

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO.:SCSL- 04-14-T
TRIAL CHAMBER I

THE PROSECUTOR
OF THE SPECIAL COURT
v.
SAM HINGA NORMAN
MOININA FOFANA
ALLIEU KONDEWA

17 JUNE 2004
0955H
CONTINUED TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For the Registry:

Mr. Geoff Walker
Ms. Maureen Edmonds

For the Prosecution:

Mr. Charles Caruso
Mr. James C. Johnson
Ms. Adwoa Wiafe

For the Accused Sam Hinga Norman:

Dr. Bu-Buakie Jabbi
Mr. Ibrahim Yillah

For the Accused Moinina Fofana:

Mr. Arrow Bockarie
Mr. Michel Uiterwaal

For the Accused Allieu Kondewa:

Mr. Charles Margai
Mr. Yada Williams
Mr. Ansu Lansana

Court Reporters:

Mr. Momodou Jallow
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Ms. Susan G Humphries

I N D E X

WITNESSES

For the Prosecution:

WITNESS TF2-157

Cross-examination by Mr. Jabbi	1
Cross-examination by The Accused Norman	21
Cross-examination by Mr. Bockarie	34
Cross-examination Mr. Margai	46

WITNESS TF2-176

Examination-in-chief by Ms. Wiafe	74
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P R O C E E D I N G S.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
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MS EDMONDS:

Case No SCSL-2004-14-T, the Prosecutor against Hinga Norman, Moinina Fofana and Allieu Kondewa. All persons having to anything to do before this Special Court Trial Chamber draw near and give your attendance.

MR. PRESIDENT:

The interpreters, of course, are reminded that they are still bound by their oath.

Dr. Jabbi, we rose yesterday without concluding the cross-examination and we are now prepared to go on, you know, with your cross-examination.

JUDGE BOUTET:

But, Dr. Jabbi, before you start, I just want to remind you that you are in cross-examination and you are given some latitude. However, we would like also to tell you that we will not attempt to curtail cross-examination, but we would appreciate if you would try to focus and not be speculative, if at all possible, and feasible, in your questions and cross-examination. Thank you very much.

MR. JABBI:

Thank you very much, My Lord.

JUDGE BOUTET:

You may proceed, Dr. Jabbi

WITNESS TF2-157

CROSS-EXAMINATION

BY MR. JABBI:

Q. Now, Mr. Witness, you gave evidence as to *Kamajors* initially working together with soldiers in **xxxx**, but later on, they and the soldiers were not working together in **xxxx**. Can you tell the Court when you noticed the change in the interaction between soldiers and *Kamajors* in **xxxx**?

MR. JABBI:

My Lord, I'm sorry, I am not hearing the translation.

JUDGE BOUTET:

That's okay. The mike of the witness was not on, so -- I understand that the translator didn't get the answer. Would you try it again because I just notice that the witness has now put his mike on, which was not the case when you first asked your question?

BY MR. JABBI:

Q. Mr. Witness, you said in your evidence before that the *Kamajors* and the soldiers were initially working well together in **xxxx** but that later on you observed that the *Kamajors* and the soldiers were no longer working amicably together. Can you tell the Court when you noticed the change in the relationship between *Kamajors* and soldiers in **xxxx**?

A. Yes.

- 1 Q. Yes, tell us the time, please?
- 2 A. That was the time when they overthrew the government.
- 3 Q. That was when the Kabbah government was overthrown?
- 4 A. Yes.
- 5 Q. Was it, let's say around May 1997?
- 6 A. I can't tell you any date because I can't remember the date.
- 7 Q. You also spoke about four attacks on xxxx by the *Kamajors*. During those four attacks, were soldiers
8 based in xxxx?
- 9 A. Yes.
- 10 Q. During those four attacks?
- 11 A. Yes.
- 12 Q. And it was these soldiers based in xxxx during and after the overthrow of the Kabba government that
13 you said were no longer working as amicably with the *Kamajors* as soldiers had been working with the
14 *Kamajors* before, is that so?
- 15 A. Go to that question again. I don't understand it.
- 16 Q. You said that there were soldiers based in xxxx after the Tejan Kabbah government was overthrown
17 in 1997?
- 18 A. Yes.
- 19 Q. My question is whether these were the soldiers that were no longer having an amicable working
20 relationship with the *Kamajors* and vice-versa?
- 21 A. Yes.
- 22 Q. Do you, by any chance, know why that change occurred in their relationship?
- 23 A. The only thing I know is that when they came from the town and entered xxxx --
- 24 Q. Do you by any chance know the reason for the change in their relationship?
- 25 A. I don't know the reason because nobody told me that this was the reason. This -- the only reason I
26 know that is when -- after the overthrow they left the town.
- 27 Q. Would you say the overthrow was responsible for the change?
- 28 A. It's only they themselves that could answer that question. All that I know I have said to you.
- 29 Q. Okay. Now, you said earlier on that chief -- your Chief Mada Norman was chief of Jaiama-Bongor
30 Chiefdom. Can you tell this Court when you personally knew Mada Norman as chief of xxxx -- I
31 mean, of xxxx?
- 32 A. I can't remember the year but it was after the death of our chief. That's when they told him that he
33 should be the caretaker chief of our chiefdom. That is the only thing I know. I don't know the date nor
34 the time.
- 35 Q. When he acted as regent chief of xxxx - xxxx chiefdom, did you know him personally?
- 36 A. The only think I know is that he was a chief, and when a chief is in town, all that you have to know is
37 that he is a chief and you are supposed to know him.

1 Q. As a person and as a citizen of xxxx - xxxx chiefdom, did you have any interaction with the chief in
2 any capacity?

3 A. With the chief.

4 Q. Yes, Chief Norman?

5 A. There was no ill feeling between the two of us. When you -- the chief would only know you when you
6 have a problem. But nobody ever complained to him about me, so I never went to any court. There
7 was nothing about me.

8 Q. Apart from going to a court, did you have any other form of interaction with him as chief?

9 A. What type of word are you talking about? In which way -- in which way do you think -- are you talking
10 about that we should have interacted.

11 Q. I'm not saying you should have interacted with him, am asking whether you did interact with him as
12 chief in any capacity at all?

13 A. We never met and sat in the same place. The only time that we met was when he was chief and
14 whenever he calls a meeting regarding the chiefdom, I would be there.

15 Q. For instance, some members of the chiefdom are sometimes members of committees or certain
16 groups and from time to time they might meet with the chief or some chiefs. That is the sort of thing
17 I'm asking.

18 A. Don't ask me about members of the committee.

19 MR. PRESIDENT:

20 Mr. Witness, answer the question. You should not tell counsel not to ask you a question. If you have
21 an answer to the question, answer it. If you cannot answer it, say you cannot answer it, but don't ask
22 the counsel questions. Do you understand? Go on.

23 Q. So I will ask the question again, did you belong to any committee or group that might have interacted
24 with the chief or some chiefs in the chiefdom?

25 A. I was not in any of the groups.

26 Q. Now, can you tell the Court the type of relationship and interaction chief Norman as a chief had with
27 the chiefdom people of xxxx?

28 A. Yes.

29 Q. Yes, please tell the Court?

30 A. The one that I know is that he was chief. He is bound to interact with the other chiefs concerning the
31 chiefdom.

32 Q. Can you say more?

33 A. That is all I know, that he interacted with the chiefdom people as chief.

34 Q. What would you say his attitude to the chiefdom and its people might have been before 1998?

35 JUDGE THOMPSON:

36 Counsel, is it might have been or what? Isn't it speculative, "might have been"?

37 MR. JABBI:

1 No, it is not speculative, My Lord.

2 BY MR. JABBI:

3 Q. What would you say the attitude of the chief towards the chiefdom and the chiefdom people was, to
4 your own knowledge, before 1998?

5 JUDGE THOMPSON:

6 Thank you.

7 MR. JABBI:

8 Thank you, My Lord.

9 A. I don't know anything about that.

10 Q. Did the chief, for example, use to visit xxxx town before 1998?

11 A. He is chief, whenever he is ready to go to xxxx he would go, but I can't tell the date that he used to go
12 there. But whenever we wanted to go there, he would always go there because he is chief.

13 Q. As a matter of fact, do you know whether the chief visited his people in xxxx town before 1998?

14 A. That is what I have just said. That date that you've talked about from the time you've started asking
15 me, I have told you I can't remember the date, but that -- I have told you that whenever he is ready to
16 go to xxxx to talk to his people, he would go there and he's gone many times. I can't remember the
17 dates now.

18 Q. I'm not asking for the dates, I am asking whether the chief used to visit his people in xxxx before
19 1998, to your knowledge.

20 A. That is what I said. He used to go there. He used to visit people there. That's his Chiefdom. He
21 goes there, he talks to his people at any time whenever he wanted to. He used to go there.

22 Q. And he did that a few times before 1998?

23 A. This 1998 you are asking me about, I have been telling you, I don't want to talk about a date that
24 would turn into a lie. Since he was chief, he would go to xxxx whenever he wants to go there. That's
25 his chiefdom.

26 MR. JABBI:

27 My Lords, I'm not too sure whether the translation is clear as to the phrase before 1998 because the
28 witness seems to be saying, he does not know about 1998. I will ask the question again, My Lords.

29 JUDGE BOUTET:

30 Please, do so.

31 BY MR. JABBI:

32 Q. Now, I'm not asking you to say whether he visited xxxx in 1998. My question is whether he visited
33 xxxx town a few times before 1998 -- before 1998?

34 A. Yes, he used to go there. I have been telling you this.

35 Q. Now let us look at the four times *Kamajors* attacked xxxx town. Do you know whether Chief Norman
36 visited xxxx at any of those times?

37 A. No, I don't know about that.

1 Q. You do not know. Now, let's move on to the last attack of February 13th, 1998. You said in your
2 evidence that at the end of the day of that attack, soldiers later said they overran the *Kamajors*, and
3 you should come out from the houses. What did you understand by the statement, "they overran the
4 *Kamajors*"?

5 A. When you are asking me -- when you want me to answer you quickly, don't keep them in double
6 barrels. If it is a single question, just give me one question and I will answer you straight away. Then
7 we will go to the other one.

8 Q. Did you understand --

9 MR. PRESIDENT:

10 Yes, one question. Take it one -- as one.

11 MR. JABBI:

12 Yes, My Lord. Thank you very much, My Lord.

13 BY MR. JABBI:

14 Q. What did you understand by the statement of the soldiers to you that they had overrun the *Kamajors*?

15 A. When there is an attack, then I enter my house and they fought. And those who fought, after the fight,
16 they tell me "come outside, the attack is over," and we came out of our houses. And that's what I
17 said; that we were in our houses and they told us that the attack is over and we should come out.
18 Then we came out.

19 Q. But you specifically said that the soldiers said they overran the *Kamajors*, didn't you?

20 A. What do you mean overrun? What do you mean by the word, "Overrun the Kamajors"?

21 MR. JABBI:

22 My Lords, there may well be a translation problem again because I heard what he said and what he
23 said in his language is not a reflection of what I said in English, "overrun". So I don't know whether
24 the idiomatic translation is as effective as it should be.

25 MR. PRESIDENT:

26 We hear, you are a linguist and you are better placed to guide the Court and maybe to guide your
27 cross-examination in this respect. Take the question again, you know -- take the question again and
28 put it in a more comprehensible perspective.

29 BY MR. JABBI:

30 Q. Now what did the soldiers say that they had done to the *Kamajors* in that attack which led to your
31 being asked to come out of your houses?

32 A. They told us to come outside; that the attack is over. "Those who came, we've sent them away. They
33 were not able to take the town. So, come out, the attack is over."

34 Q. Now, the soldiers also explained why they were leaving **xxxx** town that very day that they had repelled
35 the *Kamajors*, not so?

36 A. Yes.

37 Q. What was their explanation?

1 A. After that fight, in the evening, they said to us that they were going; that their master has called them
2 to go. "So, this day, we are not sleeping here, we are going away." They didn't summon any meeting
3 to tell us, but they said it for everybody to hear.

4 Q. Did they explain the reason why their master, as you put it, called them back?

5 A. He just told them that they should all be summoned and he said all of them should go. So that is why
6 they were going that particular evening; that they've called them.

7 Q. If I can be more specific, did they, for instance, say that their government had been overthrown?

8 A. Yes, that they overthrew their master and that is why they summoned all of them.

9 Q. So the reason why they had to leave was because the military government had been overthrown?

10 A. That's the reason, that they were working with orders and their master had ordered them to leave.
11 That was why they were leaving.

12 Q. Now, you went to Bo the same evening arriving in the morning, very early in the morning and for
13 circumstances you have already explained, you had to go back the same morning, later in the day
14 and you went as far –

15 A. My Lord, the questioner is going very fast.

16 JUDGE BOUTET:

17 Slow down with your questions and they are very long questions, so the translator has difficulty to
18 follow you. So your question might end up being different.

19 MR. JABBI:

20 Thank you, My Lord. I --

21 MR. PRESIDENT:

22 And the witness has also complained the double barrelling. So let's not move to triple barrelling.

23 MR. JABBI:

24 My Lord, it's just setting the context to throw his mind to a piece of evidence he has given before I
25 pose the question.

26 MR. PRESIDENT:

27 Go ahead, Dr Jabbi.

28 MR JABBI:

29 Thank you very much, My Lord.

30 BY MR. JABBI:

31 Q. After Bo -- after you left Bo, you went back towards xxxx, as far as xxxx, according to your evidence,
32 not so?

33 MR. PRESIDENT:

34 He had said so, Mr. -- Dr. Jabbi. He had said so, yes.

35 MR. JABBI:

36 Sorry, My Lord.

37 Q. My question is, what was the state of affairs in Bendu when you arrived there?

1 A. When I left Bo, I reached Bendu in the evening. I didn't see anything except the *Kamajors* who were
2 sitting down there and there was a large crowd and that's all I saw, I didn't see anything else.

3 Q. That large crowd, was it made up of soldiers, civilians or *Kamajors*?

4 A. There was no soldier there at the time; civilians and *Kamajors* were there at the time.

5 Q. So the large crowd was a crowd of civilians, was it so?

6 MR. PRESIDENT:

7 And the *Kamajors*, he said.

8 THE WITNESS:

9 Civilians and *Kamajors* were there. But if they were -- if it was a large crowd, the *Kamajors* must have
10 been in the majority.

11 BY MR. JABBI:

12 Q. Thank you. What was the sort of relationship between those *Kamajors* and the civilians in Bendu at
13 that time that you observed?

14 A. I can't tell you anything. I have been moved away -- I have been moved out by the fighting. Whatever
15 is happening there, I am unable to know. I was only trying to escape and find my way out -- to find
16 somewhere to go.

17 Q. Did you see a state of violence or fighting between the *Kamajors* and the civilians at that time in
18 Bendu?

19 A. Bendu is on the way, when I reached there, I didn't hear any gunshot. That's what I told you. When I
20 reached there, there was no fighting. Those that I met there were sitting down. I didn't meet any
21 fighting there.

22 Q. How long did you stay in Bendu before you decided to proceed further?

23 A. When I reached Bendu, I didn't even spend one hour, even up to 30 minutes I didn't spend in Bendu.

24 Q. When you went to your farm near **xxxx**, slept there and decided on Sunday to go and surveillance
25 **xxxx** town?

26 MR. PRESIDENT:

27 Sorry, can you spell that name, "Bendu". How is it --

28 MR. JABBI:

29 Ben -- Ben -- Bendu. B-E-N-D-U, My Lord.

30 MR. PRESIDENT:

31 B-E-N-D-U?

32 MR. JABBI:

33 Yes.

34 MR. PRESIDENT:

35 Okay, I got it right.

36

37 MR. JABBI:

1 Thank you.

2 BY MR. JABBI

3 Q. When you surveillance xxxx town, as you said, what did you observe?

4 MR. PRESIDENT:

5 When you moved around -- when you moved around.

6 MR. JABBI:

7 He used the word "surveillance".

8 MR. PRESIDENT:

9 When you moved around, you know, the town. When you moved around. He doesn't have access to
10 that technical term, he doesn't have it, for reasons you know.

11 MR. JABBI:

12 My Lord, as an aside, the war has taught Sierra Leone a lot of military terminologies.

13 MR. PRESIDENT:

14 That's true -- that's true, because I heard Mr. Bockarie, you know, reciting -- giving us a recital of
15 armaments and bombs and shells, and what have you. So, I think you are right. Go ahead.

16 BY MR. JABBI:

17 Q. Okay, you came to see what was happening in xxxx town leaving your family in your farm. What did
18 you observe when you looked into the town on that Sunday?

19 A. When I left xxxx and went to my farmhouse.

20 Q. After you left your farmhouse on Sunday to go to see what was happening in xxxx town. What did
21 you see in the town, on your observation?

22 A. When I left my farm house and went to xxxx town, what I saw was a large crowd -- a large crowd of
23 *Kamajors*. Before I left the street from Pujehun to my house, I saw three houses on fire. I reached
24 my house, the house under which I slept near the family house was also burnt. I don't know when
25 they burnt it, but it was burnt and you could see smoke blowing from there. When I reached the town,
26 that's what I saw.

27 Q. Were there civilians in the town at that time?

28 A. The civilians were there at the time. You can count them, they were not many. Many people were
29 hiding out. They were not many at the time I reached there. That was on Sunday. The civilians were
30 not many. Civilians were there, but they were not many. The *Kamajors* were in the majority, there
31 was a large crowd of *Kamajors*.

32 Q. You also said that you saw a relation of yours who was a *Kamajor* in the family house on that visit.
33 What was his attitude to you when he saw you?

34 A. When I reached there, I met him sitting by the door and he told me that, "Since the day before
35 yesterday I came here, I have been looking out for you but I have not seen you." Then I told him that I
36 went to Bo, I have reached there and I came back. Then he asked for our family members and I said
37 I left them there and I have come to Xxxx to see what's going on. Then he told me to go and bring

1 them back. Then I came back and I saw the other house on fire.

2 Q. So it was the *Kamajor* who invited you on that occasion?

3 MR. PRESIDENT:

4 He had said so.

5 MR. JABBI:

6 As Your Lordship pleases.

7 MR. PRESIDENT:

8 He had said so. That it is a brother who was living in a family house.

9 MR. JABBI:

10 Who was a *Kamajor* member.

11 MR. PRESIDENT:

12 Who was a *Kamajor*, yes. Who invited him to come and stay in the house.

13 MR. JABBI:

14 Now -- thank you very much, My Lord.

15 BY MR. JABBI:

16 Q. When you brought your family back into town, what was the attitude of the *Kamajors* in town to you
17 and your family?

18 A. When I brought my family members and they reached the house, the only relationship that was
19 between them was that the rice that they had, they would pound in the day -- and that's what they
20 were doing, and they would cook for them to eat. And that's the relationship I saw between my family
21 members and the *Kamajors*. They would tell us to go and find sauce outside and they would do that
22 by force. They would say we go and find sauce under all cost to bring it for them.

