

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

WEDNESDAY, 31 MAY 2006
9.50 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Roza Salibekova
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Joseph Kamara Mr Mohamed Bangura Ms Miatta Samba Ms Wendy van Tongeren
For the Principal Defender:	Mr Lansana Dumbuya
For the accused Sam Hinga Norman:	Dr Bu-Buakei Jabbi Mr Aluseine Sesay
For the accused Moinina Fofana:	Mr Arrow Bockarie Mr Andrew Ianuzzi
For the accused Allieu Kondewa:	Mr Ansu Lansana

1 [CDF31MAY06A - RK]
2 Tuesday, 31 May 2006
3 [The accused present]
4 [The witness entered court]
09:45:40 5 [Open session]
6 [Upon commencing at 9.50 a.m.]
7 PRESIDING JUDGE: Good morning, counsel. Good morning,
8 Mr Witness. Dr Jabbi.
9 MR JABBI: Good morning, My Lord.
09:52:07 10 PRESIDING JUDGE: Good morning. Where are we in the
11 presentation of your evidence and, before we do, let me just
12 allow me to state for the record that this morning there appears
13 to be no representation by counsel for the third accused in
14 court.
09:52:27 15 JUDGE ITOE: And even for the second.
16 PRESIDING JUDGE: I was going to the second. Thank you, my
17 dear friend, even for the second accused. We know that
18 Mr Ianuzzi is there, but he is not authorised to be acting for
19 the accused. So there is no representation at this stage for the
09:52:51 20 third and second accused.
21 MR KAMARA: My Lord, the third accused, Mr Lansana is
22 around. He was here a few minutes ago. He guess maybe he is
23 outside.
24 PRESIDING JUDGE: Well, maybe, but for now, from what I can
09:53:06 25 observe, there's nobody. We will wait to see if indeed there is
26 any representation for the third accused.
27 Dr Jabbi, you have a witness. Is this the witness that was
28 to be there at the time? Is it the witness that you had
29 announced would be heard this morning?

1 MR JABBI: Yes, My Lord.

2 PRESIDING JUDGE: So which one is this?

3 MR JABBI: This is witness Lansana Bockarie, number 18 from
4 the back-up list.

09:53:50 5 PRESIDING JUDGE: That is the one that was - if I can use
6 this term - activated from the back-up list to the core list.

7 MR JABBI: Yes, My Lord.

8 PRESIDING JUDGE: It's Lansana Bockarie. You were to
9 provide all the parties with a detailed summary of the evidence
09:54:06 10 of this witness. I have seen some activities about that on my
11 computer yesterday afternoon which would seem to indicate, but I
12 stand to be corrected on that, that that information may have
13 been disclosed certainly by Court Management, if that is the
14 case, sometime in the afternoon yesterday.

09:54:26 15 MR JABBI: I believe so, My Lord.

16 PRESIDING JUDGE: So we will see what the other parties --
17 certainly with the Prosecution at this time if there is any
18 difficulty to proceed with this witness, because that was not my
19 understanding when we met on Monday.

09:54:42 20 MR JABBI: Yes, indeed, My Lord. If I may just briefly
21 explain what led to that circumstance. My Lord, after our
22 session on Monday morning, somehow the witnesses who were
23 available were informed that they would not be needed until
24 Wednesday, today. Their understanding apparently of that was
09:55:06 25 that they didn't need to stay at the witness centre. So, in
26 fact, by the time we arrived there, they had all gone into town
27 without leaving any indication as to where they could be
28 obtained. I did a lot of frantic efforts to get at them and
29 couldn't at all until at night. So I immediately got to

1 Prosecution and I also requested my legal assistant to inform
2 Court Management that, in that event, it was not going to be
3 possible to present the summary that afternoon, but that effort
4 would be made to present it as soon as possible thereafter. That
09:55:59 5 is how, My Lord, the summary had to come late.

6 PRESIDING JUDGE: Who informed them? I thought they were
7 your witnesses and essentially you are the ones that had called
8 them to come into town and you are the one that would say you may
9 or may not go. At least that is my understanding as to how the
09:56:18 10 system works. So who authorised them to go to town?

11 MR JABBI: I don't know if it was specifically so
12 authorised, but at least they got to know. Somebody told them
13 that they were not going to be needed until Wednesday and the
14 implication of that to them apparently was that they did not even
09:56:37 15 need to be around. So by the time I got to them, they had
16 disappeared and it was not easy to get at them at all until late
17 at night.

18 PRESIDING JUDGE: We will see where we go with this. And I
19 would like to tell you too that we will need to correct the
09:56:57 20 record as well because information you provided to the Court on
21 Monday appears to be not quite accurate from some additional
22 information we obtained from the victim and witness section. We
23 listened to your presentation and your comments on Monday and I
24 am not quite in agreement with the way you have described the
09:57:20 25 situation, but we'll get to it later.

26 MR JABBI: Which situation, My Lord?

27 PRESIDING JUDGE: About the witnesses that were available
28 and not available, efforts made, the difficulties you may have
29 had and the lack of support to allow witnesses to go back to

1 their hometown when needed and so on. It is clearly disputed by
2 the VWS people. In fact, we have documents to that effect that
3 many of your witnesses who were here, some of them even went back
4 to their home place five times during the period they were here
09:57:51 5 which contradicts largely what you were saying that witnesses
6 were not allowed to go back. Of 35 witnesses, we are being told,
7 15 of your witnesses were allowed to go back more than once to
8 their hometown which is not what you informed the Court of on
9 Monday. I have statistics on that, Dr Jabbi, so I can provide
09:58:09 10 that.

11 MR JABBI: When it comes to deal with it, I will.

12 Apparently I am not required to say anything about it right now.

13 PRESIDING JUDGE: We will deal with this witness, once we
14 have finished -- that's why I would look like to have some
09:58:24 15 candour from your part as to what is taking place and to make
16 sure that the information you provide to the Court is as adequate
17 and accurate as possible in the circumstances. So I would urge
18 you, as an officer of the Court, to be upfront with the Court and
19 inform the Court correctly of the situation as you know it.

09:58:39 20 MR JABBI: I can only say at this stage that I have always,
21 without exception, proceeded that way, My Lord.

22 PRESIDING JUDGE: Fine, Dr Jabbi. And we have accepted
23 your comments in that way up to this moment as well.

24 JUDGE ITOE: Let me say that as we were going through the
09:59:01 25 exercise and the explanations, the witness unit was following us
26 very attentively on their screen. The witness unit, they
27 followed you very attentively to the letter and to what you said.
28 So they were surprised and they have come out with a document
29 where they deny what you have said. So we do not know were the

1 truth lies, but that is the situation.

2 MR JABBI: I hope I will have had access to that document
3 before I have to make --

4 JUDGE ITOE: Yes, I am sure. It is not a document to hide,
09:59:41 5 it is going to be made available to you.

6 PRESIDING JUDGE: It will be made available for the record
7 and before we do so it will be made available to you, obviously,
8 Dr Jabbi, because, as we don't like ambushes, we don't want
9 people to be caught by ambushes as well. So you will be given
09:59:59 10 all the information required in due course.

11 MR JABBI: Thank you, My Lord.

12 PRESIDING JUDGE: Before we proceed with the examination of
13 this witness, I need to hear, just to clarify the issue to the
14 situation for the second accused. I notice there is
10:00:16 15 representation from the Principal Defender's office in Court.
16 That has been the custom and the practice in the past when one
17 accused was not represented by his assigned counsel, that the
18 Principal Defender's office, or the Defence office, could act.
19 You have been assigned to the CDF, if I'm not mistaken.

10:00:36 20 MR DUMBUYA: Yes, Your Honour.

21 PRESIDING JUDGE: So you could represent the second accused
22 for this session in the morning?

23 MR DUMBUYA: Your Honour, I could, but for the fact that I
24 have not received instructions from counsel.

10:00:49 25 PRESIDING JUDGE: We will take a short adjournment. Please
26 make sure you have received the proper instruction to act on
27 behalf of the second accused.

28 MR DUMBUYA: As Your Honour pleases.

29 PRESIDING JUDGE: We need to make sure things are done in

1 the proper fashion. I know it is part of your general duties,
2 but in the past when we've asked that to be done, you had a
3 specific assignment from counsel, so I would ask that you seek
4 that assignment and that authority this morning in the short
10:01:12 5 recess we're going to take.

6 MR DUMBUYA: I will, Your Honour.

7 PRESIDING JUDGE: Mr Lansana, my question is: are you
8 ready to proceed, given the fact that the disclosure was only
9 yesterday rather than Monday, as originally agreed about the
10:01:33 10 disclosure of the summary of the information given by this
11 witness?

12 MR LANSANA: Your Honour, I have no problems with that.

13 PRESIDING JUDGE: Thank you. Mr Prosecutor?

14 MR KAMARA: No, My Lord, we will go with that.

10:01:49 15 PRESIDING JUDGE: Very well. Given that we need to clarify
16 the situation about the representation for the second accused, we
17 will adjourn briefly. I would say no more and no later than
18 10.15. I would ask that you make sure you get the proper
19 authorisation, and if you get authorisation before 10.15, ask the
10:02:12 20 Court officer to inform us and we'll come back immediately.

21 Thank you, court is adjourned.

22 [Break taken at 10.03 a.m.]

23 [Upon resuming at 10.15 a.m.]

24 PRESIDING JUDGE: Thank you. May I ask you to please
10:17:22 25 identify yourself for the record so we have a very clear
26 understanding as to who's acting at this stage, under whose
27 authority, for the second accused.

28 MR DUMBUYA: Your Honours, I have received instructions
29 from lead counsel through the Deputy Principal Defender and

1 subsequently, when I came to court, I also received instructions
2 from the client and I have informed him accordingly about the
3 instructions received from lead counsel.

4 PRESIDING JUDGE: That's fine. Can you please identify
10:17:52 5 yourself for the record? I know you are from the Principal
6 Defender's Office, the Defence office, but what is your name?

