo, when
27 they came, our brothers who were at Mano Gieya, they dislodged
28 them there -- from there.

29 Q. What was the composition of these attackers?

- 1 A. The rebels and soldiers, they were together.
- 2 Q. Where did you go when you were dislodged from Tongo?
- 3 A. All of us assembled in the Dodo Chiefdom, Koyama Jago.
- 4 Q. And whilst you were in Dodo did you do anything?
- 10:07:30 5 A. Yes.
- 6 Q. Yes?
- 7 A. When we assembled at Koyama Jago we heard from our
- 8 brothers, the Kamajors, that they had all assembled at the Bo
- 9 Waterside and that all of us should meet there.
- 10:07:57 10 Q. You said you assembled at where before you heard about
- 11 Bo Njala? Where did you assemble, something Jago, you said?
- 12 A. Koyama Jago, that was where we assembled. When we were
- 13 dislodged from Tongo, we assembled at Koyama Jago.
- 14 MR JABBI: My Lords, any need for the spelling of Koyama?
- 10:08:23 15 PRESIDING JUDGE: That's okay, thank you.
- 16 MR JABBI:
- 17 Q. Yes, you heard that your colleague Kamajors had assembled
- 18 at Bo Waterside. What did you do then?
- 19 A. We too organised ourselves, because our brothers, our
- 10:08:49 20 sisters, our wives, we left all of them in Dodo and divided
- 21 ourselves. We left some of them there and we left some of our
- 22 Kamajors to guard over our people.
- 23 Q. You left them there and did what? What did you do?
- 24 A. We too left for Bo Waterside.
- 10:09:27 25 Q. When you say "we," who are you referring to?
- 26 A. We, the Kamajors.
- 27 Q. And were you yourself, as an individual, among those
- 28 Kamajors that decided to go to Bo Waterside?
- 29 A. Yes, yes.

1 Q. Do you know roughly how many of you decided to go there?

2 A. Yes.

3 Q. Yes?

4 A. We were about 193.

10:10:36 5 Q. Would you say whether that was the total force of Kamajors
6 in that Tongo area who went to Gendema?

7 PRESIDING JUDGE: Dr Jabbi, this is your witness. He told
8 you that they were about 193.

9 MR JABBI: No, My Lord. Maybe I did not put the question
10:11:06 10 so accurately.

11 PRESIDING JUDGE: Very well.

12 MR JABBI:

13 Q. Were those 193 Kamajors the total force of Kamajors in the
14 Tongo area before you left for Gendema?

10:11:23 15 JUDGE ITOE: But it couldn't even be, Dr Jabbi, because the
16 witness has said that he left --

17 THE WITNESS: No.

18 JUDGE ITOE: Yes, well, you've gotten the reply. Because
19 they left some Kamajors behind to guard their families, so that
10:11:38 20 couldn't be the total force.

21 MR JABBI: As Your Lordship pleases.

22 Q. Do you know roughly how many Kamajors were left behind in
23 the Tongo area?

24 A. No, I can't tell the number because those Dodo Kamajors
10:12:06 25 were all mixed when we left them.

26 Q. Did you arrive at Bo Waterside?

27 A. Yes.

28 Q. How long did it take you to get there?

29 A. We spent seven days and seven nights on the way to

- 1 Bo Waterside. Seven days and seven nights on foot.
- 2 Q. Did you have a leader on that journey?
- 3 A. Yes.
- 4 Q. Who was it?
- 10:13:13 5 A. Momoh Orinko.
- 6 Q. What was the state of affairs on arrival at Bo Waterside?
- 7 A. When we arrived at Bo Waterside, Orinko and some big men
- 8 spoke and they handed us over to Eddie Massallay. They said he
- 9 was leader of all the fighting in that chiefdom and that was his
- 10:13:58 10 birthplace.
- 11 Q. Whose birthplace?
- 12 A. Eddie Massallay, that was his birthplace, that chiefdom,
- 13 Pujehun District.
- 14 Q. Whilst you were at Bo Njala did any engagement take place
- 10:14:31 15 by way of fighting?
- 16 A. At Bo Waterside no fighting took place there when we went,
- 17 except where those Kamajors were, from Bo Waterside to Fairo,
- 18 seven miles. That was where we met Kamajors. That was where the
- 19 fighting was.
- 10:15:14 20 Q. Between what groups was the fighting taking place at Fairo?
- 21 A. The rebels and the juntas were fighting against the
- 22 Kamajors who were at Fairo.
- 23 Q. Do you know who was in charge of the Kamajors at Fairo at
- 24 that time?
- 10:16:09 25 A. Yes.
- 26 Q. Yes?
- 27 A. CO Bhonie was the leader of all the Kamajors at Fairo. He
- 28 was the ground commander then.
- 29 Q. And did you yourself engage in any of that fighting?

1 A. Yes.

2 Q. Can you explain?

3 A. When we arrived and Eddie Massallay sent us to Fairo to
4 CO Bhonie, on that day when we arrived CO Bhonie said I should
10:17:13 5 deputise him to organise the fighting and Arthur Koroma, our pen
6 pusher.

7 Q. Where did you then engage in any fighting when you were
8 given that instruction?

9 A. We went to Gofor. We captured Gofor at night, at
10:17:53 10 2 o'clock, six miles to Jimmi -- Zimmi.

11 Q. What happened at Gofor?

12 MR JABBI: My Lord, no need to spell Gofor?

13 PRESIDING JUDGE: No, that's fine. We'll let you know.

14 THE WITNESS: When we reached Gofor, on that night we did
10:18:14 15 not find any rebels there. We did not shoot a gun. We slept and
16 when we woke up in the morning at ten, they came from Dumagbe and
17 came and attacked us, the rebels and the juntas.

18 MR JABBI:

19 Q. From where?

10:18:37 20 A. They came from the Dumagbe end.

21 MR JABBI: My Lords, you don't mind some assistance with
22 Dumagbe?

23 PRESIDING JUDGE: That's fine.

24 MR JABBI: Thank you, My Lord.

10:18:50 25 PRESIDING JUDGE: We've told you if we do we'll let you
26 know. Thank you for the offer, Dr Jabbi. Thank you. Let's
27 proceed, please.

28 MR JABBI:

29 Q. Yes, any other engagement at all?

1 A. Yes.

2 Q. What happened during that attack by the soldiers from
3 Dumagbe while you were at Gofor?

4 A. We repelled them. They returned and we accompanied them
10:19:25 5 for up to six miles.

6 Q. And thereafter?

7 A. When we spent the whole day on that day, at nightfall we
8 slept whole night. Very early in the morning at 5 o'clock they
9 came from the Jimmi end and attacked us with a very large crowd.

10:20:13 10 Q. Who was leading the group that was being attacked?

11 A. At that time, from what we heard, there was a Rogers, there
12 was the other one they called Hawaii [phon]. There were many. I
13 can't know all of the names of those who were leading them, their
14 own section.

10:20:50 15 Q. No, the question was who was leading your own group at the
16 time you were attacked at Gofor?

17 A. Our own group, I led the group in that fight but I was
18 guest to CO Bhonie. I was leading that fight.

19 Q. So what happened on that second attack on Gofor?

10:21:26 20 A. We chased them. We chased them to Jimmi, four miles, and
21 we returned.

22 Q. And Jimmi itself, did you ever venture?

23 A. Yes.

24 Q. Yes, can you explain?

10:22:07 25 A. After two days, on the third day we organised ourselves and
26 said, "These guys, now that we've come here, they have attacked
27 us twice. So we too should go and visit them on their
28 doorsteps."

29 Q. Did you go to attack Jimmi?

1 A. Yes, on that day we went there. Two days, on the third day
2 we went there.

3 Q. Who led you?

4 A. We were two, the leaders. Those who went to Pujehun
10:22:57 5 District, they had their own leader. Those of us who came from
6 the Kenema District end, Bo, I was leading that group. It was
7 Nallo who was leading the other group. So we attacked them from
8 two fronts.

9 Q. And what was the outcome of that attack on Jimmi?

10:23:33 10 A. When we launched that attack on that day, we dislodged them
11 out of the town and took the town from them, Jimmi.

12 Q. Did you stay there in Jimmi after taking it?

13 A. No.

14 Q. What did you do?

10:24:21 15 A. We returned, but Eddie Massallay called us up and told us
16 that the government had seen that we can take over this country.
17 So we should come and organise ourselves, whichever chiefdom
18 anybody had come from should go back to that chiefdom to go and
19 defend his people.

10:24:47 20 Q. Now, Mr Witness, can you go over that again slowly, please?

21 A. Yes.

22 Q. Slowly, please. Slowly. Yes?

23 A. The reason why we didn't settle in Jimmi, it was because
24 Eddie Massallay had called us up and we were all under him in
10:25:14 25 relation to the fighting which we did in Gofor. He said that the
26 government had seen that we, the Kamajors, can defend this
27 country. So we should go and meet at the Waterside so that we
28 would be organised. Wherever anybody had come from, that person
29 should return there to go and protect his people, because they

1 started committing atrocities.

2 Q. Now, which government was Eddie Massallay referring to in
3 that statement?

4 A. Mr Tejan Kabbah's government, because we didn't know any
10:26:02 5 other government. Had we wanted AFRC we wouldn't have fought.

6 Q. And did you go back to Bo Njala?

7 A. Yes.

8 PRESIDING JUDGE: You mean Bo Waterside. The witness is
9 using the Bo Waterside, not what you're using. So don't confuse
10:26:32 10 the issue, Dr Jabbi.

11 JUDGE ITOE: Don't confuse us, Dr Jabbi. We're used to one
12 terminology, Bo Waterside.

13 PRESIDING JUDGE: Yes, proceed, please.

14 MR MARGAI: My Lords, for the records, there is Zimmi,
10:26:45 15 there is Jimmi, but it seems that they're being interchanged.

16 PRESIDING JUDGE: Thank you, Mr Margai. I was going to ask
17 that question. I take it that it means the same thing but I
18 would like to have some clarification. Zimmi and Jimmi is not
19 the same?

10:27:04 20 MR JABBI: My Lord, the narrative so far concerns only
21 Zimmi. Zimmi.

22 PRESIDING JUDGE: Yes, but the witness, or the
23 interpretation that has come across has said Jimmi not Zimmi. So
24 are we talking of Zimmi or Jimmi?

10:27:19 25 MR JABBI: We are talking only of Zimmi.

26 PRESIDING JUDGE: But this is not the way it came across.

27 MR JABBI: It is only Zimmi, My Lord.

28 PRESIDING JUDGE: Zimmi.

29 MR JABBI: Yes, My Lord.

1 PRESIDING JUDGE: So the witness had said Zimmi and not
2 Jimmi?

3 THE INTERPRETER: Yes. Your Honours, we want to intervene
4 at this stage. The witness is actually saying Jimmi, whilst
10:27:35 5 learned counsel is saying Zimmi. And we are only interpreting
6 what the witness is saying and according to him it's Jimmi.

7 PRESIDING JUDGE: That's fine. You're not to add to what
8 the witness is saying.

9 MR JABBI: No, no, let me ask for the distinction.

10:27:47 10 PRESIDING JUDGE: Yes, please.

11 MR JABBI:

12 Q. Mr Witness, are we talking about Jimmi or Zimmi in this
13 narrative?

14 A. We are talking about Zimmi but in Mende we call it Jimmi.
10:28:07 15 In English they say Zimmi.

16 Q. So we are talking about Zimmi, are we?

17 A. Yes, yes.

18 PRESIDING JUDGE: Please, that has clarified that matter.
19 So help us, Dr Jabbi. Don't use different language for the same
10:28:42 20 location because it will get more confusing. So Bo Waterside is
21 what the witness has said, so stick to it if you can, please.

22 MR JABBI: I will endeavour to, My Lord. I should be
23 forgiven for occasionally lapsing into the native language that
24 the witness is using, My Lord.

10:29:07 25 Q. So what decision was taken when you went back to Bo
26 Waterside? What decision was taken?

27 A. When we returned to Bo Waterside, Eddie Massallay said that
28 all the leaders who had come from the districts, the chiefdoms,
29 everybody should organise his boys that a helicopter was bringing

1 weapons; the government was sending them.

2 Q. Did that happen?

3 A. Yes.

4 Q. And did you do as instructed by Eddie Massallay? That is,
10:30:00 5 did you leave Bo Waterside?

6 A. Yes.

7 Q. Where did you go after Bo Waterside?

8 A. When we left Bo Waterside, it was a helicopter that brought
9 us. They gave us our own weapons. It was a helicopter that
10:30:30 10 travelled with us and brought us to Vaama, Vanjai's home in Bo
11 District.

12 Q. Can you say what you're calling Vanjai's home? Can you
13 call the name again, please?

14 A. Vaama.

10:31:07 15 Q. Yes, from there?

16 A. When the helicopter dropped us at Gbaama, we too, our
17 weapons that we had brought, when we slept there and in the
18 morning we took them and left for our own land.

19 MR JABBI: My Lords, again I have heard two versions of a
10:31:39 20 certain name. I just want to have it clarified.

21 PRESIDING JUDGE: Of a name, you mean? You mean Gbaama.

22 MR JABBI: I have had Vaama, I have had Gbaama in the
23 interpretation.

24 PRESIDING JUDGE: So what's the proper spelling, according
10:31:56 25 to you, for that?

26 MR JABBI: I just want the witness to clarify whether it is
27 Vaama or Gbaama.

28 Q. Now, Mr Witness, can you give the name of the town you
29 called Vanjai's home, Vanjawai's home? What is the name of that

1 town?

2 A. The town is called Gbaama. Gbaama. Gbaama.

3 MR JABBI: G-B-A-A-M-A, My Lord.

4 PRESIDING JUDGE: I was quite close, thank you.

10:32:39 5 MR JABBI: Occasionally, perhaps, my assistance helps.

6 Q. Yes, you have been dropped at Gbaama?

7 A. Yes.

8 Q. How long did you stay there?

9 A. We passed the night there once and in the morning we took

10:33:07 10 up our weapons and left for our home town.

11 Q. Your home town meaning?

12 A. Dodo. Dodo. Where we had left our people, Dodo.

13 Q. How long did it take you to get to Dodo?

14 A. We spent two days on the way to Dodo.

10:33:44 15 Q. And on arrival at Dodo, what did you do?

16 A. When we arrived at Dodo, we went to Taiama, it's Apati ^

17 section in the Dodo chiefdom, Taiama. That was where Chief

18 Junisa was, a Kamajor chief in the Dodo Chiefdom.

19 Q. Can you give the full name of this Kamajor chief in the

10:34:16 20 Dodo Chiefdom?