23 Q. Was there any hostility between the *Kamajors* and the civilian members of your family?

24 A. The hostility that was there, that's not what I came here to talk about. The one that I reported about is
25 what I have told you.

26 Q. I now want you to answer that further question. Was there any hostility between the *Kamajors* and
27 the civilian members of your family?

28 A. The hostility that was there is this, they would send them -- whether you want to go or not, you would
29 have to go. Apart from that, there was nothing else between them.

30 Q. Now, you gave evidence about two people who were killed in **xxxx** on that Sunday, can you tell their
31 names again to the Court, please?

32 A. Yes.

33 Q. What are their names?

34 A. **xxxx xxxx** and **xxxx xxxx**.

35 MR. JABBI:

36 My Lord, not to emphasise the point -- the linguistic point, his -- I mean, his pronunciation of the name
37 is slightly different from the translator's pronunciation.

1 MR. PRESIDENT:

2 I'm getting him directly there name does not need to be translated. It doesn't need to be –

3 MR. JABBI:

4 But the pronunciation, My Lord. The pronunciation he is giving is slightly different from the
5 pronunciation the translator is giving.

6 MR. PRESIDENT:

7 If I tell you the way my villagers call me, you would not believe that to what is in the books of me.

8 They have a way of pronouncing that name, you know, and you mightn't get anywhere near it.

9 MR JABBI:

10 That is why personally, I insist on spelling my name the way my villagers call it, My Lord.

11 MR. PRESIDENT:

12 I see. You can succeed because you are a linguistic expert.

13 BY MR. JABBI:

14 Q. Now, however you may be calling those names, who killed those two people?

15 A. They were killed by *Kamajors*.

16 Q. In your evidence in chief, you said the two people were killed by a whole lot of people; a crowd. Do
17 you remember that?

18 A. Yes.

19 Q. Then you also spoke about one Chief Kafala?

20 A. Yes.

21 Q. Did you say he was taken to a commander?

22 A. Yes.

23 Q. What did the commander say about him when he was taken there?

24 A. The commander that he was taken to, he is the one that whenever they arrest somebody, they would
25 take him to the commander and if he says that that person should go free, he would free -- he would
26 go free. But if he says no, he wouldn't be let free. What I heard him say was that, that they should
27 take him away from his sight. Let them not -- that they should take him away.

28 Q. Now, did you yourself witness the killing of Kafala, if, indeed, any such person was killed?

29 A. Yes, I was there.

30 Q. How far was the place of the *Kamajor* -- I'm sorry, of the commander from the place where you said
31 he was killed.

32 A. I cannot tell you the distance.

33 Q. What did you say, please?

34 A. This thing happened by the swamp. They took right from the opposite xxxx at that junction and by
35 that swamp, the women used to do gardening there and it was there -- they have a hole around the
36 swamp and that hole was where they used to fetch water to water the garden and the *Kamajor* said,
37 "You don't even need to dig a grave now because already there is a hole here." So it was in that hole

1 that when the man was killed, they dragged him and put him into this hole. So one of the *Kamajors*
2 said -- he took the shovel and he forced this Kafala -- pushed him into the hole and said, "even if you
3 don't want to go to the grave, you will have to go there." So he was shoving him right into the hole.
4 He was -- as I show one of them firing this Kafala twice into the hole and they were asked to put mud
5 onto him -- onto his body. That is the distance that I have explained to you, that is, from here he was
6 taken from the commander on to where he was killed. That is the distance that I have explained to
7 you. I can't tell you the exact milage. It is not a far milage.

8 Q. Now, I put it to you that this incident you are explaining is an invention of your imagination?

9 A. I am also telling you that this thing happened in broad daylight. Everybody -- most people saw the
10 place. It was not in hidden and I just come here and sit and say lies. I am saying the truth, I'm telling
11 you what I saw with my own eyes.

12 Q. No such incident took place at all?

13 A. I'm saying it happened.

14 Q. Now, you also spoke about one **xxxx xxxx**, who was also, according to you, taken to the commander.
15 What did the commander say?

16 A. Ask me again.

17 Q. What did the commander say when **xxxx xxxx** was taken to him?

18 A. This commander you are asking me about, it's good that whenever you are asking me about these
19 commanders, you should give me their names because they are commanders with different
20 responsibilities and different positions. So give me the names of the commanders that you are talking
21 about. Give me the names --

22 MR. PRESIDENT:

23 No, look -- look, listen. You talked of a certain commander -- a certain commander, they took **xxxx** to
24 him. You talked of a commander.

25 BY MR. JABBI:

26 Q. I will reverse his question. Give the Court the name of the commander to whom **xxxx** was taken?

27 A. The commander that Mr. **xxxx xxxx** was taken to is called **xxxx xxxx**.

28 Q. So when **xxxx** was tak --

29 MR. PRESIDENT:

30 For the records, please, **xxxx xxxx** or **xxxx**?

31 A. **xxxx xxxx**.

32 MR. PRESIDENT:

33 **xxxx**. Yes, Dr. Jabbi, go ahead.

34 BY MR. JABBI:

35 Q. When **xxxx** -- excuse me, please. When **xxxx** was taken to the commander, **xxxx**, what did he say?
36 The commander -- what did the commander say?

37 A. "So why have you brought this man to me tied?" They said, "We've caught this man," and what **xxxx**

1 **xxxx** said, he said, "Untie him." And he was untied. That was what he said.

2 Q. Did he order his release?

3 A. When he said that the man should be untied, when he was untied, then he said, this man -- this man
4 was handed over to one of the elders and he said, "Take care of this man until further notice." Then
5 they went home.

6 Q. But he ordered his release ultimately, did he?

7 A. At that moment he only said that he should be released temporarily and the man should be brought
8 back the following day.

9 Q. The following day, did he release him finally? Did he order his release finally?

10 A. Yes, then he was wounded and his shoulders were swollen.

11 MR. PRESIDENT:

12 Let him answer to that question, did he release him finally -- did he release him finally? Forget about
13 the wounds. Did he release him finally?

14 THE WITNESS:

15 On that last day, he said, "Leave this man for now, he will be in the hands of this elderly man that I
16 have handed him on to whilst we would be watching over him." That was what the commander said.

17 BY MR. JABBI:

18 Q. Thank you. Now, you spoke about a meeting in **xxxx** court *barray* in **xxxx** 1998?

19 A. Yes.

20 Q. Are you able to tell the Court when in March that meeting took place?

21 A. It was in the first week of the month.

22 Q. Thank you. Do you remember any people who were present at that meeting?

23 A. Yes.

24 Q. Would you give us a few names please?

25 A. There was a large crowd in that meeting, even **xxxx** was there. A lot other people were present in that
26 meeting.

27 Q. Can you give any other names?

28 A. In that large crowd.

29 Q. Yes?

30 A. All the town's people who were in that town included the chiefs. But even besides that, the meeting
31 was called by someone else.

32 Q. We just want to know if you have any specific names.

33 A. Those are the names that I have given to you. There were a lot of people in that meeting. The one
34 thing that I can mention to you is that even the town chief of that town was in that meeting. The town
35 elders were there and the meeting comprised about five towns -- membership of five towns and a lot
36 of *Kamajors* were there. So if you say I can mention names in that meeting, I will give you names
37 endlessly.

1 Q. So, in fact, many people came from other towns to attend that meeting, is that so, apart from xxxx?

2 A. I can't say that because it was a large crowd.

3 Q. How long were you yourself in the meeting?

4 A. Just at the time I reached at the *barray*-- I left the meeting when the meeting was just about in the
5 middle. That was when I left the meeting.

6 Q. Did you go inside the *barray*, for instance?

7 A. Yes, I entered the *barray* itself.

8 Q. Why did you leave?

9 A. I went to attend a meeting, I had heard what I wanted to hear. So I was satisfied enough, I left the
10 place.

11 Q. Now, this was, according to you, the first meeting after the military government was overthrown in
12 xxxx at least?

13 A. Go over that, please. Yes, that was the first meeting when the *Kamajors* came and settled there.
14 That was the first meeting they ever called that I could remember.

15 Q. According to you, Chief Norman spoke at that meeting. Did he, in fact, thank the people for helping to
16 have the government restored?

17 A. I did not tell you that.

18 Q. I did not say you said so, I'm asking whether he did say so, yes or no?

19 A. I didn't hear that personally.

20 Q. Did he thank the local people for their cooperation with the *Kamajors*?

21 A. I did not hear that.

22 Q. I put it to you that he said it but you left the meeting too early.

23 JUDGE BOUTET:

24 Dr. Jabbi, how can he answer that? If you say he wasn't there yourself in your own question, how can
25 he answer that?

26 MR. JABBI:

27 My Lord he said he --

28 JUDGE BOUTE:

29 He said he did not hear that, and now you are asking him that maybe he left too early and therefore
30 Mr. Norman may have said that. How can he answer that question? You are asking him to
31 speculate.

32 BY MR. JABBI:

33 What I'm putting to him, My Lord, is that he did not hear it because he left the meeting too early.

34 MR. PRESIDENT:

35 He cannot answer that either.

36 MR. JABBI:

37 As Your Lordship pleases.

1 MR. PRESIDENT:

2 It is speculative.

3 MR. JABBI:

4 As Your Lordship, please.

5 BY MR. JABBI:

6 Q. Now did that meeting continue for long?

7 A. The time that I witnessed in that meeting, the meeting lasted -- it lasted for -- when I was there -- I
8 can't tell you how long it lasted, but it lasted but it lasted on to the time I left the place and I stayed
9 there for quite a considerable time. I can't tell you about how long it took after I left.

10 Q. Can you say how long you were there?

11 A. I can't tell you that because I hadn't a wrist watch on me

12 Q. Now what was the attitude of the audience whilst you were there?

13 A. When I was present in the meeting everybody was seated there quietly, listening to what he was
14 saying.

15 Q. I will also briefly and finally deal with another meeting that you said was held, when was that?

16 A. It was in the same month, towards the end of that particular month.

17 Q. You were a bit specific about the first one; that it was in the first week of March. Can you specify the
18 week in March when this second meeting was held?

19 A. That was what I told you. I said it was at the end of the month. If any man tells you at the end of the
20 month -- if the moon is going to the end of -- to completion, then that's the end of the month. I can't
21 tell you the exact date. It was at the end of the month, I can't tell you an exact date.

22 Q. How long were you at this second meeting?

23 A. Even that second meeting I spent quite a considerable time there.

24 Q. Now I am putting it to you that what you have told this Court as to what Chief Norman said at both of
25 those meetings is not true at all?

26 A. I am also putting it to you that what I said that Hinga Norman said in that meeting is the truth, that's
27 why I took an oath yesterday that I would never tell a lie and I am putting it to you that all that I said is
28 correct, nothing but the truth.

29 Q. Did Chief Norman say at that meeting that survivors of the war whoever they were, should endeavour
30 to live together?

31 A. Go over that question again, please.

32 Q. Did Chief Norman tell the people at that meeting that those who have survived the war should
33 endeavour to live together peacefully?

34 A. I did not hear that. If you ask me about things that I heard or that he spoke and I heard, I will tell you
35 that. But I did not hear about that personally.

36 MR. JABBI:

37 My Lords, that is all for the witness.

1 JUDGE BOUTET:

2 Thank you.

3 MR. PRESIDENT:

4 Thank you very much.

5

6 Yes, Mr. Norman, you made an indication yesterday and you said you were -- you want to put certain
7 questions in order to clarify certain issues. Can you go on briefly, but please, you know --

8 THE ACCUSED NORMAN:

9 My Lord, yes, I did, but before that, there is something very urgent. I would like My Lords to dilate
10 their minds on. I will not be long with this witness, but let me state this, that there are certain requests
11 that I want to put to My Lords. My Lords, I am making an oral request, pursuant to my rights
12 guaranteed by Article 17 of the Statute of the Special Court, pursuant also to Rule 54 of the Rules of
13 Procedure and Evidence of Special Court, in order to ensure adequate and effective self-defence.

14

15 In this regard, My Lords, I pray that Your Honours may order that I be granted the following, but not
16 limited to, a, a complete computer set, a telephone that is completely different from the one that I am
17 using at present as an Accused person, so that this telephone could enable me to communicate with
18 my team at home and abroad and at any time of the day or night; a regular supply of stationery and
19 assistants and investigators; and also a modification of my detention conditions that may not hamper
20 my adequate and effective self-defence.

21

22 This thing said, My Lord, I would like to proceed with a few questions to the witness and I will end.

23 MR. PRESIDENT:

24 When you talk of a modification of your detention conditions which would not hamper with the conduct
25 of your defence, Mr. Norman, can you be very specific on this, please?

26 THE ACCUSED NORMAN:

27 Yes, My Lord. Presently, I am locked up at 10:00 p.m. and I am opened at 7:00 a.m. and when I am
28 attending court, the court periods are intervening.

29 MR. PRESIDENT:

30 You said you are locked up at 10:00 p.m.?

31 THE ACCUSED NORMAN:

32 Yes, My Lord. There is not much time for me to have -- to clean my toiletries, the buckets and so on
33 which I use in the cell, and also to get myself prepared, to take breakfast and have a few minutes with
34 my team before appearing in court. And in the evening, there is not much time between my leaving
35 here and my dinner, and then whatever time is left to my lock-up at that time. This is what I mean, My
36 Lords.

37 MR. PRESIDENT:

1 You can now proceed and you said you will be brief.

2 THE ACCUSED NORMAN:

3 Thank you, My Lord.

4 MR. CARUSO:

5 May I be heard for a moment, Your Honour, a point of order?

6 MR. PRESIDENT:

7 Yes, go ahead.

8 MR. CARUSO:

9 Thank you, Your Honour. It was my understanding from the recent discussion of Judge Boutet with
10 Mr. Norman that, in fact, Mr. Norman had been granted the right to represent himself with stand-by
11 counsel and that under those circumstances, in order -- particularly in line with the equality of arms,
12 that either he or his counsel would be thereof able to question a witness, not both.

13 *(Pages 1 to 16 by Momodou Jallow)*

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2 MR. PRESIDENT:

3 You can now proceed and you say you will be brief, Mr. Norman.

4 THE ACCUSED NORMAN:

5 Thank you, My Lord.

6 MR. CARUSO:

7 May I be heard for a moment, My Lord, on a point of order?

8 MR. PRESIDENT:

9 Yes, go ahead.

10 MR. CARUSO:

11 Thank you, Your Honour.

12

13 It was my understanding from the recent discussion of Judge Boutet with Mr. Norman, that in fact Mr.
14 Norman had been granted the right to represent himself with stand-by counsel, and that under those
15 circumstances, in order and particularly in line with the equality of arms, that either he or his counsel
16 will be -- would be then able to question a witness, not both.

17 JUDGE BOUTET:

18 It was not quite that. What I said -- maybe it was understood that way, but, the Prosecution, what I
19 said is they were not to cover the same area, the same territory, as such; in other words, if
20 Mr. Norman had exercised his rights at that time and had asked questions of the witness on certain
21 issues, these issues were not to be covered by his counsel or vice-versa. So that was essentially
22 what was said, not that they could not both ask questions, but not on the same matters and of the
23 same issues of the same witness.

24 JUDGE THOMPSON:

25 In fact, that was an issue which I raised. It wasn't intended, learned counsel, to foreclose the
26 possibility of a cooperative arrangement between the first Accused and his stand-by counsel in terms
27 of the process of cross-examination. What I insisted upon, and was corroborated by my learn
28 brothers, is that once Mr. Norman has in fact covered certain subjects, the co -- the stand-by counsel
29 will not be allowed to go through those issues in cross-examination, so as not to prejudice the position
30 of the Prosecution and, of course, not to distort the state of the records.

31

32 And we think this is a fair arrangement; that the whole idea of deciding that he has a qualified right of
33 self-representation; in other words, he can decide to cross-examine on certain issues and then ask for
34 the assistance of counsel to cross-examine on issues that he has not covered.

35 MR. CARUSO:

36 It is respectfully suggested then, Your Honour, that we object to that process. There are two lawyers
37 now cross-examining the same witness, which, of course, will not be afforded to anyone else in this

1 room, including the other defendants. We think it is unfair and we think it is unfortunate.

2

3 No, in so far as concerns Mr. Norman's other request that, I believe, is under Rule 60 --

4 JUDGE THOMPSON:

5 Counsel may I respond to that?

6 MR. CARUSO:

7 I'm sorry, pardon me.

8 JUDGE THOMPSON:

9 With the greatest respect and it will be necessary for you to articulate the particulars of unfairness or
10 prejudice because it was precisely to avoid this unfairness or prejudice and to keep the proceedings
11 here consistent with the basic philosophy of the equality of arms.

12

13 It would seem to me that we would not be giving efficacy to this qualified right of self-representation if
14 we foreclosed the first Accused from even asking questions of witnesses under cross-examination.
15 And I think, it seems to me, to preserve the integrity of the proceedings and also the doctrine of
16 equality of arms, if he is allowed to cross-examine witnesses on areas that he feels confident and able
17 to, and then, one or other of his stand-by counsel cross-examine on areas that he is not -- he doesn't
18 feel confident to cross-examine. And I would have thought that that preserves the integrity of the
19 process.

20

21 We are not going to let his counsel have a second bite of the cherry, so to speak, and I'm pretty sure
22 that on reflection you might want to concede that point.

23 MR. CARUSO:

24 Respectfully, Your Honour, if I reflect on that and concede that point, I will tell you what I suspect not.

25

26 Your Honour, we -- we may seek the opportunity to revisit that at an another point. I won't belabour
27 the point now. I simply want to bring up another issue that Mr. Norman mentioned, and I believe he
28 said Rule -- what he is asking for for modification is under Rule 64. We would ask that before
29 anything further is done along those lines that that be -- that motion be done in writing, and that we be
30 able to properly respond to it at the time. There are several responses that we would like to make to
31 that.

32 MR. PRESIDENT:

33 I just wanted to put all counsel on guard, you know, that it isn't at all times that -- we might have some
34 motions we may dispose of, you know, *sedente curia*, and without necessarily going into the
35 mechanics of the procedures of filing papers with all the delays and the time limit, you know, which go
36 with such processes.

37

1 We are very preoccupied, you know, with an expeditious hearing, you know, these are trials. And
2 much as we are not discounting the suggestions you are making, we are saying, you know, that it
3 should be excluded, you know, that certain motions, you know, could, you know, be decided, you
4 know, without any filings in writing, provided, you know, we take the arguments, you know, from the
5 parties.

6 MR. CARUSO:

7 Understood, Your Honour.

8 MR. PRESIDENT:

9 Particularly when they are straightforward as this, you know.

10 MR. CARUSO:

11 Well, if I might close the subject, Your Honour. We don't believe that one is straightforward; we do
12 have some suggestions relative to it. We would like an opportunity to discuss that issue before you
13 prior to the time that you give Mr. Norman access to a telephone and a computer. Thank you.

