

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL-2004-14-T  
TRIAL CHAMBER I

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

MONDAY, 13 SEPTEMBER 2004  
11.10 a.m.  
TRIAL

[OPEN SESSION]

Before the Judges:

Benjamin Mutanga Itoe, Presiding  
Bankole Thompson  
Pierre Boutet

For Chambers:

Ms Sharelle Aitchison  
Mr Clemens Daburon (intern)

For the Registry:

Ms Maureen Edmonds  
Mr Geoff Walker

For the Prosecution:

Mr James C Johnson  
Mr Kevin Tavener  
Mr Raimund Sauter  
Ms Leslie Murray (intern)

For the Principal Defender:

Mr Ibrahim Yillah  
Mr Alpha Sesay (intern)

For the Accused Sam Hinga Norman:

Dr Bu-Buakei Jabbi  
Mr John Wesley Hall  
Ms Quincy Whitaker

For the Accused Moinina Fofana:

Mr Arrow Bockarie.  
Mr Michiel Pestman  
Ms Phoebe Knowles  
Mr Victor Koppe

For the Accused Allieu Kondewa:

Mr Charles Margai  
Mr Yada Williams  
Mr Ansu Lansana

1 [Open session]

2 [At this point in the proceedings, a portion of the  
3 transcript, pages 1 to 39, was extracted and sealed under  
4 separate cover, as the session was heard in camera]

12:41:56 5 PRESIDING JUDGE: It is twenty to 1.00.

6 MR WALKER: We're not quite ready.

7 PRESIDING JUDGE: Yes, I just wanted to say: It is twenty to  
8 1.00, and if we have to pursue the examination-in-chief  
9 of this witness in open session, we certainly would go

12:42:20 10 beyond 1.00, which is usually our break time and  
11 lunchtime for the detainees, as well, so we -- the Court

12 would want to adjourn this matter and resume at 2.30 so  
13 that, you know, the examination-in-chief is moved off to  
14 the tail end, rather than our starting and breaking and

12:42:53 15 beginning to go ask ourselves questions as to where we  
16 stopped, and what have you. So because of the time  
17 constraints, we would call off the session for now and  
18 return at 2.30. I hope that I'm fully understood by

19 counsel and everybody. So we'll break off. The Court  
12:43:18 20 will rise, and we'll resume at 2.30.

21 MR WALKER: Court rise.

22 [Luncheon recess taken at 12.43 p.m.]

23 [Upon resuming at 2.39 p.m.]

24 [HN130904C]

14:40:20 25 PRESIDING JUDGE: Yes, I think we would -- Mr Sauter, am I  
26 right in the pronunciation of your name?

27 MR SAUTER: Almost, but I do not expect you to pronounce it  
28 properly.

1 PRESIDING JUDGE: I want to pronounce it properly if I could.

2 Can you pronounce it for us again, please.

3 MR SAUTER: Sauter.

4 PRESIDING JUDGE: Sauter, right. Mr Sauter, you can proceed

14:40:58 5 with -- we are now in open session, you can proceed with

6 the rest of the examination-in chief of this witness.

7 MR SAUTER: Thank you.

8 Q. Mr Witness, as you have heard from the Bench, we are in

9 open session now, and I would like to remind you that you

14:41:18 10 should not repeat any subject you have mentioned in the

11 closed session we had this morning. It's for your

12 protection; for the protection of yourself. Okay? I

13 would like to come shortly to some of your personal data.

14 You said before you are 73 years old; is that right?

14:41:44 15 A. Yes.

16 Q. And that you were born in xxxxxxxx and you lived most of

17 your life in xxxxxxxx; is that right?

18 A. Yes.

19 Q. Is it right that you are married to xxxxxxxx wives and have

14:42:10 20 xxxxxxxx children?

21 A. Yes.

22 Q. Can you please tell us something about your schooling.

23 Did you attend school?

24 A. Yes, I did.

14:42:32 25 Q. For how many years?

26 A. Nine years -- eight years.

27 Q. So I assume you are able to read and write?

28 A. Yes.

1 Q. Which languages are you speaking?

2 A. I speak Mende and Krio and some English.

3 Q. Okay, thank you. How are you making your living?

4 A. Now or since?

14:43:18 5 Q. Now and before?

6 A. First I did some work as an xxxxxxxxx in one mining company  
7 called xxxxxxxxx [phonetic] -- which is now called  
8 xxxxxxxxx [phonetic]. Before the war I was a farmer, my  
9 wives were business women doing petty trading.

14:43:50 10 Q. What are you doing right now when you are not in  
11 Freetown?

12 A. I have been overtaken by the war. I'm being fed -- I'm  
13 being taken care of by my people; my family members.

14 Q. Thank you. Now let's come to the events which took place  
14:44:16 15 in xxxxxxxxx during the war which, as we heard it before,  
16 lasted from 1991 to about 2001. Do you know which  
17 parties were fighting in this war?

18 A. Yes, I do think about them sometimes. Do you want me to  
19 tell?

14:44:46 20 Q. Yes.