21 A. Musa Junisa.

22 Q. Thank you. And on arrival there in Dodo, what did you do?

23 A. When we arrived in Dodo we rested for three days and Junisa

24 assembled all the Kamajors in that chiefdom. Lower Bambara

10:35:04 25 Kamajors and Dodo Kamajors, we all met in Taiama.

26 PRESIDING JUDGE: At that meeting you say these were the

27 Kamajors from the Dodo Chiefdom and? You said all Kamajors were

28 there from, and you mentioned --

29 MR JABBI:

1 Q. What were the other chiefdoms from which Kamajors came when
2 you met at Taiama?
3 A. Our Kamajors who had left to him, he divided them to look
4 after our people and the Dodo Chiefdom itself, the Kamajors who
10:35:53 5 were there.
6 Q. Did any Kamajors come from any other chiefdoms in your
7 meeting at Taiama, apart from Dodo Chiefdom?
8 A. On that day that did not happen.
9 Q. Thank you. Yes, what transpired at that meeting?
10:36:26 10 A. What happened was that he divided us -- he and Momoh
11 Orinko, they divided us, we, the Kamajors, into groups.
12 Q. Now this person you keep calling Momoh Orinko, can you give
13 his full name? Is that his full name?
14 A. His name is Mohamed O Musa. Mohamed O Musa.
10:37:19 15 Q. So that is Mohamed Orinko Musa --
16 A. Yes.
17 Q. -- that you are also calling Momoh Orinko?
18 A. Yes.
19 Q. Thank you. Yes. Can you tell the Court what the
10:37:40 20 distribution was?
21 A. The weapons, he, Orinko and Junisa, they distributed the
22 weapons to us, the leaders.
23 Q. No, I am talking -- you said the Kamajors were distributed
24 to various places?
10:38:04 25 PRESIDING JUDGE: Were divided into groups.
26 MR JABBI: Yes, My Lord.
27 PRESIDING JUDGE: That's what he said.
28 MR JABBI:
29 Q. Can you give the Court the distribution of the groups of

1 Kamajors?

2 PRESIDING JUDGE: The division of the groups.

3 MR JABBI:

4 Q. The division of the -- the groupings of the Kamajors?

10:38:24 5 PRESIDING JUDGE: Groupings, fine.

6 MR JABBI: Thank you, My Lord.

7 THE WITNESS: When they set this CO aside they would give
8 you your own boys and give you your own weapons. When they set
9 this CO aside they would give him his own boys and give him his
10:38:47 10 own weapons; into four places.

11 MR JABBI:

12 Q. Yes, so what did they do with those groups?

13 A. We moved those groups. They said we should go in Panguma
14 and they would tell us exactly how we should go in order to reach
10:39:12 15 Tongo.

16 Q. Can you tell the Court the leaders of the groups that were
17 formed?

18 A. The first one was myself, Keikula Amara, alias Kamabotie.

19 Q. Begin with yourself again but go slowly. Yes, one group
10:39:41 20 was led by --

21 PRESIDING JUDGE: That's fine, by yourself.

22 THE WITNESS: The first one was myself. The first group
23 was my self, Keikula Amara, alias Kamabotie.

24 PRESIDING JUDGE: Thank you. What's the second group?

10:39:55 25 MR JABBI:

26 Q. The second group?

27 A. Isiaka [sic] Lahai.

28 Q. Any other group?

29 A. Yes.

- 1 Q. Yes?
- 2 A. Buakei Kaisamba.
- 3 Q. Any other?
- 4 A. Yes. CO Kailondo.
- 10:40:35 5 Q. Now, were these groups assigned to any particular places?
- 6 A. Yes.
- 7 Q. Tell us, please.
- 8 A. Kailondo, his own area of deployment was Wima in Lower
9 Bambara.
- 10:41:07 10 Q. Yes?
- 11 A. Buakei Kaisamba, Kono Highway, Lower Bambara.
- 12 Q. Yes?
- 13 A. Isiaka Lahai, Foya Base, Lower Bambara.
- 14 Q. Yes?
- 10:41:34 15 A. I myself, Kekura Amara, Talama Base, Lower Bambara.
- 16 Q. Now can you give the Court an idea of when and which year
17 this was taking place?
- 18 A. What happened I could remember, but I can't remember the
19 year, nor would I remember the day.
- 10:42:24 20 Q. Yes. After the deployments did anything happen?
- 21 A. Yes.
- 22 [CDF18MAY06B-RK]
- 23 Q. Yes.
- 24 A. They attacked me at Talama.
- 10:42:52 25 Q. Who attacked you at Talama?
- 26 A. RUF juntas, the rebels and the soldiers.
- 27 Q. Was any other deployment area attacked?
- 28 A. Yes.
- 29 Q. Which ones?

1 A. The rebels and the juntas attacked Isiaka Lahai at Foya
2 base.
3 Q. Any other?
4 A. Yes.
10:44:11 5 Q. Yes, please.
6 A. Buakei Kaisamba was also attacked along the Kono highway.
7 In fact, he was attacked from the rear from Kangama.
8 Q. Yes, any other deployment attacked?
9 A. Yes.
10:44:46 10 Q. Which?
11 A. Kailondo was attacked at Wima, the gun ship.
12 Q. Can you tell the Court the outcome of these attacks?
13 A. The attack -- when I was attacked, two people were wounded
14 from my side and one was dead. One was killed, a Kamajor.
10:45:56 15 Q. Did the Kamajors do anything in reaction to these attacks?
16 A. Yes.
17 Q. What was it?
18 A. We also fought against them and repelled them.
19 PRESIDING JUDGE: Yes.
10:46:29 20 MR JABBI:
21 Q. Following that repelling, did anything happen?
22 A. Yes.
23 Q. Yes?
24 A. Our chief Kamajor, Mr BJK Sei, he sent -- he sent word
10:46:52 25 around all the bases for us, the commanders, to come at Panguma.
26 Q. Did the commanders go to Panguma?
27 A. Yes.
28 Q. Was BJK Sei there at Panguma when the commanders went?
29 A. Yes. At that time he was there. In fact, I was the one

1 who went and called him from where he was. He was then at
2 Panguma calling.

3 Q. Where was BJK Sei when you went to call him?

4 A. He was in one of the hideouts. He established a hideout in
10:47:54 5 one of the hills so that his children and other people would hide
6 there. At the time we moved from Tongo, that is when he
7 established a hideout on top of a hill.

8 Q. The meeting itself of commanders at Panguma, can you
9 briefly tell the Court? Briefly and slowly, please.

10:48:36 10 A. In that meeting at Panguma when our chief Kamajor called
11 us, he distributed -- he divided Tongo by sections so that if a
12 commander will fight, you stop at this point and if another
13 commander will fight at another area, he will stop at this point.
14 That was the way he divided the areas where you should fight and
10:49:00 15 stop.

16 Q. Mr Witness, can you go over that slowly once more? Slowly,
17 please.

18 A. When Mr BJK Sei called us, it was to divide the fighting
19 areas as per commanders.

10:49:34 20 Q. Slowly, slowly, please.

21 A. My own area that he gave to me, that if I came from Talama,
22 I would go to Bumpeh. When I reached to Pendembu fighting, I
23 should stop at the police checkpoint with my own group.

24 Q. Yes, slowly, please.

10:50:31 25 A. This Isiaka Lahai, he would come from Foya. He would fight
26 at Kwakuma, Mavehun and Tokpombu new site, Tokpombu II.

27 Q. Name those points again, please? Kwakuma.

28 A. Kwakuma, Mavehun, Tokpombu new site, Tokpombu II. He would
29 stop there. Tokpombu II is located in the park. He will fight

1 until the park.

2 Q. These are all areas in Tongo Field?

3 A. Yes. Where the villages were, nearby villages of Tongo,
4 but they are all Tongo. They are all part of Tongo.

10:51:34 5 Q. Yes, the other group.

6 A. Buakei Kaisamba. Landoma, Bomi, hospital camp, Labour, he
7 would stop there.

8 Q. And the fourth group?

9 A. Kailondo. Semowabu, Tongola, Payima, Tokpombu Boima, Park
10:52:21 10 Street. He should stop there. That is also his own boundary to
11 the park.

12 Q. Did you in fact go to attack Tongo, as planned?

13 A. Yes.

14 Q. Did the attack go as planned with each group attacking from
10:53:11 15 those various points?

16 A. Yes.

17 Q. Now, tell the Court what happened on that attack.

18 A. The first attack, that we attacked the rebels and the
19 juntas in Tongo --

10:53:58 20 Q. Slowly, please.

21 A. We went and just shook them a bit so that we would know how
22 they were located.

23 Q. So what happened?

24 A. We couldn't fight against them, the population; the crowd,
10:54:54 25 the civilians.

26 Q. What about the civilians?

27 A. The civilians were so many where the juntas were based in
28 Tongo.

29 Q. So what did you do?

1 A. On my own side -- in fact, I had met they were already
2 encircled. They told them they would not leave them at all.
3 They would not go towards the Kenema area or to Panguma. You
4 would all stay here and to wait until your brothers come. If
10:55:44 5 they were going to kill us, they would kill all of us.
6 Q. What happened on that front?
7 A. Myself and my Kamajors, we fought to make sure that we take
8 them away from them. No bullet pierced anyone. Nobody else was
9 hurt and we took everybody in parked them in Bumpeh, closer to
10:56:23 10 Tongo. That is my own village where I am based.
11 Q. By "everybody", you mean the civilians who were there?
12 A. Yes, there were civilians.
13 Q. Was that all that happened on that particular attack?
14 A. On that day, yes.
10:57:14 15 Q. What about the other commanders, was there anything done by
16 them on that occasion on that attack?
17 A. They did something to them. The rebels did something to
18 them. Three people were killed from Isiaka's side - Isiaka
19 Lahai's. His Kamajors.
10:58:11 20 Q. Any other front?
21 A. Buakei Kaisamba, his own area, three people were caught by
22 bullets, but they did not die. One was caught around the knee,
23 the other one by the ankle.
24 Q. Now, talking about your own group, you said you got these
10:58:48 25 civilians whom you took away from the soldiers and rebels. What
26 did you do with them?
27 A. When I took them from Pendembu and brought them to Bumpeh,
28 after all the Kamajors had withdrawn from the war, I distributed
29 my boys, put them in front of them. The one that was my deputy,

1 I put him in front of them and I was at the rear, and I -- coming
2 then to the bay, Talama.

3 Q. Yes. Still with the civilians, what happened to them?

4 A. After we had arrived at Talama, I told my Kamajors to get
11:00:01 5 oranges because they had children and missed them. Five years,
6 seven years and we knew they were hungry, because they were
7 almost emaciated.

8 PRESIDING JUDGE: Yes.

9 MR JABBI: Yes.

11:00:35 10 THE WITNESS: Myself, I took a bucket and go to the stream
11 to get water for them, and I brought the water and gave them each
12 the elders.

13 Q. Did anything else happen?

14 A. Yes.

11:01:03 15 Q. Yes.

16 A. After they had sucked their oranges, drank the water, I put
17 all of them in front of me and I took them to our chief Kamajor
18 at Panguma.

19 Q. Were the civilians all in one group or did you divide them
11:01:34 20 up in taking them to Panguma?

21 A. No. Just as I brought them in that group, except the
22 children who were amongst them that I did not count, but the
23 elders that I counted were 160 -- 175. I took them to BJK at
24 Panguma.

11:02:12 25 Q. The question was whether they were still in one group or
26 divided up?

27 A. All these people that I brought, just as I put them in
28 front of me and I brought them was the same way I took them in
29 the same singular group to BJK.

1 Q. Were there any non-civilians in that group at all?

2 A. No.

3 Q. After arrival at Panguma, what happened to them?

4 A. Upon my arrival at Panguma when I handed them over to

11:03:39 5 Kamajor, our chief Kamajor --

6 PRESIDING JUDGE: Dr Jabbi, let's move, please.

7 MR JABBI:

8 Q. Yes.

9 A. I was there when he asked them. He said if anyone knows

11:04:09 10 that your people are staying closer to this place, if your

11 relative is in Dodo, your relative is in Leppeama, your relative

12 is in Kenema, and if you know there, you are free to go there,

13 because he hadn't food where he was to give to them. So they all

14 spoke about their relatives and whosoever would talk about his

11:04:53 15 relative, he would say, "Well, take your bag and go there."

16 PRESIDING JUDGE: Yes.

17 MR JABBI:

18 Q. Was there any other engagement between the Kamajors and

19 soldiers or rebels around that time?

11:05:31 20 A. Yes.

21 Q. Yes. Can you explain briefly, please.

22 A. That day that I took that group of people from them, that

23 same day, they followed me and attacked me at Talama and they

24 captured the town from me. I also went to the rear to reorganise

11:06:07 25 myself - myself and my Kamajors - and we drove them out.

26 Q. Yes, after that, anything?

27 A. Go over that, please.

28 Q. After you had repelled the attack on Talama by the rebels

29 and soldiers, after that, did anything else happen, any other

1 engagement?

2 A. In Talama Town on that day -- sorry, that never happened.

3 Just when we drove them away, we settled.

4 Q. After all that, did you have any other engagement with the
11:07:30 5 rebels and soldiers, not necessarily at Talama?

6 A. Yes.

7 Q. Yes.

8 A. I have just started explaining we had three encounters.

9 I'm now explaining the second one. The other attack that we
11:08:05 10 did --

11 Q. That is the second attack?

12 A. Yes.

13 Q. On?

14 A. On a Monday.

11:08:22 15 Q. On what town? Second attack on what town?

16 A. Go over that again.

17 Q. You said you are now going to explain the second attack.

18 The second attack on what town?

19 A. Tongo.

11:08:47 20 Q. Thank you. Can you explain?

21 A. The second attack, we entered Tongo at 4.00. We kept on

22 fighting until after 6.00 going towards 7.00 but even there,

23 there were several civilians.

24 Q. Slowly, please.

11:09:29 25 JUDGE ITOE: 6.00, 4.00. Is it a.m. or p.m.?

26 MR JABBI:

27 Q. When you said you were fighting up to 6.00, was it 6.00 in
28 the morning or the evening?

29 A. In the evening.

- 1 Q. Yes, and you said there were many people?
- 2 A. Civilians were there - many.
- 3 Q. Where?
- 4 A. Tongo.
- 11:10:06 5 Q. So what happened?
- 6 A. On that day also, I took people from them - more than 100
- 7 civilians.
- 8 Q. Where were those civilians that you rescued?
- 9 A. Tongo.
- 11:10:43 10 Q. Do you know any part of Tongo where they were, the ones
- 11 that you rescued?
- 12 A. Kpandebu. My own area, if I took people from them, it
- 13 would have to be from my own area.
- 14 Q. Well, are you saying that on this second attack, the areas
- 11:11:10 15 are located to the commanders and the first one remained the
- 16 same; is that what you are saying?
- 17 A. Yes.
- 18 Q. What happened generally on this second attack?
- 19 A. This second attack, we could not capture the town and base
- 11:11:55 20 there. 6.00 going to 7.00 in the evening and there were several
- 21 civilians in the town. If we said we had to continue with the
- 22 fighting at that time, there would have been several deaths. We
- 23 left the town, we the Kamajors. The people I had rescued, I took
- 24 them to Talama to BJK Sei that same night.
- 11:12:43 25 Q. Did anything happen at Tongo itself after your withdrawal?
- 26 A. Yes.
- 27 Q. Yes?
- 28 A. That night we were outside town, I saw a firelight.
- 29 Q. Yes, you saw what?