14 MR. PRESIDENT:

15 Are you suggesting that you would want to address us on the issues which he has raised?

16 MR. CARUSO:

17 I am Your Honour.

18 MR. PRESIDENT:

19 Now?

20 MR. CARUSO:

21 Well, I would like some time to reflect on it.

22 MR. PRESIDENT:

23 You would like some time to reflect?

24 MR. CARUSO:

25 Yes, sir.

26 MR. PRESIDENT:

27 Right, okay, we would -- we would then -- but you want to reserve the right, you know, to reply?

28 MR. CARUSO:

29 We certainly do, Your Honour.

30 MR. PRESIDENT:

31 Right. Okay, we'll -- we'll keep this issue on hold and then we'll revisit in the very near future.

32 MR. CARUSO:

33 Good.

34 MR. PRESIDENT:

35 But in the very, very near future.

36 MR. CARUSO:

37 Thank you.

1 MR. PRESIDENT:

2 Thank you.

3

4 Yes, Mr. Norman -- and please I would like -- in addition to what my learned brothers have said, you
5 know, I would say here that we are in a situation where the Court, you know, has the obligation, you
6 know, to maintain the integrity of its proceedings and to preserve them, you know, very jealously, and
7 also to ensure -- to ensure that we also respect, you know, the rights of the Accused as guaranteed
8 by the Statute. We would do just that and no more than what is specified.

9

10 We would like to assure the Prosecution that in protecting the rights, you know, of the Accused, we
11 would also protect the rights of the Prosecution, which is a party to these proceedings. We are very
12 conscious of this and I think that we are treading on those lines as we are getting along. Thank you.

13 MR. CARUSO:

14 Understood, Your Honour, thank you.

15 THE ACCUSED NORMAN:

16 Thank you, My Lords. I did not want to participate in the discussion that the Prosecutor has brought
17 up, but I am sure, My Lord, I am solely in your custody.

18

19 The Prosecutor brought an accusation against me, and the indictment to have me arrested was
20 signed by a judge and not the Prosecutor, and it is the judge that gives the authority to my being
21 confined. So it is to the judge that I will make any appeal in respect of my confinement.

22

23 I do not see a reason, but probably there is a law that says that he should prevent my -- my asking for
24 some opportunities from the Bench.

25

26 That being said, I would want to proceed with the question to the witness, My Lords.

27 MR. PRESIDENT:

28 Mr. Norman, I am sure, you know, that the Prosecution is only exercising its right to reply to the
29 application you made. It is their legal right and --

30 THE ACCUSED NORMAN:

31 Thank you, My Lord.

32 MR. PRESIDENT:

33 -- I don't think it should be viewed beyond that -- beyond that.

34 THE ACCUSED NORMAN:

35 Thank you, My Lord.

36 MR. PRESIDENT:

37 Can you get along, please?

1 THE ACCUSED NORMAN:

2 Thank you, My Lord. It's right versus right.

3 WITNESS TF2-157

4 CROSS-EXAMINATION

5 BY THE ACCUSED NORMAN:

6 Q. I am constrained to call you another name, The Witness, but --

7 MR. CARUSO:

8 Excuse me, Your Honour, I am sorry once again, and I am sure Mr. Norman doesn't mean this, but
9 we are -- it's come to our attention that by using other names there is the possibility that the identity of
10 the witness is disclosed through the use of those names. I am wondering if Mr. Norman might not be
11 constrained to use the same terminology the rest of us do and simply refer to this man as the witness.
12 It is a matter of security, Your Honour.

13 MR. PRESIDENT:

14 The objection of the Prosecution is sustained.

15

16 Mr. Norman, please don't call him any other name. Go into your cross-examination -- the body of
17 your cross-examination, please.

18 THE ACCUSED NORMAN:

19 Thank you, My Lord.

20 BY THE ACCUSED NORMAN:

21 Q. Mr. Witness, I'm sure you know me very well, and I'm sure I know you very, very well. But permit me
22 to ask you whether you are christian or --

23 MR. PRESIDENT:

24 No, ask him. Let him answer the question.

25 BY THE ACCUSED NORMAN:

26 Q. Yes, I'm asking you that you know me very well. Do you know me very well?

27 A. Yes.

28 Q. And do you know that I know you very well?

29 A. Well, if you say you know me, I will agree.

30 Q. Well, I'm saying that I know you very well.

31 A. Okay.

32 Q. But let me ask you, are you a christian?

33 MR. CARUSO:

34 Objection, Your Honour, what is the point to this? I'm sorry, inquiry into his religion beyond his oath
35 seems to me to be a little bit on the personal side.

36 MR. PRESIDENT:

37 Sustained. Please, go ahead.

1 THE ACCUSED NORMAN:

2 Well, I wanted to know whether the witness was a christian, muslim, or free thinker. I have some
3 other questions following that, My Lord.

4 MR. PRESIDENT:

5 The witness was sworn in.

6 MR. MARGAI:

7 May it please Your Lords.

8 MR. PRESIDENT:

9 Yes.

10 MR. MARGAI:

11 My Lords, I do not represent the first Accused, but this is a joint trial and I believe the question posed
12 by the witness (*sic*) could be of significance in the sense that we all watched the witness take the oath
13 on the Qu'ran. It might very well be, having regard to the prefixed question about knowing
14 themselves, that the witness knows --

15 MR. PRESIDENT:

16 The Court will rise for five minutes.

17 MR. MARGAI:

18 As My Lord pleases.

19 (*Court recessed from 1123 to 1135H*)

20 JUDGE BOUTET:

21 Mr. Margai, we would like to --

22 MR. MARGAI:

23 Yes, My Lord.

24 JUDGE BOUTET:

25 -- observe that indeed we are in a joint trial but you are at the same time acting for a specific Accused
26 in this trial, and the first Accused, who is doing his own self-representation, is also assisted in court by
27 two counsel. And, therefore, at this time it would be proper for them to raise my concerns or any
28 objection. We would ask you to raise these matters when you deal with your own cross-examination
29 of the witness. Thank you, very much.

30 MR. MARGAI:

31 As My Lords please.

32 MR. PRESIDENT:

33 Yes, Mr. Norman, please reframe your questions and go on, you know, with -- reframe your questions,
34 please. And you are representing yourself. You should know how you -- where you want to land. We
35 do not know where you want to, but, you know, please reframe, you know, your questions and let's
36 get along.

37

1 THE ACCUSED NORMAN:

2 Thank you, My Lords. I think the teaching starts here. I will not pursue that area, I will leave it to other
3 counsel of the other Accused.

4 BY THE ACCUSED NORMAN:

5 Q. Witness?

6 A. Sir.

7 Q. You say your age is xxxx years.

8 A. Yes.

9 Q. Of these xxxx years have you continuously continued to live in xxxx?

10 A. Yes, except that sometimes I leave there once or twice, but all this while that's where I've been
11 staying.

12 Q. Then between 1991 and 1998 did you live anywhere else outside of xxxx?

13 A. No, I didn't stay anywhere that took me some time apart from xxxx except that I go on patrols.
14 Because you cannot stay in one place and say you do not go somewhere once or twice on one or two
15 occasions.

16 Q. From the time when the first soldiers arrived they may have arrived with their commander, that is 1991
17 to when they pulled out in 1998. Can you remember who the commanders were between that time,
18 1991 to 1998?

19 A. I can't remember that because I've not put their names on paper.

20 Q. Can you try to remember even if there was one or more commanders whether you would remember
21 one name of the commanders?

22 A. The first one that went to xxxx, I can't -- I can remember his name. But that was something big (*sic*)
23 so everybody could try to remember his name.

24 Q. And what was that name?

25 A. Major xxxx is the name.

26 Q. You remember also when I became Regent Chief of xxxx?

27 A. Yes.

28 Q. And that I paid a visit to xxxx?

29 A. Yes.

30 Q. (*Overlapping microphones*) at the time when I paid that visit?

31 A. No, I can't remember that one.

32 Q. If I call a name will you remember and can you confirm?

33 MR. PRESIDENT:

34 Call the name.

35 BY THE ACCUSED NORMAN:

36 Q. Lieutenant xxxx.

37

1 MR. PRESIDENT:

2 Do you know Lieutenant xxxx?

3 THE WITNESS:

4 Yes, I used to know him.

5 BY THE ACCUSED NORMAN:

6 Q. You know him. Did you know him as the commander at the time when I arrived in xxxx for the first
7 time as Regent Chief of xxxx?

8 MR. PRESIDENT:

9 Please, let's for the record, get the name of the lieutenant xxxx right. Lieutenant xxxx?

10 THE ACCUSED NORMAN:

11 xxxx, xxxx, My Lords.

12 MR. PRESIDENT:

13 xxxx

14 THE ACCUSED NORMAN:

15 xxxx.

16 MR. PRESIDENT:

17 xxxx, yes. And can -- for the records, may we have the spelling of this -- of the Paramount chieftaincy
18 of xxxx? How is it spelt?

19 THE ACCUSED NORMAN:

20 It's Regent.

21 MR. PRESIDENT:

22 How do you spell your --

23 THE ACCUSED NORMAN:

24 My chieftaincy, My Lord, was regency. It was Regent Chief --

25 MR. PRESIDENT:

26 I know you were regent, but how do you spell it, xxxx.

27 THE ACCUSED NORMAN:

28 xxxx is xxxx.

29 MR. PRESIDENT:

30 xxxx?

31 THE ACCUSED NORMAN:

32 xxxx, xxxx --

33 MR. PRESIDENT:

34 Yes.

35 THE ACCUSED NORMAN:

36 xxxx.

37

1 MR. PRESIDENT:

2 XXXX, XXXX.

3 THE ACCUSED NORMAN:

4 XXXX.

5 MR. PRESIDENT:

6 XXXX, XXXX R.

7 THE ACCUSED NORMAN:

8 Yes, My Lord.

9 MR. PRESIDENT:

10 Yes, okay.

11 THE ACCUSED NORMAN:

12 It's a combined chiefdom. There were two chiefdoms that were then combined into one.

13 MR. PRESIDENT:

14 yes.

15 THE ACCUSED NORMAN:

16 The previous chiefdoms were XXXX and the other, XXXX, and when they became combined, they

17 became XXXX.

18 MR. PRESIDENT:

19 Right. Go ahead, please.

20 THE ACCUSED NORMAN:

21 My Lord, I'm still expecting the answer, My Lord.

22 THE MENDE INTERPRETER:

23 My Lord, can you kindly ask him to go over the question, My Lord.

24 BY THE ACCUSED NORMAN:

25 Q. If I remind you would you remember that the name of the commander was Lieutenant XXXX XXXX?

26 MR. PRESIDENT:

27 He had said yes, that he knows him. He said so.

28 THE ACCUSED NORMAN:

29 Yes, My Lord.

30 BY THE ACCUSED NORMAN:

31 Q. And do you remember that the headquarter town of XXXX is called XXXX?

32 A. Yes.

33 Q. Could you --

34 MR. PRESIDENT:

35 Is what?

36

37 THE ACCUSED NORMAN:

1 xxxx, xxxx. The headquarter of xxxx is xxxx, xxxx, My Lords, xxxx.

2 MR. PRESIDENT:

3 Yes.

4 BY THE ACCUSED NORMAN:

5 Q. And do you remember any very serious incidents that occurred in xxxx at the time when I was Regent
6 Chief?

7 A. No, I can't remember that one.

8 Q. If I remind you, would you agree with me?

9 JUDGE BOUTET:

10 Go ahead.

11 BY THE ACCUSED NORMAN:

12 Q. Do you remember that there was an attack on xxxx that became known as the xxxx attack?

13 A. Yes, I heard that they attacked xxxx. I heard that.

14 Q. Do you know that that attack was so serious that representatives left xxxx to visit xxxx?

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

16 Q. Are you aware that the evidence you are giving here is being heard by people who lived in xxxx and
17 who lived in xxxx?

18 MR. CARUSO:

19 Objection, Your Honour. How is that relevant and second -- sorry, how is that relevant, and secondly,
20 what is the point of that question? It seems to me that his point might simply be intimidation.

21 JUDGE BOUTET:

22 Mr. Norman.

23 THE ACCUSED NORMAN:

24 My Lords.

25 JUDGE BOUTET:

26 Before I can answer to the objection raised on this question, I would like to know what the purpose of
27 your question is because I do understand there might be some security aspect related to your
28 question, so -- but I'm not sure what it is you are trying to achieve here.

29 THE ACCUSED NORMAN:

30 Thank you, My Lord. What I'm trying to achieve is in fact to assist the Prosecutors that the
31 investigation in this country, based on this case, is of significance and is relevant to issues that
32 occurred in this country. And it all emanated from this conflict in Sierra Leone that went to
33 international bodies, started in fact from these incidents.

34 MR. CARUSO:

35 Your Honour, we still don't see the relevance of that and we don't need the help.

36

37 JUDGE THOMPSON:

1 Yes, I am in fact -- as I listen to the question I am taking the view here that it is speculative, it is
2 argumentative and it might end up multiplying the issues before the Court. Whether this witness is
3 aware of that or not does not seem to be of materiality to the issues before us, and I think we should --
4 the first Accused should be advised that this Court is not likely to be assisted by any answers this
5 witness might give, because clearly, this is a matter which is highly speculative and also highly
6 contentious. It would seem therefore that this line of cross-examination does not really seem to be of
7 much materiality at all.

8 JUDGE BOUTET:

9 So you have to ask a different question. That question is not allowed.

10 MR. PRESIDENT:

11 Or you reframe it.

12 THE ACCUSED NORMAN:

13 Thank you, My Lord.

14 MR. PRESIDENT:

15 You can reframe it.

16 THE ACCUSED NORMAN:

17 Thank you, My Lord. I seem to be in a jacket. I am on trial for my life and this is no place for anybody
18 to joke. If anybody thinks that he has come here to cause jokes, this is not the place. Your
19 Lordships --

20 MR. PRESIDENT:

21 We agree.

22 THE ACCUSED NORMAN:

23 Your Lordships are very much aware that if I'm found guilty I will spend the rest of my life in jail.

24 MR. PRESIDENT:

25 We agree. Go ahead, we agree.

26 BY THE ACCUSED NORMAN:

27 Q. Mr. Witness.

28 A. Yes.

29 Q. You have lived in xxxx all through your xxxx lives, have you (*sic*)?

30 MR. CARUSO:

31 I'm sorry, Your Honour, I didn't hear the last part of the question; I couldn't make it out.

32 THE ACCUSED NORMAN:

33 My Lord, the question is to the witness and not to my learned counsel. I'm not --

34 MR. PRESIDENT:

35 No, no, no. Mr. Norman, we want the proceedings to be as cordial as possible. There is no -- there
36 should be no animosity; there is -- there should be no apprehension or any form of enmity or so, or
37 aggression, no. We are in a court of law and the court of law has its own weapons. And I think a

1 peaceful approach is part of it. If he is asking that -- if he didn't hear the question it is his right, you
2 know, to say that he did not understand the question. So can you reframe -- can you put that
3 question again, please?

4 THE ACCUSED NORMAN:

5 Thank you, My Lord. It's with due respect to you on the Bench but I think that the witness is the one
6 that should have complained, not the witness's -- may I call him assistant or the Prosecutor -- but I will
7 go on.

8 MR. PRESIDENT:

9 It is his witness. He also -- he has the legal right to protect his own witness, Mr. Norman.

10 THE ACCUSED NORMAN:

11 Thank you, My Lord.

12 MR. PRESIDENT:

13 Yes, please. Let's go cordially. Let's go cordially. I don't want to open *(overlapping microphones)*.

14 THE ACCUSED NORMAN:

15 I'm too sure --

16 MR. PRESIDENT:

17 We understand the gravity of the time Mr. Norman. Thank you.

18 THE ACCUSED NORMAN:

19 -- and this is reason Mr. Norman is thinking like a bear in a trap who was trapped in his wild bush and
20 he has to extricate himself either by taking the trap up or cutting off his own limbs to go free.

21

22 Having said this, I want to reframe the question by asking.

23 BY THE ACCUSED NORMAN:

24 Q. Mr. Witness, your age you say is **xxxx** years. And of these **xxxx** years -- you have lived through your
25 life of these **xxxx** years in **xxxx**?

26 MR. PRESIDENT:

27 Mr. Norman, let him answer. Sorry, you say your age is **xxxx** years. Let him answer that one first.

28 BY THE ACCUSED NORMAN:

29 Q. Is your age **xxxx** years, Mr. Witness?

30 A. Yes. Are you asking if I am **xxxx** years old? Ask me properly.

31 MR. PRESIDENT:

32 No, he has asked you properly. Are you saying that you are **xxxx** years old? He has asked you
33 properly.

34 THE WITNESS:

35 I am **xxxx** years old.

36

37 MR. PRESIDENT:

1 It's a simple answer. Please, and give answers to questions. I will also ask you not to be
2 apprehensive of anything. You don't need to be scared. You do not need to be scared. You are
3 witnessing under the protection of the law, but please, your responsibility is to answer questions which
4 are put to you by counsel. If you have -- if you cannot answer, you are not obliged to answer. If you
5 can, please, give the answer to the question.

6 THE ACCUSED NORMAN:

7 Thank you, Your Lordship.

8 BY THE ACCUSED NORMAN:

9 Q. Mr. Witness, of these xxxx years have you lived through in xxxx and not left xxxx for even one year?

10 A. No, I have told you, all these xxxx years I have spent in xxxx. I only leave there for maybe one or two
11 weeks or maybe one day or two days. Because even when you are staying in a place one day you
12 must leave to go to somewhere, but there is no day that I have not spent in xxxx.

13 Q. So, if there was anything in xxxx between 1991 and 1998 of importance you would know?

14 A. If it is for those that I know and that's what you asked me about them, I think I'll talk about them. It's
15 not everything that happens that someone would say he knows about.

16 Q. xxxx being the headquarter town -- wrong. xxxx, being the headquarter town of xxxx where your own
17 chief lives, must be a town of importance to you, will it not?

18 A. Ask the question again, because you've asked the question and it's not very clear. But if you make it
19 clear, I think I will be able to answer.

20 MR. PRESIDENT:

21 The question is --

22 JUDGE BOUTET:

23 The question --

24 MR. PRESIDENT:

25 The question is, since xxxx is the headquarters of xxxx, that town has a particular importance for you
26 as a subject of that kingdom (*sic*). You are a citizen of that kingdom (*sic*) so that town is important for
27 you, it has a particular interest for you.

28 THE WITNESS:

29 Yes.

30 BY THE ACCUSED NORMAN:

31 Q. So if that town is important to you, your chief is also important to you, is he not?

32 A. Yes.

33 Q. So if anything happens to that town or to your chief, it is important you would know. It would be of
34 interest to you?

35 A. If I saw it, yes.

36 Q. Even if you don't see but if you hear it, will it not be important?

37 A. But I find myself here. What I saw is what I should be talking about, and that's what I'm witnessing

1 here.