7 MR DUMBUYA: My name is Lansana Dumbuya. Your Honours, I
8 have to be candid to this Court that my instructions are limited
9 insofar as, when it comes to cross-examination, I will be
10:18:18 10 pleading with Your Honours to grant me the opportunity of a few
11 minutes to go back into the office and do some consultations
12 before we come back to court.

13 PRESIDING JUDGE: We will. We are not trying to put you in
14 an untenable position. We are very much conscious of the fact
10:18:40 15 that you are now being assigned to represent the second accused
16 at this moment for the evidence to be given by this witness, but
17 maybe the principal will be back before we finish with the
18 examination-in-chief. We will see.

19 MR DUMBUYA: As Your Honour pleases.

10:19:08 20 PRESIDING JUDGE: Dr Jabbi. Your witness. Which number is
21 this witness?

22 MR JABBI: 26.

23 PRESIDING JUDGE: What is the language of the witness?

24 MR JABBI: He will testify in Mende.

10:19:29 25 PRESIDING JUDGE: Is he to be sworn on the Koran or the
26 Bible?

27 MR JABBI: I believe it is the Koran, My Lord.

28 PRESIDING JUDGE: Mr Witness, you wish to be sworn on the
29 Koran or the Bible?

1 THE WITNESS: The Koran.

2 PRESIDING JUDGE: Very well. Madam Court Officer, you may
3 proceed to take the oath.

4 WITNESS: LANSANA BOCKARIE [Sworn]

10:20:41 5 [Witness answered through interpreter]

6 PRESIDING JUDGE: Dr Jabbi, you may proceed with the
7 examination-in-chief of your witness.

8 MR JABBI: Thank you, My Lord.

9 EXAMINED BY MR JABBI:

10:20:58 10 Q. Good morning, Mr Witness.

11 PRESIDING JUDGE: Mr Witness, do you hear what we are
12 saying to you?

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: So you hear this in Mende?

10:21:16 15 THE WITNESS: Yes.

16 PRESIDING JUDGE: Okay.

17 MR JABBI:

18 Q. Morning, Mr Witness.

19 A. Good morning, lawyer.

10:21:30 20 Q. Now I will be asking you a series of questions and I
21 implore you to answer as slowly as possible so that you allow
22 time for what you have said to be interpreted and also written;
23 okay?

24 A. Accepted.

10:22:06 25 Q. Now, Mr Witness, can you tell the Court your full name?

26 A. My name is Lansana Bockarie.

27 Q. And your age, please?

28 A. I am 45 this year.

29 Q. Where were you born?

1 A. Tolobu, Malegohun Chiefdom.
2 MR JABBI: Any help with Tolobu, My Lords?
3 PRESIDING JUDGE: No, that is fine, Dr Jabbi.
4 MR JABBI: Thank you.
10:22:58 5 Q. What is your address?
6 A. Number 4 Massaquoi Lane, Lumbebu, Kenema.
7 Q. Now, what work do you do for a living?
8 A. I do farming, and I do the work of a contractor.
9 Q. Now, where were you when civil war broke out in Sierra
10:24:01 10 Leone?
11 A. At my birthplace that I talked about a while ago, Tolobu,
12 Malegohun Chiefdom in the Kenema District.
13 Q. Were there any soldiers in that area during the early part
14 of the war?
10:24:40 15 A. Yes, but they were not in that chiefdom.
16 Q. Did you personally get involved in the war at that stage?
17 A. That is a very big question. In what way?
18 Q. In any way you want to tell the Court that you know of?
19 A. Yes. If that is the case, yes, I was involved, but on the
10:25:46 20 side of the government.
21 Q. What was your involvement?
22 A. Is that what I should start explaining?
23 Q. Just briefly, please. Very briefly, please.
24 A. When the war started, it sent us in disarray. We were
10:26:32 25 confused. The soldiers who were on the side of the government,
26 we saw them chasing those bad people away.
27 PRESIDING JUDGE: Can you clarify that, Dr Jabbi? I don't
28 know who is chasing who.
29 MR JABBI:

1 Q. Who were chasing who away?

2 A. The government soldiers were chasing the rebels, who had
3 brought this war, away.

4 Q. Yes, please?

10:27:27 5 A. They did it for quite some time and there was a difficulty.

6 Q. Yes?

7 A. Those soldiers whom they had taken from Freetown and Makeni
8 where the war had started to Kailahun, they did not know the
9 bushes, the terrain, they did not know the towns.

10:28:09 10 Q. So what happened?

11 A. They implored the chiefs in those towns where they were.
12 They said, "The way we have seen this, so we do not know the
13 towns. They would call the town that the rebel has come to, but
14 we do not know the route to that place".

10:28:39 15 Q. Mr Witness, please continue watching the pace at which you
16 talk; okay?

17 A. Yes.

18 Q. Yes?

19 A. Then they told our people that, "What would be good for us,
10:28:57 20 we need some active young men. These places that the war has
21 entered, they should show us the terrain so that we would go
22 there."

23 Q. Yes?

24 A. The way the war was affecting all of us, men volunteered
10:29:28 25 and said, "We are going to show you the route," just so that the
26 war would not displace us.

27 Q. What was your own personal involvement at that time?

28 A. I sitting here, we were the ones who joined the soldiers
29 just to help them to find the routes, just so that the war would

1 not reach us.

2 Q. Now, how was that selection done?

3 A. When that happened, our people before they could ask
4 somebody to join you, they would screen them properly to find out
10:30:40 5 that the person is not a criminal, because the government
6 soldiers are there and you cannot just put a criminal among them.

7 Q. Now, how was that group of volunteers helping the soldiers?
8 How was it called?

9 A. Wherever the rebels attacked, the route to that place or
10:31:17 10 the route to that place who would lead them to show them those
11 places.

12 PRESIDING JUDGE: Take your question again.

13 MR JABBI:

14 Q. My question was: the group that helped the soldiers, how
10:31:35 15 was it called? Did it have any name?

16 A. Yes.

17 Q. What was it called?

18 A. At first they started by saying they would turn them into
19 Vigilantes.

10:32:08 20 Q. You said at first, what about subsequently?

21 A. Afterwards, those whom they had said were Vigilantes, when
22 they went, because some of them were received -- some of them
23 were shot, so they became frightened to go to the war front
24 because they were not carrying guns.

10:32:39 25 Q. So what happened?

26 A. Then they said to the chiefs that would be good were that
27 they are those shotguns, the cartridge guns -- you people have
28 them. We would not like to be taking people along who are not
29 carrying guns to defend themselves in the least. We have limited

1 guns, so we would give them some guns, but those guns that you
2 people have, the chiefdom people, you should give your children,
3 so that when we go, all of us will be fighting together.

4 PRESIDING JUDGE: Yes, Dr Jabbi.

10:33:36 5 MR JABBI:

6 Q. Yes, Mr Witness, did that go on for long?

7 A. Yes. Yes, for quite some time.

8 PRESIDING JUDGE: Are you still being called Vigilantes by
9 that time?

10:34:00 10 THE WITNESS: When they said that our people should give
11 some of the people guns, that is when the Mende Kamajor business
12 started. They who had those shotguns, they were hunters in the
13 bush, so they used to call them Kamajors. At the time that they
14 said they should take those guns so that they would join them in
10:34:19 15 the fighting, it stopped being Vigilantes and they became
16 Kamajors among the soldiers.

17 MR JABBI:

18 Q. Mr Witness, can you go over that again slowly, please?

19 PRESIDING JUDGE: We're okay, we have no problem.

10:34:39 20 MR JABBI: Thank you, My Lords.

21 THE WITNESS: If you want me to repeat it --

22 PRESIDING JUDGE: No, thank you, Mr Witness. It is okay.

23 THE WITNESS: Okay.

24 MR JABBI:

10:35:01 25 Q. The Kamajors at that stage, when the local hunters joined
26 the Vigilantes to help the soldiers, did those Kamajors at that
27 stage have to join any society before doing so?

28 A. No. At that time there was no initiation. There was no
29 initiation.

1 Q. Can you tell the Court the relationship between the
2 soldiers and the Kamajors during that time?

3 A. The soldiers were the bosses. They were the ones who would
4 organise the Kamajors.

10:36:10 5 PRESIDING JUDGE: Dr Jabbi, may I suggest that you try to
6 give us some time frame as to when this is taking place according
7 to this witness?

8 MR JABBI:

9 Q. Mr Witness, what time frame would you say covers all the
10:36:30 10 narrative you have told so far in relation to the war?

11 A. I can't dispute telling the date, but I am only telling the
12 incident. You can put dates to them, but it was that same year
13 that the war started that this thing happened. Because the war
14 started, it was not up to three months then Kailahun was
10:37:06 15 captured. Then they started coming to Kenema District and Kono
16 District.

17 Q. You said at that time there was no initiation of the
18 Kamajors. Was there a time when initiation took place?

19 A. Yes.

10:37:48 20 Q. Can you tell the Court roughly the time frame for the
21 commencement of initiations?

22 A. Just like I said a while ago, you can forgive me for not
23 telling the date because I just can't, but I will tell you the
24 events and you place dates to them.

10:38:24 25 Q. Would you say, for example, roughly a number of so many
26 years after the beginning the war for the initiation to commence?

27 A. Yes.

28 Q. Give us a rough idea in number of years, please?

29 A. Three years up to -- going to three years before the

1 Kamajor initiations started.

2 Q. Now, up to around the time Kamajor initiations started, can
3 you say what the state of relationship between Kamajors and
4 soldiers was?

10:39:29 5 A. When the initiations started or before the initiations
6 started?

7 Q. Just before initiations started.

8 A. That is what I told you a while ago, that those Kamajors
9 they were just there for the soldiers. They would lead them to
10:39:54 10 go wherever. Whatever they were doing, they were leading them
11 where they went.

12 JUDGE ITOE: Dr Jabbi, there we are clear. I'm sure you
13 want to know was the relationship cordial. That's what you want
14 to know from the witness, isn't it?

10:40:12 15 MR JABBI: Yes, My Lord.

16 THE WITNESS: Yes, it was cordial. That's what I said, it
17 was cordial. If it were not cordial, you wouldn't give him
18 directives and want him to take them. Yes, there was unity in
19 it.