1 THE INTERPRETER: Your Honours, may the witness go over
2 that bit again.

3 MR JABBI:

4 Q. Can you go over that slowly, please?

11:13:45 5 A. That evening we were outside Panguma Town, we were seeing
6 fire lighting Tongo, starting from Kpandebu going to Bomi, to
7 Semwabu. All that Tongo area there was firelight.

8 Q. Now, when you say "firelight," what do you mean?

9 A. Fire on houses. We were seeing it from the sky. When they
11:14:53 10 were burning the houses, we were seeing the light on the sky, in
11 the air.

12 Q. You mean flame of fire, you were seeing that from Panguma?

13 PRESIDING JUDGE: He didn't say flame, he says lights.

14 MR JABBI: I am asking, My Lord.

11:15:23 15 MR LANSANA: Your Honour, I incidentally happened to listen
16 to the Mende interpretation. It's wrong. It is supposed to be
17 flame. Gombuvwe in Mende is "flame" in English.

18 THE INTERPRETER: Your Honours, it could also be firelight
19 because, from the witness's explanation, they were seeing just
11:15:41 20 the light from a fire. Different towns -- referring to
21 different towns, they were not the same town, so it could also be
22 firelight, Your Honours.

23 PRESIDING JUDGE: We will stick with firelight.

24 MR JABBI: That is why I'm asking the witness to clarify
11:15:59 25 whether it was firelight or flame of fire.

26 PRESIDING JUDGE: Very well. Go ahead.

27 MR JABBI:

28 Q. Now, Mr Witness, when you talk about this fire you are
29 seeing from a distance, are you talking about flame, or fire, or

1 light?

2 A. I'm talking about the fire itself. Where I was, coming to
3 Tongo it's about three and a half miles and where I'm talking
4 about, it is located on top of a hill. If the town is on fire,
11:16:39 5 you can see it. I'm talking about the fire.

6 Q. Yes, did anything else happen in Tongo after your
7 withdrawal?

8 A. That was what happened. At that night it was that fire
9 that I saw burning.

11:17:23 10 Q. Did you get any report about things happening in Tongo that
11 night?

12 A. Yes.

13 Q. Yes?

14 A. On that night not all the Kamajors left the surroundings of
11:17:48 15 the town, some of them were around the surroundings, closer to
16 the town, because at the time we --

17 Q. Slowly. Slowly, please. So you say some Kamajors were
18 still in the surrounds of Tongo?

19 A. Yes.

11:18:16 20 Q. And so did they report anything to you?

21 A. Yes, when they went to Panguma that morning and they slept
22 nearby Tongo, they said they were hearing people shouting in
23 their houses, the soldiers were putting people into their houses
24 and setting the houses ablaze. They were hearing their cries in
11:19:00 25 the fire.

26 Q. Yes, anything more?

27 A. Yes.

28 Q. Yes?

29 A. They said several houses were set on fire.

1 Q. Apart from the burning of the houses, anything more?

2 A. That was what they explained to us that I heard.

3 Q. Now is that the conclusion of the second attack?

4 A. Yes.

11:20:12 5 Q. Did the Kamajors do anything thereafter?

6 A. Yes.

7 Q. Yes?

8 A. After one week, CO Kailondo came from Wima together with
9 his boys, the Kamajors. They came to spy on that town Tongo.

11:21:01 10 When they came, they didn't see any movement in the town, so they

11 sent a message. CO Kailondo sent Mr Moriba Brima to go to us.

12 At that time I was in Dodo Lumbibu. I was suffering from

13 malaria, I had gone for medication.

14 Q. Wait for what you say to be recorded before you say the

11:21:47 15 next thing, okay. That is what I mean by slowly.

16 A. Okay.

17 Q. Yes, carry on, please.

18 A. Mr Moriba Brima went and met me at Lumbibu in Dodo. He
19 said CO Kailondo had sent him.

11:22:25 20 Q. Yes?

21 A. That they had come and spied on Tongo. The juntas were in

22 there, so we should go there. I also told him -- I said I was

23 not well, but you should go to Chief Junisa so that the news

24 would go around to all the Kamajors that the juntas had left the

11:23:09 25 ground Tongo. CO Kailondo said we should go. That evening they

26 did not go, no Kamajor left Dodo and go. The following morning I

27 also organised my Kamajors. I was going to Panguma, headed for

28 Tongo, I met another messenger.

29 Q. Slowly please. Yes?

1 A. He said CO Kailondo had sent him. If we own our chiefdom
2 and he had come with his own Kamajors and captured the town, he
3 had sent to us yesterday at night, up to this moment he had not
4 seen us. He said they were leaving the ground and returned to
11:24:49 5 Wima together with his boys and I told him --
6 Q. Take your time, please. Yes?
7 A. And I told this messenger that I was on my way going to
8 Tongo.
9 Q. Yes?
11:25:30 10 A. I said I had sent Mr Moriba to Mr Junisa, Chief Junisa,
11 that maybe by evening the Kamajors will come back together with
12 their commanders.
13 Q. Yes?
14 A. Then I arrived at Tongo.
11:26:15 15 Q. Yes?
16 A. Then I went to CO Kailondo at Tokpombu Boima.
17 Q. Yes?
18 A. I met him very angry at us.
19 Q. Yes?
11:26:55 20 A. He said if he had not seen me, he and his Kamajors would
21 have left that ground that same day.
22 Q. Yes?
23 A. Then I also talked to him that our brothers were coming.
24 Q. Did other Kamajors come there, apart from your group?
11:27:36 25 A. That evening they did not come.
26 Q. Did they come at all?
27 A. The Kamajors I sent for did not come that evening. The day
28 that I reached, they did not come that evening.
29 Q. When, if at all, did they come?

1 A. When I entered, we were there for the rest of the day and
2 we slept. The following morning was when they came.

3 Q. Which groups came?

4 A. Isiaka's group came. Buakei Kaisamba's group came and the
11:28:48 5 Wima's -- Kailondo's remaining boys, he called all of them and we
6 came and based in Tongo.

7 Q. Was there any fighting on this occasion that you came and
8 settled in Tongo?

9 A. Yes.

11:29:18 10 Q. Yes, can you explain briefly?

11 A. After we were settled in Tongo, the last time that we
12 entered and based in Tongo --

13 Q. No, excuse me, please. I'm asking whether in the process
14 of coming to settle in Tongo, when Kailondo called you, you came,
11:29:51 15 then the other groups came the following day, then you settled in
16 Tongo. During that process of the Kamajors coming into Tongo on
17 that occasion was there any fighting at all?

18 A. The last time that we based in Tongo, the time we were
19 attacked --

11:30:23 20 PRESIDING JUDGE: Dr Jabbi, take it again to the witness.
21 The evidence is not that they were attacking. The evidence is
22 that the junta had left when they came in. Obviously he is
23 confused with your question.

24 MR JABBI: It may well be the translation, My Lord.

11:30:42 25 PRESIDING JUDGE: Well, take it again, please. Ask him
26 that night when he slept there.

27 MR JABBI:

28 Q. From the time Kailondo said he had come into Tongo and then
29 sent for the Kamajors to come, then you came, you passed the

1 night there, the following morning other groups of Kamajors came.
2 So from the time Kailondo came to Tongo up to the time the other
3 groups of Kamajors came and entered Tongo was there any fighting
4 in between?

11:31:43 5 A. Yes.

6 Q. Yes, can you explain.

7 A. The fight itself did not actually reach in Tongo itself.
8 Saama was attacked. The attacked Saama, Lower Bambara Chiefdom.

9 PRESIDING JUDGE: Again maybe your question was not precise
11:32:09 10 enough. You talked about attack at large, so presumably you
11 meant in Tongo.

12 MR JABBI: Yes, My Lord

13 Q. Was there any fighting inside Tongo during that period,
14 that short period, from the time Kailondo called you and from the
11:32:32 15 time the Kamajors groups entered Tongo. Was there any fighting
16 in Tongo in between that time?

17 A. At that time no fighting took place in Tongo itself.

18 PRESIDING JUDGE: We will take the pause now, Dr Jabbi. It
19 is 11.30.

11:33:00 20 MR JABBI: Yes, My Lord.

21 PRESIDING JUDGE: Unless you have another question that may
22 cause some difficulties when we come back, otherwise we are going
23 to break now.

24 MR JABBI: I will wait for us to come back.

11:33:12 25 PRESIDING JUDGE: Thank you. Court is adjourned for the
26 morning recess.

27 [Break taken at 11.34 a.m.]

28 [Upon resuming at 12.03 p.m.]

29 PRESIDING JUDGE: Dr Jabbi.

1 MR JABBI: Yes, My Lord.

2 Q. Now, Mr Witness, when we were going for the break you were
3 answering questions on what happened in Tongo itself when the
4 Kamajor groups returned there after the departure of the soldiers
12:04:57 5 and rebels, and I asked you whether any fighting took place
6 inside Tongo itself at that time, that is, from the time Kailondo
7 called you up to the time the various Kamajor groups entered
8 Tongo, did any fighting take place inside Tongo itself?

9 MR KAMARA: My Lord, this question has been asked several
12:05:39 10 times and I restrained myself earlier on but I think the fact
11 that counsel will repeat a question to a particular witness until
12 he gets the answer that he wants, it is not a fair way for
13 putting those questions to this witness, and we take exception to
14 that line of practice.

12:05:57 15 PRESIDING JUDGE: We note your comments on this, but we
16 needed that clarification. There seemed to have been confusion
17 so that's why we've allowed that, but I agree with you that there
18 is this tendency to repeat the questions when the matter is
19 already answered, so, go ahead, Dr Jabbi.

12:06:21 20 MR JABBI:

21 Q. Yes, Mr Witness, can you answer that question?

22 A. There was fighting in Tongo. At the time we had settled in
23 Tongo when CO Kailondo called us, in the 11th month was when they
24 attacked us and they dislodged us. They were then there until
12:07:02 25 the peace accord was signed and the disarmament process went on.

26 PRESIDING JUDGE: Mr Witness, please listen to the question
27 carefully. We're talking -- the question that was asked of you
28 was: When Kailondo told you, sent a messenger to say that the
29 juntas had left, that day, at that time, that night when you came

1 to Tongo was there any fighting at that time? Not talking later
2 on, that time. This is the question that you are being asked.

3 THE WITNESS: No.

4 MR JABBI: Thank you, My Lord.

12:07:52 5 Q. Now at that same time, that is from the time Kailondo
6 called you up to the time the Kamajor groups came and joined
7 Kailondo, during that time, was there any fighting outside Tongo
8 as the Kamajors were coming in?

9 A. Yes.

12:08:27 10 Q. Yes, please.

11 A. It was Saama that fighting occurred.

12 Q. How far is Saama from Tongo?

13 A. Over seven miles from Tongo to Saama.

14 Q. What happened there?

12:09:01 15 A. The Kamajors drove them and they returned towards Gandorhun
16 Gbane because it was there that they came from.

17 Q. Who drove whom?

18 A. The Kamajors drove the rebels and the juntas on that attack
19 when they came from -- that attack on Saama.

12:09:36 20 Q. Which Kamajor group was involved in that Saama fighting?

21 A. CO Salifu was in Saama.

22 Q. Thank you. Now, after the Kamajor groups had settled in
23 Tongo, after the Kamajor groups had got settled in Tongo, was
24 there any other encounter?

12:10:32 25 A. Yes.

26 Q. When was that?

27 A. It was in the eleventh month that they came from Kangama
28 end and attacked us at Tongo from Kono.

29 Q. That who came?

1 A. The rebels and the juntas.

2 Q. So for all those 11 months, which fighting group was in
3 occupation of Tongo, for those 11 months?

4 A. It was in our hands, we the Kamajors.

12:11:51 5 PRESIDING JUDGE: I think we know that, Dr Jabbi.

6 MR JABBI: Thank you, My Lord.

7 Q. Now, can you tell the Court what happened in that attack
8 after the 11 months?

9 A. In that attack, we the Kamajors were dislodged together
12:12:22 10 with our people.

11 Q. How long were you kept out of Tongo on that occasion?

12 A. It took some time, some days.

13 Q. How long was that period when you were kept out of Tongo?

14 A. I can't say the number of days now because they were there
12:13:16 15 until the peace accord was signed and there was no fighting again
16 between us.

17 Q. Thank you. Now, Mr Witness, before you came here, some
18 witnesses have given evidence in this Court for the Prosecution.
19 I would like now to put some of that evidence to you and ask you
12:14:11 20 a few questions on each.

21 A. Okay.

22 PRESIDING JUDGE: Go ahead.

23 MR JABBI: My Lords, the first reference to the transcript
24 I wish to make this morning is to the transcript of 22 February
12:14:40 25 2005 to the evidence of TF2-027 at page 3, line 15 to page 4,
26 line 15.

27 Q. Mr Witness, do you know a place called Konia?

28 A. Yes.

29 Q. Where about is it?

1 A. It is in the Lower Bambara Chiefdom.

2 Q. Now, I want you to listen very carefully to a piece of
3 evidence given by one witness in this Court in respect of Konia
4 and then I will ask you some questions on it.

12:16:38 5 MR JABBI: My Lord, from line 15, the second sentence, line
6 15, page 3 the question is.

7 [CDF18MAY06C - EKD]

8 This question was put to the witness:

9 "Q. Did you, while you were still there in Konia, did you
12:17:17 10 hear anything else about anything else?

11 "A. Yes.

12 "Q. What was it?

13 "A. Some of the Kamajors came from the bush, they came
14 from the bush.

12:17:48 15 "Q. Slowly, please, Mr Witness.

16 "A. Some Kamajors came from the bush. I think there were
17 about two or three. They came and one of them told the
18 other Kamajors that they should go and bury the corpses
19 under the coffee tree.

12:18:39 20 "Q. You said some commanders came out of the bush and
21 ordered some other Kamajors to go and bury some corpses.
22 What was their response?

23 "A. The boy said, 'Only three of us,' they said it in
24 Mende. 'The three of us can't bury corpses that are over
12:19:24 25 30.'

26 "Q. Mr Witness, do you know who was in control of the
27 point there at Konia where you were -- when you got all
28 this information?