21 A. There were soldiers in the war, there were rebels,  
22 Kamajors. These are the three groups which I think were  
23 fighting the war.

24 Q. Do you know how the organisation was called in which the  
14:45:06 25 rebels were fighting?

26 A. There were the RUF, there were soldiers, Kamajors too,  
27 called in English CDF; they too were fighting the war.

28 Q. Now let's come back to the rebels. My question was do

1 you know the name of the organisation in which the rebels  
2 were fighting?

3 A. The rebels were fighting against us; they were fighting  
4 against helpless people like us.

14:46:06 5 Q. Do you know an organisation call RUF?

6 PRESIDING JUDGE: He has already mentioned that. He did  
7 mention RUF; he did.

8 A. Yes, I did hear about them, but I don't know them as you  
9 will know somebody -- know something. I did hear about

14:46:28 10 them.

11 MR SAUTER:

12 Q. And what about the CDF; on which side was CDF?

13 A. The Kamajors -- there was a boss amongst us who said they  
14 should organise themselves into CDF to fight. In Mende  
14:47:00 15 we call them Kamajors. They were the ordinary people who  
16 were brought together, many of them so as to fight  
17 against the rebels.

18 Q. So, did I understand you correctly, that CDF and Kamajors  
19 in your view is the same?

14:47:22 20 A. Yes. It is the English man that calls them CDF. The  
21 Kamajors are called in English CDF. I am doubtful about  
22 something Mr Interpreter, can I explain? So this man is  
23 saying something -- tell us, how do these people over  
24 there who are pure white people, how are they

14:48:02 25 understanding what I'm saying?

26 JUDGE BOUTET: We do. Please, proceed.

27 MR SAUTER:

28 Q. So you said there were three parties fighting; the rebels

1 the soldiers and CDF or Kamajors. Which of these three  
2 parties you saw in xxxxxxxxx and at which time?

3 JUDGE THOMPSON: Why not take it step by step?

4 MR SAUTER:

14:48:42 5 Q. Which of these three parties you saw in xxxxxxxxx?

6 A. All of them were there; they used to come there.

7 Q. So do you remember when the soldiers came to xxxxxxxxx?

8 A. Yes.

9 Q. When was this?

14:49:22 10 PRESIDING JUDGE: Ask him who came there first. He has  
11 mentioned three factions, you are safe to ask him who  
12 came there first.

13 MR SAUTER: Thank you.

14 Q. So Mr Witness, who came first; the soldiers, the rebels  
14:49:38 15 or the Kamajors

16 A. The soldiers were the first to arrive in xxxxxxxxx.

17 Q. Do you remember approximately which year it was when the  
18 soldiers arrived?

19 A. Yes.

14:49:56 20 Q. When was that?

21 A. 1991.

22 Q. And who came second after the soldiers?

23 A. The rebels came and attacked the soldiers.

24 Q. And did the rebels fight the soldiers?

14:50:20 25 A. Yes, very much.

26 Q. Did this relationship between rebels and soldiers change  
27 at any time? I mean, did they live together starting at  
28 any time?

1 A. What do you mean?

2 Q. You said the rebels were fighting the soldiers or vice  
3 versa?

4 A. Yes.

14:50:58 5 Q. And my question is did this fight stop at any time and  
6 rebels and soldiers came together and fought together?

7 MR MARGAI: I'm afraid, that's a double-barrel question.

8 A. No, I didn't see them fight together; the rebels and the  
9 soldiers. Whenever the rebels attacked, they would be  
14:51:26 10 repelled by the soldiers; they would kill so many of  
11 them.

12 MR SAUTER:

13 Q. So, Mr witness, you told us first came the soldiers,  
14 second, the rebels. That means the third ones who came  
14:51:42 15 were the Kamajors; is that right?

16 A. Yes, they were the third group to come.

17 Q. Could you remember when the Kamajors came to xxxxxxxxx?

18 A. Yes.

19 Q. When was it?

14:52:06 20 A. They came there in 1998.

21 Q. Did they come the first time to xxxxxxxxx in 1998, or had  
22 they been before in xxxxxxxxx?

23 A. They were there but not to fight. The actual fighting  
24 took place in 1998 when they attacked the soldiers  
14:52:46 25 intensively.

26 Q. So you said the Kamajors came and attacked the soldiers  
27 in xxxxxxxxx; is that right?

28 MR MARGAI: My Lords, I wish my learned friend would stop

1 repeating the answers.

2 JUDGE THOMPSON: Yes. And, in fact -- and also not repeat  
3 them completely because my records show that -- he said:  
4 "The Kamajors came to xxxxxxxxxx in 1998; they were there  
14:53:10 5 not to fight", and then he went on to say something else.