10:40:35 20 MR JABBI:

21 Q. Now, where were you when Kamajor initiations started?

22 A. Those places that I named a while ago, even in my
23 birthplace, we were all displaced and we came to Kenema. The
24 rebels took all those places, so we were in Kenema when we heard
10:40:57 25 that initiations started from the Bo end, that they were giving
26 initiation in Bo. And that these people who have been initiated
27 were going to their own places and dislodging the rebels.

28 Q. Mr Witness, don't forget to be talking slowly, please?

29 PRESIDING JUDGE: That is okay, Dr Jabbi. If we get into

1 some difficulties, we will let you and the witness know. Thank
2 you. Please proceed.

3 MR JABBI:

4 Q. So you were in Kenema by the time the initiations started;
10:41:43 5 is that what you are saying?

6 A. Yes.

7 Q. According to you, you heard it had already been happening
8 in places like Bo; not so?

9 A. Yes.

10:42:13 10 Q. Can you explain the initial stages of initiation in Kenema
11 where you were?

12 A. When we heard that initiation had started in the south,
13 that the Kamajors were now going and dislodging rebels from the
14 areas, we were very happy in Kenema.

10:42:54 15 PRESIDING JUDGE: Put your question again, please.

16 MR JABBI:

17 Q. Yes. Can you continue?

18 A. When that happened, we heard that Blama and the Small Bo
19 Chiefdom, that they have gone for one of the kamohs and they
10:43:20 20 brought him to Blama.

21 Q. Yes.

22 A. Those chiefdoms who were in the Kenema District, all of the
23 chiefs came together that they have heard that they are doing
24 initiations in the south, and the initiates would be able to
10:43:49 25 fight this war. So we, too, should allow initiation to happen in
26 our own place.

27 Q. Did it happen?

28 A. Yes. That was when the Blamas brought one of the priests
29 to Blama and they did one initiation there.

1 Q. Was Blama the only centre for initiation in Kenema
2 District?

3 A. No. They started in Blama. Then the Kenema chiefs came
4 together and said that kind of priest should be brought to
10:44:34 5 Kenema. That was the district headquarters so that they would be
6 there and that the initiation would continue and we would do it
7 well.

8 Q. Was it brought to Kenema?

9 A. Yes, they brought the priests to Kenema.

10:45:10 10 Q. Did initiations in fact take place in Kenema?

11 A. Yes.

12 Q. Who was the initiator in Blama and Kenema at that time?

13 A. There was one priest, but in fact they are all deceased
14 now; Kamoh Lahai Bangura and Kamoh Brima Bangura.

10:46:07 15 Q. Do you have any idea --

16 JUDGE ITOE: Kamoh Lahai Bangura and who?

17 THE WITNESS: Brima Bangura.

18 MR JABBI: My Lord, the witness said Kamoh Lahai Bangura
19 and Kamoh Brima Bangura.

10:46:38 20 THE WITNESS: Yes.

21 JUDGE ITOE: And he says the two are deceased.

22 MR JABBI: They are now deceased, yes, My Lord.

23 THE WITNESS: Yes.

24 Q. Now, can you give the Court an idea of the number of people
10:46:53 25 who got initiated into the Kamajor society in Kenema District?

26 A. It was by chiefdom. That initiation, every chiefdom would
27 bring its Kamajors for them to be initiated. The chiefdoms, the
28 chiefdom people would have their documents. I wouldn't have
29 that.

1 Q. Did you yourself get initiated into the Kamajor society?

2 [CDF31MAY06B - EKD]

3 A. Yes, but under my chiefdom.

4 Q. What was the chiefdom?

10:48:01 5 A. Malegohun Chiefdom.

6 Q. Can you tell the Court how Kamajors, after the initiation
7 started in Kenema, got involved in the war, if at all?

8 A. It was not only this initiation that led them to get
9 involved into the war. It was the soldiers themselves who got
10:48:39 10 them involved into the war.

11 Q. Can you give us a few examples of fighting by Kamajors
12 during the war, just one or two?

13 A. After the initiation in Blama and Kenema, all the paramount
14 chiefs in that district came together. At that time Bo-Kenema
10:49:25 15 Highway was a dangerous place. You'll not go there even to find
16 firewood; they'll kill you.

17 Q. Why was it dangerous?

18 A. The rebels had a camp in a town called Zogoda. They called
19 the place Zogoda. They were coming from their camp to the
10:49:56 20 street, ambushing the vehicles. That happened for several months
21 and several people died in those circumstances.

22 Q. What, according to you, did the people in Kenema do after
23 the initiation?

24 A. The chiefdom people used to spend a lot of money for people
10:50:34 25 to --

26 THE INTERPRETER: Your Honours, may the witness go over
27 his --

28 MR JABBI:

29 Q. Mr Witness, can you watch your pace, please, and go over

1 what you started saying just now?

2 A. That initiation, those chiefdoms who would bring their
3 Kamajors to be initiated, they would have to spend money to the
4 initiators. If the Kamajors themselves who would be in that
10:51:09 5 town, even if they would have to take three or four days, the
6 chiefdom people would have to feed them. So there was a lot of
7 expenditure. When they saw that they had killed several
8 Kamajors -- sorry, that they had initiated several Kamajors, they
9 said, "Go and test yourself. Go and see if you could capture the
10:51:43 10 place, because this Zogoda has destroyed this town, so go and see
11 if this initiation is actually effective."

12 Q. Yes?

13 A. The Kamajors started going, using that road to Zogoda,
14 where the rebels were based, and they started attacking them.

10:52:24 15 Q. Where were you when these Kamajors started going towards
16 Zogoda?

17 A. Kenema.

18 Q. Yes?

19 A. That attack that we attacked them, even Foday Sankoh was
10:52:57 20 there. In fact, they were holding their meeting in that camp.
21 That first attack that we attacked them was when the civilians
22 left and told us that even Foday Sankoh had left today, on that
23 day he left.

24 Q. On which day do you say Foday Sankoh --

10:53:18 25 A. I told you today that not to be asking me so much about
26 dates because I can't remember the dates. It's so long. Just
27 think about the time now. You would know.

28 Q. The question was to elicit the event that you say drove
29 Foday Sankoh from Zogoda. Can you tell the Court what event you

1 are talking about that led to Foday Sankoh leaving Zogoda?

2 A. That attack that we attacked the place.

3 Q. Did you personally take part in that Kamajor attack on
4 Zogoda?

10:54:10 5 A. Yes.

6 Q. Apart from the Kamajors, were any other groups involved in
7 the attack on Zogoda at that time?

8 A. Yes, other groups were involved.

9 Q. Can you name them, please?

10:54:52 10 A. In fact, whenever we would go to attack, we are working
11 under the soldiers. When we wanted to attack Zogoda we told them
12 we wanted to go, but they said they were not going. We went,
13 they did not go. We fought for up to three days and on the
14 fourth day --

10:55:21 15 Q. Yes, please?

16 A. The brigade commander who was in Kenema, called
17 Fallah Sewa, invited us.

18 Q. Yes?

19 A. He said, "That attack that you had launched on Zogoda, we
10:55:56 20 have been hearing about it and we have had instructions to help
21 you."

22 Q. What brigade is that? Is that a Sierra Leone Army brigade?

23 A. The Sierra Leonean soldiers, the brigade headquarters in
24 Kenema.

10:56:22 25 Q. Did they come to your help?

26 A. Yes. They told us again that they had got instructions to
27 help us, because even the government had known that they were
28 pursuing the war and they were indeed fighting it.

29 Q. Were any other groups involved?

1 A. Yes.

2 Q. Name them, please?

3 A. He also invited the Guinean commander in that meeting and
4 the South Africans who were in this country, their leader was
10:57:00 5 also invited. We're all sitting on the same table.

6 Q. Guinean soldiers, did you say?

7 A. Yes, I said the Guinean soldiers and the South Africans.

8 PRESIDING JUDGE: I thought he had said Guinean commander,
9 but that's okay.

10:57:30 10 THE WITNESS: We were sitting and they explained to us that
11 these three groups, we've also had instructions to help you --

12 MR JABBI:

13 Q. What was the South African group called?

14 A. -- but the Guineans didn't know our terrain. They were
10:57:51 15 called in English the Executive Outcomes.

16 Q. That is the South African group, is it?

17 A. Yes.

18 Q. You said just now that the Guineans did not know the
19 terrain. So what role did they play?

10:58:05 20 A. Just as the brigade commander, Mr Fallah Sewa, told us,
21 that these Guineans will go using the Dama Road, because the
22 weapons that they had had a long range.

23 Q. And the South African group?

24 A. The Executive Outcomes, they said they also didn't know the
10:58:41 25 terrain but they will fight in the air. So they will use their
26 helicopters and they'll fight in the -- they'll use the air, or
27 whenever they can help us, they will.

28 Q. Can you tell us roughly --

29 A. There's still one group remaining. Then there still was

1 SLA and they said the SLA, you would have to fight together.
2 Wherever they'll go, you'll join together, one soldier and one
3 Kamajor, and you'll fight. And we went together in all of those
4 attacks. In fact, they were giving the support weapons because
10:59:40 5 Kamajors didn't have that. We only believed in the concoctions
6 that we had. Some of us were without guns even.

7 Q. Can you tell us roughly the time of this Zogoda attack?
8 For instance, whether it was before the overthrow of the Kabbah
9 government or after?

11:00:09 10 A. No, Mr Kabbah was still in the chair. He had not been
11 overthrown.

12 Q. You said earlier on that the Kamajors actually started
13 their advance towards Zogoda before the other groups joined in.
14 Can you explain how the Kamajors planned for this attack?

11:00:38 15 A. Whenever there was an attack our paramount chiefs would
16 come together. So they met and asked us to go to Zogoda with
17 their authority. They said, "We owe this chiefdom. Those
18 bullets that we've bought for you, depend on that and go." So
19 that was what we depended on and we went.

11:01:36 20 Q. And what was the ultimate outcome of Zogoda?