29 "A. Yes. He was my friend, CO Kamabote.

1 "MR BANGURA: Your Honours, Kamabote is" -- and the
2 spelling."
3 Line 10:
4 "Q. Did you see these corpses that they talked about?
12:20:30 5 "A. No.
6 "Q. Did you eventually leave Konia?
7 "A. I was afraid and I told CO Kamabote that I wanted to
8 go and he said let me go."
9 Now, Mr Witness, do you remember an incident of the sort
12:21:20 10 I've just read out.
11 A. Regarding Konia?
12 Q. Yes.
13 A. I don't know anything about that.
14 Q. Were you at any point in control of the point at Konia?
12:22:05 15 A. No.
16 Q. Did you at any time give the okay to a friend of yours to
17 leave Konia?
18 A. No.
19 Q. Did you at any point in time know or hear of some 30
12:23:39 20 corpses under a coffee tree, which a Kamajor commander was asking
21 some children to bury?
22 A. No.
23 Q. Thank you.
24 MR JABBI: My Lords, the next areas of the transcript I
12:24:28 25 wish to look at --
26 PRESIDING JUDGE: The same transcript?
27 MR JABBI: Yes, My Lord, but this time a different witness.
28 Same transcript, 22nd February 2005, the testimony of TF2-047. A
29 set of references to a certain incident, if I may just give the

1 references, first of all.

2 The references I wish to utilise, My Lord, are page 48 of
3 the said transcript, lines 19 to 29. Then page 49 of same, lines
4 1 to 11. Then page 51, lines 18 to 29, and page 52, lines 10 to
12:26:05 5 29.

6 PRESIDING JUDGE: Very well, proceed.

7 MR JABBI: Thank you, My Lord.

8 Q. Now, again, Mr Witness, I am going to read to you portions
9 of the evidence of another witness before this Court and I will
12:26:38 10 ask you questions about them as I go along. The first one page
11 48 lines 19 to 29.

12 "Q. On that day did you know any AFRC soldiers by sight?

13 "A. Yes, I saw him.

14 "Q. Could you see any in the crowd?

12:27:38 15 "A. Yes, I saw one. One was there who was called
16 Dr Blood.

17 "Q. Were there any other AFRC soldiers in the crowd
18 outside the security building?

19 "A. They were there. But when we are told to go to
12:28:22 20 headquarters, before we entered the headquarters we saw a
21 lot of corpses. Some of them were AFRC, a lot of them.

22 "Q. Okay. At that time when you were at the security area
23 did anyone speak to you or speak to the crowd?"

24 And that continues on page 49 lines 1 to 11:

12:29:17 25 "A. Yes, yes, somebody spoke to me who was a Kamajor.

26 "Q. Do you know who that was, the name of that person?

27 "A. Yes, sir.

28 "Q. Who was that?

29 "A. It was Keikula alias Kamabotie" - and he repeats it,

1 "Keikula alias Kamabotie," at line 11.

2 PRESIDING JUDGE: Are you finished with that page?

3 MR JABBI: Yes, My Lord.

4 Q. Mr Witness, did you know any person by the name of
12:30:31 5 Dr Blood?

6 A. No.

7 Q. I go to page 51 for some continuation in respect of that.
8 Page 51, lines 18 to 29.

9 PRESIDING JUDGE: May I suggest to you, Dr Jabbi, that you
12:31:03 10 inform your witness this is taking place in Tongo so in case
11 there might be some ambiguity because in the pages leading to 49,
12 the Kamajors are coming into Tongo. So this is taking place in
13 Tongo Town. So he knows what you are talking about, in case.

14 MR JABBI: Yes, My Lord, I will clarify to him.

12:31:26 15 Q. These incidents I am reading from the transcript are
16 alleged to have happened inside Tongo. Okay?

17 A. No.

18 Q. I am not asking you yet whether they did happen. What I am
19 saying is --

12:31:58 20 PRESIDING JUDGE: The witness testified that he --

21 MR JABBI:

22 Q. -- that witness who testified earlier on said that these
23 events happened in Tongo, so I will continue to read about it.
24 Then I will later on ask you.

12:32:24 25 MR JABBI: My Lords, I will begin this from line 15.

26 PRESIDING JUDGE: That's fine.

27 MR JABBI: To set the context slightly clearer.

28 Q. "Q. When commander BJK Sei went away, did Lahai Siaka stay
29 there?

1 "A. Yes, sir, he stayed.

2 "Q. Okay. What did Kamabotie do at that time?

3 "A. Kamabotie announced that whosoever, if you know any
4 rebel that has done wrong to you, bring him to us.

12:33:24 5 "Q. Did he say anything else about that time?

6 "A. Yes.

7 "Q. What did he say?

8 "A. After he had said that if anybody know any rebel, that
9 is you point him out, then Fatmata Kamara said, 'that man,
12:34:04 10 Dr Blood, he used to use my rice without pay. At any time
11 I talk to him, he abuses me.'

12 "Q. So just slowly, did someone point out a person called
13 Dr Blood?"

14 And then we continue overleaf:

12:34:43 15 MR JABBI: My Lords, I will begin from line 1 although my
16 main concern is 10 to 29.

17 PRESIDING JUDGE: That's okay.

18 MR JABBI: Thank you.

19 Q. So to this question did someone point out a person called
12:34:59 20 Dr Blood?

21 "A. Yes, somebody point at him, who was Fatmata Kamara.

22 "Q. Fatmata Kamara?

23 "A. Yes.

24 "Q. Did you know Dr Blood before that day?

12:35:25 25 "A. Yes."

26 And then from line 10:

27 "Q. What did Fatmata Kamara say about Dr Blood?

28 "A. She said, 'When I used to sell my cookery, he used to
29 go there to eat with his colleagues. He eat without paying

1 and they eat all the food. They never paid anything. If I
2 ask them he abuses me.'

3 "Q. Did you know Dr Blood before that day?

4 "A. Yes, I knew him.

12:36:20 5 "Q. What did you know Dr Blood or how did you know
6 Dr Blood?

7 "A. He was a rebel.

8 "Q. After Dr Blood had been identified, did something
9 happen?

12:36:40 10 "A. Yes.

11 "Q. What happened?

12 "A. As soon as Fatmata Bangura said 'This man was a rebel,
13 he used to eat my food without paying,' Keikula Kamabotie
14 called him to attention.

12:37:21 15 "Q. Did anything happen to Dr Blood?

16 "A. As he was called by Keikula, he ordered him to sit
17 down. Before he sat down he chopped him on the neck. The
18 head fall on the back. It dropped."

19 Now, did you grasp the full force of this incident? Do you
12:38:17 20 understand it?

21 A. Yes.

22 Q. Once more, did you know a Dr Blood?

23 A. No.

24 PRESIDING JUDGE: I thought you had asked that question
12:38:39 25 already.

26 MR JABBI: Yes, My Lord.

27 PRESIDING JUDGE: Again, there was a comment that you keep
28 asking the same question and I agree with that. Dr Jabbi, we
29 need not to have these same questions and answers all the time.

1 Go ahead, please.

2 MR JABBI: As Your Lordship pleases.

3 Q. Did you know a Fatmata Kamara?

4 A. No.

12:39:15 5 Q. Did you know a Fatmata Bangura?

6 A. No.

7 Q. Do you remember any incident where a complaint was made to
8 you by a lady that somebody used to eat her cookery and did not
9 pay for it?

12:39:59 10 A. No.

11 Q. Finally on that incident, did you ever chop off the head of
12 somebody who allegedly ate cookery from a woman and did not pay
13 for it?

14 A. No.

12:40:53 15 Q. Thank you very much.

16 MR JABBI: My Lords, the next incident I wish to cite from
17 the transcript comes from the same transcript and the same
18 witness, TF2-047. This time at page 53, lines 17 to 26.

19 PRESIDING JUDGE: Proceed, please.

12:41:31 20 MR JABBI: Thank you very much.

21 Q. Again, Mr Witness, I want to read to you another incident
22 from the testimony of a witness in this Court. Listen to it very
23 carefully. When I finish reading it, I will put a few questions
24 to you this time from the answer at line 17.

12:42:11 25 "A. Well Lahai Siaka said that while we did not leave the
26 town, then Kamabotie said, 'Don't ask him like that, let's
27 kill everybody. Don't do here what he has said.'

28 "Q. Where were all these people when these words were
29 spoken? Whereabouts were they?

1 "A. We are seated on the ground. But before I sat on the
2 ground Kamabotie called me. He said, `Hey, you, come over
3 here. You are a sanitary officer. I know you'" --
4 PRESIDING JUDGE: Dr Jabbi, please, read the transcript.
12:43:14 5 No -- just read the transcript.
6 MR JABBI: My Lord, I'm sorry.
7 Q. "We are seated on the ground, but before I sat on the
8 ground Kamabotie called me. He said, 'Hey, you, come over
9 here. I know you. Today you are going to bury a lot of
12:43:42 10 corpses until you become tired.'"
11 MR JABBI: My Lord, this is really just an introduction to
12 the next set of incidents emanating from this. If I may give the
13 references to the next block of references emanating from this.
14 My Lords, page 53, the same page, line 27 to page 54, line 18.
12:44:48 15 PRESIDING JUDGE: You mean up to line 18?
16 MR JABBI: Up to line 18, My Lord, of the next page.
17 PRESIDING JUDGE: Okay.
18 MR JABBI: Then page 58, line 12 up to page 59, line 10.
19 And then page 60, lines 1 to 20. Then page 61, lines 9 to 29 and
12:45:35 20 page 65, line 3 to page 66, line 3. So if I may continue reading
21 from line 27 of page 53.
22 PRESIDING JUDGE: Yes.
23 MR JABBI:
24 Q. "Q. On that day --
12:46:18 25 "A. Yes.
26 "Q. -- did you bury a lot of corpses?
27 "A. Yes.
28 "Q. Did you see how those people became corpses?
29 "A. Yes.

1 "Q. Where were you when you saw people killed?
2 "A. Well, I was within the crowd. I said as we are all
3 standing, Kamabote came and pointed out and said I should
4 go to a wheelbarrow and pick a wheelbarrow and go to a pit.
12:47:32 5 Sorry, gather the corpses and put them in a pit.
6 "Q. You were in with all the people in the security area?
7 "A. Yes.
8 "Q. Kamabote came and spoke to you?
9 "A. Yes.
12:47:59 10 "Q. Told you to get a wheelbarrow?
11 "A. Yes.
12 "Q. At that time had anyone been killed?
13 "A. A lot, yes.
14 "Q. Who had killed these people?
12:48:29 15 "A. The Kamajors killed the people."
16 Then we proceed to page 58, line 12, to page 59, line 10 as
17 a continuation.
18 "Q. Mr Witness, did you make any observations as to how
19 those people died?
12:49:06 20 "A. Yes.
21 "Q. What observations did you make?
22 "A. Well, I saw some of them their heads chopped off, I
23 never saw the heads. Some they are disembowelled. Some
24 were chopped on the head but not completely. Some had some
12:49:46 25 wounds all over their bodies. Some corpses had no head,
26 you don't know where the head had gone.
27 "Q. Do you know who killed those people?
28 "A. It was the Kamajors.
29 "Q. How do you know it was the Kamajors?

1 "A. Because I was there when they killed three people.
2 That's why I concluded that they were killed by Kamajors.
3 And they were in Kamajor gear. So it was the Kamajor that
4 killed them.

12:50:50 5 "Q. How many bodies did you see that had the injuries you
6 have just described?
7 "A. Well, there were many; I cannot tell. The ones that I
8 place in the wheelbarrow and buried, I know the number.
9 The ones that I took and buried.

12:51:28 10 "Q. Where did you bury these bodies?
11 "A. There was a big pit at the back of the headquarters so
12 it was there that I dumped them.

13 "Q. Did you bury these people by yourself or did you have
14 assistance?
12:51:55 15 "A. At the beginning I was alone, but when I became tired
16 I asked for help, so they gave me three people."

17 MR JABBI: Then, My Lords, at page 60, lines 2 to 20, again
18 I read:
19 "Q. And where was that in relation to the security
12:52:46 20 building?
21 "A. It was close to the football field. Security
22 headquarters -- field, it was near there.

23 "Q. How many fields were at the security headquarters?
24 "A. How many fields?
12:53:09 25 "Q. Yes.
26 "A. It was one big one.
27 "Q. In relation to the security headquarters, where did
28 you bury the bodies you have spoken about?
29 "A. Well, the big pit was full so I went close to the

1 swamp. That was the area where there were pits. It was
2 there I dumped some of them.

3 "Q. When you finished burying bodies that day what did you
4 do?

12:53:54 5 "A. I was unable to complete my task that day, but I had a
6 number of all the ones that I buried. I counted and kept
7 the number in my memory.

8 "Q. What number is that?

9 "A. Well, I buried 75."

12:54:33 10 Page 61, line 9 to line 29:

11 "Q. The next day you went back to headquarters, as you've
12 said, did you observe anything there when you went back?

13 "A. Yes.

14 "Q. What did you see?

12:55:03 15 "A. Well, I saw a lot of corpses. I buried a lot of them
16 and I continued getting the number.

17 "Q. Where were the corpses that you saw on that day?

18 "A. At times some were in the playing field and the
19 football field. Some were along the road, some were in the
12:55:34 20 grasses near the security headquarters.

21 "Q. How were those -- sorry, I will start again. Do you
22 recall how those bodies were dressed?

23 "A. Yes.

24 "Q. How were they dressed?

12:56:04 25 "A. Some were nicely dressed, they had very good clothing.
26 Some had short pair, some had guns, some had this kind of
27 clothes that I'm wearing. Some had docket and lappa, had a
28 lot of jewellery on their necks.

29 "Q. The next day what did you do?

1 "A. Well, the corpses I buried the first day to the second
2 day, they went up to 150 corpses."
3 MR JABBI: And finally on this set of incidents, My Lords,
4 page 65, line 3, to page 66, line 3:
12:57:14 5 "PRESIDING JUDGE: After you had buried the 150 corpses in
6 the headquarters.
7 "THE WITNESS: And I came back, I returned to my house but
8 not long I was sent for and I went to town.
9 PRESIDING JUDGE: Who sent for you? You were sent for, who
12:57:41 10 sent for you?
11 "THE WITNESS: Kamabote.
12 "MR TAVENER:
13 "Q. Did you see Kamabote?
14 "A. Yes.
12:57:57 15 "Q. What did he want of you?
16 "A. He said I should go and assist the other people who
17 have come with a lot of corpses, to assist in burying them
18 at the Methodist school. We buried them at the Methodist
19 Primary School.
12:58:29 20 "Q. The people you buried at the Methodist Primary School,
21 did you make any observations about their bodies?
22 "PRESIDING JUDGE: Was it in the compound?
23 MR TAVENER:
24 "Q. Perhaps if you can answer first --
12:58:53 25 "THE WITNESS: Inside the classroom, in one big classroom.
26 "PRESIDING JUDGE: What? Buried inside the classroom.
27 "THE WITNESS: Yes sir, yes.
28 "MR TAVENER:
29 "Q. Perhaps if I can ask a question about that. I'm not

1 clear, Mr Witness, are you saying the bodies were in the
2 classroom or you buried them in the classroom?