2 Q. Thank you. That means you have only been told to come here and tell us what has been told to you,
3 are you not (*sic*)?

4 A. Who told me? Nobody told me anything.

5 Q. Thank you very much. Well, xxxx was attacked. Did you know?

6 A. I heard about it.

7 Q. And the year was 1995. Did you know that?

8 A. That date you've called I can't -- I don't know that date, that that's the date that they attacked Xxxx.
9 But I heard that they attacked Xxxx.

10 Q. And you know that Chief Norman escaped miraculously, did you know?

11 A. I don't know about that.

12 Q. And you also know that there was heavy toll of casualty in Xxxx. Did you know that?

13 A. Yes, I heard about them, but I didn't see any.

14 Q. When you heard it did it cause you concern?

15 A. Yes, if I heard that they've killed my fellow human being it's something that is of concern to me. I only
16 heard it, but I didn't actually see.

17 Q. So indicating by your answer you did not care for your chief, did you?

18 MR. CARUSO:

19 I'm sorry, Your Honour, I -- these repetitions and characterisations of what the witness believes are
20 strictly within your province and are not -- there is no requirement, you don't need Mr. Norman's help.

21 JUDGE BOUTET:

22 Objection overruled. Carry on.

23 THE ACCUSED NORMAN:

24 Thank you, My Lord. This witness has told Your Lordship everything that Chief Norman said on his
25 visit to Xxxx, and that meeting that Chief Norman attended was important. So, I am -- thank you, My
26 Lord, I will take your correction.

27 BY THE ACCUSED NORMAN:

28 Q. I am saying to you that you did not care much for your chief, did you?

29 A. No, I can't answer that question.

30 Q. I'm not pressing you to answer, but I want this -- I want you to say this: Do you understand English or
31 do you hear English at all?

32 MR. PRESIDENT:

33 Look, your chief is saying that you are his citizen -- his citizen, his subject -- his subject, and that you
34 do not care about him. What comment do you have to make? That is what he is telling you. Do you
35 care or do you not care about -- as a subject, as a subject, do you care or do you not care about your
36 chief?

37 THE WITNESS:

1 All I have to say is when he was chief in that chiefdom, he knew that in fact we cared for him because
2 he didn't pass any order that we didn't take. So he can't come here now and he tells me that I didn't
3 care for him in the chiefdom.

4 BY THE ACCUSED NORMAN:

5 Q. You are one of the concerned people in **Xxxx** and you are among the active youth in **Xxxx**. Was any
6 arrangement made, to your knowledge, for a delegation to lead a message of sympathy to Chief
7 Norman after that incident in **Xxxx**?

8 JUDGE BOUTET:

9 First Accused, Mr. Norman, the question you've asked is a triple-barrel question. It's almost
10 impossible for the witness to answer your question.

11 THE ACCUSED NORMAN:

12 Thank you, sir. Thank you, My Lord, I will reframe.

13 JUDGE BOUTET:

14 Please, ask, if you can, a simple question, and not three questions in one.

15 THE ACCUSED NORMAN:

16 Thank you.

17 MR. PRESIDENT:

18 I'm sure Mr. Bockarie will confirm the triple-barrelness of that question --

19 MR. BOCKARIE:

20 And put them one after the other. I will.

21 MR. PRESIDENT:

22 -- even though Mr. Norman is better placed, you know, to determine --

23 THE ACCUSED NORMAN:

24 I will put it this way, My Lords.

25 BY THE ACCUSED NORMAN:

26 Q. You are a concerned citizen of **Xxxx**, are you not?

27 A. Yes.

28 Q. And you are an active youth in **Xxxx**, are you not?

29 A. Yes.

30 Q. And that you know I know that you were involved in the well-being of people in **Xxxx**, do you not?

31 A. What type of help are you talking about?

32 Q. To keep the people safe in **Xxxx** during that time?

33 A. Well, I'm someone in that village. I'm just an ordinary person. People were trying to protect us. I am
34 just an ordinary person; others were trying to protect us.

35 Q. But at least you will know when chiefs meet and the decision they take in the town, wouldn't you?

36 A. Whatever meeting they hold, if I'm there, whatever they say I will listen, I'll hear and I'll remember. I'm
37 nobody in that place, but it's not every meeting that I do attend, but if I'm there whatever they say, I'll

- 1 remember.
- 2 Q. But you happen to be selected to testify here about Chief Norman's visit to **Xxxx**, are you not?
- 3 A. Yes, because I was there. I was there when you visited the place.
- 4 Q. So that means you care about **Xxxx**, not so?
- 5 A. Yes, it's important to me because it's my hometown.
- 6 Q. Then what was happening in **Xxxx**, did it offend you?
- 7 A. What was happening in **Xxxx**?
- 8 Q. What you have narrated here, the killing of people and the violence that was going on.
- 9 A. Yes, that is bound to disturb somebody because even my own household was burnt and I didn't do
- 10 anything.
- 11 Q. Did you know there were chiefs in **Xxxx**?
- 12 A. Yes.
- 13 Q. What happened to you, did you report to the chiefs?
- 14 A. At that time of the fight even a chief was out, he was running. He was running away. When he is
- 15 running away how would you make a complaint to him? How would you make a complaint to him?
- 16 Q. So if they arrest anybody for not taking action like you, it will be wrong?
- 17 MR. CARUSO:
- 18 Objection, Your Honour. I simply don't understand the relevance of any of this.
- 19 JUDGE BOUTET:
- 20 Overruled.
- 21 THE ACCUSED NORMAN:
- 22 Thank you, My Lord.
- 23 THE KRIO INTERPRETER:
- 24 Can you go over the question again, please? Can he go over the question, My Lords?
- 25 MR. PRESIDENT:
- 26 Mr. Norman, Mr. Norman.
- 27 THE ACCUSED NORMAN:
- 28 Yes, My Lord.
- 29 MR. PRESIDENT:
- 30 The cabin is asking you to take over that question.
- 31 THE ACCUSED NORMAN:
- 32 Yes. I said -- the witness has said --
- 33 THE ACCUSED NORMAN:
- 34 Q. You, Witness, have said that everybody was running helter-skelter and so therefore you did not know
- 35 where to go, whether to go chiefs. The question now is, so, you would not expect any other person to
- 36 do what you would not have done, would you?
- 37 JUDGE BOUTET:

1 This is a question that you are asking the witness to speculate about and that is --

2 THE ACCUSED NORMAN:

3 Well, My Lord, the witness said that --

4 JUDGE THOMPSON:

5 Can you reframe it because it can be reframed, probably in a way that does not invite contention.

6 THE ACCUSED NORMAN:

7 Thank you, My Lord.

8 JUDGE THOMPSON:

9 Yeah.

10 BY THE ACCUSED NORMAN:

11 Q. You say you did not report what happened to you, even though it hurt, because there was so much
12 that was -- something that we will call running about.

13 JUDGE BOUTET:

14 Mr. Norman, this is not quite the evidence that the witness has given. He said he did not report it to
15 the chief because the chief had run away and therefore he could not report it to the chief.

16 THE ACCUSED NORMAN:

17 Good.

18 BY THE ACCUSED NORMAN:

19 Q. So, therefore, you say you did not report to the chiefs because the chiefs had ran away. After -- after
20 the chief returned and you also returned did you report?

21 A. When fighters have come and disturbed all of us, myself and the chiefs, how could I make a complaint
22 to the chief? All of us have been helped by God. And they've come and they caused hostilities,
23 they've taken our things away, they've burnt our houses, including the chief, how could I make a
24 complaint to the chief when he too is being affected? If all of us return and sit back we will just look
25 at, you know, and, you know, we just look at each other at that time because we have nothing to do
26 about it.

27 Q. After the time -- after the time, would you still consider it legitimate to report?

28 A. Who do you think I will make the complaint to, the things that have happened to us?

29 THE ACCUSED NORMAN:

30 My Lord, objection. The witness is asking me who do I think whether -- he should report to, and I think
31 that that answer should go to the Bench because I'm still insisting whether he reported even
32 thereafter. I need an answer, My Lord.

33 JUDGE BOUTET:

34 Witness, please answer the question that was asked of you. The last question was -- would you
35 reframe it again -- would you repeat it again, Mr. Norman, please?

36 BY THE ACCUSED NORMAN:

37 Q. After the incident was over, we had all returned to our chiefdoms, did he report?

1 A. Are you asking if I made any reports?

2 JUDGE BOUTET:

3 If you had reported the burning of the house and what you had been testifying about, after.

4 THE WITNESS:

5 Yes, we did make -- we did report to the chief that was there at the time, but he himself said, "I mean,
6 I am affected too; what could I do? You've all seen what has happened in town, what can we do? It
7 has happened to me. It is the war that has destroyed us, what can I do?"

8 BY THE ACCUSED NORMAN:

9 Q. So as far as you are concerned that answer was sufficient for you?

10 A. Even if I'm not satisfied, I will be satisfied because what he said to me I consider it's true. Because
11 what has happened to him has happened to me, so if I report to him and he says, "Well, let's have
12 faith in God," we will sit down and have faith in God.

13 Q. So you did not intend to pursue thereafter?

14 A. It was in my mind that if God is going to take up my case then He will take it, then I will take it forward.

15 THE ACCUSED NORMAN:

16 That will be all, My Lord.

17 JUDGE BOUTET:

18 Thank you. Cross-examination by second Accused -- counsel for second Accused. Counsel?

19 MR. BOCKARIE:

20 Yes.

21 WITNESS TF2-157

22 CROSS-EXAMINATION

23 BY MR. BOCKARIE:

24 Q. Yes, sir. You said you are xxxx old. In which year were you born?

25 A. I was born in xxxx.

26 Q. You were born in xxxx. Now, you said you came to Bo, arrived in Bo on the 14th of February 1998.

27 A. It was not on the 14th.

28 Q. You left -- you arrived in Bo on the morning of the 14th February 1998, isn't it?

29 A. I reached Bo early in the morning. I left on the 13th of February and reached very early in the
30 morning.

31 Q. So you arrived the following morning?

32 A. Yes, early in the morning.

33 Q. Thank you. And I take it to be the 14th of February 1998?

34 A. As you've checked it and that's the way you want to take it, then that's it.

35 Q. Now, when you -- in the morning of the 14th of February 1998 -- you said you stayed at Shellmingo;
36 isn't it?

37 A. Yes, very early that morning.

- 1 Q. Did you see civilians at Shellmingo?
- 2 A. Yes, where I stayed there were civilians there.
- 3 Q. Did you see any *Kamajor* at that time at Shellmingo?
- 4 A. Inside Shellmingo town? No, I didn't see any *Kamajor* there on that day.
- 5 Q. But you agree with me that Shellmingo is part of Bo Town, isn't it?
- 6 A. Yes, it's Bo already.
- 7 Q. Now, you said -- sorry. You left Shellmingo and came back to **Xxxx** because of economic reasons.
- 8 MR. PRESIDENT:
- 9 Please, please, can you spell that name, Shal-what?
- 10 MR. BOCKARIE:
- 11 Shellmingo S-H-E-L-L --
- 12 MR. PRESIDENT:
- 13 S-H-E --
- 14 MR. BOCKARIE:
- 15 -- L-L-M-I-N-G-O.
- 16 MR. PRESIDENT:
- 17 Shellmingo?
- 18 MR. BOCKARIE:
- 19 Yes.
- 20 MR. PRESIDENT:
- 21 Thank you.
- 22 MR. BOCKARIE:
- 23 Yes, thanks -- sorry.
- 24 BY MR. BOCKARIE:
- 25 Q. You said you left Shellmingo because of economic reasons and came back to **Xxxx** later in the day.
- 26 Am I correct?
- 27 A. Yes, I left Shellmingo in the morning and returned to **Xxxx** because I didn't have any food to eat. The
- 28 person who hosted me had nothing for me to eat.
- 29 Q. *(Overlapping microphones)*
- 30 A. Yes.
- 31 Q. But whilst you were in Bo -- for the few hours you were in Bo your life was not in any eminent danger,
- 32 was it?
- 33 A. There was no danger against my life.
- 34 Q. You came -- you say you stopped at **xxxx**. **xxxx** is less than a mile to **Xxxx**, isn't it? Am I correct?
- 35 A. When I reached **xxxx**, from **xxxx** to **xxxx** *na* two miles *(sic)*.
- 36 Q. It's two miles?
- 37 A. It's two miles.

- 1 Q. It's two miles. It's a very short distance.
- 2 A. Yes.
- 3 Q. You saw so many civilians in xxxx, didn't you?
- 4 A. I saw civilians but they were not many, at least where I stopped on the way.
- 5 Q. And I'm sure you saw xxxx civilians residing in Bendu at the time you were there?
- 6 A. I didn't see any civilians from xxxx. The only ones I saw were those from Bendu.
- 7 Q. Okay. When you eventually arrived at xxxx, you told this Court that you saw civilians in xxxx.
- 8 A. Yes, I said civilians were there but they were not many, they were sparsely located.
- 9 Q. As the days rolled by civilians started coming into the town, isn't it?
- 10 A. Yes, they were coming in singularly. Yes, yes, they were coming in gradually.
- 11 Q. So after a week there was an appreciable number of civilians living together with the *Kamajors* in
12 *Xxxx*. Am I correct?
- 13 A. No, there were not many. Even after one week there were not many civilians. They were there but
14 they were not many. We were not many.
- 15 Q. But you would say after two weeks there was an appreciable number of civilians in *Xxxx*?
- 16 A. There was nothing good about -- everybody was scared. They were scared to come to town. It was
17 only that I didn't have any safe place that's why I didn't -- if I had a safe place I would not have
18 returned.
- 19 Q. So when you eventually got to xxxx can you tell us an estimate of the number of civilians you saw?
- 20 A. No, I can't tell you that. I was not able to count them, so I can't tell you the estimate. I didn't count
21 them.
- 22 Q. Can you tell us if they exceeded 10, 20, 30, 40, as the case might be?
- 23 A. No, I can't tell you that. At that time -- xxxx is not a village, it's a big town, but somebody might be at
24 xxxx and I didn't know about him. Those that I saw I know that they were there.
- 25 Q. So you were only confined in your own section in xxxx?
- 26 A. I didn't tell you that I was just stationed in xxxx. I was in xxxx town, but I don't know about all the
27 people from the other areas because I didn't go from house to house asking whether this person is
28 here and I put his name on paper.
- 29 Q. Now, okay, for the few, according to you, who were in xxxx, did they make any report of any
30 harassment, according to your knowledge?
- 31 A. Oh, that was happening in a very -- it was many. Such incidents were very many.
- 32 MR. BOCKARIE:
33 What is the answer?
- 34 THE ENGLISH INTERPRETER:
35 Such incidents were happening on a regular basis. They were very many.
- 36 BY MR. BOCKARIE:
37 Q. Now, you talked of this bomb blast on the 13th of February 1998. You said it came from the xxxx

1 direction.

2 A. Yes, February 13th I heard a bomb that came from the direction of **xxxx** and it came towards the
3 mosque.

4 Q. You were in the mosque?

5 A. Yes.

6 Q. How did you know that the bomb blast came from that direction?

7 A. Yes, for a gun, even if they shoot a gun and it comes from the direction of that door, if you know it -- if
8 it's heavy and it's coming from this direction you will know that it is coming from the other direction.
9 That's how I knew.

10 Q. So you are telling this Court that by the sound of the bomb you were able to determine it's direction,
11 isn't it?

12 A. Yes, the sound that that particular one made and the way it travelled, I knew that it had come from the
13 **xxxx** end.

14 Q. You said this bomb landed on two houses. Were they residential houses?

15 A. The other house there was nobody, it was an old school. They had turned it into an old house but it
16 was a stone house and board house.

17 Q. What about the other house?

18 A. The other one that came went through the room in the veranda and it destroyed the veranda room.

19 Q. So, now, you can distinguish a school from a residential house, can't you?

20 A. Yes, if this is a school and I know that's where they will go to study and I know this is where people
21 sleep, yes, I can know the difference.

22 Q. In your earlier statement you said it landed on two houses; are you now saying it was not two houses
23 but a school and a house?

24 A. The school is a house. The school is a house. It's a stone house. The chief that was in **xxxx**, the
25 house that he built, that's the house. But it came to a time when Ahmadies took it and they started --
26 they turned it into -- they turned it into a learning institution. It's not that they built it originally as a
27 school; it's a house. They are only using it as a school.

28 Q. Are you telling this Court now that the bomb landed on a school and a house, not two houses as
29 previously said?

30

31 MR. PRESIDENT:

32 Please listen to the witness, you know. Listen to his answers. He is giving you a clear explanation of
33 what he means to say.

34 MR. BOCKARIE:

35 Yes, yes.

36 THE WITNESS:

37 What are you saying? What are you saying? What are you saying?

1 MR. BOCKARIE:

2 Can I be guided? What's his last answer, My Lord?

3 THE WITNESS:

4 The last question that you asked me, ask me the question again.

5 BY MR. BOCKARIE:

6 Q. Are you telling this Court now that the bomb landed on a school and a house, not on two houses
7 previously said?

8 JUDGE BOUTET:

9 Well, we -- Witness, don't answer that question yet.

10

11 Counsel, we've just told you -- the Presiding Judge has told you that that was not his answer. He
12 gave you an explanation to that question and explained what he meant by two houses; one of these
13 houses had now been converted to a school, but he said these were two houses. That's his answer.

14 MR. BOCKARIE:

15 Yes.

16 BY MR. BOCKARIE:

17 Q. Now, at the time of the bomb blast, was it a school or a house?

18 MR. CARUSO:

19 Objection, Your Honour, we have been over this.

20 JUDGE BOUTET:

21 Objection sustained.

22 By MR. BOCKARIE:

23 Q. Now, did you vote in 1996? You know there was a general election in 1996, did you vote?

24 MR. CARUSO:

25 Objection, Your Honour. That seems to me to be something that is personal to the witness and I'm
26 not quite certain how probative that will be.

27 MR. PRESIDENT:

28 No, no, he should answer the question. He should answer the question. It's overruled.

29 THE WITNESS:

30 What did you say?

31 BY MR. BOCKARIE:

32 Q. There was an election in 1996. Did you vote in 1996?

33 A. 1996, if I voted?

34 Q. The election that brought Tejan Kabbah in power.

35 A. The one that brought Tejan Kabbah in power? This question is doubtful. I still do not understand the
36 question.

37 MR. BOCKARIE:

1 Your Honour, I want to draw your attention to the fact that conscious effort is being made on the part
2 of the witness to evade the question. This question is very clear and unambiguous. There was an
3 election in 1996 all over the country. Did you vote during that election?

4 JUDGE THOMPSON:

5 Shall I intervene?

6 JUDGE BOUTET:

7 Maybe you should ask him if he knows that there was an election in 1996 first.

8 MR. BOCKARIE:

9 All right.

10 JUDGE THOMPSON:

11 The question is --

12 BY MR. BOCKARIE:

13 Q. Do you know if there was an election in 1996 that brought Tejan Kabbah to power?

14 JUDGE BOUTET:

15 Again, you are asking two questions at the same time. Ask him if there was an election and as a
16 result of that election if, if, if.