21 A. We captured Zogoda from the rebels. But there's something
22 else to explain. We fought for some time. The shotguns that our
23 people bought for us started running out. So the paramount
24 chiefs went to Fallah Sewa. Say, "You are fighting this war
11:02:08 25 together with our children but they're running out of
26 ammunitions. So please let the government give them
27 ammunitions." During that same war he called us and gave us
28 bullets for those shotguns that we had. So that was what we
29 used.

1 Q. Thank you. Now, Mr Witness, where were you when the Kabbah
2 government was overthrown?
3 A. We were still in Kenema.
4 Q. Do you know when that was date-wise?
11:03:18 5 A. No, that is -- one could not easily forget that. I think
6 it's 1991. I'm not too sure of the date. Whatever it is now
7 that you just -- mm --
8 Q. At that time when the Kabbah government was overthrown,
9 what was the relationship between soldiers and Kamajors?
11:04:01 10 A. I'd have explained something else before that.
11 Q. Something about what?
12 A. About this same war. There was another town called Peyama.
13 Rebels were based there as well. And they captured the Kono
14 Road, the Segbwema Road and the Kenema Road.
11:04:24 15 Q. Where is Peyama?
16 A. Nobody could ply those roads. Lower Bambara Chiefdom.
17 Q. How far is Peyama from Tongo?
18 A. It could be up to 3 or 4 miles.
19 Q. What happened at Peyama that you want to explain?
11:04:57 20 A. When we captured Zogoda, the Dama and Kenema Roads were
21 there then free so vehicles could ply and go up to Bo Waterside.
22 So vehicles would come to this town now, buy food stuff and take
23 them to the place.
24 Q. Can you just go over that.
11:05:22 25 A. Okay. When we captured Zogoda, it then incapacitated the
26 rebels not to be able to attack the highway going to Bo Njala, to
27 Zimmi.
28 Q. Yes?
29 A. Then food stuff started coming to Kenema. Then the

1 Lower Bambara Chiefdom said, "We helped you to drive all your
2 rebels from your own chiefdom so please help us as well to drive
3 my own rebels from my own chiefdom, Lower Bambara."

4 Q. What happened in respect of the rebels in Lower Bambara?

11:06:29 5 A. I already mentioned we met and we went at that time
6 soldiers were based in Tongo and we went and explained to them.
7 We told them we'd gone there to capture the place. Peyama.

8 Q. What did the soldiers do?

9 A. They were happy about that and they also gave us soldiers,
11:06:53 10 up to 300, so that we'll go together. All of us captured Peyama,
11 Wima, going to Bala [phon].

12 Q. What to you was the significance of taking Peyama?

13 A. People were in Tongo and couldn't get food for themselves
14 and that is the place that diamonds are mined. Because they were
11:07:44 15 not able to mine diamonds and rebels were there, it was difficult
16 for them to get food. But when we drove away the rebels so then
17 everybody could get food to eat. Segbwema is along the Kailahun
18 Road and those who were there couldn't come to Kenema then. But
19 afterwards they could now come. And those by the Blama Mende end
11:08:11 20 who couldn't come then, they were now enabled to come.

21 Q. Now, Mr Witness, I go back to the question you deferred.

22 That is the question about the relationship between soldiers and
23 Kamajors by the time the soldiers overthrew the Kabbah
24 government. Would you want to explain that, please?

11:08:51 25 A. There is something else I need to explain. If I explain
26 that, you'll know how we ended.

27 Q. Now, Mr Witness, let us go to the time that the soldiers
28 overthrew the Kabbah government.

29 A. I've accepted, I'm coming there.

1 Q. Can you explain what relationship the soldiers at that time
2 had with the Kamajors?

3 A. When they took over this country?

4 Q. By that time?

11:09:38 5 A. The reason why I said I wanted to explain something else,
6 when we captured Peyama, the rest of the Kailahun District came
7 together and said, "Let's go to Kailahun District," and so we
8 captured the Kailahun District. So several Kamajors went to the
9 Kailahun District. We went and captured Pendembu and other
11:09:56 10 places, wherever was their base.

11 Q. What happened then?

12 A. We were arranging the war to go and fight at Giema where
13 they were all based. It was then that they overthrew the
14 country.

11:10:24 15 Q. What was the relationship then between Kamajors and
16 soldiers at that time?

17 A. There was an announcement that all Kamajors were disbanded,
18 so that all of those who were at the war front should be
19 disarmed.

11:10:50 20 Q. Yes?

21 A. The soldiers with whom we were together in the war front,
22 when they saw that we were many, we outnumbered them, they were
23 encouraging us so that we'll leave the place. We withdrew from
24 the war front and we came to Pendembu. It was then we met
11:11:10 25 several soldiers. They said, "All of you should gather together
26 and give us your weapons." They disarmed those who went
27 initially, and they captured several Kamajors and took them to
28 Daru. Those who still had their weapons went into the bush, went
29 through Mano and crossed the river.

1 Q. Yes?

2 A. And we heard another announcement and said, "Those rebels
3 who were in the bush, their brothers had taken over the country
4 so they should come to town and they would make peace."

11:12:32 5 Q. Who made the announcement, do you know?

6 A. Those who had overthrown the government.

7 Q. How did you respond?

8 A. That thing dispirited all the Kamajors in this country
9 because we were fighting together with the soldiers against the
11:13:11 10 rebels. Then just suddenly the rebels and the soldiers became
11 friends and made the Kamajors their enemies.

12 Q. Yes?

13 A. And they were chasing them very seriously. If they
14 captured one's wife, they would kill your wife. And they chased
11:13:39 15 us and all areas were captured, Peyama and Tongo and all the
16 other places, then they went there.

17 Q. Who went to those places you had captured?

18 A. They were mixed then, the rebels and this government that
19 the taken over the country, the soldiers, they were mixed then.
11:14:03 20 The places we had captured from the rebels before then together
21 with the soldiers and the rebels were then going there, then they
22 drove the Kamajors.

23 Q. So what did the Kamajors do in response to that?

24 A. We couldn't fight immediately afterwards, because they were
11:14:32 25 the people that would strengthen us and they used to give us
26 weapons. So just after that all of the Kamajors went towards the
27 Guinea border together with a large number of civilians.

28 Q. Where were you yourself at that time?

29 A. All of us left Kenema, went to Tongo and they drove us from

1 there and we went to Giehun Kojo, Malegohun Chiefdom. That is my
2 own home.

3 Q. Did you go anywhere after that?

4 A. Yes.

11:15:23 5 Q. Can you explain to the Court, please?

6 A. Those Kamajors who had gone, they met together in a big
7 meeting and said, "What should we do about this?"

8 Q. Where was that meeting?

9 A. Giehun Kojo, Malegohun Chiefdom.

11:16:01 10 Q. Can you tell us roughly how long after the overthrow that
11 meeting took place?

12 A. It took up to three months or even above that. We all met
13 together and two of us were appointed. They asked us to go
14 and -- go to wherever President Kabbah and the others had gone
11:16:34 15 and ask them what we had done in Conakry.

16 Q. Who were the two people?

17 A. I, Lansana Bockarie, and Mr George Jambawai.

18 JUDGE ITOE: That they should go to where?

19 THE WITNESS: Conakry. Conakry, where the President and
11:17:01 20 others had gone in exile. We heard that when they were driven
21 from power, they were all in Conakry.

22 PRESIDING JUDGE: So there were three of you. There was
23 yourself, Jambawai and --

24 THE WITNESS: No, we were two in number. I, myself, and
11:17:26 25 Jambawai. I and Jambawai. George Jambawai.

26 MR JABBI:

27 Q. What were you instructed to do?

28 A. All Kamajors and the chiefs, all of them that had hidden
29 from the rebels, were all that at meeting. So they said that,

1 "You go to the President in Conakry. Go and tell him that this
2 is what has happened in the country. Then we are just jumping
3 from one place to the other. Even you, the Kamajors could not
4 fight because you hadn't anything to fight with. So now that
11:18:33 5 they've gone to Guinea, if they want you to join the rebels, let
6 them tell you so that you'll come and tell us," and we'd beg
7 them. So we went. We were at the border, this way and that
8 other way, and we were struggling to get the card called carte
9 d'entrée. That's what you'd use to travel then. We hadn't that
11:19:09 10 card. So we struggled for a long time before we could acquire
11 it. It was after two weeks that we finally acquired it. We went
12 to Gegedou and we boarded a vehicle --

13 Q. Watch your pace, please. Yes, you went to where?

14 A. Gegedou. We boarded a vehicle there and went to Conakry.
11:19:41 15 We arrived at the embassy at 7 o'clock in the morning, very early
16 in the morning.

17 Q. What happened?

18 A. We asked for the ambassador, Mr Sankoh, and we met him and
19 we told him we had come to the President.

11:20:09 20 Q. Yes?

21 A. Then he held us by our hands and took us to a place. When
22 we went there, we met Mr Lagawo was there, and introduce him to
23 us that "This Mr Lagawo, all of you know that he was a -- he was
24 representing the man, and this man and all these people that
11:20:28 25 you've met here, you should speak to them before it could reach
26 the President. I cannot just tell you to go right to the
27 President." So they all sat down together and we made a
28 presentation to them. All those senior people whom we met there.

29 Q. What did the ambassador say Mr Lagawo was?

1 A. That the committee which they had formed in Guinea when the
2 war drove them, that committee that they had created, it was
3 Mr Lagawo who was the chairman.

4 Q. Did you know the name of that committee?

11:21:19 5 A. Well, really I can't tell. But that committee was for this
6 country. When the war had driven them out and they went there,
7 whatever problems you had from here, they were the ones who'd
8 handle them.

9 Q. Was this still the two of you who were being introduced to
11:21:47 10 Mr Lagawo?

11 A. Yes, yes. I and Mr George Jambawai.

12 Q. What transpired then?

13 A. They asked us what was going on here.

14 Q. And did you explain?

11:22:17 15 A. Whatever trouble was befalling these people here and the
16 Kamajors, we explained everything to them at that meeting. And
17 we added that what brought us here was that we were fighting
18 together with the soldiers, but now they've overthrown the
19 government and they have accommodated the rebels, and we the
11:22:36 20 Kamajors have no other strength. What do we do? Can we accept
21 them?