3 "A. The corpses were not in the classroom, but inside --
4 it was dug inside the classroom and we dumped them all
12:59:41 5 there in the classroom."

6 So, Mr Witness, those are all various incidents concerning
7 the burying of corpses which one witness gave in this Court.
8 First of all, do you know the headquarters at Tongo?

9 A. Yes, yes.

13:00:42 10 Q. Did you ever attend a meeting there or meet a large number
11 of people at the headquarters during any of the encounters?

12 A. No. I was only at Kpandebu and I stopped at the police
13 checkpoint. That was my own area of operation. I didn't see any
14 corpse.

13:01:20 15 Q. Do you remember asking anyone to get a wheelbarrow and bury
16 corpses?

17 A. I never spoke that to anyone, neither did anyone say that
18 to me.

19 Q. Mr Witness, did you at any point ask anyone to assist
13:02:13 20 people who had come with a lot of corpses so that they could bury
21 them in a primary school, Methodist Primary School at Tongo?

22 A. No, the secondary school was for me. I had no business by
23 Blama and I never heard it, neither did I see it.

24 PRESIDING JUDGE: Can you repeat that answer, please?

13:02:45 25 THE WITNESS: My own area was the secondary school area,
26 starting from the police checkpoint. And I had no business with
27 the Blama area and I never heard that, neither did I see it.

28 MR JABBI: My Lords, I have one or two others but looking
29 at the clock.

1 PRESIDING JUDGE: Are you still with the same witness,
2 TF2 --
3 MR JABBI: 047, yes, My Lord.
4 PRESIDING JUDGE: We will take it after the lunch break.
13:03:22 5 Court will adjourn until 2.30. Thank you.
6 [Luncheon recess taken at 12.04 p.m.]
7 [CDF18MAY06D - EKD]
8 [Upon resuming at 2.55 p.m.]
9 PRESIDING JUDGE: Dr Jabbi, good afternoon.
14:55:36 10 MR JABBI: Good afternoon, My Lord.
11 PRESIDING JUDGE: So complete the examination-in-chief of
12 your witness. You were dealing with some of the evidence of
13 witness TF2-047 and you had indicated that you still have had
14 some additional questions with respect to that witness.
14:56:00 15 MR JABBI: Yes, My Lord.
16 PRESIDING JUDGE: Can you proceed now, please.
17 MR JABBI: My Lord, the next incident I wish to mention is
18 in respect of the same witness, same transcript, at page 59,
19 lines 12 to 29.
14:56:49 20 Q. Good afternoon, Mr Witness.
21 A. Yes, good afternoon, Dr Jabbi.
22 JUDGE ITOE: Dr Jabbi, you mean you'll go through all the
23 pages, 12 to 29 or?
24 MR JABBI: No, My Lord, lines 12 to 29. Page 59.
14:57:17 25 JUDGE ITOE: Page 59, lines 12 to 29, okay. Thank you.
26 MR JABBI:
27 Q. So, Mr Witness, I will put another incident to you from the
28 evidence given by a witness before this Court, and I will pose
29 some questions to you. This is from the same incident as the

1 wheelbarrow incident and I read from line 12. Sorry, line 11.

2 PRESIDING JUDGE: We can take it at 12, I think, that will
3 make sense as well. "Did you know that Fatmata --"

4 MR JABBI: Yes, My Lord. With your leave, if I may just I
14:58:18 5 will skip the relevant points. If I may start from the beginning
6 of the question, My Lord.

7 PRESIDING JUDGE: Go ahead.

8 MR JABBI:

9 Q. "Q. On that day, did you know a woman Fatmata Kamara?

14:58:34 10 "A. Yes, I know Fatmata Kamara.

11 "Q. Did you see her on the day the Kamajors came into
12 town?

13 "A. Yes, I saw her.

14 "Q. Did anything happen to her?

14:59:10 15 "A. Yes.

16 "Q. What happened to her?

17 "A. Kamabotie killed her. He said she was cooking for the
18 rebels.

19 "Q. How was she killed?

14:59:38 20 "A. She was chopped with a cutlass."

21 PRESIDING JUDGE: Just read, Dr Jabbi, don't make any
22 emotion. Just read the plain language.

23 MR JABBI:

24 Q. "Q. Where was she when she was killed?

15:00:03 25 "A. Well, I had three corpses in the wheelbarrow, which I
26 went to bury. So when I came I met her -- I met he has
27 struck her dead.

28 "Q. Where was that that you found her body?

29 "A. The corpse laid in the distance between where I am and

1 where you are standing."

2 Now, Mr Witness, did you know a woman called Fatmata Kamara
3 in Tongo?

4 A. No.

15:01:02 5 Q. And did you chop off the head of a woman for cooking for
6 rebels in Tongo?

7 A. No.

8 Q. Thank you.

9 MR JABBI: My Lord, the last set of incidents I wish to
15:01:59 10 refer to from the transcripts is from the transcript of 14th
11 February 2005, the evidence of TF2-035. Again a chain of
12 incidents on the following pages, if I can name the pages first
13 of all: Page 12, lines 4 to 9 and 18 to 25; page 13, lines 10 to
14 12; page 15, line 23 to page 17, line 21; page 18, lines 3 to 16;
15:04:03 15 page 20, line 1 to page 21, line 1.

16 Q. Now, Mr Witness, I am going to read you again a chain of
17 incidents from another witness's testimony. At the end of the
18 reading I will pose a few questions to you. Please listen very
19 carefully.

15:05:06 20 MR JABBI: My Lord, at page 12 if I may begin at line 1,
21 instead of line 4 as I said. One to 9, My Lord.

22 Q. "Q. Please tell the Court once again what the AFRC did
23 when the Kamajors came.

24 "A. They pulled out and leave us and the Kamajors told us
15:05:42 25 to leave for Kenema.

26 "Q. By the way, do you know whether the attack on Tongo
27 carried out by the Kamajors was successful at this time?

28 "A. No.

29 "Q. You don't know or it was not successful?

1 "A. It was not successful."
2 Then at line 18 to line 25:
3 "Q. And where in fact did you go really?
4 "A. We went halfway and the Kamajors told us that we
15:06:35 5 should all go to Panguma.
6 "Q. Could you recognise who at this time was commander of
7 the Kamajors?
8 "A. Yes.
9 "Q. Please tell the Court.
15:06:58 10 "A. The man was called Keikula Kamabotie."
11 Then at page 13 lines 10 to 12:
12 "Q. Did you go to Panguma?
13 "A. We didn't reach Panguma that same day. We stopped
14 halfway at Talama."
15:07:47 15 Then at page 15, line 23 to page 17, line 21:
16 "Q. And what happened to the people, the civilians, after
17 they were searched?
18 "A. Okay. What happened, he passed an order. He ordered
19 us to stand up.
15:08:20 20 "PRESIDING JUDGE: Who? 'He' who?
21 "MR SAUTER:
22 "Q. Who has given this order?
23 "A. The commander.
24 "Q. That means Mr Kamabotie?
15:08:42 25 "A. Yeah.
26 "Q. Did you comply with this order?
27 "A. People stood up, but I didn't.
28 "Q. What did you do?
29 "A. I was sitting down.

1 "Q. So what happened subsequently? People were standing
2 up; you were sitting down.
3 "A. Those who were standing, they said Loko, Limba, Temne,
4 they should form one queue.
15:09:34 5 "Q. From what tribe are you?
6 "A. Myself?
7 "Q. Yes.
8 "A. I am Limba. But I didn't tell them my tribe.
9 "Q. Had you been asked for your tribe?
15:10:02 10 "A. Yeah.
11 "Q. What did you tell them?
12 "A. I told them I was Madingo by tribe.
13 "Q. So let's go a step back. You said people were asked
14 to form a queue consisting of Limba, Temne, Loko people;
15:10:38 15 that's right?
16 "A. Yeah. Yes, they formed one queue.
17 "Q. Was this meant for all the people being there?
18 "A. Yeah. Temne, Mende, Sherbro and Kissi formed one
19 queue.
15:11:03 20 "Q. Now it's getting a bit confusing. You were first
21 speaking about Limba, Temne, Loko. Let's stay with the
22 Limba, Temne, Loko.
23 "A. That's the first thing I answered. That's the first
24 thing I said. I said Temne, Limba and Loko, they formed
15:11:23 25 one queue. That was the first line queue that was formed.
26 "Q. So after this line formed, of how many people
27 approximately this line consisted?
28 "A. There were many.
29 "PRESIDING JUDGE: Which line? The Loko, Limba, Temne

1 line?
2 "WITNESS: Yes, there were many.
3 "MR SAUTER:
4 "Q. Once again, could you give an estimate how many?
15:12:07 5 "A. The people?
6 "Q. Yes, in this line. In the line of Limba, Temne and
7 Loko.
8 "A. The number of people who were in the queue?
9 "Q. Yes.
15:12:32 10 "A. Yes, it was 150.
11 "Q. When you say -- when you say 150, is this an estimate
12 or an exact number?
13 "A. That's the exact number which was in the line.
14 "Q. How did you learn that there were exactly 150 persons?
15:13:03 15 "A. Well, the commander himself proved it to us when he
16 said there were 150, that they should be taken away
17 somewhere."
18 Then at page 18 lines 3 to 16:
19 "Q. So this group of people, were there both sexes and old
15:13:39 20 people, young people?
21 "A. There were no women, there were only men.
22 "Q. And once again, all ages? Children and adults?
23 "A. Out of the 150?
24 "Q. Yes.
15:14:13 25 "A. It only had one small boy who was 12 years old. Foday
26 Koroma.
27 "Q. Did you know this small boy by name, Foday Koroma?"
28 "A. Yes.
29 "Q. What about this Foday Koroma?

1 "A. He was included in the group. He was a member of that
2 group, that 150."
3 And finally at page 20, line 1 to page 21, line 1:
4 "Q. So, Mr Witness, what happened to these people after
15:15:20 5 they were brought to this place?
6 "A. The commander passed an order that they should all be
7 killed.
8 "Q. To your knowledge, had this order been carried out?
9 "A. Yes.
15:15:45 10 "Q. Could you see these people being killed, with your own
11 eyes?
12 "A. Yeah.
13 "Q. Please tell the Court how the killing was executed.
14 "A. Well, these people were hacked to death. In fact,
15:16:12 15 they were killed by the use of a cutlass.
16 "Q. Could you see whether or not really all people from
17 this group were killed?
18 "A. Yes.
19 "Q. And could you give an estimate how many Kamajors were
15:16:44 20 involved in this killing?
21 "A. There were 30.
22 "Q. What time about was it when this happened? Daylight?
23 "A. Yes. It was daylight, about 10 o'clock.
24 "Q. Mr Witness, after this killing was done, what happened
15:17:21 25 to the remaining people?
26 "A. We were taken to Panguma, but before they took us to
27 Panguma, one person's stomach was slit open, and they
28 removed his entrails and placed it in a bucket before us.
29 "Q. Are you saying out of the group of killed person one's

1 body was opened, or another one? Did you understand my
2 question?

3 "A. I understand. It were not among the survivors, it was
4 among those who were killed, one of them."

15:18:21 5 Now, Mr Witness, as I say, that is another set of incidents
6 from another witness who testified before this Court. The
7 incident relates to an attack on Tongo by Kamajors which,
8 according to the witness, which attack was not successful, and
9 these incidents followed. Now, Mr Witness, do you remember
15:19:18 10 taking a number of civilians from Tongo following an unsuccessful
11 attack on Tongo by the Kamajors?

12 A. Yes.

13 Q. Do you remember taking those civilians to Talama?

14 JUDGE ITOE: Why don't you ask him where he took --

15:20:20 15 MR JABBI: My Lord, it's all there.

16 JUDGE ITOE: It's all where?

17 MR JABBI: It is all in the incident I've read.

18 JUDGE ITOE: You are in examination-in-chief.

19 MR JABBI: As Your Lordship pleases.

15:20:37 20 JUDGE ITOE: That is why I wanted to remind you.

21 MR JABBI: Yes, My Lord, thank you very much.

22 PRESIDING JUDGE: Just make sure that when you put that
23 question to the witness, you make it clear to him that this is
24 from that portion of the transcript that you have read to him,
15:20:54 25 not something new. Because you have read many pages now - to
26 keep the context.

27 MR JABBI:

28 Q. Mr Witness, the next set of questions I am asking you are
29 all related to the incident that I have just read out from this

1 evidence. When, on that unsuccessful attack on Tongo by the
2 Kamajors, you rescued a number of civilians, where did you take
3 them?

4 PRESIDING JUDGE: There was no such thing as rescue. You
15:21:47 5 were asking, "Do you remember taking these civilians to" --

6 MR JABBI: Sorry, My Lord.

7 Q. When you took the number of civilians after the
8 unsuccessful attack on Tongo, where did you take them?

9 A. We took them to Talama.

15:22:21 10 Q. Had you told them where you were going to take them
11 ultimately?

12 A. Yes.

13 Q. Where did you say you were going to take them, ultimately?

14 A. I told them that we were taking them to our Kamajor chief,
15:22:56 15 Panguma, BJK Sei.

16 Q. At Talama, did you count them?

17 A. Yes.

18 Q. How many did you get?

19 A. The others who were 175. That was apart from the children
15:23:31 20 that were amongst them.

21 Q. How many children?

22 A. I didn't count them.

23 Q. But one, two, three; around that?

24 A. There were more than that. There were babies among them.
15:24:06 25 There were others, three years, four years, seven years. Not one
26 or two, there were many.

27 Q. Did you search those civilians?

28 A. No.

29 Q. What did you do to them?

1 A. I let my Kamajors to get oranges for them, I took bucket
2 for them and went to the tap and got water for them so they
3 drank, and I put them in front of me and I took them to BJK Sei
4 at Panguma. All of them.

15:25:02 5 PRESIDING JUDGE: We are just going in circles here. This
6 is essentially the evidence he gave in-chief. You are to put to
7 the witness some -- and you have read these portions of that
8 particular transcript, so put it to him. Basically that witness
9 that you have referred to has said they were put in a queue and
15:25:18 10 asked. This is what this witness is saying, so put that to him,
11 presumably.

12 MR JABBI: I am putting the specifics, My Lord.

13 PRESIDING JUDGE: Because if you ask him what he did, we
14 will get nowhere.

15:25:31 15 MR JABBI: Yes, indeed, My Lord.