17 MR. PRESIDENT:

18 What the election was for.

19 JUDGE THOMPSON:

20 Yes.

21 MR. BOCKARIE:

22 I will take the cue, My Lord.

23 JUDGE THOMPSON:

24 And, Learned Counsel, isn't it better to assist the Court arrive at the facts to have these questions
25 framed and put to the witness disjunctively? I mean, what purpose is really served here by asking a
26 conjunctive question? It confuses, it's argumentative. This Tribunal is interested in facts as a basic
27 tool for our own process, arguments later on. So why not elicit facts from the witness?

28 MR. BOCKARIE:

29 I will take the cue, My Lord.

30

31 JUDGE THOMPSON:

32 Thank you.

33 BY MR. BOCKARIE:

34 Q. You said -- have you ever voted on a general election?

35 A. Yes.

36 Q. Can you remember the year?

37 A. I can't remember the year.

1 Q. Will I be correct if I say it was in 1996?

2 A. I would say I don't know. If you say that's the date, I don't know.

3 Q. Then I'm putting it to you that it was in 1996.

4 A. That's what you have said.

5 Q. Now, when -- but you recall that on the 25th of May 1997 the government of Tejan Kabbah was
6 overthrown; are you aware of that fact?

7 A. Yes. For dates, for those that I can remember I will talk about that here, but I am not a learned
8 person. So if you are talking about dates and asking me if I can remember that particular, if you know
9 that's the correct date, tell me that that's the correct date. All I can say here is what I can remember.
10 If I don't remember you ask me I'll tell you I don't remember. If you say that's the date and you know
11 that's the date, then say it. I don't remember dates. I'm telling you those dates that I remember. And
12 for those dates that I can't remember, tell me that this is the date then -- and you want me to accept it,
13 I won't accept it.

14 Q. But you agree with me that the SLPP government was overthrown in 1997?

15 A. No, I won't agree with you on that. I am not a politician. I won't agree to something that I don't know.
16 The one that I know I'll agree.

17 MR. PRESIDENT:

18 Did you ever hear that a government had been overthrown? Did you hear that a government was
19 overthrown?

20 THE WITNESS:

21 Yes, I heard about that but I don't have the date in mind. Now --

22 JUDGE BOUTET:

23 Mr. Counsel, because you keep asking questions about dates and he is telling you he does not know
24 anything about dates. Now, if you put the government as being overthrown on a specific date, he is
25 telling you, "I don't know." He knows about the government being overthrown, but if you try to put a
26 date to it, he is telling, "I don't know."

27 MR. BOCKARIE:

28 Yes, I do agree with Your Honour, but this is --

29 JUDGE THOMPSON:

30 And this is -- shall I -- and this is where we say that not much purpose is served by argumentative and
31 highly contentious questions. Of course we are very sensitive to the fact that counsel has a lot of
32 latitude in cross-examination, particularly to put questions that go to the credit of the testimony. But in
33 doing so, trying to be too argumentative and speculative does not assist this Tribunal of fact, because
34 we are not going to evaluate witnesses' testimony on the basis of argumentative and speculative
35 answers.

36 MR. BOCKARIE:

37 Yes, My Lord, I do agree with you and I am taking the cue.

1
2 My Lord, this witness, I'm just saying he wants to be very evasive. And this witness can say, with
3 precision, that on the 13th of February at exactly 1:30 -- he can remember events of that nature.

4 MR. CARUSO:

5 Excuse me. Yes, Your Honour, this is not an argument. It is presumably a cross-examination. For
6 this counsel to turn and argue as to what has been said or the evaluation of this witness, is wrong and
7 we object to it.

8 JUDGE BOUTET:

9 Objection sustained.

10 MR. BOCKARIE:

11 I will, your -- I will reframe.

12 BY MR. BOCKARIE:

13 Q. Now, you said there was a meeting held in xxxx some time in March which was addressed by Chief
14 Norman. Am I correct?

15 A. Yes.

16 Q. For how long did this meeting last? The first meeting, how long did it last?

17 A. It started when the sun has come up and it was almost daylight. I didn't have a watch on my wrist.
18 And he spoke, and even when I went away he continued to talk and it lasted for long. Whatever he
19 said in my absence, I didn't hear.

20 Q. As a muslim, the meeting commenced before the afternoon prayers or before the afternoon prayers?

21 A. That was before the afternoon prayers, that was when the meeting started.

22 Q. Now, was it before 12 o'clock or after 12 o'clock?

23 A. I didn't have a watch and you are asking me about 12 o'clock. If I had a wrist watch then I would have
24 told you, but that was when the sun was really up, that was when the meeting started.

25 MR. PRESIDENT:

26 Counsel, you keep insisting on this and he is setting the replies back -- you are getting the replies
27 back. You are getting the reply back. Please, get along.

28 MR. BOCKARIE:

29 Now --
30

31 MR. PRESIDENT:

32 This man keeps saying, "I didn't have a watch," "I didn't have this," I mean, we keep coming back to
33 that.

34 JUDGE THOMPSON:

35 Perhaps if counsel would enlighten the Bench a little on the purpose of this line of cross enquiry
36 because we don't want to appear to be stifling your cross-examination. But if you need to assure us
37 why time is of such materiality for the purposes of your cross-examination, you may perhaps

1 persuade us to review the stance that we are taking.

2 MR. BOCKARIE:

3 Yes, Your Honour, I just want to know for how long did the first meeting last.

4 JUDGE THOMPSON:

5 Then, in respect of that, won't estimates be helpful, particularly if this witness says that he did not
6 have a watch?

7 MR. BOCKARIE:

8 But, Your Honour, that's exactly what I have been driving at. For instance, say, did it commence
9 before the afternoon prayers? We all know when the afternoon prayer commences.

10 JUDGE THOMPSON:

11 But if perhaps you confine yourself to estimates and approximations, you might be able to make some
12 headway, but now it would seem as if there is a confrontational situation between you and the
13 witness, and we are not getting the kind of fact that perhaps you are trying to elicit.

14 MR. BOCKARIE:

15 Yes.

16 BY MR. BOCKARIE:

17 Q. I'm still talking on the first meeting. Can you say the meeting lasted for more than one hour?

18 A. We were at that meeting and it lasted for long before I left.

19 Q. And for the duration of that meeting what you've told this Court is just what Hinga Norman addressed
20 the Court -- I'm mean, addressed the Barray with?

21 A. Repeat that question again.

22 Q. For the duration of that meeting what you've told the Court Hinga Norman said is just -- is just what --
23 what Hinga Norman said, according to you, during that meeting that was exactly what he said and
24 nothing else?

25 A. What have I told the Court?

26 Q. You told the Court that Hinga Norman reprimanded the *Kamajors* because they did not do well, there
27 were still houses remaining in xxxx, that everyone in xxxx should have been killed. During the
28 duration of this meeting that was the only words said by Hinga Norman, isn't it?

29 A. That's how he started his speech.

30 Q. What else did he say?

31 A. He said, "You xxxx people, now that you are grumbling, you should thank the *Kamajor* people
32 because what I sent them to do that's not what they did. I am seeing so many houses, I am seeing so
33 many people. So thank them, thank the *Kamajors*. And when he said that, and he asked, "Why
34 *Kamajors*, why is it that rebels have killed people and nothing has happened? Soldiers have killed
35 people and nothing has happened. The *Kappas* have killed people and nothing has happened. Is it
36 you that will kill people and something would happen?"

37 MR. PRESIDENT:

- 1 Witness, stop. This kind of cross-examination is not in the interest of the first Accused. It is not in the
2 interest of the first Accused.
3
- 4 Please go on and --
- 5 MR. BOCKARIE:
6 Yes, my Lord.
- 7 MR. PRESIDENT:
8 -- you should be careful. I know it's a joint trial, but it would not be good to tread on very, very slippery
9 or dangerous ground, you know, as far as the defence of another Accused is concerned.
- 10 BY MR. BOCKARIE:
11 Q. Now you said Chief Bassie was beaten?
12 A. Yes.
13 Q. After the beating did you see Chief Bassie?
14 A. Yes.
15 Q. How often?
16 A. Since when they beat him and he returned home, and he (*inaudible*) swollen arm, he was just indoors
17 and one week after that, two weeks after that then he died.
18 Q. So how often did you see him, once or twice?
19 A. Mr. Bassie, they beat him even before the meeting. They beat him before this meeting. He even died
20 before this meeting.
- 21 MR. BOCKARIE:
22 Yes, My Lord, with your permission, I would like to -- sorry.
- 23 MR. PRESIDENT:
24 Yes, please go ahead.
- 25 MR. BOCKARIE:
26 Yes, with your permission, I would like to ask questions relating to TF2-198 to this witness, sir.
- 27 JUDGE BOUTET:
28 Yes, you may. We will have to see what the question is. Yes, you may proceed.
- 29 MR. BOCKARIE:
30 I know he is a protected witness --
- 31 JUDGE BOUTET:
32 Absolutely.
- 33 MR. BOCKARIE:
34 -- so has the name been disclosed to him, sir?
- 35 MR. PRESIDENT:
36 You want to do what?
- 37 MR. BOCKARIE:

1 I would like to ask questions relating to Witness --

2 JUDGE BOUTET:

3 Witness TF2-198?

4 MR. BOCKARIE:

5 Yes.

6 JUDGE BOUTET:

7 I don't know if the name has been disclosed to the witness.

8 MR. CARUSO:

9 It's not a process that -- excuse me. It's certainly not a process. There is no disclosure of witnesses'
10 names made to other witnesses. I make no reference beyond that. I frankly don't understand -- quite
11 understand the question. The Prosecution is not making disclosures of one witness to other.

12 MR. BOCKARIE:

13 Yes, Your Honour, in his testimony references were made by this witness to certain names.

14 JUDGE BOUTET:

15 Yes, but how can we know that the names in question do refer to any of the pseudonyms as such at
16 this particular time? And the witness certainly doesn't know from what you've just heard whether the
17 names that you may mention are related to one of those pseudonyms.

18 MR. BOCKARIE:

19 Yes, Your Honour, in the testimony of TF2-198, he did mention the names of this witness, My Lord.
20 *(Pages 17 to 44 by Gifty C. Harding)*

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1 1245H

2 MR. CARUSO:

3 Your Honour, before we go any further, this is tantamount to disclosing the witnesses and it is
4 destroying the protection order.

5 JUDGE BOUTET:

6 I am concerned about that too because now that you have mentioned that TF2-198 when he testified
7 did mention the name of this witness.

8 MR. CARUSO:

9 Yes, Your Honour.

10 JUDGE BOUTET:

11 If he did, which I am not sure, but if he did, this is indeed disclosing the identity of this particular
12 witness which, as you know, is protected.

13 MR. BOCKARIE:

14 He did, Your Honour. He did mention two names and one of the names he mentioned was the name
15 of this witness.

16 JUDGE BOUTET:

17 Yes, but that is what I am telling you, if you keep insisting on the name, that this is the name of this
18 witness, he may as well give his name publicly. We are telling you the name is protected.

19 MR. BOCKARIE:

20 Yes, Your Honour.

21 JUDGE BOUTET:

22 We are trying to protect the identity of this witness. You may ask questions related to witness
23 TF2-198, but you have to tread very cautiously because the identity of that witness, as well as this
24 witness, are protected. So if your questions have a tendency to reveal that identity, or may disclose
25 that identity, we will not allow that to happen.

26 MR. CARUSO:

27 Your Honour, in -- perhaps a suggestion. We obviously are against anything under any
28 circumstances that reveals a witness's name, particularly in view of the protection order. The
29 suggestion might be that if there is a limited line of questioning that could be done *in camera*, thus not
30 exposing that name and we could then return to open session. But it would need to be, of course,
31 limited. But references now to names -- to a number and then suggesting it is a witness and then
32 giving the name of another witness, obviously reveals things that the protective order is meant to
33 protect.

34 JUDGE BOUTET:

35 We thank you for your suggestion. Mr. Counsel.

36 MR. BOCKARIE:

37 Yeah, well, that will be all my questions, sir.

1 JUDGE BOUTET:

2 Okay, thank you. Does that end your cross-examination?

3 MR. BOCKARIE:

4 Yes, Your Honour.

5 MR. PRESIDENT:

6 Counsel for the third Accused, please.

7

8 Yes, Mr. Margai.

9 MR. MARGAI:

10 Thank you, My Lord.

11

WITNESS TF2-157

12

CROSS-EXAMINATION

13 BY MR. MARGAI:

14 Q. Mr. Witness, at the start of your testimony you swore on the Qu'ran, didn't you?

15 A. Yes.

16 THE ENGLISH INTERPRETER:

17 Your Honours, can he speak up, please. Put the mike close to him. The interpreters are not getting
18 him clearly.

19 JUDGE BOUTET:

20 Mr. Margai, can you -- the mike you are using is too far away from you to be heard by the interpreters.

21 Thank you.

22 MR. MARGAI:

23 Thank you.

24 BY MR. MARGAI:

25 Q. My question is, when you commenced your testimony you swore on the Qu'ran, didn't you?

26 A. Yes.

27 Q. Do you profess any other religion other than the Islamic faith?

28 A. I am a muslim.

29 Q. Thank you. Now, of the soldiers and the *Kamajors*, which of these first went to **xxxx**?

30 A. It's the soldiers that first stayed in **xxxx**.

31 Q. And is it correct that their purpose of being in **xxxx** was to protect life and property of the inhabitants of
32 **xxxx** and its surroundings?

33 A. Yes.

34 Q. Would I be correct in saying that subsequent to their presence, meaning the soldiers in **xxxx**, the
35 *Kamajors* also arrived in **xxxx**?

36 A. It was after a long time that the *Kamajors* came.

37 Q. (*overlapping microphone*) eventually went to **xxxx**?

- 1 A. What kind of – what kind of (*overlapping microphones*). Yes, they came.
- 2 Q. And I take it that the *Kamajors* went there to complement the effort of the soldiers in the defence of life
3 and property.
- 4 A. Yes. At that moment it was oneness, that's what they were doing.
- 5 Q. Before the soldiers and the *Kamajors* got to **Xxxx**, the inhabitants of **xxxx** felt unsafe because of rebel
6 incursions.
- 7 A. Please repeat the question.
- 8 Q. I said before the arrival of the soldiers and the *Kamajors* in **Xxxx**, the inhabitants of **Xxxx**, including
9 your very self, felt unsafe because of rebel incursions.
- 10 A. Yes.
- 11 Q. Thank you. The presence of the soldiers and the *Kamajors* restored your confidence, meaning your
12 very self and the residents of **Xxxx**, vis-à-vis safety.
- 13 A. At that time when they came there, when the soldiers were there and the *Kamajors* came, we were all
14 sitting there together.
- 15 Q. Would I be right in saying that you are sitting here today because of the invaluable contribution made
16 by the *Kamajors* in the defence --
- 17 MR. CARUSO:
18 Objection, Your Honour.
- 19 JUDGE BOUTET:
20 Objection is sustained. It is too argumentative; it is too suggestive. Please reframe your question.
21 We are not saying that these lines of questions are not permissible, but --
- 22 MR. MARGAI:
23 As My Lord pleases. As My Lords please.
- 24 BY MR. MARGAI:
25 Q. Now, are you appreciative of the contribution by the *Kamajors* in the defence of --
- 26 MR. PRESIDENT:
27 Your microphone please.
- 28 BY MR. MARGAI:
29 Q. Are you appreciative of the contribution of the *Kamajors* in the defence of **xxxx** and its environs?
30 A. Repeat the question.
- 31 Q. Are you appreciative of the contribution of the *Kamajors* in the defence of the people of **xxxx**?
32 A. Yes, at first -- at first when they were there, yes.
- 33 Q. The question is not whether you were appreciative, are you appreciative --
- 34 THE ENGLISH INTERPRETER:
35 My Lord, his microphone is not on.
- 36 THE WITNESS:
37 Yes, I was happy when they joined the soldiers to fight against the rebels so that they would not kill

1 us. Yes, I was happy then.

2 BY MR. MARGAI:

3 Q. Mr. Witness, would you please assist this Court by answering the question.

4 MR. CARUSO:

5 Objection.

6 BY MR. MARGAI:

7 Q. Are you appreciative? Not whether you were appreciative. Thank you.

8 A. This question is telling me right now if I am happy when the *Kamajors* helped xxxx people. The way
9 you are asking the question is rather difficult, so I can't answer that. now.

10 MR. MARGAI:

11 My Lords, may I –

12 THE ENGLISH INTERPRETER:

13 But now, now, "are you appreciative now" that you have added to the question, that is what is
14 providing me with the difficulty.

15 JUDGE THOMPSON:

16 Perhaps learned counsel could try and make the distinction in simple and intelligible terms for the
17 witness. Clearly, of course, the distinction is clear to us, but if you probably can reframe the question
18 in such a way that he would know that you are actually asking for his own response at this point in
19 time. I think you ought to try probably.

20 MR. MARGAI:

21 My Lords, much as I appreciate that, but it must always be borne in mind, as the first Accused said
22 this morning unambiguously, that this is a very serious trial and we, on this side, intend not to leave
23 any stone unturned in the defence of our clients. Let this witness answer the question, he knows the
24 distinction.

25 JUDGE THOMPSON:

26 Yes, we have no doubts -- we on the Bench have no doubt about that. I am sure that we share the
27 same perspective that these are very, very serious charges and therefore witnesses who volunteer to
28 come and testify must be ready to subject themselves to aggressive and vigorous cross-examination
29 in order to ascertain the truth, and we'll do nothing on the Bench to depart from that tradition. But at
30 the same time, we do appreciate that we are dealing with witnesses who are not as sophisticated as
31 us and who may not appreciate, because of the level of education that they have, these nuances.
32 And I think it is our duty to help them, to assist them to understand, and I think you can do an
33 excellent job of that.

34 MR. MARGAI:

35 I am with Your Lordships. But again, My Lords, may I remind this Court that when this witness was
36 testifying in chief, for almost an hour, he sailed through without any difficulty and I do not believe that
37 the language I am using here is verbose enough to confuse him. We have competent interpreters. I

1 do not want to say that he is deliberately refusing to answer this question, but I fail to appreciate that
2 this witness is less intelligent as he might want us to believe.

3 JUDGE THOMPSON:

4 Well, I am not suggesting that he is not intelligent, I am talking about sophistication.

5 MR. MARGAI:

6 As My Lord – as My Lord pleases.

7 JUDGE THOMPSON:

8 Perhaps the translators –

9 MR. MARGAI:

10 I can rephrase the question.

11 JUDGE THOMPSON:

12 Perhaps the translators and interpreters could help us in this very difficult and complex exercise.

13 MR. MARGAI:

14 I am sure, My Lords, they are doing their utmost, even their incompetent best is being done. Be that
15 as it may, I shall rephrase the question.