6 MR SAUTER: I understood they came to fight.

7 PRESIDING JUDGE: 1998 they came to fight, but before then, I  
8 don't know. So you better clarify this.

9 JUDGE THOMPSON: Okay, let him clarify that.

14:53:34 10 MR SAUTER:

11 Q. So coming back to the Kamajors, when did they come to  
12 xxxxxxxxxx in order to fight the soldiers?

13 A. I said 1998; that's when they came. When they came and  
14 attacked the soldiers.

14:54:04 15 Q. Can you remember the date or the day when they came to  
16 xxxxxxxxxx?

17 A. I can't remember the day, the only day I can remember is  
18 that Friday when we went to the mosque, and they came.  
19 Yes, they used to come often; in the morning, in the  
14:54:30 20 afternoon, in the evening. Yes, they did come many  
21 times.

22 Q. So coming to this Friday, do you know in which month this  
23 Friday was in the year of 1998?

24 A. Yes.

14:54:50 25 Q. Which month was it?

26 A. February.

27 Q. Where have you been when the Kamajors came to xxxxxxxxxx  
28 on this Friday in February 1998?



1 A. I was in xxxxxxxx, but at 2.00 o'clock since I'm a  
2 muslim, I went to the mosque to pray. We were in the  
3 mosque when they attacked the town.

4 Q. You said: "We were in the mosque." Who was in the mosque  
14:55:34 5 beside you?

6 A. We the elders, the muslims.

7 Q. So how did you come to know when being in the mosque that  
8 the Kamajors were attacking?

9 A. Before we went to the mosque, in the morning there was  
14:56:14 10 confusion in the town that in fact Kamajors were coming  
11 to attack xxxxxxxx; they would see that they removed the  
12 soldiers from xxxxxxxx. That became of concern to us.  
13 Some people were packing their belongings. Things were  
14 mixed up. When they said they were coming -- when they  
14:56:36 15 came, we did feel it indeed. We knew that it is they who  
16 have come.

17 Q. Did you see anything about the attack from the mosque?

18 A. That is what I have said. I said they were shooting  
19 guns -- they shot a gun and it went all over the mosque  
14:57:10 20 and they were sending stones and the stones were meeting  
21 us in the mosque until when the soldiers came, knocked at  
22 the door of the mosque, and they took us out of it and  
23 they asked us to go to our houses. It was on my way to  
24 the house I saw a corpse, another corpse and another one;  
14:57:26 25 all of them had pieces of cloths on them. That was what  
26 I saw. When I reached my house, part of the house was  
27 broken.

28 Q. My question was whether you saw anything from the mosque

1 and I understood you that you did not see but hear  
2 anything, the noise of firing; is that right?

3 A. We who were in the mosque, for example, as we are here  
4 and something is happening, we closed the mosque and the  
14:58:20 5 gunshot almost overpowered us in the town. When the  
6 fighting quelled down and we opened the mosque, we saw  
7 everyone with his own group going to the house. That was  
8 what I saw, but while we were in the mosque, while the  
9 door was closed on us, I never saw something, but we  
14:58:40 10 actually knew that the Kamajors had come because they had  
11 said earlier on that they had to come.

12 Q. Mr Witness, for how long -- time when you were in the  
13 mosque, the attack lasted? From what time you could  
14 hear the noise of firing or fighting?

14:59:10 15 A. While we were in the mosque, it was one hour complete  
16 because there was a clock in the mosque. It was an  
17 hour's fight.

18 Q. And as I understood you, after the fighting you were  
19 informed by the soldiers that the fight was over and you  
14:59:36 20 can come out of the mosque; is that right?

21 A. Yes, that is it.

22 Q. And when you've left the mosque, what did you see outside  
23 on the road?

24 MR MARGAI: Objection, My Lord. That is very suggestive.

15:00:12 25 JUDGE THOMPSON: Sustained.

26 MR MARGAI: As My Lord pleases.

27 JUDGE THOMPSON: Learned counsel, you need to rephrase the  
28 question, it was leading; heavily leading.

1 MR SAUTER:

2 Q. What happened after you had left the mosque?

3 MR MARGAI: Objection. That is still leading.

4 JUDGE THOMPSON: Sustained. Did anything --

15:00:34 5 MR SAUTER:

6 Q. Did anything happen after you had left the mosque?

7 A. If things happen or something happen? Something  
8 happened.

9 Q. What happened, please?

15:00:50 10 A. Some houses were on fire, I said as I was going to my  
11 house, I saw Kamajors dead; three of them before reaching  
12 my house. That was what I saw.

13 Q. How did you recognise that the people you saw being dead  
14 are Kamajors?

15:01:20 15 A. They have a different uniform; they have a different way  
16 of dressing. They used to have a cotton cloth and horns  
17 on their heads with broken glasses all over them --  
18 hanging all over them.

19 Q. So when you reached to your house, what did you see?

15:01:50 20 MR MARGAI: Again, My Lord, I'm sorry to interject.

21 JUDGE THOMPSON: Sustained, sustained. Did you see anything?

22 THE WITNESS: When I reached at my house, I saw my house had  
23 been broken.

24 MR SAUTER:

15:02:12 25 Q. And where were your family?