22 Q. Slowly, please. Slowly, please. Can you go over this last
23 statement, please?

24 A. When we explained to them the trouble that was befalling
11:22:57 25 the people, that the rebels and the soldiers were doing to people
26 here, we told them that they had sent us, that the soldiers and
27 the rebels have become one, they've taken over the country. "The
28 country is in their hands. But now they're attacking us. But
29 our people have sent us to come and ask you, 'Are we to beg them,

1 are we to subdue to them, or are we for you people?' That was
2 why we were here, because all of us cannot come to Guinea and
3 stay there."

4 Q. Did you tell them anything more?

11:23:44 5 A. There were many things. All that was happening here we
6 told them. In fact, we told them so that the President would
7 hear and he'd give us a reply.

8 Q. Were you asking for anything in particular?

9 A. We'll get there. But what we told to those people, they
11:24:16 10 accepted.

11 Q. Carry on, please.

12 A. That, "All this information that you've given us is very,
13 very serious, but we'd think about it. But we're working for
14 somebody. Pass the night, tomorrow morning we'll give you a
11:24:53 15 reply."

16 Q. Did they say the somebody they were working for?

17 A. Yes, they said the President. Then, indeed, he was the one
18 we went to see.

19 Q. Which president?

11:25:21 20 A. Dr Alhaji Tejan Kabbah, His Excellency.

21 Q. So the next day what happened?

22 A. They lodged us, they cared for us a lot. In fact,
23 Chief Amara Gando and Mr Murray Lamin, they took us and they
24 lodged us there at [indiscernible]. That's where we slept and
11:25:54 25 they gave us a lot of entertainment in the morning.

26 Q. Yes?

27 A. Then even if we eat all of this food, we've left people
28 behind. We want to know exactly what has come out of your
29 consultation. So they met again just like we have met and they

1 all sat together. There were ministers among them, JB Dauda and
2 others. There were many. All of them were there. They all sat
3 down, just like we're sitting here.

4 Q. What ministers did you see?

11:26:41 5 A. JB Dauda was there, Solomon Musa, Chief Amara Lansana
6 Gando, Chief Murray Lamin. Many of them were there.

7 Q. What did they report?

8 A. They said, "We told you that we'd consult to the morning.
9 Come now and we'll tell them. What is going to happen now?

11:27:15 10 We're all unhappy. We thought that you, the Kamajors, have
11 joined forces with the juntas because that was information we
12 heard here in Conakry. But now that you've come and said that
13 the Kamajors are still for us, and all the people including the
14 chiefs, that they are still supporting the government -- our
11:27:49 15 government" --

16 Q. Yes?

17 A. "The two of you, we're going to send one of you to return.
18 One person will stay."

19 Q. Yes? Just a minute, please.

11:28:29 20 MR JABBI: My Lords, the first accused is asking to be
21 allowed to ease himself.

22 PRESIDING JUDGE: We will just break for the recess anyhow
23 and we will allow Mr Norman to ease himself. The Court will
24 recess, thank you.

11:28:57 25 [Break taken at 11.30 a.m.]

26 [CDF31MAY06C - SV]

27 [Upon resuming at 11.58 a.m.]

28 PRESIDING JUDGE: Yes, Mr Bockarie.

29 MR BOCKARIE: Yes, My Lord, may I apologise for being

1 absent for the first half of the morning session. My Lord, I had
2 some very important pressing matter downtown which necessitated
3 my presence there. I apologise. However, I'm back,
4 Your Honours.

11:58:50 5 PRESIDING JUDGE: We would have appreciated, Mr Bockarie,
6 that you should have informed the Court prior to rather than
7 after. If that was something that was known to you either Monday
8 or before this morning, it would have been nice for the Court to
9 know about it and it would have avoided some uncertainty this
11:59:16 10 morning. But we're pleased to see that you're back and you're
11 ready to proceed.

12 MR BOCKARIE: Yes, I'll take note of that and I hope a
13 recurrence will not occur again. Thank you.

14 PRESIDING JUDGE: Thank you. Dr Jabbi.

11:59:31 15 MR JABBI: Yes, My Lord.

16 Q. Welcome back, Mr Witness. When we broke off you were
17 explaining what the committee at Conakry was reporting to you
18 after the overnight consultation. Would you like to continue,
19 please?

12:00:07 20 A. Yes.

21 Q. Carry on, please.

22 A. When we met they thanked us a lot, because it had been long
23 they'd not got any message from the country, all they had was
24 from the air. Then they said, "All the information that you've
12:00:33 25 brought, we've heard. But one person should take our voice
26 along. That now that you've arrived, we've got the message and
27 the action that we're going to take on the information, one
28 person is going to stay, and that person who is going to stay,
29 they should wait. The reason why you're returning, it is for you

1 to tell them that the government that they overthrew is the same
2 government that is still in existence. So you should return and
3 tell them that nobody should subdue to them. Do not accept them.
4 No Kamajors should subdue to them."

12:01:05 5 Q. Mr Witness, slowly, please. Yes, carry on.

6 A. "Now that you've explained to us that down south that
7 people are still looking up to the government, all that you hear
8 you wouldn't trust. But return and tell them that they still
9 have our support. The person that is staying behind, the action
10 that we're going to take, he would take it to you, he would take
11 the message to you. So you, this man is older than you. You are
12 younger. You return. Mr George Jambawai would stay behind, he
13 would bring an answer, a reply."

14 Q. Yes, please.

12:02:20 15 A. Then I became lowly for a while. Then they asked why.
16 Then I said, "If I go now and meet the Kamajors, then I tell them
17 that nobody should beg them, nobody should subdue to them, but
18 there are no bullets to fight against them. So what do we do?"

19 Q. Yes, please.

12:03:03 20 A. Then they said, "Well, that sentiment that you expressed
21 saying, we know, the President himself has told us that you and
22 ECOMOG would be fighting together to drive away those people. So
23 you just go back, Mr Jambawai would follow soon."

24 Q. Yes, please.

12:03:36 25 A. They gave me the fares and bid me farewell and accompanied
26 me to board a vehicle. I returned to Gegedou, went to Kolumba.
27 Then I crossed the river at Lalehun. That is in Sierra Leone.

28 Q. Do you know the chiefdom where Lalehun is?

29 A. Penguia. Penguia. That's the chiefdom in Kailahun

1 District. The movement that was I making, you know, because
2 everybody was looking for us. In Kolumba, when I went and
3 arrived there, they didn't want me to go across the river because
4 there was a large crowd there, including Kamajors. Just so they
12:04:52 5 could hear what I had brought from Guinea. I was given that
6 information unto the time I reached CO Dugbe at Penguia. And the
7 there was a message that I was to deliver to CO Dugbe.

8 Q. Where was CO Dugbe on your return from Guinea?

9 A. He was in Selu in the Penguia Chiefdom in Kailahun
12:05:19 10 District.

11 Q. Yes?

12 A. When I had -- after I had given all the information that I
13 brought from Conakry, they too said that I should tell Dugbe that
14 I shouldn't forgot because he was the one based at the river
12:05:35 15 side, that's the border. If there is anything he is getting
16 there, he should look after those things.

17 Q. Yes?

18 A. So I came and delivered that message. We had suffered a
19 lot during the war. It was up to one month plus, up to two
12:06:07 20 months, we had no information at all.

21 Q. To whom did you deliver the message?

22 A. Those Kamajors who were -- because if you had said that
23 whatever message you brought, it would reach everybody. Wherever
24 you were, if you give that information to one person, it would
12:06:24 25 spread. Wherever Kamajors were, they would repeat the message.
26 Everywhere in this country, including our people, the civilians,
27 because all of them were moving out from their places to the
28 bushes. After two months or after two months plus I got a
29 message from CO Dugbe in Penguia that if they go they should tell

1 me --

2 Q. Where were you when CO Dugbe sent you the message you're
3 about to say?

4 A. Malegohun, because we refused to stay in the town; we would
12:07:18 5 be in the bushes. Because those guys, if they find any Kamajor
6 in the town, they would burn down that town completely.

7 Q. And what was the message you received from CO Dugbe?

8 A. That if they go, the Kamajors should tell me that they
9 should get up immediately together with the escort to the river
12:07:49 10 side towards the Lalehun side. There is something there for us
11 that we should pick up. Bullets, gun bullets.

12 Q. And did you go?

13 A. Yes, yes. All of us were looking forward to that. I went
14 together with so many other Kamajors.

12:08:14 15 Q. Any idea how many Kamajors went with you?

16 A. They were more than 300. They said bullets -- they said
17 the --

18 Q. Can you give the number again, please; how many Kamajors
19 went with you?

12:08:38 20 A. They were more than 60.

21 PRESIDING JUDGE: More than 60? I thought he had said 300.

22 MR JABBI: It was the interpreter --

23 THE INTERPRETER: It was the interpreter's mistake.

24 PRESIDING JUDGE: It should have been 60, not 300?

12:08:55 25 MR JABBI: Yes, My Lord. That's why I repeated the
26 question.

27 PRESIDING JUDGE: Okay.

28 MR JABBI:

29 Q. Yes, you went to CO Dugbe?

1 A. Yes. He said - he had sent for me - "The things that you
2 and George Jambawai went for to Conakry" --
3 JUDGE ITOE: You met him in what town? In what town?
4 CO Dugbe.
12:09:24 5 THE WITNESS: Selu.
6 MR JABBI:
7 Q. Selu in Penguia Chiefdom?
8 A. Penguia Chiefdom, Selu. In the Kailahun District.
9 Q. So on arrival at Dugbe's what did he say?
12:09:54 10 A. That Mr George has crossed over with bullets for all of us.
11 Q. Who is Mr George?
12 A. Mr George Jambawai, the man with whom I went to Guinea. I
13 left him there and returned.
14 Q. Yes?
12:10:25 15 A. "The bullets, I have taken some Kamajors, we've gone for
16 the bullets and they are all here in hiding. That's why I sent
17 for you so you would come and take the bullets away. But they
18 were given for Tongo."
19 Q. Any idea of the quantities of the ammunition?
12:10:53 20 A. It was plenty a little. But in those days it was the war
21 period, you wouldn't sit there counting. But it was many. I
22 can't tell the number but it was many. But it was meant to be
23 distributed by chiefdoms.
24 Q. Did you know what types of bullets they were?
12:11:23 25 A. Single-barreled bullets.
26 Q. Yes, you said it was meant to be distributed by chiefdoms.
27 What did you do?
28 A. Yes. We distributed them by chiefdoms. Penguia had
29 theirs, Peje West, Peje Bongre, Njaluahun --

1 Q. Go slowly, please. You said Penguia?

2 A. Penguia.

3 JUDGE ITOE: They were distributed to chiefdoms; I think
4 that is okay. That enumeration is superfluous. But it's your
12:12:14 5 case, you know.