16 Q. Did you ask the civilians to queue up by their tribes?

17 A. No.

18 Q. Temne, Loko, Limba in one line?

19 A. No.

15:26:06 20 Q. Then Temne, Mende, Sherbro in another line?

21 A. No. I never picked them by tribes.

22 Q. Did you pass an order that a number of them be taken away
23 and killed?

24 A. No.

15:26:37 25 Q. Did you take all of them to Panguma as planned?

26 A. Yes.

27 MR JABBI: My Lords, that is all for this witness.

28 PRESIDING JUDGE: Thank you. Second accused, any
29 cross-examination of this witness?

1 MR PESTMAN: Yes, Your Honour, thank you.

2 CROSS-EXAMINED BY MR PESTMAN:

3 Q. Mr Amara, I am counsel for Mr Moinina Fofana. I would like
4 to ask you a couple of questions. Do you know Mr Moinina Fofana?

15:27:42 5 A. Yes, I know him now belatedly.

6 Q. When did you first meet Mr Moinina Fofana?

7 A. We met in Bo when CDF had come.

8 Q. Was that before or after the reinstatement of the
9 government?

15:28:07 10 A. After the reinstatement.

11 Q. Do you happen to know whether he was at Bo Waterside when
12 you were there?

13 A. Yes, I heard his name there, but I didn't know him.

14 Q. Do you know what he was doing there?

15:28:41 15 A. He wasn't doing anything there. He was only there because
16 he was a Kamajor and that the war had displaced us and we're all
17 there at Bo Waterside.

18 Q. After your short period stay in Bo Waterside, you went back
19 to the Tongo area and I understand that your commander at that
15:29:18 20 time was BJK Sei; is that correct?

21 A. Yes.

22 Q. Do you happen to know to whom he reported, if he reported
23 at all?

24 A. Yes.

15:29:46 25 Q. Who did he report to?

26 A. He reported to our chiefs, because at that time we never
27 knew of any other leaders.

28 PRESIDING JUDGE: He reported to whom?

29 MR PESTMAN:

1 Q. Could you please repeat the answer?

2 A. Our chiefs, the chiefs who were in the chiefdom,
3 Lower Bambara Chiefdom.

4 PRESIDING JUDGE: So BJK reported to the chiefs of the
15:30:28 5 chiefdom; that's what you're saying?

6 THE WITNESS: Yes.

7 MR PESTMAN:

8 Q. Did Mr Fofana ever give you any orders?

9 A. No.

15:30:46 10 Q. Not even indirectly through other people?

11 A. I didn't hear that, neither did I see it.

12 Q. Did you ever report to Mr Fofana about battles, about the
13 war?

14 A. Ever since we have not had such a thing between myself and
15:31:25 15 Mr Fofana.

16 Q. What was Mr Fofana to you? What did he mean? Was he of
17 any importance to you during the war?

18 A. Kinie Fofana, I used to hear his name, but there was no
19 important -- I only used to hear his name. He was of no
15:32:02 20 importance to me related to the Kamajor business.

21 Q. Sorry, I missed the last sentence. Could you please repeat
22 the last sentence?

23 A. Mr Fofana, I didn't know about his importance related to
24 the Kamajor business the time we were fighting the war.

15:32:45 25 MR PESTMAN: I would like to refer the Court to witness
26 TF2-008. I have mentioned that witness before. In a statement
27 given on 16th November 2004 at page 47.

28 PRESIDING JUDGE: I'm sorry. TF2 --

29 MR PESTMAN: 008, 16 November 2004 page 47.

1 Q. A witness for the Prosecution, Mr Amara, came and told this
2 Court that Mr Fofana was in charge of all CDF fighting groups.
3 In your own experience as a commander in the CDF, did you
4 consider Mr Fofana to be in charge of fighting groups?

15:33:54 5 A. No. At that time, that never happened and I didn't hear
6 it.

7 MR PESTMAN: There is one more witness I would like to draw
8 the attention of the Court to, Your Honours, TF2-005, in a
9 statement given on 15 February 2005 at page 94?

15:34:34 10 Q. Mr Amara, there was another witness here for the
11 Prosecution who said that Mr Fofana was one of those responsible
12 for deciding and planning how the war was to be fought. In your
13 own experience as a CDF commander, did Mr Fofana play that role?

14 A. No.

15:35:24 15 MR PESTMAN: Your Honours, the same witness on the same
16 day, page 101.

17 Q. The same witness, Mr Amara, said that Mr Fofana was
18 responsible within the CDF for the selection of commanders, CDF
19 commanders. In your own experience as a CDF commander, do you
15:35:53 20 know whether Mr Fofana was responsible for the selection of
21 commanders?

22 A. No, I didn't know about that.

23 Q. Did Mr Fofana appoint you as a commander?

24 A. No.

15:36:27 25 MR PESTMAN: The same witness, Your Honours, on 16 February
26 2005 at page 10.

27 Q. Mr Amara, the same witness also said that Mr Fofana was
28 responsible for decisions as to how many Kamajors would
29 participate in any given attack. To your knowledge, Mr Amara,

1 did Mr Fofana ever determine how many Kamajors should participate
2 in any attack you participated in?

3 A. No.

4 Q. Have you ever talked to the Prosecution or an investigator
15:37:26 5 working for the Prosecution?

6 A. They used to go there asking us that we should say
7 something to us so that we would record them. But I didn't know
8 their differences. Some of them would say they were coming from
9 the Defence and they had gone to us to investigate some things.

10 Even as we're here, one is amongst us, I know him, but I don't
11 know his name.

12 Q. Just out of curiosity, who was that? Could you point at
13 that particular person?

14 A. That man sitting after this man. That man over there. He
15:38:08 15 met me in Bumpeh, my village.

16 Q. He doesn't work for the Defence. He is from the other
17 side.

18 A. That's why I said I didn't know their differences. Someone
19 would just come and say whatever you know about this one say it
15:38:35 20 and we will document it.

21 Q. And you always told the same story?

22 A. If only what I said was what you wrote, you didn't write
23 any other thing, well, I'll accept it.

24 MR PESTMAN: I would like to show this witness the CDF
15:39:02 25 calendar, please, and go to my last set of questions.

26 PRESIDING JUDGE: What is the exhibit number?

27 MR PESTMAN: I think it is 112.

28 Q. Mr Witness, can I ask you in the meantime whether you can
29 read English?

1 A. No.

2 Q. If you could open, Mr Amara, the calendar. Go to what I
3 think is the third page, the top. There is a top of Mr Fofana.
4 I think it is the next page. It is the month of February. Can
15:40:52 5 you see the photo with Mr Moinina Fofana?

6 A. Yes.

7 Q. Okay. Have you ever seen this calendar before?

8 A. I've never seen it and I don't know anything about it.

9 Q. I would just like to read some of the text underneath the
15:41:27 10 photo and I would like to ask what your reaction is to that
11 particular text. The first line says, "As far as the
12 Sierra Leone Civil Defence Forces are concerned, they don't say
13 war unless he says they say war." And "he," that will be
14 Mr Fofana. What would be your reaction to this?

15:42:10 15 A. Is that a question?

16 Q. Yes.

17 A. I thought you were reading.

18 Q. No, no. My quotes are a bit shorter. The question is:
19 The text says, "They don't say war unless he says they say war,"
15:42:51 20 and "he" would be Mr Fofana. That is what the text of the
21 calendar says. My question would be: Is that statement correct?

22 A. No.

23 Q. And a bit further it says, "Moinina" -- I'm quoting again.
24 "Moinina Fofana, popularly known within the CDF as director, is
15:43:29 25 the man who oversees the mobilisation and deployment of the
26 volunteer fighters of the CDF." Is that statement correct?

27 A. No.

28 Q. I have one final question. On the photo you can see that
29 Mr Fofana is holding a pen or a pencil in his right hand. Have

1 you ever seen him holding a pencil in his hand?

2 A. Even when I came to him in Bo, I didn't see him with a
3 pencil in his hand. I took -- I spent seven days in Bo when I
4 came there. I didn't see him with a pencil in his hand.

15:44:35 5 Q. Thank you, Mr Amara.

6 MR PESTMAN: Thank you, Your Honours.

7 PRESIDING JUDGE: Thank you. Counsel for third accused,
8 any questions in cross-examination of this witness?

9 MR LANSANA: Yes, Your Honour, by all means.

15:45:07 10 CROSS-EXAMINED BY MR LANSANA:

11 Q. Mr Witness, good afternoon.

12 A. Yes, good afternoon.

13 Q. You testified before this Court to the effect that you were
14 a Kamajor; correct?

15:45:34 15 A. Yes. Even now I'm a Kamajor.

16 Q. You were initiated into the Kamajor society, you say, in
17 1996; not so?

18 A. Yes.

19 Q. Who initiated you?

15:46:10 20 A. Kamoh Brima Bangura.

21 Q. At the time of your initiation were you aware of any other
22 initiators?

23 A. I used to hear.

24 Q. Did you specifically hear about a man called

15:46:52 25 Allieu Kondewa?

26 A. I heard his name being called.

27 Q. Would it be true to say that you had combat experience
28 before you became initiated into the Kamajor society?

29 A. Yes.

1 Q. Is it also true that there were quite a number of other
2 people, other Kamajors, who had combat experience before they got
3 to be initiated into the Kamajor society?

4 A. Many.

15:47:56 5 Q. What was your personal motivation for becoming a Kamajor?

6 A. What motivated me to become a Kamajor? I was not forced
7 into the Kamajor society. Because the war came from my home
8 town, the way it was destroying my home town, killing my people,
9 it was then the chiefdom people came together and said let's

15:48:31 10 gather the young men together so that we'll be initiated and
11 eventually protect our land. So I was willingly initiated so
12 that will help the soldiers fight the war.

13 Q. Mr Witness, did you believe in the mystical powers that the
14 initiators said they would give to you as an initiate?

15:49:08 15 A. Yes.

16 Q. Can you give this Court a few personal experiences you had
17 in battle that justified that belief?

18 A. Yes.

19 Q. Can you oblige the Court?

15:49:51 20 A. My own Kamajor society that I was initiated into, I can put
21 off a gun, the guns of my enemies.

22 Q. Can you come there again? What do you mean by "put off a
23 gun"?

24 A. If my enemy's firing at me, I would make sure that that gun
15:50:30 25 is disabled.

26 Q. Thank you. Any other experience?

27 A. [No interpretation]

28 Q. Please oblige the Court.

29 A. They will fire at me and the bullet would never pierce my

1 body. In fact, even my shirt will not be burned. Even until
2 this time that I'm sitting here.

3 Q. When you were answering questions to counsel for the first
4 accused, he put to you an allegation against Kamajors regarding
15:51:27 5 disembowelment of a corpse. Answer this question: What was the
6 attitude of Kamajors to corpses?

7 A. In fact, that is not the work of a Kamajor. That's just a
8 lie.

9 PRESIDING JUDGE: Answer the question, please.

15:52:04 10 MR LANSANA:

11 Q. Please address yourself to the question. I would want the
12 interpreters to be a little helpful this way. How did Kamajors
13 look at corpses? What was their attitude? How did they relate
14 to corpses?

15:52:37 15 A. In the war, a Kamajor would jump over a corpse when once
16 the war is going on. But ordinarily you should not touch the
17 corpse. But when once the fighting is on you will jump over the
18 corpse. Nothing will happen to you. But when the war is over
19 you are not supposed to touch the corpse.

15:52:59 20 Q. Thank you. Let me come to initiators. Did initiators
21 command troops?

22 A. No.

23 Q. Did they go into combat? Did they go into battle?

24 A. I did not see that. That is not their work.

15:53:38 25 Q. Did they plan battles, sit down with the commanders and
26 plan battle?

27 A. No.

28 Q. Did they supply arms and ammunition to combatants?

29 A. No. In fact, they were not getting it. How would they

1 give it to us?

2 Q. Mr Witness, you have narrated to this Court several
3 instances of you planning battle, going into battle and the rest
4 of it. Can I ask you who it was that sat down and planned
15:54:33 5 battles?

6 A. Yes.

7 Q. Tell the Court who it was that actually sat down to plan
8 battle.

9 A. In our own chiefdom, Lower Bambara, our Kamajor chief and
15:55:10 10 the chiefs in our chiefdom who gave us, will sit together with
11 Kamajor chief and organise and plan the war.

12 Q. When you went into battle Kamajors engaged the enemy, the
13 enemy would engage the Kamajors; they'll rout you out, you'll
14 rout them out. In the execution of the battle did you get
15:55:55 15 reports of misconduct by Kamajors as a commander?

16 A. God forbid. A Kamajor is a disciplined person.

17 Q. And if there were misconduct by Kamajors, can you tell this
18 Court how --

19 JUDGE ITOE: He has not said that there were misconducts.
15:56:35 20 Has he? Kamajors are disciplined people. The question which
21 preceded that.

22 MR LANSANA: It does not directly answer my question.

23 JUDGE ITOE: Observe the rules of the game.

24 MR LANSANA: As Your Honours pleases. As it please
15:56:49 25 Your Honour. It is an assumption.

26 JUDGE ITOE: Don't assume.

27 MR LANSANA:

28 Q. Mr Witness, did you as a Kamajor commander have a mechanism
29 of disciplining Kamajors who misconducted themselves?

1 A. Yes.

2 Q. Can you oblige this Court as to what that mechanism was?

3 A. In fact, in that our chiefdom, I was the one in charge of
4 disciplining the Kamajors. If a Kamajor did wrong to a civilian,
15:57:43 5 if they come and make a report against you, if I was supposed to
6 give you 12 lashes, I will give you 12 lashes. So if your
7 colleague saw that he'll not do it again.

8 Q. Finally, Mr Witness, you said you had been a Kamajor and
9 you just told me in this Court that you're still a Kamajor. By
15:58:14 10 hindsight are you proud of the role you played as a Kamajor
11 during the war?

12 A. Yes.

13 MR LANSANA: Thank you very much. Your Honours, that will
14 be all for this witness.

15:58:47 15 PRESIDING JUDGE: Thank you. Mr Prosecutor, any
16 cross-examination of this witness?

17 MR KAMARA: Yes, My Lord.

18 CROSS-EXAMINED BY MR KAMARA:

19 Q. Good afternoon, Mr Witness.

15:59:21 20 A. Yes, good afternoon, Mr Lawyer.

21 Q. Let me start off by asking you if you would be surprised to
22 know that my learned friend you pointed out has never been to
23 Bumpeh?

24 JUDGE ITOE: Identity. You can continue.

15:59:50 25 MR KAMARA: Yes, My Lord.