26 A. Some of them were in the town, but when we had heard the  
27 news of that confusion I told them to go. Some of them  
28 were at the outskirts of the town, in the bush. The

1 younger ones were in Bo -- all of them were in Bo, and  
2 the elder ones were around.

3 Q. Did you make any decision for yourself of what to do at  
4 this stage?

15:02:52 5 A. Yes. On that Friday when the thing happened, I told my  
6 elder children that since this thing had happened we are  
7 not going to the bush, we were going to Bo so all of us  
8 went to Bo at night. We left xxxxxxxxx at about  
9 6.00 o'clock. It's xxxxxxxxx miles from Kxxxxxxx to Bo, we  
15:03:22 10 went that same night.

11 Q. After you've left the mosque, did you see any soldiers in  
12 the town?

13 A. I said when we left the mosque and I went to my house --  
14 THE INTERPRETER: My Lord, the speaker is speaking so fast.

15:03:56 15 PRESIDING JUDGE: Mr witness, speak slowly because you are  
16 being recorded.

17 MR SAUTER:

18 Q. So please answer again so that the translator would be  
19 able to translate -- interpret.

15:04:16 20 A. Okay.

21 Q. The question was whether or not you saw soldiers after  
22 you've left the mosque.

23 A. Yes, I saw soldiers. In fact, they were the ones who  
24 directed us that if anyone has to go to his house, he or  
15:04:48 25 she should go.

26 Q. What did the soldiers do?

27 A. Well, when I left my house I meet them also going to Bo,  
28 themselves and their families and all their properties.

1 That is what they did.

2 Q. Do you know for what reasons the soldiers left for Bo?

3 A. Well, I knew, but I knew it later along the way.

4 Q. So what did you know?

15:05:30 5 A. They said ECOMOG in Freetown had told them that all of  
6 them in xxxxxxxxx, Portoru, Pujehun, should go and report  
7 in Bo because ECOMOG had overthrown their master here, so  
8 they should go. That was why they went.

9 Q. Going back a little bit, what was the relationship  
15:06:02 10 between the soldiers and the population of xxxxxxxxx  
11 before the attack of the Kamajors on this Friday?

12 A. Thanks be to God. The soldiers and us, the civilians,  
13 were working very well, because they were the ones that  
14 were protecting us.

15:06:38 15 Q. Did the soldiers, when they left xxxxxxxxx for Bo give  
16 any advice to the civilians?

17 A. Yes.

18 Q. Please, tell us what advice they gave?

19 A. They said that they were going, if anyone would want to  
15:07:12 20 follow them you would follow them, but if you want to  
21 stay, their enemies - that is the Kamajors - if they come  
22 they would kill you, and therefore they were going.  
23 Therefore those that could go to Bo went and those that  
24 could stay, stayed.

15:07:30 25 Q. Thank you. So how long did you stay in Bo?

26 A. Yes, I was there for some time.

27 Q. For what time approximately?

28 A. I was there for two months, but even whilst I was there,

1 I was still going back and forth to Koribundu and coming  
2 back to Bo.

3 Q. For what reasons you went to Koribundu whilst staying in  
4 Bo?

15:08:18 5 A. xxxxxxxxx is my home, my people were there. Not all of  
6 them were in Bo. Some of them were in those surrounding  
7 villages, so I will go there at times and spend the whole  
8 day there and went back. That was the reason to go and  
9 know how they were there, but at times when we go we  
15:08:40 10 would be at the outskirts of the town because the  
11 Kamajors were there.

12 Q. Can you remember when you -- after having left xxxxxxxxx  
13 the first time return to xxxxxxxxx; after how many days?

14 A. When I went in that February? Yes, it was one and a half  
15:09:36 15 months, I went there, but I didn't sleep there; I used a  
16 motor bike, went quickly when I was told that my house  
17 had been burnt, I went and saw it myself and I returned.

18 Q. So, are you saying that the first time after you had left  
19 xxxxxxxxx returned after about one and a half months?

15:10:08 20 A. Yes.

21 Q. And what did you see; what was Koribundu like when you  
22 arrived there?

23 A. The place was turned upside down. There were several  
24 burnt houses and a lot of Kamajors.

15:10:32 25 Q. Are you able to estimate how many houses approximately  
26 were burnt down?

27 A. Within this one and a half month when I returned I could  
28 tell if I can't forget -- after it had taken a long time

1 when I went back, I could remember we counted about 161  
2 spoilt houses.

3 Q. You said, "we counted." Who is we?

4 A. We whose houses were burnt and were brave a little and  
15:11:34 5 knew something, were those who counted the houses.

6 Q. Could you estimate how many houses there were in  
7 xxxxxxxxx at this time?

8 A. We couldn't count, but if you could estimate the houses  
9 that remained that were not burnt were more than those  
15:12:14 10 that were burnt.

11 Q. What I would like to know is whether or not xxxxxxxxx  
12 was destroyed to the most part or whether only a small  
13 part of xxxxxxxxx --

14 PRESIDING JUDGE: The witness has said -- the witness has said  
15:12:36 15 that the houses which were unburnt out-numbered those  
16 that were burnt. That is what the witness has said.