6 MR JABBI: My Lord, we think that the --

7 PRESIDING JUDGE: That's okay, we have it on the record.
8 That's what we mean, we mean not to repeat that. It's on the
9 record.

12:12:23 10 MR JABBI: What he has already said, My Lord.

11 PRESIDING JUDGE: Yes.

12 MR JABBI:

13 Q. Yes. Can you continue? You've named about three
14 chiefdoms?

12:12:31 15 A. You want me to name the chiefdoms? Lower Bambara, Dodo,
16 Nongowa, Malegohun, Yawei, Gandorhun Gbane, Gorama Mende, those
17 chiefdoms are around that area where we were that I should
18 distribute it to them, because when we went, we told them the
19 message that the Kamajors were around us; we were all in the same
12:12:56 20 place. So they distributed them. It was all on paper that we
21 should distribute it to them.

22 Q. Now, Mr Witness, do you know in what month these
23 ammunitions arrived in those areas, the time you took them to
24 distribute them?

12:13:27 25 A. I have said a while ago that you shouldn't bother me with
26 dates or months because in that bush where we were, we hadn't
27 time for dates. But when I tell you the instances, you will sit
28 and think about it; that was when we captured Tongo. It was the
29 bullets that we used to capture Tongo. Because just when we got

1 there, we did not take them anywhere except Tongo, because that
2 was where the rebels and the juntas were, and that's where they
3 were coming from to harass us, so we went there to dislodge them.

4 Q. Was the President, for example, still in exile in Conakry?

12:14:05 5 A. Yes, still the juntas had the country in their hands.

6 Q. Do you know how many times Tongo was attacked by the
7 Kamajors on that occasion?

8 A. Tongo -- telling the number would be very difficult because
9 it was changing hands. You stay there for a while, they would
12:14:47 10 dislodge you in the evening. If they stayed there in the
11 evening, we would dislodge them in the morning. But the time
12 that they stayed there and we dislodged them finally, they have
13 stayed there for long. That's when they joined the soldiers. We
14 stayed there for quite some time before we dislodged them
12:15:05 15 finally.

16 Q. You say that those were the weapons -- the ammunition you
17 used to take over Tongo. Are you referring to the final taking
18 of Tongo by the Kamajors?

19 A. Yes, the final one. What I can even add is when I did that
12:15:49 20 journey, when I left and went to Dugbe, it was up to 30 miles.
21 Those of us who travelled along, we were not able to join in the
22 Tongo attack because on that day that they say we should attack
23 Tongo, we had sores on the soles of our feet, so those who went,
24 the others went and captured Tongo.

12:16:08 25 Q. What you are saying is that those of you who actually went
26 to collect the ammunitions were not able to take part in the
27 attacks on Tongo? Is that what you are saying?

28 A. Yes. We were not -- we couldn't join in the attack because
29 we had sores on the soles of our feet. It was 30 miles to and

1 fro, the place where we went and the border.

2 Q. What was your mode of travel to and from CO Dugbe?

3 A. Please explain a little for me to understand.

4 Q. How did you travel to CO Dugbe? How did you travel to come
12:17:14 5 back? How?

6 A. On foot. On foot in the bush. In fact, we wouldn't go
7 through the main road. We would be going, passing through the
8 bushes, using bypass routes.

9 Q. Where were you yourself when Tongo was finally taken?

10 A. Giehun Kojo, Malegohun Chiefdom, Kenema District.

11 Q. Did you yourself go to Tongo at any time around that time?

12 A. Yes.

13 Q. When was that?

14 A. It looks like it was about eight days before I went there.
12:18:47 15 When they captured there, it was about eight days before I went
16 there. Because I had told you a while ago that I had sore on my
17 feet and we were not travelling in vehicles, we were walking.

18 Q. How did the Kamajors manage the takeover of Tongo after
19 they had actually taken over, do you know?

12:19:34 20 A. You know, you've complicated it a little. You said
21 things --

22 JUDGE THOMPSON: Can you repeat that question? Did I hear
23 you say: how did they manage the takeover of Tongo after they
24 had taken Tongo? Isn't it a little --

12:20:15 25 MR JABBI: He has already said that it is a bit
26 complicated.

27 JUDGE THOMPSON: Yes, I thought so myself and that's why I
28 was joining him.

29 JUDGE ITOE: Because the question was complicated.

1 MR JABBI: Yes, the witness has already said so, My Lord.

2 JUDGE THOMPSON: We need some clarification towards more
3 precision.

4 MR JABBI: Yes, My Lord. Sorry about that.

12:20:32 5 Q. Now, after the Kamajors took over Tongo -- you say you went
6 there some eight days after the final takeover. Do you know how
7 they were managing affairs in Tongo at that time?

8 A. Yes, what they told me when I went there.

9 Q. Can you briefly help the Court with that aspect?

12:21:12 10 A. All those Kamajors who had left their chiefdoms, they were
11 guests to those Kamajors who had been born in that chiefdom.

12 After they captured that town, BJK Sei, who was the chief hunter,
13 he was not in town, but we sent for him. Then he, Siaka Lahai,
14 who was the battalion commander then, he was there. They were

12:21:54 15 the ones who captured the town, but we went for BJK Sei; he was
16 the chairman. Whoever, when we fought in a chiefdom, we would
17 return it to you. Even if -- all the people who would go there
18 would be under your control. There was control, there was

19 command because all the people were not equal, so the person who
12:22:18 20 was above you was in control. So we sent for him because it was
21 his chiefdom.

22 PRESIDING JUDGE: Can you go over that again with this
23 witness so I understand what he's saying, Dr Jabbi?

24 MR JABBI:

12:22:34 25 Q. Mr Witness, can you just go over this last statement you
26 made that whenever you captured a particular place --

27 JUDGE THOMPSON: I think it better --

28 THE WITNESS: Those chiefdoms --

29 MR JABBI: Wait a minute, Mr Witness.

1 JUDGE THOMPSON: Again, giving us the norm and then the
2 actuality doesn't help. You want facts. How did they manage
3 Tongo after its capture? Let's stick to that. He could testify
4 to that and it's not helpful, from my perspective, to tell us
12:23:11 5 that whenever they capture a place this is what they do. You may
6 not always adhere to the norm.

7 MR JABBI: Yes, indeed, My Lord.

8 JUDGE THOMPSON: So let us keep on the factual plane.

9 MR JABBI: Yes, My Lord.

12:23:22 10 Q. Now, Mr Witness, the question is how the Kamajors actually
11 managed affairs after taking over Tongo. So what they did in
12 respect of Tongo in particular is what I'm asking you to explain.

13 A. That's why I told you a while ago, because Tongo is a
14 popular place in that district. That's where money is. Those
12:24:12 15 who were born there, the Kamajors who were born there, whatever
16 you were organising there, they should lead, you wouldn't lead.
17 Even if you were the senior commander, they would lead. And they
18 would present that to the people that captured that town. Some
19 of the chiefs were in the bushes. When we captured Tongo, they
12:24:36 20 came there, they held a meeting.

21 Q. You say when they came there they held a meeting. Who held
22 the meeting you want to talk about?

23 A. BJK, when we held a meeting, he called those chiefs, people
24 who were in the bushes, and told them that we've captured the
12:25:08 25 town, but we do it and we do not have bullets, we cannot just sit
26 here like that.

27 Q. Were you present in person at the meeting?

28 A. Yes. The one that we held before he called those people,
29 that was what we said. That he would call them and present the

1 same thing to them, because there was no food, because at that
2 time the war was so intense, nobody could mine for diamonds.

3 Q. Did the chiefs and the civilians return to Tongo?

4 A. Yes. The chiefs returned, some chiefs and so many other
12:26:12 5 people, the civilians who had gone into the bushes returned to
6 the town. It came to a time -- it became difficult to control
7 the mining. Left to the Kamajors alone, if you gave him an
8 order, he would take it. But the civilians, it was not easy to
9 control them.

12:26:30 10 Q. Did the chiefs assume their usual role on return,
11 notwithstanding the presence of the Kamajors?

12 A. Yes, because they held a meeting in Kenema, the chiefs and
13 their representatives who were civilians, to come and work with
14 the Kamajors in Tongo.

12:27:15 15 Q. Now, after all this exercise, what was your own role in the
16 Kamajor movement after the capture of Tongo?

17 A. After the capture of Tongo it was not long that there was
18 another attack by ECOMOG for them to dislodge the rebels and the
19 juntas from Freetown. So that's the time the fighting started.

12:28:15 20 JUDGE THOMPSON: Your focus was on his role and he seems to
21 have gone outside that universe of discourse. Perhaps you want
22 to take him back in case that is important for you.

23 MR JABBI: My Lord --

24 JUDGE THOMPSON: I wouldn't press it. It's your evidence.

12:28:30 25 MR JABBI: My Lord, I want to accommodate what he has said
26 and try and find a suitable time to repeat that question.

27 Q. Now, you have just said something about ECOMOG taking
28 Freetown; was that before or after the capture of Tongo by the
29 Kamajors?

1 A. We captured Tongo first, before they captured here. The
2 reason why I returned there - you said the work I did there after
3 that - I was going to explain without not mentioning ECOMOG
4 because we worked together. That was why I started there.

12:29:16 5 Because I cannot -- I can explain how they captured there and
6 Kenema and I would explain what I did after that. That was why I
7 returned to ECOMOG.