16 BY MR. MARGAI:

17 Q. Now, Mr. Witness, do you -- or would you say that the *Kamajors* did a very good job in the defence of
18 the people of **xxxx**, including you very self sitting there?

19 MR. MARGAI:

20 Is that okay, My Lord?

21 JUDGE THOMPSON:

22 That is an excellent try.

23 MR. MARGAI:

24 As My Lords please.

25 THE WITNESS:

26 No, I wouldn't tell you that; I can't tell you that.

27 BY MR. MARGAI:

28 Q. What would you say?

29 A. They didn't do any good job for us.

30 Q. Mr. Witness, do you propose -- do you propose returning to **xxxx**?

31 MR. CARUSO:

32 Objection, your Honour. Objection.

33 JUDGE BOUTET:

34 Mr. Margai, what is the question -- what is that for?

35 MR. MARGAI:

36 Sorry, My Lord.

37

1 JUDGE BOUTET:

2 What is that question and what is the purpose? Are you asking him if --

3 MR. MARGAI:

4 Sorry?

5 JUDGE BOUTET:

6 I am not sure I understand what the question is and what the purpose of that question --

7 MR. MARGAI:

8 Well, the purpose of the question is just to remind the witness that he was in xxxx, according to him.

9 He had said in this Court that the *Kamajors* weren't there in their defence and that the *Kamajors*
10 worked alongside the military. And that my question to him is just to remind him that -- sorry, to
11 remind him of work that was done by the *Kamajors* whilst in xxxx alongside the military.

12 JUDGE BOUTET:

13 That's fine, but that is not the question you asked, you asked a very, very wide question. I mean, now
14 you are asking that. If you had confined your question to that period of time maybe you would have
15 had a different answer. The question you asked was not that one.

16 JUDGE THOMPSON:

17 Yes, and perhaps this is the difficulty. We are here in a territory of moral and value judgments. Here
18 is a witness being asked to make a moral judgment. Because one is not suggesting that your line of
19 cross-examination should not, in fact, give some indication of the line of defence that perhaps your
20 clients might want the Court to know about, but with a witness of this level of education, a value
21 judgment question put to him is likely to be problematic. I am not sure how far his answers, one way
22 or the other, would assist this Tribunal in finding important facts. Let us say hypothetically the answer
23 is yes, or the answer is no, how is this Tribunal assisted as finders of fact in evaluating that kind of
24 answer?

25 MR. MARGAI:

26 My Lords, I assure --

27 JUDGE THOMPSON:

28 Speculate a bit and guide me on that.

29 MR. MARGAI:

30 I assure this Bench --

31 JUDGE THOMPSON:

32 Yes.

33 MR. MARGAI:

34 -- that questions are put for specific purposes and when I come, in particular at the end of the trial, to
35 address this Bench, I shall piece the answers together to satisfy Your Lordships as to the defence
36 which we will be putting forward on behalf of the third Accused.

37

1 JUDGE THOMPSON:

2 I have no doubt you will do that admirably.

3 MR. MARGAI:

4 As My Lords please.

5 JUDGE THOMPSON:

6 It's just that I'm a little sceptical about the value to this Tribunal. Remember, if we don't find the facts,
7 we will never be able to even apply the law. So your task as defence attorneys, in much the same
8 way as the task of the Prosecution is, is to assist us assemble the facts out of this entangled situation.
9 And I am in fact saying -- and I am sure my colleagues would agree -- that a philosophical approach
10 that entails putting questions of value judgment to the witness on a very delicate and important issue,
11 may not be of assistance to the Tribunal of fact.

12 MR. MARGAI:

13 My Lords, I want to assure you that I will not be addressing you in vacuum --

14 JUDGE THOMPSON:

15 Thank you.

16 MR. MARGAI:

17 I shall be addressing you on law and the facts, and co-relating the law to the facts.

18 JUDGE THOMPSON:

19 Thank you very much, Mr. Margai.

20 MR. MARGAI:

21 As My Lords please.

22 JUDGE BOUTET:

23 To come back to your question. If your question has to do with 1996, you should ask that question.
24 The question you asked was a very vague question and if I were the witness I would answer today,
25 you know, a different way rather than if it is asked in 1996. If that is your question ask that question.

26 MR. MARGAI:

27 My Lords, I am guided by your wise counselling to my learned friend Arrow Bockarie when he tried to
28 go into specifics as to time and he was wisely counselled. So I am taking the cue from the Bench by
29 not confining my questions to specific periods, because I am assuming that the witness is not
30 sophisticated enough to remember dates.

31 JUDGE BOUTET:

32 Maybe, but he has answered your question and I have that in my notes. "Yes, I was appreciative at
33 first." That was his answer. Then now are you asking a subsequent question about that?

34 MR. MARGAI:

35 No, I'm not questioning that, I'm not questioning that answer, I am satisfied with the answer, that was
36 why I thanked him out of courtesy.

37

1 JUDGE BOUTET:

2 So your question – therefore, your next question, I presume -- I presume because I am not sure -- you
3 meant after that period of time, but it is not clear to me either, so I do have some sympathy for the
4 witness not understanding.

5 MR. MARGAI:

6 I shall abandon that question, My Lord, so that we may progress.

7 JUDGE BOUTET:

8 Thank you.

9 MR. MARGAI:

10 If it pleases Your Lordships.

11 JUDGE BOUTET:

12 Thank you.

13 JUDGE THOMPSON:

14 Yes, thank you, Mr. Margai.

15 BY MR. MARGAI:

16 Q. Now, Mr. Witness, you said you went to school up to class one.

17 A. Yes.

18 Q. Now this school you went to, was it an Arabic school?

19 A. R.C. school.

20 Q. So that we can all be of the same mind, what is R.C. school, if I might ask?

21 A. The school that I went to, that is how it is called; it is called R.C. School.

22 Q. (*overlapping microphones*) what does C stand for?

23 A. I don't know.

24 Q. You went to school?

25 A I went to the school that I went to, I didn't take up to one year there. So that's the name I knew, R.C.

26 School. They told me that's the school you went to. I didn't take up to one year there, then my father

27 died and I left school. I cannot say if the school is A, is B or is C.

28 Q. Now did you learn the A-B-C before you went to class one?

29 A. Yes, I was in class one, that's where I learnt the A-B-C, but I couldn't really remember the A-B-C. No,

30 I can't tell lies to you here. Even if it's shameful, but I will say it.

31 Q. Thank you. Now, did you learn to read the time at the R.C. School, looking at the watch? Did you

32 learn to read the time?

33 MR. PRESIDENT:

34 Sorry, let me look. In class one, at what level are we? At what level are we? I mean, this is class

35 one. I would like to know.

36 MR. MARGAI:

37 That's primary school.

1 MR. PRESIDENT:

2 Infant one, is that the one?

3 MR. MARGAI:

4 First year primary school.

5 MR. PRESIDENT:

6 Yes, okay.

7 MR. MARGAI:

8 *(inaudible)* Sorry, infant –

9 MR. PRESIDENT:

10 Infant class one.

11 MR. MARGAI:

12 Post infant.

13 MR. PRESIDENT:

14 Okay, or post kindergarten.

15 MR. MARGAI:

16 Or post kindergarten. From there you go to secondary school.

17 MR. PRESIDENT:

18 So he certainly was not in class, like we have it back in my home, in the secondary school. No.

19 MR. MARGAI:

20 Well, formally you would have to make sure your hand reached your ear before you were admitted,

21 but I don't know.

22 MR. PRESIDENT:

23 *(inaudible)*

24 BY MR. MARGAI:

25 Q. Did you learn to read the time, Mr. Witness, in class one?

26 THE ENGLISH INTERPRETER:

27 The interpreters are asking you to go over the question.

28 JUDGE BOUTET:

29 The question is did you learn to read time?

30 BY MR. MARGAI:

31 Q. Did you learn to read time in class one?

32 A. They started it, but I didn't understand it, I didn't know, that's why I didn't put on a wrist watch because

33 I don't know.

34 Q. So you don't read time at all, even that clock you cannot read it? Look at the clock.

35 A. Yes. Where's the clock, this one?

36 Q. You cannot read it?

37 A. No.

- 1 Q. You cannot tell the time at all?
- 2 A. At all.
- 3 Q. *(inaudible)* thank you.
- 4 A. I don't know anything about book --
- 5 Q. Thank you.
- 6 A. The time I went to school --
- 7 Q. Now, Mr. Witness, in your testimony from evidence in chief to cross-examination up to this point, you
- 8 said you were afraid several times, in the mosque, elsewhere, you were afraid, did you not?
- 9 A. I don't understand the question because -- give it to me singularly. You have just mixed it all up, just
- 10 give it to me singly, so I can understand.
- 11 Q. You told this Court that when you heard the bomb blast whilst in the mosque at **xxxx** you were afraid.
- 12 A. Excuse me, when they are giving them double barrels and when it's being interpreted I can't
- 13 understand, so you have to separate them. You have to separate them because when both are
- 14 coming into my ears I just do not understand, so cut them short.
- 15 Q. You said to his Court that whilst in the mosque at **xxxx**, on hearing the bomb blast you were afraid.
- 16 Didn't you say so?
- 17 A. Yes.
- 18 Q. And you also said that at the meetings at **xxxx** you were afraid and you left.
- 19 A. Yes, I was scared for a reason. I heard something being said that's why I went away.
- 20 Q. You were afraid. Did you say you were *(overlapping microphones)*.
- 21 A. This was the *(inaudible)* I was scared.
- 22 Q. *(Overlapping microphones)* We shall come to the reason.
- 23 A. How many times?
- 24 Q. Did you say you were afraid?
- 25 A. Second time -- the second time that I said I was scared.
- 26 Q. *(Microphone not activated)*
- 27 A. Yes, I heard something that scared me. If I was scared before that I wouldn't have gone to the
- 28 meeting, but when I went to the meeting I heard something that scared me that's why I left.
- 29 MR. MARGAI:
- 30 My Lord, argumentation is perhaps being made manifest by the witness. If only he could confine his
- 31 answers to yes or no, or I don't know, we shall make progress.
- 32 BY MR. MARGAI:
- 33 Q. Now, did you tell this Court that whilst at the *barray* you got afraid and you left? Did you tell this Court
- 34 that? Forget about the reason.
- 35 A. I said that to the Court.
- 36 Q. Thank you. Did you also tell this Court that when you saw a group of *Kamajors* taking two people to a
- 37 place, wherever that was, you said they started singing the *Kamajors'* song and you got afraid?

1 A. I didn't say that.

2 Q. Right. Now, let us even confine ourselves to the two instances when you said you were afraid. Your
3 subsequent conduct as to your narration before this Court, would you describe it as consistent to
4 someone who is afraid?

5 MR. CARUSO:

6 Objection, Your Honour, that calls for a conclusion you must make.

7 MR. PRESIDENT:

8 That is speculative.

9 JUDGE THOMPSON:

10 And also usurping the function of the Tribunal.

11 MR. MARGAI:

12 My Lords, I have no such intention. My aspirations are completely different from going on the Bench, I
13 can assure you of that.

14 MR. PRESIDENT:

15 No, we didn't -- we didn't -- nobody is -- nobody's suggested that.

16 MR. MARGA:

17 No, His Lordship was saying that I was usurping the function of the Bench.

18 MR. PRESIDENT:

19 No, no, no.

20 MR. MARGAI:

21 I would not do that, I would not even attempt to do that.

22 JUDGE THOMPSON:

23 No, what I meant, Learned Counsel --

24 MR. MARGAI:

25 Maybe I misunderstood Your Lordship.

26 JUDGE THOMPSON:

27 What I meant, Learned Counsel, usurping the role that we have as finders of fact. We are the one
28 that will draw the inferences appropriately at a particular time.

29 MR. MARGAI:

30 I am sorry, My Lord, if I attempted. I want to assure you that I have no such intention --

31 JUDGE THOMPSON:

32 Quite right.

33 MR. MARGAI:

34 -- to usurp your functions.

35 JUDGE THOMPSON:

36 No, I think I do know --

37 MR. PRESIDENT:

1 Mr. Margai, there was no such suggestion and I think --

2 MR. MARGAI:

3 Thank you, Your Honours. I'm assured, I am assured.

4 MR. PRESIDENT:

5 I think -- I think you will be affirming too early in your youth -- in the youth of your life, you know, that
6 you will never -- and you never have any ambitions for this or that. Let destiny -- let your destiny take
7 its normal course.

8 MR. MARGAI:

9 I'm not as young as I may look, I shall be 59 this year.

10 MR. PRESIDENT:

11 Pardon me?

12 MR. MARGAI:

13 I shall be 59 this year.

14 MR. PRESIDENT:

15 That is being very young.

16 MR. MARGAI:

17 Oh, for the Supreme Court? I am 32 years in practice. I should have been in the Supreme Court but
18 for other things.

19 MR. PRESIDENT:

20 Never mind.

21 MR. MARGAI:

22 As My Lords please.

23 MR. PRESIDENT:

24 Never mind that.

25 MR. MARGAI:

26 *(inaudible)*

27 MR. PRESIDENT:

28 Never mind that, these things are all over. We are running systems which are the same all over.

29 Never mind.

30 MR. MARGAI:

31 Noted.

32 MR. PRESIDENT:

33 Yes, never mind.

34 BY MR. MARGAI:

35 Q. Now, Mr. Witness, I am putting it to you that your evidence about Chief Kafala is nothing but a figment
36 of your imagination.

37 A. May I ask for your protection? I'm telling you to --

1 MR. MARGAI:

2 The witness is supposed to be answering questions. He says that he is also telling me, I mean, my
3 privilege –

4 MR. PRESIDENT:

5 What -- quote him, I mean, what did he tell you because I'm getting the translation?

6 MR. MARGAI:

7 No, he said he was also telling me. I mean, that is my privilege of having qualified as lawyer, that is
8 why I am standing here.

9 MR. PRESIDENT:

10 That he was also telling you that what?

11

12 Mr. Witness, Mr. Witness, Mr. Witness, this is not a war, you understand? The war is over, we should
13 put that, you know, behind us. The war is over, we should all pray that it never comes again at all, at
14 all.

15 MR. MARGAI:

16 Much obliged.

17 MR. PRESIDENT:

18 But now we are enjoying a lot of peace and stability, we are here to sort out a problem and that is the
19 fate of those three people. Please, answer the questions. I have told you, this is about the third time I
20 am telling you this. Answer the questions. If you cannot answer the question say you do not know or
21 you cannot, don't, when they ask you a question, ask counsel, you know, a question. Please don't.
22 Right?

23 MR. BOUTET:

24 Mr. Margai.

25 MR. MARGAI:

26 Yes, My Lord.

27 MR. PRESIDENT:

28 Thank you.

29 BY MR. MARGAI:

30 Q. Now, would you please answer the question, let's be very friendly, okay, and help the Court, and help
31 ourselves.

32 MR. PRESIDENT:

33 I am sure you would have gotten more from him if you were --

34 MR. MARGAI:

35 My Lord is not suggesting that I have been aggressive? It is not my nature.

36

37 BY MR. MARGAI:

1 Q. Yes. Mr. Witness, I am putting it to you that your testimony regarding Kafala is what you thought of.
2 In other words, it never happened.

3 A. I know that it happened. I am sure. I am very sure that it happened and I saw there -- I saw it
4 happen.

5 Q. And further, I am further putting it to you that your testimony regarding xxxx is not also true and you
6 know it.

7 A. I know that I am saying the truth.

8 MR. PRESIDENT:

9 Do you have precise spelling of xxxx?

10 MR. MARGAI:

11 xxxx.

12 MR. PRESIDENT:

13 xxxx (*sic*)?

14 MR. MARGAI:

15 Yes, My Lord.

16 BY MR. MARGAI:

17 Q. I further put it to you that your evidence regarding xxxx, xxxx is also not true and you know it.

18 A. I know that I spoke the truth.

19 Q. And I further put it to you that your testimony regarding xxxx is also not true and you know it.

20 A. I know that I spoke the truth and that's why I said it. That's why I swore -- that's why I took the oath.

21 Q. Now, Mr. Witness, that song which you said you heard the *Kamajors* singing, could you oblige us by
22 singing it?

23 MR. CARUSO:

24 I am sorry, Your Honour, asking the witness to sing I think is a little improper. Perhaps Mr. Margai
25 could rephrase that question and ask -- to get the answer he wants in another fashion.

26 MR. PRESIDENT:

27 If the witness can sing, he should sing; if he cannot, well, that's his business. If he can sing --

28 BY MR. MARGAI:

29 Q. Yes, can you sing the song?

30 A. That song that I heard them singing, I know the song, I know the song that is sung.

31 Q. Now, where -- sorry, where did you learn it?

32 A.. I didn't say I learnt it, I only -- yes, when they were singing it, I learnt it from there as they were singing
33 it.

34 Q. Yes, can you sing that song, please?

35

36 MR. MARGAI:

37 With the leave of the Bench.

1 THE WITNESS:

2 If they say that I should sing it then --

3 MR. PRESIDENT:

4 Yes.

5 MR. MARGAI:

6 Is leave granted, My Lord?

7 MR. PRESIDENT:

8 Yes, leave is granted.

9 BY MR. MARGAI:

10 Q. Please feel free.

11 A. When they were taking these people away, when they cut them and they were taking them away, the
12 song that they sung -- they were saying that if the throat cut's in issue -- and that is what they were
13 singing.

14 MR. PRESIDENT:

15 *(inaudible)*

16 THE WITNESS:

17 If the throat cutting issue early tomorrow morning. When they cut these guys and they were taking
18 them down, *Xxxx* and *xxxx*, that was the song they were singing, that is a cut throat -- it's a throat
19 cutting issue early tomorrow morning.

20 BY MR. MARGAI:

21 Q. Thank you.

22 MR. PRESIDENT:

23 Thank you.

24 BY MR. MARGAI:

25 Q. Now, Mr. Witness, are you a *Kamajor*?

26 A. I am not a *Kamajor*.

27 Q. Your brother was a *Kamajor*?

28 A. Yes.

29 Q. Was he *(inaudible)*.

30 A. At the time we were together --

31 Q. Was he a caring brother?

32 A. He cared for us.

33 MR. MARGAI:

34 My Lords, again, I do not want to tread irresponsibly, I am not sure whether it would be out of place for
35 me to ask for the name of his brother.

36 MR. CARUSO:

37 Your Honour, I don't know the answer to that particular question, but it seems very clear to me that

1 naming his brother likewise names him and, therefore, that would be very difficult and we would object
2 strenuously to that.

3 JUDGE BOUTET:

4 There might be a possibility, without pronouncing the name, if you can write the name down. I mean,
5 there are ways of doing it. .