17 MR SAUTER: Yes, but he did not give any information to how  
18 many per cent of the community was destroyed. This could  
19 be 51 per cent, this could be 99 per cent.

15:13:02 20 PRESIDING JUDGE: It is certainly 51 percent and more, of  
21 course, unburnt.

22 JUDGE THOMPSON: Isn't it -- would you be able to estimate  
23 that with any degree of exactitude? Isn't that answer  
24 clear and precise, that there were more houses unburnt  
15:13:18 25 than houses that were burnt?

26 MR SAUTER: I think that a distinction should be possible, but  
27 okay I've --

28 JUDGE THOMPSON: I was just wondering whether that's a matter

1 of evidence if he has stated that, and what you are  
2 trying to elicit now is a kind of percentage  
3 distribution. Would he be able to give that?

4 MR SAUTER: The intention of the -- I did not ask the witness  
15:13:52 5 for a percentage. Okay, but I've got the message. Thank  
6 you.

7 Q. So you said you went back and forth to xxxxxxxxx and Bo  
8 did anything extraordinary happened in xxxxxxxxx at this  
9 time?

15:14:14 10 A. Yes, something big happened. The Kamajors were there --  
11 were capturing our children, fine them; whatever little  
12 thing they would do, they would gather all of them and  
13 say, "You've done wrong." At times they were extorting  
14 money from them. Then after that, there came a time when  
15:15:02 15 Mr Norman -- when they said Mr Norman had to go there and  
16 greet us, so I went there.

17 MR MARGAI: My Lords, do I take it that this particular piece  
18 of evidence relates to the extraordinary as prefixed by  
19 the Prosecutor.

15:15:26 20 JUDGE THOMPSON: Well, I heard the word --

21 MR MARGAI: "If anything extraordinary happened."

22 JUDGE THOMPSON: I heard that question.

23 MR MARGAI: So I take it that the answer relates to the  
24 extraordinary.

15:15:30 25 JUDGE THOMPSON: That is the assumption I would make.

26 MR MARGAI: As My Lord pleases.

27 JUDGE THOMPSON: So there is no objection.

28 MR MARGAI: No, no, no, I'm not objecting. I just wanted to



1 be sure in my mind.

2 JUDGE THOMPSON: That's my assumption.

3 MR MARGAI: As My Lords please, thank you.

4 MR SAUTER:

15:15:56 5 Q. You mentioned the name Norman, Mr Norman. Who is  
6 Mr Norman?

7 A. Kini Norman was our chief; he was the regent chief of  
8 Jaiama-Bongor. He was sent there as the regent chief.  
9 May I continue?

15:16:30 10 Q. Yes, please.

11 A. That's why I named him. They said we were to go there  
12 for a meeting, so we went there.

13 Q. Do you know whether or not Mr Norman had any other  
14 function apart from being a regent chief?

15:16:56 15 A. Yes.

16 Q. Tell us, please?

17 A. May I explain?

18 Q. Yes, please.

19 A. He was deputy Defence Minister in Tejan Kabbah's  
15:17:18 20 government and also he was the overall boss of the CDF.  
21 Those are the three ways that I knew him, and I knew him  
22 very well.

23 Q. So, you said you knew him very well, did you meet him  
24 before the attack of the Kamajors on xxxxxxxxx?

15:17:46 25 A. Oh yes, before the Kamajor business, before the attack, I  
26 knew him. We had sat together and eaten, we had spoken;  
27 I know him very well.

28 Q. In which capacity you had contact with Mr Norman? Be

1 careful when answering this question, please. Okay, I  
2 will withdraw this question. So you said you were told  
3 Mr Norman wants to greet, I think, the people of  
4 xxxxxxxxxx when I remember correctly.

15:18:54 5 JUDGE THOMPSON: No, I think he said a meeting, address a  
6 meeting. Not greet at all.

7 PRESIDING JUDGE: A meeting, yes.

8 MR SAUTER: Okay, thank you.

9 Q. What kind of meeting was it, as far as you know?

15:19:14 10 A. The meeting was concerning this war.

11 Q. Could you give more details, please?

12 PRESIDING JUDGE: Did the meeting hold? Ask him that  
13 question.

14 THE WITNESS: Yes, we held the meeting.

15:19:42 15 MR SAUTER:

16 Q. Where was this meeting?

17 A. Right in xxxxxxxxxx.

18 Q. What do you mean, "right in xxxxxxxxxx?" Can you give us  
19 any particular location?

15:19:58 20 A. Yes, in the court barri. That town has a big court  
21 barri; it was there that we held the meeting.