8 Q. Now, roughly, if you can help, roughly how long after the
9 capture of Tongo was Freetown taken by ECOMOG, if you know?

12:29:47 10 A. I can't recall the date, but it happened before, even
11 before they captured Kenema. Because the juntas were in Kenema.
12 We captured Tongo first, before they cleared Kenema. In fact,
13 that made our people happy in Kenema. They never were sure that
14 the Kamajors could dislodge the juntas and the rebels. They were
12:30:24 15 not sure that we could capture Tongo, because at that time they
16 were in Kenema and Freetown.

17 Q. And do you know when Kenema was captured from the junta?

18 A. We just heard it from the radio, but we captured Tongo
19 first, before they captured Kenema. So we were leaving Tongo to
12:31:00 20 come to Kenema.

21 Q. And if we can now come to your own role after this
22 exercise, all this exercise, your own role in the Kamajor
23 movement. Can you explain that?

24 PRESIDING JUDGE: By "exercise" you mean what?

12:31:32 25 MR JABBI: All the capture of Tongo, the taking of
26 Freetown, the taking of Kenema, which he has experienced.

27 Q. After all that, can you tell the Court what role you played
28 in --

29 A. There was still fighting in Kailahun District. When ECOMOG

1 reached Kenema they took me to Daru.

2 Q. Who took you to Daru?

3 A. ECOMOG. ECOMOG.

4 Q. Yes?

12:32:20 5 A. They said, "We've heard about you, that you are doing a
6 good job. What we want to do now, we want you to join us to go
7 to Bo. We want troops to move to go and capture Kono. So let's
8 go to that meeting." So together we came to the meeting in Bo.
9 I was the only Kamajor among them.

12:32:38 10 Q. What happened at that meeting?

11 A. That colonel told me that we were going to capture Kono,
12 "but we've heard about you, that you are an honest person. So we
13 want you and all those Kamajors whom you trust to lead us so that
14 all of us could go and capture Kono. So that was why we brought
12:33:12 15 you here. So that would show that you and the commanders would
16 familiarise before we go. Those Kamajors whom they cannot
17 control, you can control them. Whatever they did to them, they
18 can complain to you. That was why we brought you here." So they
19 brought me to Bo. So we held that meeting, I accepted and on
12:33:30 20 that day we left immediately and went to Kenema. We slept in
21 Segbwema.

22 Q. Give some time, please, Mr Witness.

23 A. I'm waiting.

24 Q. Yes?

12:33:50 25 A. We left Segbwema for Bunumbu. At that time the rebels had
26 all come together in the Kailahun District and they were all
27 based in Bunumbu and all those surrounding villages. So we
28 continued fighting. All those soldiers that ECOMOG had provided,
29 they were up to 1000, with armoured cars -- four armoured cars,

1 four tank cars, because we were going to capture Kono. We
2 continued fighting on that day until Bunumbu and we arrived there
3 at night. And in Bunumbu we fought there for over two hours
4 before finally captured there. All those weapons and the
12:34:20 5 soldiers we used to capture there. At that point -- in fact, we
6 only captured the junction that night.

7 Q. Did you in fact get to Kono?

8 A. We didn't arrive in Kono. In the morning we left Bunumbu.
9 We said we were going to Yawei. They were burning down the
12:34:46 10 bridges as they went, so before we could cross over we had to
11 reconstruct those bridges. We spent two days there before
12 arriving in Yawei. When we captured Bandajuma Yawei and there
13 was a message that Bunumbu should not be left empty. Because we
14 were just going. So they sent some troops behind.

12:35:08 15 PRESIDING JUDGE: Is this relevant, Dr Jabbi, to the
16 indictment? I don't have a recollection that Kono was --

17 MR JABBI: My Lord, he is winding up and, as he has just
18 said, they did not get to Kono in the end.

19 PRESIDING JUDGE: I'm just wondering why this last part of
12:35:26 20 his evidence because it appears to have --

21 THE WITNESS: No.

22 PRESIDING JUDGE: -- no relevance to what we're dealing
23 with.

24 MR JABBI: Pardon, My Lord?

12:35:35 25 PRESIDING JUDGE: I said I was wondering why this witness
26 would testify about these matters, which appear - I'm talking of
27 the last part of his evidence - to have no relevance to the
28 indictment.

29 MR JABBI: At least, My Lord, the interaction between

1 Kamajors and ECOMOG. As he has said, they held a meeting in Bo,
2 went to Kenema and proceeded along those lines. So it's just for
3 that relevance.

4 JUDGE THOMPSON: So it sets the stage for what? That
12:36:01 5 interaction sets the stage for?

6 MR JABBI: I would want to elicit it from the witness.

7 JUDGE THOMPSON: Quite.

8 MR JABBI:

9 Q. So after this interaction with ECOMOG, what happened to you
12:36:24 10 in respect of your own status within the Kamajor movement?

11 A. After we had done all of those things and gone to Yawei,
12 Arthur Koroma, who was the CDF co-ordinator in that district, he
13 called me and told me that I had done a good job. "Those whom
14 you had accompanied, you've done a very good job. So now you are
12:36:54 15 a battalion commander."

16 Q. Battalion commander in respect of what area?

17 A. Malegohun. He said, "You are going to stay there with a
18 battalion."

19 Q. Where is Malegohun Chiefdom; in what district?

12:37:32 20 PRESIDING JUDGE: We've been through that.

21 THE WITNESS: Kenema District.

22 MR JABBI: Thank you. My Lord, that is all for the
23 witness.

24 PRESIDING JUDGE: Thank you. Counsel for second accused,
12:37:45 25 any cross-examination of this witness?

26 MR BOCKARIE: Yes, Your Honour.

27 CROSS-EXAMINED BY MR BOCKARIE:

28 Q. Mr Witness, were you given any official position within the
29 CDF?

1 A. Except for this battalion commander that I have just spoken
2 about.

3 PRESIDING JUDGE: So the answer is no?

4 MR BOCKARIE: Save for --

12:38:29 5 PRESIDING JUDGE: Save for the battalion commander at the
6 end?

7 MR BOCKARIE: Yes, save for battalion commander.

8 Q. And this position was given to you by Arthur Koroma;
9 correct?

12:38:43 10 A. Yes.

11 Q. According to your testimony, Arthur Koroma gave you this
12 position because of the role you played in the capture of Bunumbu
13 and Wima; am I correct?

14 A. Yes, that's what he said.

12:39:15 15 JUDGE ITOE: Is that the same place they call Wima or Wima?
16 What is it? Are they different places? We've called the Wima,
17 Wima, you know.

18 MR BOCKARIE: Probably it's a matter of pronunciation,
19 My Lord.

12:39:40 20 Q. Now, as battalion commander, can you tell this Court what
21 were your responsibilities, if any?

22 A. They gave me that position, that was towards the end of the
23 war. They said they would call us for impress and they would
24 tell us exactly what our duties were. But at that time the war
12:40:07 25 had subsided, so they didn't do it.

26 PRESIDING JUDGE: Maybe you can clarify with the witness
27 what he means by "the end of the war".

28 MR BOCKARIE:

29 Q. Can you tell this Court what exactly you meant when you

1 said "the end of the war"? By then fighting has ceased?

2 A. There was not so much fighting because at that time it was
3 ECOMOG who was leading most of the things. They had captured
4 Daru, Segbwema, coming towards this end. So there was some
12:40:47 5 relative peace. It was not like we were leading and we would go
6 fighting. No, it was not like that.

7 Q. At that time ECOMOG was still in Sierra Leone?

8 A. Yes.

9 Q. And the war has not been officially declared over; am I
12:41:20 10 correct?

11 A. Yes.

12 Q. Mr Witness, would I be correct to say that your appointment
13 as battalion commander was a form of compensation in respect of
14 the role you played in the capture of Wima and Bunumbu?

12:41:51 15 JUDGE ITOE: But has he not said so?

16 MR BOCKARIE: Compensation.

17 JUDGE ITOE: Compensation, I know. It's because
18 Arthur Koroma admired his role in the capture of Bunumbu and Wima
19 that he appointed him battalion commander.

12:42:09 20 MR BOCKARIE: I'll take the point, Your Honour.

21 Q. Mr Witness, did you know Moinina Fofana?

22 A. Yes, I knew him later.

23 Q. Can you please tell this Court when?

24 A. At the time ECOMOG captured the whole of Kenema.

12:43:05 25 Q. Could that be before the arrival of Tejan Kabbah in
26 Freetown, that is the restoration, or after the restoration?

27 A. At that time the government has been restored.

28 Q. So I'll be correct to say you knew him after the attack on
29 Kenema; correct?

1 A. Yes.

2 Q. Mr Witness, to your knowledge, was Mr Fofana given any
3 official position within the CDF?

4 A. At that time when ECOMOG captured Kenema, when we went
12:44:13 5 there, they said he was the director of war.

6 Q. So at that time, that was the time you knew that he was
7 called director of war?

8 A. Yes.

9 Q. It was during this time that CDF, in collaboration with
12:45:03 10 ECOMOG, will plan to attack rebel bases; am I correct?

11 A. Repeat the question.

12 Q. It was during this time that CDF, in collaboration with
13 ECOMOG, would sit down, plan to attack areas occupied by the
14 junta forces; am I correct?

12:45:37 15 A. Like where?

16 Q. For instance, Bunumbu.

17 A. At Bunumbu -- at the time in Bunumbu, I didn't know
18 Moinina Fofana. I didn't know him.

19 Q. Thank you. Mr Witness, you were very much involved in the
12:46:17 20 attack on Tongo; correct?

21 A. Yes, I was close to it.

22 JUDGE ITOE: When you say he was very much involved, I
23 would say that a certain amount of reserve --

24 PRESIDING JUDGE: He wasn't there.

12:46:39 25 JUDGE ITOE: He wasn't there. He was here and he only went
26 there on the eighth day after Tongo had fallen.

27 PRESIDING JUDGE: He assisted in carrying ammunition from
28 the river to Tongo area, but could not take part in the fight
29 because of his injuries, sore foot.