6 MR. MARGAI:

7 That would be fine by me. As I said, we will leave no stone unturned *ex abundanti cautela*.

8 JUDGE BOUTET:

9 Mr. Prosecutor.

10 MR. CARUSO:

11 Your Honour, we had made a suggestion earlier on likewise, that the name can certainly be
12 transferred in a manner that does not make it public. The question I have is whether or not there is a
13 question that follows that name. And if we do that it would seem to me that perhaps -- and this is a
14 suggestion -- perhaps the better way to do it would be in closed session for a limited period of time.

15 MR. MARGAI:

16 My Lords, I think there is yet another way we could do it. We could switch off the mikes, he would
17 give the names and the records will reflect the name.

18 MR. CARUSO:

19 I would hate to take that chance, Your Honour.

20 MR. MARGAI:

21 What chance?

22 JUDGE BOUTET:

23 I am not sure that the technique is so safe that I would -- we have had all sorts of problems with the
24 mikes and so on, so the fact that we shut down a mike does not assure me that this name will not be
25 heard or known by the public. So --

26 MR. MARGAI:

27 (*overlapping microphone*) writing it down.

28 JUDGE THOMPSON:

29 I would have some reservations about the permissibility of that approach.

30 MR. MARGAI:

31 I'm sorry.

32 MR. PRESIDENT:

33 I said I would have some reservations about the permissibility of this approach of switching off the
34 microphones.

35

36 MR. MARGAI:

37 What about writing the name down?

1 JUDGE THOMPSON:

2 That would seem to be a very viable --

3 MR. MARGAI:

4 It's a viable alternative. Then may I so request --

5 MR. PRESIDENT:

6 If it acceptable to the Prosecution.

7 MR. MARGAI:

8 Sorry.

9 MR. CARUSO:

10 Well, it occurs to me, Your Honour, I am not certain he can write the name down. And I again wonder
11 why it is we cannot go into closed session for this limited period of time for what are certainly going to
12 be questions that follow that information as a method of simply being certain that the witness
13 protection measures are kept in order to the extent that they can be.

14 MR. MARGAI:

15 I want to assure this Court that there will be no follow-up question, and if I wasn't treading cautiously I
16 would not have initiated the idea. But justice must be seen to be done on all sides; over-protection
17 sometimes could be counter-productive.

18 MR. CARUSO:

19 Well, whether or not I agree with Mr. Margai, I can certainly agree with this: if he assures this Bench
20 that that is the only question he wishes to ask, then under those circumstances I suspect what we can
21 do is ask the witness protection people to get that name, write it down, give it to the Bench and that
22 will end the matter -- obviously, and the Bench then give it to counsel. If that is the only question there
23 is then that does make sense under those circumstances.

24 MR. MARGAI:

25 That is the only question relative to the disclosure of the name, lest we get confused. The only
26 question is relative to the disclosure of the name and that assurance is given.

27 MR. CARUSO:

28 Therein lies the problem, Your Honour, there is never only one question that any lawyer has ever
29 asked, there is always another. And if, in fact, we stop with simply the disclosures of the names to the
30 Defence for whatever reasons they want that, that would be fine. But if, on the other hand, that will
31 lead to another question relative to that name, even if it is not the name itself, the difficulty becomes
32 that we face this again. And again, my suggestion would be to avoid that what we could do -- what
33 this Bench could order is that a limited session be held in -- a closed limited session could be held.

34 MR. MARGAI:

35 My Lords, I am sure that my learned friend cannot be better placed than I am with regard to the
36 questions I intend to ask. He can be premonitious, no problem about that, but premonition is only an
37 attempt.

1 THE ACCUSED NORMAN:

2 My Lord -- My Lords, I want to be down on record that the protection of the witness seems to override
3 the interests of my own protection as an Accused person whose life may be spent in jail.

4 JUDGE BOUTET:

5 Thank you, Mr. Norman.

6

7 Mr. Margai.

8 MR. MARGAI:

9 Yes, My Lords.

10 JUDGE BOUTET:

11 I would like to know if you have many more questions. What we are intending to do is indeed allow
12 you to ask these questions, but we are going to have to do it in closed session. But we are trying to
13 find -- if you do have many more questions, we'll just adjourn at this time and when we reconvene we
14 will start in a closed session and then carry on. If you are telling us that this is essentially your last
15 question, we will adjourn now and we will allow you to carry on with that question in closed session
16 when we come back.

17 MR. MARGAI:

18 May I just confer, with your leave, for a second?

19 JUDGE BOUTET:

20 Yes.

21 MR. MARGAI:

22 My Lords, I would rather I continue my cross-examination after the break, if that will suit the
23 convenience of Your Lordships, because I would not want to come and appeal to you to allow me to
24 put in one or two more questions after I have finished.

25 JUDGE BOUTET:

26 That's right. So what we will do is when we reconvene we will be in closed session to deal with the
27 question of the name and after that we will move back in public session.

28 MR. MARGAI:

29 If Your Lordships so desire, but again, I want to assure you that no other question touching that
30 particular individual will be asked after the disclosure of the name. I want to assure you.

31 JUDGE BOUTET:

32 Then the closed session will be very short.

33 MR. MARGAI:

34 As My Lords please.

35

36 JUDGE BOUTET:

37 Thank you.

1 MR. MARGAI:

2 Thank you.

3 MR. PRESIDENT:

4 The Court will adjourn. We will rise and we'll adjourn to 3:30 p.m.. 15 30 hours for those of you who
5 are continentals. Thank you. The Court rises, please.

6 *(Court recessed from 1338 to 1607H)*

7 *(At this point in the proceedings, a portion of the transcript [pages 64 to 72] was extracted and sealed*
8 *under separate cover, as the session was heard in camera)*

9 *(Pages 45 to 63 by Susan G. Humphries)*

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1 *(Court resumed at 1642H)*

2 MR. PRESIDENT:

3 This session resumes. Mr. Caruso, you can proceed with your re-examination –

4 MR. CARUSO:

5 Thank you, Your Honour.

6 MR. PRESIDENT:

7 -- of this witness, if you so wish.

8 MR. CARUSO:

9 Thank you, Your Honour. We have no re-examination of this witness at this point.

10 JUDGE BOUTET:

11 Maybe we should have asked the question before we adjourned.

12 MR. PRESIDENT:

13 I have a question. There is talk of two corpses which were found. It is **xxxx** something and so on and
14 so on -- they are two. I'm trying to locate the names.

15 MR. MARGAI:

16 **Xxxx** and **xxxx**.

17 MR. PRESIDENT:

18 Yes. Were these male or female corpses? I just want a clarification from the witness.

19 THE WITNESS:

20 They were men.

21 MR. PRESIDENT:

22 They were men

23 A. Yes.

24 MR. PRESIDENT:

25 Right. Mr. Caruso, we would like to take the third witness.

26 MR. CARUSO:

27 Yes, Your Honour, we have another witness present.

28 MR. PRESIDENT:

29 Okay. Before we do that, can we rise so that the infrastructure can be put in place?

30

31 The Court will rise for a few minutes.

32 *(Court recessed)*

33 MR. PRESIDENT:

34 The session resumes and I'm informed by the court management unit, you know, that there is a new
35 interpreter to be sworn, Mr. Walker can you --

36 MR. WALKER:

37 A witness, Your Honour.

1 MR. PRESIDENT:

2 A witness or an interpreter? I thought you talked of an interpreter. I see, of course, I thought you
3 talked of an interpreter. That's okay. Yes, please, swear the witness in.

4 *(Declaration made by Witness TF2-176 in English)*

5 MR. PRESIDENT:

6 This witness will speak in which language?

7 MR. CARUSO:

8 In *Krio*, Your Honour. May I advise the Court now, with your leave, that this witness's examination will
9 be conducted by Ms. Adwoa Wiafe, sitting next to me. Thank you.

10 MR. PRESIDENT:

11 Yes, please. Ms. Adwoa, you can go on.

12 WITNESS TF2-176

13 first having been duly sworn,

14 testified as follows:

15 EXAMINATION-IN-CHIEF

16 BY MS. WIAFE

17 Q. Sir, can you tell us how old you are.

18 MR. PRESIDENT:

19 What is the -- what is the --

20 JUDGE BOUTET:

21 Pseudonym.

22 MS. WIAFE:

23 The Prosecution calls TF2-176.

24 MR. PRESIDENT:

25 TF2-176?

26 MS. WIAFE:

27 Yes, Your Honour.

28 MR. PRESIDENT:

29 Yes, please, go ahead.

30 BY MS. WIAFE:

31 Q. Sir, can you tell us how old you are?

32 A. I am **xxxx** years old.

33 Q. Where were you born?

34 A. **xxxx**.

35 Q. Are you married?

36 A. Yes.

37 Q. How many wives do you have?

- 1 A. I have two wives.
- 2 Q. Do you have any children?
- 3 A. Yes, I have children.
- 4 Q. How many children do you have?
- 5 A. I have 13 children and 8 of them have certificates -- birth certificates.
- 6 Q. Have you ever attended school?
- 7 A. I have never been to school.
- 8 Q. What languages do you speak, sir?
- 9 A. I speak *Krio*, *Mende* and *Fula*.
- 10 Q. Can you read and write any language at all?
- 11 A. It's only *Arabic* that I can read, and I can write *Fula* language.
- 12 Q. How do you write the *Fula* language?
- 13 A. I write the *Arabic* language using the -- the *Fula* language using the *Arabic* symbols.
- 14 Q. Now, what work do you do?
- 15 A. I am a petty trader and I do farming.
- 16 Q. And where do you farm?
- 17 A. In **xxxx**. I do my farm work in **xxxx**.
- 18 Q. Where do you currently reside, sir?
- 19 A. I am in **xxxx**.
- 20 Q. How long have you lived in **xxxx**?
- 21 A. Since I was born I have been in **Xxxx**.
- 22 Q. Have you ever lived outside **xxxx**?
- 23 A. No, except if I go outside and do some trade and come back.
- 24 Q. And how long would that usually take?
- 25 A. It's only in Kabala that I go to sell my *kolanuts* and my palmoil, and sometimes I take just a few days
26 and come back.
- 27 Q. Now, where you in **xxxx** in 1998, sir?
- 28 A. Yes, I was in **xxxx** in 1998.
- 29 Q. Did anything happen in **xxxx** at that time?
- 30 A. Yes.
- 31 Q. Please, tell us what happened?
- 32 A. I was in the mosque on Friday.
- 33 Q. What happened on that Friday when you were at the mosque?
- 34 A. I heard a gun sound at **xxxx** Road.
- 35 Q. What happened, after that?
- 36 A. We were lying in the mosque and we laid down in the mosque and we were praying to God to save
37 our lives.

- 1 Q. And then, after you laid down, did you do anything else?
- 2 A. After 30 minutes -- it was so difficult after 30 minutes.
- 3 Q. So after the 30 minutes what did you do?
- 4 A. We left and we were met by the soldiers and they asked us to leave the mosque.
- 5 Q. Who were these soldiers?
- 6 A. These were Sierra Leonean soldiers.
- 7 Q. What were they doing in xxxx at that time?
- 8 A. At that time, they were there protecting the town and the country.
- 9 Q. Now, do you remember what month this was?
- 10 A. It was on the 13th of February.
- 11 Q. Now, after the government soldiers called you out of the mosque, what did you do?
- 12 A. I went to my house.
- 13 Q. Did you see anything along the way?
- 14 A. When I was going, I did not see anything on the way.
- 15 Q. As you were going to your house, did you hear anything?
- 16 A. In fact, when I went to the house I did not walk along the town. I just sat down in my house with my
- 17 wife.
- 18 Q. On your way to the house, did you hear any sounds at all?
- 19 A. At that time, there was no sound. All the sound had cut off.
- 20 Q. Did you hear any gunshots at that point?
- 21 A. No, at that time I did not hear anything.
- 22 Q. Now, when you got to your house, what did you do?
- 23 A. I sat there with my family on to evening and I saw soldiers in my house packing and I asked them
- 24 what happened.
- 25 Q. What were the soldiers doing in your house?
- 26 A. At that time if you had a house that had nobody they would ask the soldiers to reside in that house.
- 27 They would take perhaps two, three or four rooms. In my own house, they took about four rooms.
- 28 Q. Did the soldiers do anything at that point?
- 29 A. No, they didn't do anything.
- 30 Q. Did they stay with you in your house at that point?
- 31 A. Yes, they stayed with me in my house at that time.
- 32 Q. Now, what did you do whilst you were in your house?
- 33 A. I was there until evening and before they left they told me that "if you stay here it would not be good
- 34 for you." And I also told my family and we had property but we were not able to take the property.
- 35 Q. Who told you that if you stayed at home it would not be good for you?
- 36 A. The soldiers that were residing with me.
- 37 Q. And apart from the soldiers, was there anybody else residing with you?

- 1 A. Yes, I had other members of my extended family.
- 2 Q. So after the soldiers told you that if you stayed there it would not be good for you, what did you do?
- 3 A. Then I became more confused, so I told my family that we were to leave the place.
- 4 Q. Did you hear any gunshot at that point?
- 5 A. No, I didn't hear anything.
- 6 Q. So, did you leave with your family that day?
- 7 A. Yes, I left by six o'clock.
- 8 Q. And where did you go?
- 9 A. I went to xxxx Road.
- 10 Q. And when -- you went to xxxx road?
- 11 A. Yes.
- 12 Q. Is that where you finally went to?
- 13 A. I went up to Sembehun and I started thinking what would happen at the back of me. In fact there was
- 14 -- there were a lot of people. So, in fact, all of them went different -- to different parts. So I also went.
- 15 Q. Now, who were these people?
- 16 MR. MARGAI:
- 17 Sorry, My Lord, the witness is not audible. Would he speak a bit louder? Maybe he is a bit too far
- 18 away from the mike.
- 19 MR. PRESIDENT:
- 20 Talk aloud -- talk aloud so that they can hear you. Is there a way of pushing the microphone nearer
- 21 him?
- 22 BY MS. WIAFE:
- 23 Q. Now, who were the people who went with you on xxxx Road?
- 24 A. We, the civilians and the soldiers went along xxxx road.
- 25 Q. Now, was xxxx road were you finally went to?
- 26 A. Yes, it was.
- 27 Q. Did you go anywhere else that day?
- 28 A. No, I did not go anywhere except Sembehun. I stopped at Sembehun.
- 29 Q. Now, when you got to Sembehun, what did you do?
- 30 MR. PRESIDENT:
- 31 And for the records, we would like to have the spelling of those names. Sembehun, what is it?
- 32 MS. WIAFE:
- 33 S-E-M-B-E-H-U-N.
- 34 MR. PRESIDENT:
- 35 Thank you.
- 36 BY MS. WIAFE:
- 37 Q. When you got to Sembehun, what did you do?

1 A. I stayed there on to daybreak and they told me that all my family had gone to Bo.

2 Q. Now, when you heard that your family had gone to Bo, what did you do?

3 A. I also left and went to Bo in search of them.

4 Q. Did you find them in Bo?

5 A. Yes, I was able to see them at Shellmingo, Bo.

6 Q. And did you stay in Bo that day?

7 A. Yes, I did.

8 Q. Did you -- how long did you stay in Bo?

9 A. In fact, when I saw my family, I decided to go back to Sembehun.

10 MR. PRESIDENT:

11 How long did you stay there?

12 THE WITNESS:

13 A. I was there for a day and I went back to Sembehun.

14 BY MS. WIAFE:

15 Q. How far is Bo from Sembehun?

16 A. Seventeen miles.

17 *(Pages 73 to 78 by Momodou Jallow)*

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- 1 1720H
- 2 BY MS. WAIFE:
- 3 Q. And when you got to Sembehun did anything happen?
- 4 A. Yes.
- 5 Q. Tell us what happened in Sembehun.
- 6 A. At that time I reached there and I only met *Kamajors*, a lot of *Kamajors*, and I also left there. I stayed
- 7 there for some days.
- 8 Q. How long did you stay there?
- 9 A. I stayed there up to one week. I stayed there up to a week.
- 10 Q. And after that week what happened -- what did you do?
- 11 A. I went back to **xxxx**.
- 12 Q. Why did you go back to **xxxx**?
- 13 A. When we were there -- when we were there they told us that whosoever had a house at **Xxxx** should
- 14 not hope to meet it again.
- 15 Q. Who told you this?
- 16 A. There were a lot of *Kamajors*. There were a lot of *Kamajors* and this was what they told us. Yes, so
- 17 they said that whosoever had a house in **xxxx** should not hope to see it again, and, therefore, I
- 18 decided to go and see my house.
- 19 Q. How did you get to **xxxx**?
- 20 A. I walked to **xxxx** till I reached.
- 21 Q. How far is **xxxx** from **xxxx**?
- 22 A. **xxxx** miles.
- 23 Q. Now, when you got to **xxxx**, what happened?
- 24 A. When I reached there one *Kamajor* saw me and asked me to go to him.
- 25 Q. What did you do at that point?
- 26 A. He took me to their commander.
- 27 Q. And who was this commander?
- 28 A. The commander was **xxxx xxxx**.
- 29 Q. Now, what happened when you got to the commander?
- 30 A. The commander asked me where I came from and he told me that -- I told him that I came from **xxxx**.
- 31 Q. And then what happened next?
- 32 A. I told him that I had gone to look for my house, to search for my house. That's my home.
- 33 Q. And what did you -- what happened after this?
- 34 A. When I went, I found out that my house had been burnt down.
- 35 Q. Was this the same house that you were living in with the soldiers?
- 36 A. Yes, it was.
- 37 Q. Apart from your house, did you see anything else?