22 Q. Can you remember when this meeting took place?

23 A. The meetings that we used to hold with Mr Norman were so  
24 much. That meeting, I can't say I can remember all of

15:20:36 25 it, but I think the meeting was actually concerning the  
26 Kamajors in xxxxxxxxxx, because the commander that was in  
27 xxxxxxxxxx he was in control of five chiefdoms. We  
28 saw -- when they said that Mr Norman was going to hold a

1 meeting, all the Kamajors of the five Chiefdoms went to  
2 xxxxxxxxx that day, and when he went, it was that same  
3 Kamajor issue that he talked about. So I think the  
4 meeting that we held that very first meeting --

15:21:20 5 MR MARGAI: I wonder if my learned friend could take charge of  
6 his witness. The question was: "When was the meeting  
7 held?" And he is going on a frolic of his own.

8 MR SAUTER:

9 Q. I did not want to interrupt you, Mr Witness. So once  
15:21:38 10 again, when was this meeting held in relation to the  
11 attack on xxxxxxxxx?

12 A. The year, the month or the day; which one are you talking  
13 about?

14 Q. How many days, or weeks or months?

15:21:56 15 A. Well, the time we held the meeting -- it's the date and  
16 the month that I'm thinking about, I can't just name it  
17 just like that. We held that meeting in 1999.

18 Q. Are you sure that it was 1999?

19 MR MARGAI: Objection, My Lord, objection.

15:22:38 20 A. Yes.

21 MR SAUTER:

22 Q. So once again, the attack on xxxxxxxxx you said was in  
23 1998; is that correct?

24 A. Yes.

15:22:54 25 Q. And the meeting you are speaking about, was it days or  
26 weeks or months after the attack on xxxxxxxxxu?

27 A. After the attack. Even if Mr Norman was going to  
28 xxxxxxxxx, but that particular meeting was held in 1998

1 when we, the elders, actually gathered people to meet.  
2 It was 1998 that we were driven out of the town, and then  
3 we couldn't just come close to the town, but when that  
4 meeting -- they said Mr Norman was going to hold a  
15:23:54 5 meeting there, all of us the elders -- let me tell you  
6 plainly, there was a faction that our children came  
7 together outside and they called Njabunda, they came  
8 together and said that we should leave that -- that  
9 descended from that town, had known that the town had  
15:24:04 10 been destroyed -- the place --

11 PRESIDING JUDGE: Please, let the witness answer the question  
12 put to him by counsel, please.

13 THE WITNESS: All right, sir.

14 MR SAUTER:

15:24:30 15 Q. Who were attending this meeting?

16 A. There were a lot of Kamajors, and us, the elders were  
17 there.

18 Q. And you yourself?

19 A. Yes.

15:24:52 20 Q. Could you estimate how many Kamajors were attending this  
21 meeting?

22 A. The Kamajors that were there were more than 400.

23 Q. And approximately how many civilians?

24 A. I can't give an exact number of the civilians that were  
15:25:30 25 there because there was so much crowd, but for us, the  
26 elders, we were there more than six.

27 Q. So the majority at this meeting was it formed by the  
28 Kamajors or by the civilians?

1 A. There were more Kamajors.

2 Q. And where were you placed during this meeting; was it  
3 inside the barri or outside the barri?

4 A. I was at the veranda because in the barri -- we couldn't  
15:26:22 5 enter, because there were so much Kamajors there, but  
6 say, for example, the distance between those judges and  
7 where I'm sitting here; that was where I was sitting.

8 Q. Inside or outside the barri?

9 A. I was not in the barri, but I was sitting on the railing  
15:26:50 10 of the barri, outside.

11 Q. Did anyone --

12 MR JABBI: Objection. My Lords, the translator has not  
13 correctly translated where the witness said he was  
14 sitting. The witness clearly said he was sitting outside  
15:27:20 15 the barri in a nearby house, and his translation says he  
16 was sitting on a railing of the barri which is not what  
17 the witness said.

18 PRESIDING JUDGE: I heard the witness say outside the barri,  
19 not inside.

20 MR JABBI: Yes, My Lord. It is the translation, My Lord.

21 PRESIDING JUDGE: The translator said it. That is what I got  
22 out of the translation that he was sitting outside the  
23 barri.

24 MR JABBI: As Your Lordship pleases.

15:27:40 25 JUDGE THOMPSON: Yes, I heard words like that and then I heard  
26 also "railing", you know, I think there was a confusion.  
27 So what do we settle for then, is it outside the barri?  
28 Can the translator help us because I heard "railing", I

1 heard "veranda", I heard "outside."

2 PRESIDING JUDGE: Let the witness help us. Let him help us  
3 again.

4 A. What I said, we were, say, in this house -- if they asked  
15:28:18 5 me say, for example, if I was in the house, I would say  
6 yes, I was in this Court. When the Kamajors came, I was  
7 afraid and I came out and sat on the railing; it was not  
8 too far from the barri. Say, look at the barri and look  
9 at the railing where I was sitting.

15:28:40 10 MR SAUTER:

11 Q. So what happened during this meeting? Did anyone address  
12 the people who were attending this meeting?

13 A. Yes.

14 Q. Who was it?

15:29:00 15 A. Mr Norman.