1 MR BOCKARIE: I'll take the cue, Your Honour.

2 PRESIDING JUDGE: At least this is his evidence, as I
3 recall it.

4 JUDGE THOMPSON: Are you seeking to contradict that?

12:47:07 5 MR BOCKARIE: No, Your Honour.

6 JUDGE THOMPSON: I thought perhaps your instructions are
7 different?

8 MR BOCKARIE: No, Your Honour. I'm trying to make a point.

9 JUDGE THOMPSON: I see.

12:47:16 10 MR BOCKARIE:

11 Q. Now, Mr Witness, the planning for the attack on Tongo, do
12 you know where it was done?

13 A. I can explain a little about it. We took the complaint
14 about Tongo to Conakry, and the bullets that arrived had those
12:47:46 15 instructions. So when we met in the area Giehun Kojo, we said
16 Tongo is close to us and it is disturbing us a little, so it's
17 the first place that we should capture.

18 Q. So could I be correct that the planning on the attack of
19 Tongo was taken at Giehun Kojo, because of its proximity to
12:48:12 20 Giehun Kojo?

21 A. It could not just be Giehun Kojo because if you --

22 THE INTERPRETER: Your Honours, can the witness please
23 repeat his answer?

24 JUDGE THOMPSON: Counsel, you must be very clear. Why not
12:48:29 25 keep to your instructions? I mean, now you're putting to him
26 multiple choices. Why not give him what clearly is in line with
27 your instruction and, if your instruction also includes multiple
28 choices, why not put them separately? We don't know what your
29 instructions are as to where the planning was done. That would

1 help the witness to give us clear and precise answers.

2 MR BOCKARIE:

3 Q. Mr Witness, did you ever receive information from Moinina
4 Fofana in respect of matters of policy and strategy in the
12:49:12 5 prosecution of the war?

6 A. No, I knew Moinina Fofana at the time the war was almost
7 coming to an end. All the fighting that we were doing was in his
8 absence. I only knew him later. And that position, those
9 nomenclatures, in fact, we only knew them after we did all those
12:49:46 10 fightings, director of war, director of this. In fact, I was not
11 there.

12 PRESIDING JUDGE: Did you say, Mr Witness, that you were
13 not there or he was not there?

14 THE WITNESS: That question that he asked, that if
12:50:10 15 Mr Moinina Fofana was directing the war, telling us about the
16 war, I said at that time I didn't even know about him. I didn't
17 even know about him, and at that time we did not even hear that
18 there was a director of war. It was after the capture of Kenema,
19 later, that we've heard that they've given people positions.
12:50:30 20 When they brought them they would introduce them to us. When we
21 were fighting, nobody -- I did not see them give us orders.

22 MR BOCKARIE: Thank you very much, Mr Witness. That will
23 be all for him, thank you.

24 PRESIDING JUDGE: Mr Lansana, do you wish to cross-examine
12:51:02 25 this witness?

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

27 PRESIDING JUDGE: Are you ready to do so?

28 MR LANSANA: Yes, Your Honour.

29 CROSS-EXAMINED BY MR LANSANA:

1 Q. Good morning, Mr Witness.

2 A. Yes.

3 Q. Mr Witness, you testified before this Court to the effect
4 that you fought alongside the Sierra Leone Army just after the
12:51:38 5 war started; correct?

6 A. Yes.

7 Q. That it was in fact later that you got initiated; correct?

8 A. Yes.

9 Q. Can you tell this Court what difference there was, if any,
12:52:16 10 between your ability as a fighter before you were initiated and
11 your ability as a fighter after you were initiated?

12 A. That initiation gave us the bravery to withstand bullets.
13 Had it not been for that initiation, most people would not have
14 been involved in the fighting. Even those Kamajors you're
12:52:56 15 talking about now would not be involved in the fighting.

16 Ordinarily, when we were fighting with the soldiers, the way we
17 were dying and receiving injuries was not the same, because when
18 we got that initiation, everybody became brave. We were not
19 dying and receiving injuries as before.

12:53:10 20 Q. Thank you. Now you mentioned two initiators, Kamoh Brima
21 Bangura and Kamoh Lahai Bangura, and you said you were initiated
22 in your own chiefdom. Can you tell this Court which particular
23 initiator initiated you?

24 A. There was something I want to correct. I did not say I was
12:53:39 25 initiated in my chiefdom. They summoned us and brought us to
26 Kenema where we were initiated, okay. It was Kamoh Brima Bangura
27 who initiated me.

28 Q. Thank you. At the time of your initiation did you know of
29 another initiator called Allieu Kondewa?

1 A. We heard that name. When we heard that they were doing
2 initiation in the Bo end, we used to hear that name.

3 Q. Did you ever get to see him or to get to know him?

4 A. I knew him when ECOMOG took over this country. In fact, we
12:54:29 5 were separated. Those who were in the south would not go to the
6 east; those who were in the east would not go to the south, and
7 they were in the south.

8 Q. For the initiators you knew and saw, did you ever see any
9 of them participating in combat?

12:54:51 10 A. I can explain a little. There was one kamoh in this war
11 who died. He didn't carry a gun but he used to go to the front.
12 We would go together. He would stand in front of the troops. He
13 had no gun. In fact, he was the one that gave us the zeal. He
14 had no gun. Those of us who had the gun would be at his back.

12:55:23 15 JUDGE ITOE: Who is this kamoh?

16 THE WITNESS: Kowa. Kowa. He's deceased. Late Kowa.

17 MR LANSANA:

18 Q. Apart from that Kamoh Kowa that you've mentioned, did you
19 know or hear about any other initiator that went into combat?

12:55:44 20 A. I didn't know any other priest that went to fighting.

21 Q. Mr Witness, the initiators you saw and knew about, did you
22 ever see them supply weapons to combatants?

23 A. There is a little of it. I can explain a little, yes.

24 Q. Yes?

12:56:40 25 A. Kamoh Brima Bangura, when we were going to clear Kailahun
26 the government sent bullets to him, and all the food, that he
27 should distribute it to us. At that time I was not going. In
28 fact, he was distributing it to the Kamajors one after the other.
29 They sent it to the -- distributed it to the leaders, but the

1 government had sent it to him in Kenema.

2 JUDGE THOMPSON: Counsel, who was this priest?

3 MR LANSANA: I was just going to name, Your Honour.

4 THE WITNESS: Brima Bangura.

12:57:35 5 MR LANSANA: Kamoh Brima Bangura.

6 THE WITNESS: He's now deceased.

7 MR LANSANA:

8 Q. Apart from Kamoh Brima Bangura and the incident that you've
9 narrated, is it to your knowledge that there was another

12:57:55 10 initiator who performed that same role, supplying weapons and
11 ammunition to Kamajors? Was there any other, to your knowledge?

12 A. No, no.

13 Q. Thank you. Now, you talked about Camp Zogoda; is that
14 correct?

12:58:18 15 A. Yes.

16 Q. You said the SLA joined you later, four days later, if I'm
17 correct, when you went to take Camp Zogoda?

18 A. Yes.

19 Q. Do you know of any lieutenant called Lieutenant Seth Marah?

12:58:52 20 A. Yes, the one that I knew in Tongo. I knew him in Tongo.

21 Q. Was he involved in the Zogoda attack?

22 A. I cannot clearly say because the brigade brought some
23 soldiers in Kenema for that attack and we did not use the same
24 routes. There were so many other routes. Some Kamajors went

12:59:23 25 through the Blama end. Others went to Diame -- through Diame. I
26 do not exactly know the route he used, if he went at all.

27 Q. Thank you.

28 A. But I used to know him.

29 Q. And you said in your evidence this morning that

1 instructions for the attack on Camp Zogoda came from the chiefs;
2 am I right?

3 A. Yes.

4 Q. Now, is it to your knowledge that the attacks on other
12:59:59 5 towns and locations for the AFRC/RUF or the junta came from the
6 chiefs?

7 A. I want you to repeat the question.

8 Q. Like you say, the attack on Zogoda came from the chiefs.
9 Is it the case that other attacks on other locations also came
13:00:33 10 from the chiefs? Is that to your knowledge?

11 MR KAMARA: Objection, Your Honour. That question is
12 double barreled and it should be separated because locations
13 would differ by instructions. For the witness to --

14 JUDGE THOMPSON: In a multiplicity.

13:00:48 15 MR KAMARA: Yes, My Lord.

16 MR LANSANA: Thank you. Conceded.

17 Q. Now, do you know of any other attack on any other location
18 that was instructed or that was ordered by the chiefs?

19 A. Apart from Zogoda?

13:01:12 20 Q. Yes.

21 A. Peyama.

22 Q. Any other?

23 A. Wima. There are so many towns.

24 Q. So, in effect, you're saying that for quite a number of
13:01:25 25 attacks that you had against the locations of the rebels or the
26 junta, those attacks were ordered by the chiefs?

27 A. Yes. They were the ones who initiated us. They provided
28 bullets. Whatever they say is what you do.

29 Q. Thank you.

1 A. If they say you will go there, then you say, "I'm going
2 there." If they did not give you bullets would you go?

3 MR LANSANA: Your Honours, that will be all for this
4 witness.

13:01:58 5 PRESIDING JUDGE: Thank you. Mr Prosecutor, are you ready
6 to proceed? We won't proceed, I just want to know if you're
7 ready to proceed. We will adjourn. It is 1 o'clock which is our
8 usual time to recess. So are you ready to proceed with that
9 cross-examination tomorrow morning?

13:02:15 10 MR KAMARA: Yes, My Lord.

11 PRESIDING JUDGE: Very well.

12 MR KAMARA: Thank you.

13 PRESIDING JUDGE: So the Court will adjourn to 9.30
14 tomorrow morning. Court is adjourned. Thank you.

13:03:02 15 [Whereupon the hearing adjourned at 1.03 p.m.,
16 to be reconvened on Thursday, the 1st day of
17 June, 2006, at 9.30 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: LANSANA BOCKARIE	9
EXAMINED BY MR JABBI	9
CROSS-EXAMINED BY MR BOCKARIE	46
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