26 JUDGE ITOE: It is a matter of identity. Maybe if he's not
27 the one. Let's move on.

28 MR KAMARA:

29 Q. Further to that, no member of the prosecution team has

1 never met you because you have been running away from them; is
2 that not so?

3 A. No. That man sitting there near you, he went to me at my
4 house, Bumpeh. He also went to BJK Sei at Panguma.

16:00:16 5 [CDF17MAY06E - CR]

6 Q. All right. Let's leave that. Now, Mr Kamabotie?

7 A. Yes.

8 Q. I will start off with these Tongo attacks you've described.
9 You agreed before this Court that you carried civilians to

16:00:56 10 Panguma; correct?

11 A. Yes.

12 Q. At the time you collected these civilians, did you get them
13 all from one place?

14 A. Yes. They were put into one place and said, "We're all
16:01:29 15 going to be here until your brothers come and kill all of us
16 here."

17 Q. Thank you. At the time you collected them, were you, the
18 Kamajors, armed?

19 A. Yes.

16:02:01 20 Q. Do you, by any chance, know how many Kamajors were there?

21 A. Mine who were with me were four commanders. We were
22 divided by towns. Mine who were with me, I know their number.

23 Q. What's the number? I'm talking about the movement to
24 Panguma, the Kamajors that were with you when you were moving
16:02:29 25 these civilians to Panguma?

26 A. My own Kamajors who were with me, who came for the fight,
27 when we took those people to Talama were 47 who were with me at
28 my base.

29 Q. They were 47.

1 JUDGE ITOE: Is it Talama or Panguma? Which one are we
2 referring to?

3 MR KAMARA: It is on the route to Panguma, My Lord.

4 JUDGE ITOE: Let's call the town where you say --

16:03:08 5 MR KAMARA: Talama. I will leave it for Talama, My Lord.

6 Q. You're telling this Court that 47 armed Kamajors escorted
7 those people on to Talama?

8 A. Yes, all of us.

9 Q. Were these civilians free to move on their own?

16:03:34 10 A. Very well. That's why my -- the commander was at the back.

11 Q. To ensure that no one escaped; is that not so?

12 A. So that nobody would disturb them. Because when I told
13 them that I was taking them to Panguma, they were happy. So that
14 none of my Kamajors would disturb them. That's why I was at
16:04:10 15 their back so we go on to where we are going.

16 Q. Mr Witness, we have evidence in this Court that the
17 civilians that wanted to go to Kenema, and you insisted that you
18 were taking them to Panguma, to your boss, BJK Sei. You will
19 agree with me with that?

16:04:37 20 A. They did not say that to me.

21 Q. You are suggesting to this Court that all those civilians
22 chose to go with you to Panguma and not to their own different
23 villages? Is that what you are telling this Court?

24 A. Yes.

16:05:06 25 Q. Those that made it to Panguma had to sign an undertaking
26 before they were released; is that not so?

27 A. Nobody among them took an undertaking, signed an
28 undertaking.

29 THE INTERPRETER: Your Honours, may the witness go over the

1 answer?

2 PRESIDING JUDGE: Mr Witness, go slowly, please. Will you
3 take your answer back again because the interpreter was unable to
4 follow you. Repeat your answer, please.

16:06:04 5 THE WITNESS: When I took these civilians and handed them
6 over to chief Kamajor Mr BJK Sei, Panguma, he told them in my
7 presence.

8 JUDGE ITOE: Please, instead of swinging on your chair, do
9 the talking. You are swinging and swinging and you are not
16:06:54 10 talking.

11 THE WITNESS: I'm waiting for you, you would allow me to
12 say something.

13 JUDGE ITOE: We are waiting for you, too.

14 THE WITNESS: BJK Sei told them that whosoever have a
16:07:12 15 relative, and that is closer to here, or know where a relative
16 is, because the war had displaced all of us, you are free to go
17 there.

18 MR KAMARA:

19 Q. Now, Mr Witness, these 47 Kamajors that you said were
16:07:32 20 armed, what type of weapons were they armed with? Can you tell
21 the Court?

22 A. There were AK-47 guns -- rifles, with my Kamajors. They
23 had 58; they had G3; they had shotguns; and even RPG was there.

24 Q. Were any of the civilians armed?

16:08:27 25 A. None of them was armed.

26 Q. Did any one of them leave of their own free will before you
27 got to Talama?

28 A. Go over that again.

29 Q. The question is: Did any of those you were moving with

1 left of their own free will before you got to Talama; the
2 civilians I am referring to.

3 A. No.

4 Q. Mr Witness, I am putting it to you that you abducted these
16:09:32 5 civilians and forcibly took them to Talama.

6 A. That did not happen.

7 Q. And furthermore, you stopped at Talama so that you could
8 harass and kill the civilians.

9 A. In fact, the bucket was in my own hands when I fetched the
16:10:10 10 water and giving them to the children and even the adults
11 themselves and even when the oranges were picked, they were
12 giving them to them.

13 Q. Now let me take you to Talama. I'm reminding you that
14 you're under oath, Mr Witness. Did you and your Kamajors
16:10:42 15 off-load these civilians of their properties?

16 A. No, no, not even a needle did I allow any Kamajor to take
17 from them. Even now, some of them are grateful to me.

18 Q. Mr Witness, there is evidence before this Court that when
19 you took the civilians to Talama, you ordered them to sit on the
16:11:26 20 ground and took their properties away from them and stacked them
21 in the house; is that not what happened?

22 A. He's telling a lie.

23 Q. Mr Witness, there is evidence also before this Court that
24 while those people were gathered there, and the lawyer for the
16:11:57 25 first accused read the transcript for you, you ordered the 150
26 people that you had separated, based on their tribes, for them to
27 be killed; is that not so? I'm putting it to you.

28 A. I say that did not happen. It's a lie. It never happened.
29 I took all of them and handed them over to our Kamajor chief.

1 Q. Mr Witness, you left Tongo with over 500 civilians. You
2 arrived in Panguma with only 175. What happened to the rest?
3 Tell this Court.

4 A. The 500 you are talking about, except it was another
16:13:33 5 Kamabotie, but the ones that I took from that place were 175.
6 That was excluding the children, because I did not count them.

7 Q. Now I'm taking a specific issue with you. Do you remember
8 that little boy of about 12 years old that you ordered to be
9 killed because he was suspected to be a rebel. Do you remember
16:14:04 10 that boy, Foday Koroma, specifically?

11 A. That did not happen.

12 Q. Thank you, Mr Witness. You have seen a lot of battles
13 yourself - is that not so? - as a commander?

14 A. Yes. Those that I witnessed, yes.

16:14:46 15 Q. And you are well known in your area?

16 A. Yes, because I used to save people.

17 Q. And also loot from them; is that not so? That is why you
18 are known. You looted from the people and killed for the people,
19 so you are known.

16:15:16 20 A. That is a lie.

21 Q. Now, we're still at Talama. In answer to a question from
22 counsel for the third accused, you did say that Kamajors do not
23 touch corpses; am I correct?

24 A. Yes. If no gun firing is on, you will not even go near it.

16:15:50 25 Q. Is that why you always ask other people to bury the corpses
26 that you have killed?

27 A. I've never told anyone that during the war.

28 Q. Let me remind you. You remember the killings at the
29 security headquarters. You asked the man with the wheelbarrow to

1 bury the corpses. Do you remember that?

2 A. I did not do that. And I did not even see any Kamajor do
3 it. I was in Kpandebu. I was stopped at a police gate. I shall
4 not pass order at the headquarters. That is about one and a half
16:16:46 5 miles away from the headquarters.

6 Q. It doesn't make a difference. I'll remind you again. You
7 remember the incident at Konia?

8 A. Uh-huh.

9 Q. You ordered the civilians to bury the 30 corpses that you
16:16:58 10 and your Kamajors killed. Do you remember that?

11 A. Where?

12 Q. I said Konia. You know exactly where I'm talking about.

13 A. Well, I did not hear the name of the town. Ever since the
14 start of the Kamajor fight, up to this moment, none of my orders
16:17:40 15 was to Konia, or even my property or myself. I had nothing to do
16 with Konia.

17 Q. Now, Mr Amara, I'm suggesting to you that it is as a result
18 of these killings that you've been running away from the law; is
19 that not so?

16:17:59 20 MR MARGAI: My Lords, I would borrow the language of
21 Justice Thompson that perhaps it would be helpful to all of us if
22 these questions are put singularly, instead of a double barrel.
23 Because if he says yes or no, it would be difficult to attribute
24 the answer to a particular question.

16:18:25 25 JUDGE THOMPSON: In this particular case, hasn't he denied
26 these suggestions of crime on his part? He's denied the
27 suggestions of crime on his part and it's being suggested to him
28 the reason why he's denying. Wouldn't that be part of the
29 same material --

1 MR MARGAI: No, these are two questions in one. That's all
2 I'm saying, My Lord. To avoid any confusion. As My Lords
3 please.

4 JUDGE THOMPSON: All right.

16:19:03 5 MR KAMARA: Thank you, My Lord. May I pose the same
6 question again?

7 PRESIDING JUDGE: Go ahead, please.

8 MR KAMARA:

9 Q. I am suggesting to you, Mr Witness, that it is as a result
16:19:11 10 of these killings that you've been running away from the law; the
11 killings I've cited to you.

12 JUDGE ITOE: Running away from the law in what sense? Can
13 you be more specific?

14 MR KAMARA: Yes, My Lord.

16:19:25 15 Q. Such as, for example, running away from the Prosecution.

16 JUDGE ITOE: Why the laughter? He can answer the question.
17 Please, put the question.

18 THE WITNESS: I did not hide from anybody. Since the war
19 was over I returned to Bumpah and I was staying at my house.

16:19:51 20 JUDGE ITOE: He will say he has not been running from the
21 Prosecution. Isn't it what he will say?

22 MR KAMARA: Yes, My Lord.

23 JUDGE ITOE: But he can answer the question.

24 THE WITNESS: Even if you go to Bumpah at night, you would
16:19:55 25 meet me there. Even if you go there in the afternoon, you would
26 meet me there. Nobody had ever gone there to look for me. I did
27 not do anything wrong, how would I run away?

28 MR KAMARA:

29 Q. Mr Witness, let's go to the Labour camp meeting at Tongo.

1 Do you remember that meeting?

2 A. Yes.

3 Q. You were there, right?

4 A. I was in Kenema.

16:20:28 5 Q. I'm referring to that meeting immediately after the Tongo
6 capture. You were there. Let's agree on that.

7 A. No. The day we captured Tongo up to the next two weeks
8 nobody held a meeting that I knew of.

9 Q. When BJK Sei came was there not a meeting eight days after?

16:20:56 10 A. They held a meeting.

11 Q. That is it.

12 A. No. That is not the question you asked about. But the
13 meeting I spoke about was the same thing you asked about.

14 Q. Okay. Now, let's go to that meeting. Now, you remember
16:21:22 15 that meeting, okay? Were you in that meeting?

16 A. I said no.

17 Q. But your commander Siaka Lahai said you were in the
18 meeting. Are you denying that?

19 A. I did not go to that meeting. I heard information, but
16:21:44 20 nobody told me that Kamabotie, and the other commanders, "Let's
21 go to that meeting." Nobody ever told me that. I didn't know
22 anything about that.

23 Q. Mr Witness, we have evidence before this Court from at
24 least four witnesses that mention you in that meeting, including
16:22:05 25 your own commander. Do you seriously want this Court to believe
26 that you were not in that meeting?

27 A. If I was in that meeting, there would have been no reason
28 why -- if I was in that meeting, there would have been no reason
29 why I would be denying it. I don't know anything about any

1 meeting. I heard the news that there was a meeting after the
2 capture of Tongo. BJK came. They held a meeting, but I was not
3 there. At that time I was in Kenema. Kenema had been captured
4 then. I was there to my sibling.

16:22:54 5 Q. Mr Witness, did you attend any meeting in Tongo where
6 civilians were being addressed after the capture of Tongo?

7 MR JABBI: My Lords --

8 THE WITNESS: I said I did not do that.

9 PRESIDING JUDGE: Yes, Dr Jabbi.

16:23:25 10 MR JABBI: Maybe there is need for clarification, because
11 there have been different occasions of capturing Tongo, not just
12 one occasion.

13 MR KAMARA: My Lord, if I understand the state of the
14 evidence, there is only one time Tongo was captured by the
16:23:47 15 Kamajors. They attempted three times and it was on the third
16 time that they actually captured and settled there. That is the
17 only time and that is what I'm referring to this witness. It is
18 a simple question.

19 Q. Were you in any meeting after that third attack when Tongo
16:24:03 20 was captured?

21 A. I said no.

22 Q. Thank you. Were you appointed to man a checkpoint at Lago?

23 A. Yes.

24 Q. Would you tell this Court when?

16:24:32 25 A. The time the rebels were in Tongo.

26 Q. Was that before the overthrow?

27 A. It was after the overthrow.

28 Q. Now tell this Court what were your duties at that Lago
29 checkpoint?

1 A. The job I was sent to Lago was --

2 THE INTERPRETER: Your Honours, may the witness slow down
3 his pace.

4 PRESIDING JUDGE: Mr Witness, please, go slowly, because we
16:25:20 5 are unable to get the interpretation of what you say. You were
6 describing your duties at the checkpoint. Can you take it back
7 again, please? Take your question again, Mr Kamara, please.

8 MR KAMARA: Yes, My Lord.

9 Q. I was asking you what were your duties while you were
16:25:57 10 stationed at the Lago checkpoint.

11 A. My duties for which I was sent to Lago checkpoint was to
12 stop the rebels from entering, because they had written that they
13 were going there. They had hoisted a flag at Jembeh.

14 Q. I am suggesting to you, Mr Witness, that while you were at
16:26:30 15 Lago checkpoint, you exploited the opportunity to exploit
16 civilians and loot their properties.

17 A. That did not happen.

18 Q. And that is why you were removed from that station. You
19 can accept that?

16:26:55 20 A. That did not happen.

21 Q. All right. Do you remember that you had a very difficult
22 time with BJK Sei at one point where you were arrested?

23 A. Nobody arrested me.

24 Q. You were tied to the ground on BJK Sei's orders.

16:27:33 25 A. That never happened.

26 Q. You were taken to the CDF headquarters in Kenema.

27 A. That never happened.

28 Q. After you had looted properties that had been kept by BJK
29 Sei. Do you finally remember that?

1 A. That did not happen, papa lawyer.

2 Q. Thank you. Mr Witness, let's go again to Tongo. Do you
3 remember the area known as Limba Corner?

4 A. Yes.

16:28:23 5 Q. And that day you went to Tongo wherein you met those
6 civilians gathered together.

7 A. I did not meet civilians gathered together at Limba Corner
8 at Tongo. I met them at the checkpoint. Those that I took were
9 those who I met gathered together, whom the rebels had restricted
16:28:58 10 and the juntas.