16 Q. When he addressed the people, could you see him?

17 A. Very well.

18 Q. Could you hear him clearly?

19 A. I was hearing him clearly just as I am hearing you now  
15:29:28 20 speaking.

21 Q. Which language was he using?

22 A. He was speaking in Mende.

23 Q. Was there any interpretation into another language?

24 A. Yes. There was one guy called Momodou Kijahun.

15:29:52 25 Q. What did he do?

26 A. When Mr Norman entered the barri, he was so angry and he  
27 greeted. He turned around and saw everybody, and watched  
28 the whole town and he said on to the Kamajors --

1 PRESIDING JUDGE: You mentioned the name of Momodou Kijahun  
2 and you left it there. What was Momodou Kijahun's role  
3 in this?

4 THE WITNESS: He was doing the interpretation into Krio

15:30:34 5 because there are Fullah people in that town and some  
6 other tribesmen, so whatever dignitary that is speaking  
7 would look for someone to be explaining to those that  
8 couldn't understand Mende.

9 Q. When Mr Norman entered the barri, was he by himself or  
15:31:00 10 was he accompanied by other persons you know?

11 A. He had a large entourage behind him; he entered there  
12 with a lot of people.

13 Q. Had there been any people you know by name?

14 A. No. The only person that I knew by name was Mr Charles  
15:31:42 15 Moiwo; I know him facially.

16 Q. So what was the content of the speech of Mr Norman?

17 A. Just after Mr Norman had greeted the people, he said:  
18 "What I had told you to do, you did not do. This war you  
19 come and fought here; you did not fight well because I  
15:32:14 20 told you to burn the whole of xxxxxxxxx and leave no  
21 living thing because it was this same xxxxxxxxx that the  
22 soldiers were based and they were going out killing  
23 people and looting people, and coming back. Nothing  
24 happened, but you did not do that which I told you." He  
15:32:32 25 was so angry.

26 Q. For how long did this speech last approximately?

27 A. Just as he uttered that particular word, I had a heart  
28 beat, and I walked by the house and went.

1 Q. You said when you heard the particular word, what do you  
2 mean by "this particular word"?

3 A. When he said that the guys did not fight a good fight  
4 because he had told them that they should come and burn  
15:33:34 5 the town and kill every living thing, and if they were to  
6 spare anything, it could be the mosque, the barri and  
7 that house at the junction, but they did not do that. So  
8 when he said that, my heart skip a beat and I went --  
9 took my bag and went back to Bo less these guys will grow  
15:33:58 10 furious again and start doing things abnormal.

11 Q. Had this been the only meeting you attended after the  
12 attack on xxxxxxxxx?

13 A. No, he held another meeting again.

14 Q. When was this? How long after the first meeting?

15:34:30 15 A. Two weeks.

16 Q. How did you get knowledge about the second meeting?

17 A. Then I was in xxxxxxxxx. That man was an authority so  
18 whenever he would have to hold a meeting, everybody would  
19 know in that chiefdom, but then I was in xxxxxxxxx.

15:35:00 20 Q. And did you attend this second meeting?

21 A. Yes.

22 Q. Where did this meeting take place?

23 A. In the same barri.

24 Q. And who attended the second meeting apart from you?

15:35:24 25 A. A large crowd of Kamajors went there again and we the  
26 town's people.

27 Q. Were there as many Kamajors as in the first meeting,  
28 approximately?



1 A. Yes.

2 Q. And as many civilians as in the first meeting?

3 A. Yes, we were there.

4 Q. Who was speaking in this second meeting?

15:36:02 5 A. It was Kine Norman that spoke.

6 Q. And what did he say?

7 A. He told his commander -- there was a man called Joe

8 Tamidey. Joe Tamidey said we were not feeding them, we

9 were not working for them and Mr Norman said: "You are a

15:36:44 10 warrior, this [bulgor] that this people are having, is it

11 the one that they should give you, two cups of [bulgor]

12 is that what they should give you? In fact, I have been

13 hearing that they were cursing you. Instead of they

14 cursing you, they should curse me because I sent you

15:37:00 15 here." That was what Mr Norman said.

16 Q. Did you stay in the barri until the end of this meeting?

17 A. I did not sit there till the meeting ended. I said what  
18 does this man mean to do to us in this town?

19 Q. Can you say how long approximately you stayed in the

15:37:34 20 barri? Was it a few minutes or hours?

21 A. It took some time because whenever they will say

22 Mr Norman would have to go, we would be the first people

23 that will go, we would sit there and wait till he would.

24 We waited for some time until Mr Norman went. He went

15:37:54 25 there, he was speaking, but there were some things he

26 would say, whosoever this war might have hurt, you would

27 leave the place. That is what obtained.

28 Q. The second meeting, when Mr Norman was speaking, could

1 you see him?

2 A. Very well. I saw him clearly.

3 Q. Could you hear him clearly?

4 A. I heard him clearly.

15:38:34 5 Q. Which language was he using during his speech in the  
6 second meeting?