- 1 A. Yes, a lot of houses that were by mine were all burnt down.
- 2 Q. How many houses were burnt down?
- 3 A. At that part in which I was staying, 23 and above houses were burnt. I wasn't able to check.
- 4 Q. Did you know any of the owners of those houses?
- 5 A. Yes, I know them.
- 6 Q. Who were they?
- 7 A. The man by my own house was Mr. Saidu Bah.
- 8 Q. Apart from Mr. Saidu Bah do you know -- did you know anybody else?
- 9 A. Pa Musa.
- 10 Q. Now, did you see any soldiers in town that day?
- 11 A. No, I didn't see any soldiers.
- 12 Q. And how could you tell that there was no soldier in town that day?
- 13 A. In fact, if they were there I should have seen uniform on them.
- 14 Q. How did the soldiers' uniforms look like?
- 15 A. Well, they see something that was drawn, you know, on their uniform.
- 16 Q. Now, how did the *Kamajors* dress?
- 17 MR. PRESIDENT:
- 18 When he says some things were drawn on their uniforms, what does that mean? Can the witness be
- 19 more specific?
- 20 BY MS. WAIFE:
- 21 Q. When you say there were things drawn on their uniforms, what do you mean?
- 22 A. Well, the soldiers' uniform has some lines and this is characteristic of the Sierra Leone soldiers'
- 23 uniform.
- 24 Q. What colour is their uniform?
- 25 A. The colour is green.
- 26 Q. How did the *Kamajors* dress?
- 27 A. They wear a type of clothes that is called *Ronko*, which is called country clothes.
- 28 Q. How does the *Ronko* look like?
- 29 A. It is country clothes and it is -- and you have some amulets that are being put, you know, on these
- 30 particular clothes.
- 31 Q. Did you see any people in town that day?
- 32 A. We, the civilians, were very few in number that day.
- 33 Q. Apart from the civilians, who else was there?
- 34 A. In fact, the majority of the people that were in town were the *Kamajors*.
- 35 Q. Did you stay in xxxx that day?
- 36 A. No, at that time I did not sleep there because I was broken-hearted, so I left.
- 37 Q. Now, apart from the houses that were burnt, did you see anything else? You had said that you saw

- 1 houses that had been burnt. Apart from these houses, did you see anything else in xxxx that day?
- 2 A. No, I did not see anything that day.
- 3 Q. Now, you have said that you went home. Where is -- where is home?
- 4 A. At xxxx.
- 5 Q. You stayed in xxxx that day?
- 6 A. That day I did not sleep at all because I was discouraged so I had to go back to xxxx.
- 7 Q. Now, when you got back to xxxx, did anything happen?
- 8 A. Yes.
- 9 Q. Tell us what happened.
- 10 A. One man saw me and said, "This man came from xxxx," and I said yes. And I told him that I was from
11 xxxx. I cannot deny.
- 12 Q. And then what happened after this?
- 13 A. And he told them that I should be tied because I came from xxxx.
- 14 Q. Were you tied?
- 15 A. Yes, I was tied.
- 16 Q. How were you tied?
- 17 A. I heard that they had a rope that is called FM.
- 18 Q. How does the FM -- did you see the FM rope that day?
- 19 A. Yes, I saw the man coming to me, you see, with the rope and they held my hands at the back and
20 they tied me, and they braised me properly and they threw me to the ground.
- 21 Q. How does the FM rope look like?
- 22 A. It's a nylon. It is short and tied to a stick, you see, and when it is put on somebody it is being twisted
23 and, you see, you will feel it right up to the bones.
- 24 Q. Now, who arrested you?
- 25 A. It was Aluseine, born of Boama.
- 26 Q. And who was Aluseine?
- 27 A. He was a *Kamajor*.
- 28 Q. Now, after you were tied, what happened?
- 29 MR. PRESIDENT:
- 30 Just hold on, hold on. The man who tied him, you know, this *Kamajor*, what's the name again?
- 31 BY MS. WAIFE:
- 32 Q. Can you tell us the name of the man who arrested you?
- 33 A. Aluseine.
- 34 MR. PRESIDENT:
- 35 We want the spelling, you know, for the records. Just see what the spelling looks like; I don't know.
- 36 MS. WAIFE:
- 37 I think the spelling would be A-L-U-S-E-I-N-E.

1 MR. PRESIDENT:

2 Aluseine. And you said Aluseine was a *Kamajor*?

3 THE WITNESS:

4 Yes, he was.

5 MR. PRESIDENT:

6 Please go on, go ahead.

7 BY MS. WAIFE:

8 Q. After you were tied, what happened?

9 A. Aluseine said I should be killed because I came from **xxxx**.

10 Q. Were you killed?

11 A. No. No, I wasn't.

12 Q. Well, what happened to you after Aluseine said to kill you?

13 MR. PRESIDENT:

14 He said they should kill him because he is from **xxxx**.

15 MS. WAIFE:

16 Yes.

17 BY MS. WAIFE:

18 Q. Now, after you were tied did anything happen to you?

19 A. Yes, they took the money that I had in my pocket and that was the last money that I had. They took it
20 from my pocket.

21 Q. How much money did they take from your pocket?

22 MR. PRESIDENT:

23 Who took the money? Who took the money?

24 THE WITNESS:

25 It was Aluseine.

26 BY MS. WAIFE:

27 Q. How much money did Aluseine take from your pocket?

28 A. It was 400,000 Leones.

29 Q. Now, did Aluseine tell you why you should be killed?

30 A. Yes, they said it was because I came from **xxxx** and I said I wouldn't deny that I am a native of **xxxx**.

31 Q. Now, why did Aluseine want to kill you because you came from **xxxx**? Did Aluseine tell you why he
32 wanted to kill you for coming from **xxxx**?

33 A. They said because I was in a group of soldiers in **xxxx**.

34 Q. Now, after the money had been taken from your pocket, what happened?

35 A. I asked them to give back my money and they said that, "You are talking about money, you are going
36 to die."

37 Q. And then what happened to you?

- 1 A. And each -- in fact, he had a lot of people coming and each one had been striking me. In fact, one
2 man said, "Let us loose him and take him to --"
- 3 Q. Did they loose you (*sic*)?
- 4 A. Yes, I was untied.
- 5 Q. What happened after that?
- 6 A. They asked me not to get up when they finished loosening me. I wasn't able to get up at all.
- 7 Q. What did you do at that point?
- 8 A. They took me up; they raised me.
- 9 Q. Were you taken to wherever you were supposed to have been taken to?
- 10 A. Yes, I was taken to the commander.
- 11 Q. And who was this commander?
- 12 A. He was called C.O. Mohammed.
- 13 Q. And when you got to C.O. Mohammed, what happened?
- 14 A. That was the time when Aluseine again repeated again that I came from xxxx, because of that I
15 should be killed.
- 16 Q. Then what happened after that?
- 17 A. C.O. Mohammed said, "No, I wouldn't kill him because -- simply because he came from xxxx. I
18 cannot do it."
- 19 Q. Did C.O. -- what did C.O. Mohammed do after this?
- 20 A. He said I should be released. He said I should be released because he has released me, he said
21 because they are in xxxx -- they are in xxxx and they have to live amicably with civilians.
- 22 Q. And did they release you at that point?
- 23 A. Certainly, yes, I was released.
- 24 Q. What did you do after you were released?
- 25 A. C.O. Mohammed himself helped me and took me to one old *Fula* -- one old *Fula* man, and I went to
26 this old man. He held me, I wasn't able to lie down at all. In fact, I wasn't able to sleep at all for one
27 week so I had to sit down. Even food, I had to be fed like a child.
- 28 Q. Now, after you went to this -- the house, did you go anywhere at this point? Did you leave the house
29 at any point?
- 30 A. No, I wasn't table to do anything. In fact, they had to do everything for me.
- 31 Q. Did you stay in Sembehun after this?
- 32 A. Yes, I did, I stayed in Sembehun.
- 33 Q. How long did you stay in Sembehun?
- 34 A. I stayed there for some time and when I got better, so I went back to xxxx. I stayed to xxxx up to
35 one week (*sic*).
- 36 Q. And when you got to xxxx, what did you do?
- 37 A. I stayed there because that is the -- that was the place wherein I was able to get what to eat (*sic*).

- 1 Q. And where did you stay in xxxx?
- 2 A. I was in xxxx town.
- 3 Q. Where was your family at this point?
- 4 A. During that time, in fact, some of them had come with me and not all of them because I did not have
5 enough place (*sic*) for them.
- 6 Q. When you got to xxxx, who was in control of the town?
- 7 A. It was xxxx xxxx.
- 8 Q. And who was xxxx xxxx?
- 9 A. He was a *Kamajor*.
- 10 Q. Did you see any *Kamajors* in town at that time?
- 11 A. In fact, they outnumbered the civilians. The *Kamajors* outnumbered the civilians during that time.
- 12 Q. Now, after you went back to xxxx, did anything happen during that time?
- 13 A. Yes.
- 14 Q. Tell us what happened.
- 15 A. When we were there we heard that -- we heard that Pa Hinga Norman had come.
- 16 Q. And who was Pa Hinga Norman?
- 17 A. He was our Regent Chief in xxxx.
- 18 Q. And why did -- why did Hinga Norman come to xxxx?
- 19 A. He said he went to talk to the *Kamajors*.
- 20 Q. Now, how did you hear that Hinga Norman was in town?
- 21 A. It was the *Kamajors* that told us that the Pa had come to town.
- 22 Q. And did Hinga Norman come to the town that day?
- 23 A. Yes, he did.
- 24 Q. Did you see Hinga Norman in town that day?
- 25 A. Yes, I did see him.
- 26 Q. Where did you see Hinga Norman?
- 27 A. During that time they all had gone to the *Barray*.
- 28 Q. And where is the *Barray*?
- 29 A. It is located at xxxx Road.
- 30 Q. Now, did you go to the *Barray*?
- 31 A. Yes, I did.
- 32 Q. Can you tell us what happened at the *Barray* that day?
- 33 A. Yes.
- 34 Q. Please tell us what happened at the *Barray* that day.
- 35 A. In fact, when I went the meeting had already started. I -- yes, I went but I wasn't well at all, but when
36 something happens, you know, you had to go.
- 37 Q. And what happened at this meeting?

- 1 A. I met Pa Hinga Norman talking. I was by the *barray*, close to the *Barray*.
- 2 Q. What did Hinga Norman say at the *barray*?
- 3 A. When I met him talking, he said he had given an order in xxxx but they did not perform what he asked
4 them to.
- 5 Q. Who is -- who are you referring to as them?
- 6 A. The *Kamajors*.
- 7 Q. Did Hinga Norman say anything else?
- 8 A. He said he had told them that he only wanted three houses in xxxx.
- 9 Q. Did he say which houses these three houses were?
- 10 A. He said the mosque.
- 11 Q. Which other house?
- 12 A. The *barray*. The mosque, the *barray*.
- 13 Q. Did he tell you what the third house was?
- 14 A. The *Barray* and the house in which he should reside when he came.
- 15 Q. So you are saying Hinga Norman said to leave the court -- the *Barray*, the mosque and the house
16 where he would stay; is that correct?
- 17 A. Yes, that was so.
- 18 Q. Did Hinga Norman say anything else?
- 19 A. When I had seen that my house had been burnt, and I came to conclude that this was the reason why
20 my house was burnt.
- 21 Q. Did Hinga Norman say why all the other houses were to be burnt with the exception of these three
22 houses?
- 23 MR. YILLAH:
24 My Lord, I'm sorry to interrupt the proceedings. I don't wish for the records to look untidy but the
25 previous question, asked and answered, would definitely render this question useless, My Lord, or
26 redundant.
- 27 MS. WAIFE:
28 Your Honour, if I may address that.
- 29 MR. PRESIDENT:
30 Please.
- 31 MS. WAIFE:
32 The witness had said that Hinga Norman said to leave only three houses standing. My question is,
33 did Hinga Norman tell them why only three houses should have been left standing, and I don't think
34 that question has been answered.
- 35 JUDGE BOUTET:
36 Overruled. Carry on.
- 37 BY MS. WAIFE:

- 1 Q. Did Hinga Norman tell you why only three houses should have been left standing?
- 2 A. Yes, it's because we were the soldiers and we did not have any power, you know, in order to drive the
3 soldiers.
- 4 Q. Now, what time of day was this meeting held?
- 5 A. That particular meeting that I attended, it was a -- it was in the afternoon.
- 6 Q. Did anybody else address that meeting that day?
- 7 A. Yes, you see, when I went to the meeting, I -- it was Hinga Norman that was talking.
- 8 Q. Did anybody else talk after Hinga Norman?
- 9 A. No, nobody -- after his speech, in fact, I went home. So if somebody else had said anything I wouldn't
10 know.
- 11 Q. Now, can you tell us what the reaction of the people was after Hinga Norman had spoken?
- 12 MR. YILLAH:
13 Again, My Lord, I don't know, with your permission, My Lords, whether this witness could answer --
14 could express what's in the state of mind of the people or he could speak for himself.
- 15 MS. WAIFE:
16 Your Honour, I'm talking about the reaction of the people, and this is something that the witnesses
17 could have -- the witness could have seen. So I'm just asking; I'm not talking about what the people
18 were thinking, I'm talking about the reaction of the people.
- 19 JUDGE BOUTET:
20 Maybe if you phrase your question differently --
- 21 MS. WAIFE:
22 Yes, Your Honour.
- 23 JUDGE BOUTET:
24 -- you could achieve that.
- 25 MS. WAIFE:
26 Thank you, Your Honour.
- 27 JUDGE BOUTET:
28 Thanks.
- 29 BY MS. WAIFE:
30 Q. What was the response of the people after Hinga Norman had spoken?
31 A. I wouldn't say that they said anything because everybody was afraid.
32 Q. What did the people do after Hinga Norman had spoken?
33 A. In fact, a lot of people, especially the civilians, left.
34 Q. Now, apart from being a regent chief, do you know anything else about Hinga Norman?
35 A. Yes, it took a long time since he left us. In fact, they told us that he was a very big man in the
36 government.
37 Q. Which government was this?

- 1 A. That is the SLPP government.
- 2 Q. Before the Court *Barray* meeting, had you ever seen Hinga Norman before?
- 3 A. Yes, I used to see him when he was a regent chief.
- 4 Q. When was the first time you saw Hinga Norman?
- 5 A. The time that he went there as a regent chief.
- 6 Q. And after that did you see him?
- 7 A. No, I did not see him at all, especially when he came back to Freetown, he had become a big man,
8 you know, I did not see him any more.
- 9 Q. Now, I'd like us to go back to the meeting. You said that Hinga Norman said to burn houses in the
10 house (*sic*) with the exception of three houses?
- 11 A. Yes.
- 12 Q. Apart from burning houses, did Hinga Norman say anything else?
- 13 A. Yes, he did.
- 14 Q. What did he say?
- 15 A. He said **xxxx** was blessed because they didn't burn all the houses.
- 16 Q. Now, I said apart from the burning, did Hinga Norman --
- 17 MR. WILLIAMS:
18 Your Honour, we take an objection to this line of examination-in-chief. It appears the Prosecutor is
19 fishing, My Lord -- is fishing for evidence, My Lord. My Lord, the witness has explained practically all
20 what he had, My Lord.
- 21 MR. PRESIDENT:
22 He has not come to the end so you can't say he has explained practically.
- 23 MR. WILLIAMS:
24 But --
- 25 MR. PRESIDENT:
26 But she is still on her examination-in-chief.
- 27 MR. WILLIAMS:
28 As My Lord pleases.
- 29 MR. PRESIDENT:
30 Yes.
- 31 BY MS. WAIFE:
32 Q. Did you hear anything else said that day apart from the burning of houses?
33 A. No, did not hear anything after what he said, you know, about burning the houses, so I went to my
34 house. I left the meeting.
- 35 Q. Now, would you be able to identify Hinga Norman if you saw him today?
36 A. Yes, I know the old man from the time he was a regent chief.
- 37 Q. I want you to look around the courtroom today and tell us if Hinga Norman is here. Is Hinga Norman

1 in this courtroom?

2 A. Yes, he is.

3 Q. Can you point to Hinga Norman?

4 A. Yes, there he is.

5 Q. Where is he?

6 A. There he is. He is wearing a white cap.

7 MS. WAIFE:

8 I'd like the record to reflect that the witness is talking about Mr. Hinga Norman in the white cap, across
9 the room.

10 MR. PRESIDENT:

11 Yes, the records have reflected that.

12 JUDGE BOUTET:

13 Do you have further questions?

14 MS. WAIFE:

15 A moment, Your Honour.

16 *(Pages 79 to 88 by Gifty C. Harding)*

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1 1755H

2 BY MS. WIAFE:

3 Q. Now, at this meeting that you went to, did Hinga Norman tell you anything else that he told the
4 Kamajors to do apart from the burning?

5 MR. WILLIAMS:

6 We would repeat the objection.

7 MR. PRESIDENT:

8 Sustained, sustained.

9 MR. WILLIAMS:

10 As My Lord pleases.

11 MS. WIAFE:

12 Your Honours, we have no further questions for this witness.

13 MR. PRESIDENT:

14 Thank you.

15 JUDGE BOUTET:

16 I would like to indicate that tomorrow, as we had already mentioned in the status conference, normally
17 we will not hear witnesses but hear motions, if any. We intend to hear witnesses in the morning
18 tomorrow, and in the afternoon we will hear representation to carry on what Mr. Norman has raised
19 this morning about his conditions and his requests, and we will have a response, if any, by the
20 Prosecution. And we would like also to hear representation on -- I think it is you, Mr. Margai, but I
21 may be wrong on this, who raised an objection and we said we would hear comments, if any, later on
22 and that had to do with the fact, if I am not mistaken, that statements that were disclosed about the
23 first witness did not contain what the witness was talking about in court. We had indicated at that time
24 that we would deal with this issue later. So I would ask you to be prepared to submit arguments on
25 that tomorrow and a response by the Prosecution as well. When I say tomorrow, in the afternoon. So
26 in the morning we intend to proceed -- carry on with this witness, and in the afternoon to hear these
27 types of motions.

28

29 Was it you, Mr. Margai, that raised that?

30 MR. MARGAI:

31 My Lord, no, it was my learned friend Williams.

32 JUDGE BOUTET:

33 Very well, thank you.

34

35 Mr. Norman, I have indicated that we will hear again your representation tomorrow morning on what
36 you have raised earlier today about what you are requesting for your own self-representation. So I
37 would ask you to repeat that and if you have any additional comments tomorrow, and we will ask the

1 Prosecution to respond to that as well. So it will be tomorrow in the afternoon.

2 THE ACCUSED NORMAN:

3 Thank you, My Lord.

4 JUDGE BOUTET:

5 Thank you.

6 MR. PRESIDENT:

7 Yes, I think if we started with cross-examination now, our experience is that we mightn't be through
8 even by 8:00 p.m. and because of this we are adjourning this matter to tomorrow for purposes of
9 cross-examination at 9:30 -- Yes, Mister -- Dr. Jabbi, yes.

10 MR. JABBI:

11 My Lord, as much as we understand why you are suggesting that perhaps cross-examination might
12 wait until tomorrow, but would it be possible, at least, to commence cross-examination? If only to
13 avoid the sort of request that we *(inaudible)*.

14 MR. PRESIDENT:

15 We wouldn't want to go and stop, we want to have a continuous series, you know.

16 MR. JABBI:

17 As Your Lordship --

18 MR. PRESIDENT:

19 We want to go continuously so we finish. All we want from you is that -- well we hope that you will be
20 able to be expeditious enough to allow us to move on. So we would adjourn this matter to --

21 MR. JABBI:

22 Thank you.

23 MR. PRESIDENT:

24 -- to tomorrow for cross-examination at 9:30. The Court will rise.

25 *(Court adjourned at 1802H)*

26 *(Pages 89 to 90 by Susan G. Humphries)*

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CERTIFICATE

We, Momodou Jallow, Gifty C. Harding and Susan G. Humphries, Official Court Reporters for the Special Court for Sierra Leone, do hereby certify that the foregoing proceedings in the above-entitled cause were taken at the time and place as stated; that it was taken in shorthand (*machine writer*) and thereafter transcribed by computer; that the foregoing pages contain a true and correct transcription of said proceedings to the best of our ability and understanding.

We further certify that we are not of counsel nor related to any of the parties to this cause and that we are in nowise interested in the result of said cause.

_____ Momodou Jallow

_____ Gifty C. Harding

_____ Susan G. Humphries