11 Q. Yes, I was just asking if you know Limba Corner, I didn't
12 say that is where you gathered. Now the issue with Limba Corner.
13 Listen carefully.

14 A. Okay.

16:29:09 15 Q. I'm putting to you, Mr Witness, that you know very well
16 that you ordered your Kamajors to kill at least 200 civilians in
17 that slaughter place.

18 A. No, that did not happen.

19 Q. That did not happen.

16:29:34 20 A. At all.

21 Q. Counsel for the first accused read to you the transcripts.
22 In one of them it showed the witness buried at least 150 corpses.
23 This happened in the area you were controlling, that was under
24 your direct control.

16:30:18 25 A. It is not so. In my own area, Kpandebu, it never happened
26 and I did not see that. I did not even hear that even for Tongo,
27 besides my own area, even.

28 Q. Is Foindu part of your jurisdiction?

29 A. No. We're here at Panguma.

1 Q. My question is: Was Foindu part of your jurisdiction while
2 you were operational commander?
3 A. No.
4 Q. It was under Mohamed Kaineh, was it?
16:31:06 5 A. No. I can't say that. I can't explain that.
6 Q. You don't know who was in charge of Foindu Junction is what
7 I'm asking.
8 A. No. At that time, there was no deployment in that area.
9 There was no Kamajor in that area.
16:31:29 10 Q. Now, in your evidence --
11 PRESIDING JUDGE: Mr Kamara, before you go on, we'll break
12 for the afternoon recess.
13 [Break taken at 4.32 p.m.]
14 [Upon resuming at 5.00 p.m.]
17:00:11 15 PRESIDING JUDGE: Mr Prosecutor, are you ready to resume
16 your cross-examination of this witness?
17 MR KAMARA: I am, My Lord.
18 PRESIDING JUDGE: Please proceed now.
19 MR KAMARA: Thank you.
17:00:23 20 Q. Mr Witness, in your evidence this morning, you spoke about
21 situation reports. Do you remember?
22 A. I did not say anything about situation reports.
23 JUDGE ITOE: Make it simpler for him.
24 MR KAMARA: All right, My Lord.
17:00:54 25 Q. Were you sending reports to your commander, someone
26 superior to you?
27 A. Yes, BJK Sei.
28 Q. Thank you. Are you aware that BJK Sei has a superior?
29 A. Yes.

1 Q. Who is that?

2 A. Our chiefdom speaker, Chief Amara Gado.

3 Q. Between the periods of 1997 -- 1998 to 1999, was
4 Musa Junisa superior to BJK Sei?

17:02:15 5 A. Yes, later.

6 PRESIDING JUDGE: What was your question exactly? You said
7 1997 then you said 1998. Did you mean to say 1998, 1999 and
8 forgot 1997?

9 MR KAMARA: Yes. Thank you, My Lord.

17:02:45 10 Q. Are you aware, also, during this same period, Musa Junisa
11 was answerable to someone else?

12 A. The time CDF came about was when I heard about an
13 appointment for --

14 THE INTERPRETER: Your Honours, may the witness go over his
17:03:12 15 answer.

16 PRESIDING JUDGE: Mr Witness, can you repeat your last
17 answer, please. Mr interpreter, is it because he's speaking too
18 fast, or because you didn't hear what he was saying?

19 THE INTERPRETER: Speaking too fast.

17:03:26 20 THE WITNESS: The time I heard about any position for
21 Musa Junisa that was more than BJK Sei's, was when CDF was now in
22 this country.

23 MR KAMARA:

24 Q. Mr Witness, who appointed you commander at that Lago
17:03:54 25 checkpoint?

26 A. The time I was sent to Lago checkpoint, my position -- the
27 position I had was when the NPRC was in power. It was the
28 operation of CO for us to work as one.

29 JUDGE ITOE: Who appointed you to that position?

1 THE WITNESS: Our Kamajor chief, BJK Sei.

2 MR KAMARA:

3 Q. Thank you. Do you know any Arthur Koroma?

4 A. Yes.

17:04:43 5 Q. Who is he?

6 A. He was an administrator when CDF came. It was when he was
7 given that position.

8 Q. Did you ever send reports to him?

9 A. No. My report went to my Kamajor chief, Mr Lawyer.

17:05:20 10 Q. Mr Witness, were you also aware that Musa Junisa was
11 answerable to the first accused, Chief Hinga Norman?

12 A. No, no, no. I don't know about that.

13 PRESIDING JUDGE: Mr Witness, I would appreciate that when
14 you answer the question, you look at the Bench. We are the ones
17:05:52 15 who would like to hear what you say.

16 THE WITNESS: Okay.

17 PRESIDING JUDGE: Thank you.

18 MR KAMARA:

19 Q. Do you know Chief Hinga Norman?

17:06:04 20 A. Yes.

21 Q. How do you come to know him?

22 A. In this of our country, this Sierra Leone, I knew him to
23 hold the deputy defence minister's position in this country.

24 Q. You'll agree with me that he was also the national
17:06:46 25 co-ordinator for the CDF?

26 A. I did not know about that. I did not know about that.

27 Q. You never knew about it?

28 A. Never.

29 Q. Now, Mr Witness, during the periods of the Tongo attack,

1 there was a radio announcement over the BBC made by Chief Norman
2 in which he said Tongo was a tug of war. Who keeps Tongo wins
3 the war. Did you hear that announcement by any chance?
4 A. I did not hear that because I hadn't a radio. In fact, I
17:07:55 5 don't understand English.
6 Q. You gave evidence before this Court that you met
7 Eddie Massallay at Gendema; am I right?
8 A. Yes.
9 Q. Who was Eddie Massallay's boss; do you know?
17:08:24 10 A. The bosses that he had which I knew of at that time were
11 the ECOMOG who were at Bo Waterside who would bring for us the
12 things that we needed to fight the war. He will go to them and
13 bring things that we needed to fight the war.
14 Q. Did you see him go to them?
17:08:59 15 A. I used to see him crossing the river going to them.
16 Q. You said you flew in a helicopter. Eddie Massallay
17 provided that helicopter for you?
18 A. Eddie Massallay told us the Kamajors the government would
19 be sending the helicopter, so we should wait there for the
17:09:36 20 helicopter to pick us up and we'll go to our people.
21 Q. While at Gendema, did you see Chief Norman?
22 A. Not a day did I see him at Gendema.
23 Q. At the time you were there, was Orinko Musa there as well?
24 A. Yes. He took us to Gendema. He was our boss.
17:10:17 25 Q. Was Arthur Koroma there as well?
26 A. Yes, but he was at Fairo in the war front.
27 Q. People gave evidence in this Court that Hinga Norman was at
28 Gendema at the same period you're talking about. Are you
29 honestly telling this Court that you never saw Hinga Norman at

1 Gendema?

2 A. I did not see him at all, and I did not even hear, neither
3 did I see that he was there.

4 Q. You said you were initiated by Kamoh --

17:11:15 5 JUDGE ITOE: Did he say he did not even hear that he was
6 there?

7 MR KAMARA: Yes.

8 THE WITNESS: Yes. The time that we arrived there, I did
9 not hear that.

17:11:29 10 MR KAMARA:

11 Q. You were initiated by Kamoh Kowa; correct?

12 JUDGE THOMPSON: No. No, he didn't say that. Kamoh
13 Bangura.

14 MR KAMARA: Kamoh Bangura. Sorry, My Lord.

17:11:45 15 Q. At what point permission had to be sought from this Kamoh
16 Kowa - can you explain that so I can understand your evidence -
17 for engagement in one of the battles?

18 A. The time our chiefs gave us that we should go and be
19 initiated into the Kamajor society in Kenema. Kamoh Kowa and
17:12:20 20 others were in that society bush at Kamoh Brima's place. This
21 Kamoh Kowa was born in Lower Bambara Wima section.

22 Q. Was he consult --

23 JUDGE THOMPSON: What's your question? It seems as if he
24 veered away from the question.

17:13:08 25 MR KAMARA: Yes, My Lord.

26 Q. Was Kamoh Kowa consulted before the initiates were sent to
27 battle for the Payima battle?

28 A. Yes.

29 Q. Was Kamoh Kowa himself an initiator?

1 A. No, no, he was not an initiator. He was just a Kamajor.
2 Wima is his home town. Payima is where we were based.

3 Q. You said to this Court this afternoon a few minutes ago
4 that you had the power to disable the weapon of the enemy.

17:14:20 5 A. Yes.

6 Q. Did you disable the weapons of the soldiers for those three
7 attacks at Tongo?

8 A. Those that were coming to us, I used to shout at them and
9 they were disabled.

17:14:44 10 Q. Then you retreated?

11 A. Yes.

12 Q. Thank you. Now, Mr Witness, as a commander, you had a lot
13 of Kamajors under your control; right?

14 A. The time we were fighting, the number of fighters that I
17:15:25 15 had was the number that I showed to you. The others were with
16 other commanders. They were distributed.

17 Q. Look at Their Lordships. I'm just asking you the
18 questions. This question is: You had Kamajors under your
19 control; is that not so?

17:15:52 20 A. Yes.

21 Q. What is the largest number you had under your control at
22 any given time?

23 A. Those that I was fighting with were 47.

24 Q. Will you tell this Court the composition of that 47?

17:16:24 25 A. They were Kamajors. They were just Kamajors. I didn't
26 know anything about any other composition.

27 Q. Were there children amongst those 47?

28 A. In fact, there was nobody that was 20 years amongst them.

29 There were people that were 35 years, 40 years. In fact, some of

1 us were even older than myself.

2 Q. I am putting it to you, Mr Witness, that you had at least
3 three child soldiers with you within that number of 47.

4 A. It was not so.

17:17:41 5 Q. Let me remind you. There is evidence before this Court
6 that at Talama you gave a weapon to the child soldier to execute
7 one of the civilians you had as a captive.

8 A. No.

9 Q. You mentioned discipline, that you were in charge of
17:18:39 10 discipline of Kamajors at Lower Bambara Chiefdom.

11 A. Yes, I was the one disciplining Kamajors. I told you even
12 before -- the time I was in charge of that, no Kamajor ever did
13 wrong to anyone.

14 Q. Are you suggesting that when you were not in charge of
17:19:16 15 disciplining, the Kamajors committed acts of indiscipline?

16 A. No. These are all adults. They are well disciplined.

17 Q. But you said that you can give 100 or 12 lashes to Kamajors
18 that misbehaved. I did hear something like that -- publicly.

19 A. Yes.

17:20:00 20 Q. Could you give examples of what those acts of indiscipline
21 were?

22 A. Yes.

23 Q. Yes, tell the Court.

24 A. During the war, if a Kamajor is deployed to a particular
17:20:25 25 location, and when the war was really beating us, if you abandon
26 your deployment area and the commander did not give you such a
27 permission to do so.

28 Q. Thank you, that's one occasion. Mr Witness, you will order
29 public flogging for such acts of indiscipline; is that what you

1 said?

2 A. If a Kamajor did that, I myself would give him 12 lashes.

3 Q. In public or in private?

4 A. In public, if people were there. If you met the same,
17:21:25 5 you'll see.

6 Q. I am suggesting to you, Mr Witness, that the ease with
7 which you could flog people in public is the same ease with which
8 you could chop off their necks; is that not so?

9 A. That is a lie, mister.

17:21:59 10 Q. Mr Witness, we have evidence before this Court of two
11 occasions that you chopped off the heads of individuals.

12 A. That person told a lie. I did not do that.

13 Q. Finally, Mr Witness, have you ever felt a tinge of remorse
14 for all that you've done?

17:22:25 15 JUDGE ITOE: Does he accept that he has done anything?

16 MR KAMARA: I'm suggesting to him, My Lord. He's free not
17 to answer.

18 JUDGE ITOE: He's not accepted that he's done anything, so
19 what remorse?

17:22:41 20 MR KAMARA: We can let him answer.

21 JUDGE ITOE: No, I will not let him answer.

22 MR MARGAI: On the contrary, he said he was proud of what
23 he did.

24 MR KAMARA: We will take that into account in the light of
17:22:48 25 the evidence, that he is proud of what he did. My Lords, there
26 is only one issue more I want to raise with the witness that I've
27 been reminded of. Bear with me.

28 Q. Do you remember I reminded you of the killing of a boy in
29 Talama, the 12-year-old? I did ask you a question about it.

1 A. You asked me about it.

2 Q. There is evidence before this Court that was not put to you
3 by the Defence.

4 JUDGE ITOE: What is the name of that child again? Is it
17:24:00 5 Foday?

6 MR KAMARA: Foday Koroma. There is evidence before this
7 Court, My Lord. I am looking at TF2-053, dated 1st March 2005.
8 It runs through page 78. References were made at page 88 and 89,
9 My Lords.

17:24:56 10 Q. The evidence before the Court, Mr Witness, is that a lady
11 that was present in Talama when Foday Koroma was killed went to
12 Kenema and met the father of Foday Koroma. The father was asking
13 her about his missing son. This is what she had to say --

14 MR KAMARA: My Lords, I'm looking at page 89, at lines 15.

17:25:51 15 Q. "She said they were captured, many of them, and they took
16 them and they made them to queue and they said my son --
17 she said CO Kamabotie asked, 'Son, what's your tribe?' The
18 child said he was a Loko. He said" - this is referring to
19 you, CO Kamabotie - "'Are you related to Akim?' And the
17:26:40 20 child said, 'Yes.' It was there that CO Kamabotie struck
21 him on the head with a machete."

22 In the light of all the evidence that I have shown to you,
23 Mr Witness, do you seriously deny this allegation?

24 A. Yes, because they told a lie.

17:27:21 25 MR KAMARA: That is all for this witness, My Lord.

26 PRESIDING JUDGE: Thank you. Dr Jabbi, any re-examination?

27 MR JABBI: No re-examination, My Lord.

28 PRESIDING JUDGE: Thank you. Mr Witness, that concludes
29 your evidence in this Court. We thank you for coming here and we

1 wish you a safe trip back home. Thank you. It is 5.30, time to
2 adjourn to tomorrow morning at 9.30. Dr Jabbi, you will be ready
3 to proceed with your next witness in the morning?

4 MR JABBI: Yes, My Lord.

17:28:16 5 PRESIDING JUDGE: Who will that be?

6 MR JABBI: The next witness will be number 14 on the list,
7 Mohamed Kanneh.

8 PRESIDING JUDGE: This is the witness who was listed as
9 such?

17:28:29 10 MR JABBI: Yes, My Lord.

11 PRESIDING JUDGE: Very well. The Court is adjourned to
12 tomorrow morning.

13 [Whereupon the hearing adjourned at 5.29 p.m.,
14 to be reconvened on Friday, the 19th day of May
17:29:19 15 2006, at 9.30 a.m.]

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