7 A. He was speaking in Mende.

8 [3.40 p.m. HN130904D]

9 Q. What did you do after you have left the meeting, I am  
10 speaking about the second meeting.

11 A. I went to my house. I was at my house.

12 Q. You mean your house in ~~xxxxxxxx~~?

13 A. Same, my kitchen, yes, that little place that I used to  
14 sleep, my kitchen; I was there.

15 Q. Coming once again back to the meeting, the second  
16 meeting, in the Court Barri, did you see any person in  
17 the vicinity of Norman who you know?

18 A. Yes.

19 Q. Who was it?

20 A. There were our brothers; Mr Gbao, Sheku Gbao, Mr Sundu  
21 Fukamule [phonetic]. There were those that I saw. The  
22 other people that he went together with them, I didn't  
23 know them much.

24 MR KAMARA: Thank you very much, Mr Witness. I do not have  
25 any more questions, thank you.

26 MR MARGAI: Sorry, My Lords, may I just get the correct names  
27 that were mentioned, the two names mentioned?

28 JUDGE BOUTET:

1 Q. Mr Witness, can you repeat the last two names that you  
2 have mentioned? Mr Witness, open your mic, please.

3 A. Sembe Gbaowa [phonetic].

4 Q. And the other name?

5 A. Sundu Fukamole. Sundu Fukamole. They were section  
6 chiefs, those that I have just named.

7 Q. Thank you.

8 JUDGE BOUTET: The first accused, are you ready to proceed  
9 with your cross-examination? And, Mr Norman, before you  
10 respond to me, would you please indicate to me how you  
11 want to do it now. Do you want to ask questions first  
12 and then ask your counsel to follow up or --

13 THE ACCUSED NORMAN: Just a few questions, My Lord, and I will  
14 leave the rest to the counsel.

15 JUDGE BOUTET: That's fine, Mr Norman, I just want to caution  
16 you about what we discussed in closed session, so you  
17 don't get caught in this kind of scenario. So having  
18 said that, please proceed.

19 THE ACCUSED NORMAN: Thank you, My Lord, if I am, please stop  
20 me.

21 JUDGE BOUTET: I will.

22 CROSS-EXAMINED BY MR NORMAN:

23 Q. Mr Witness, I am sorry I have to refer to you as  
24 Mr Witness, this is not usual between you and myself, but  
25 that is what the law says we should do, so you must  
26 excuse me. You and the elders of xxxxxxxxx and myself  
27 met over the issue of raising xxxxxxxxx own  
28 Kamajors. Did we meet -- do that meeting? Did we or did

1 we not meet?

2 A. Let let him go over the question again.

3 Q. Did you -- did we -- you, myself and other elders of

4 xxxxxxxxxx meet to raise Kamajors of xxxxxxxxxx?

5 A. Yes.

6 Q. And you, as a person, also had relatives among the

7 Kamajors that were raised.

8 A. Please explain, what do you mean by relatives, my

9 children, my -- my own children, my -- my -- my -- people

10 should, whatever, explain what you mean.

11 Q. [Inaudible] Brima was a relative of yours and he was a

12 Kamajor.

13 JUDGE BOUTET: Mr Norman, I know it is difficult, but this is

14 exactly what we need not to be talking of or by names

15 because this is -- that was part of the closed session

16 this morning. I know in the closed session these were

17 discussed, but now by doing this it may indeed reveal the

18 identity of the witness. So --

19 THE ACCUSED NORMAN: Thank you.

20 Q. I -- you did mention some names which were relatives of

21 yours as Kamajors, did you not?

22 A. Yes, I mentioned.

23 Q. Thank you. I am constrained, but you mentioned one that

24 was a chief.

25 JUDGE BOUTET: But, Mr Norman, if you feel constrained, we

26 could go in closed session, I mean, the purpose here is

27 not to constrain you. We are constrained now because we

28 are in the public session, but if you want to pursue

1           these questions, we could go in the closed session and  
2           allow you to do so.

3 THE ACCUSED NORMAN: Thank you, My Lord, for expeditiousness I  
4           will leave that to the [inaudible].

5 JUDGE BOUTET: Fine.

6 THE ACCUSED NORMAN: I will leave that to the lawyers.

7 Q. In your statement you made a statement to those who went  
8           to take a statement from you; did you?

9 A. I did not give a statement to those that went to me and  
10          that chief that he just talked about, the chief that was  
11          killed, was not a Kamajor.

12 Q. Please hold on.

13 A. Even though it was my son, he was not a Kamajor.

14 Q. I only ask whether you made a statement to anybody on  
15          which you are giving testimony here.

16 A. Yes.

17 Q. Did you sign that statement?

18 A. No.

19 Q. You don't remember signing the statement at all?

20 A. No, I can't remember signing any statement that I gave.

21 Q. Thank you. In that unsigned statement, did you mention  
22          any name -- My Lord, this name was not mentioned as a  
23          closure issue -- did you mention any name called Silaji  
24          Rogers or Silaji?

25 A. Yes.

26 Q. Do you know who was Silaji at the time at that --  
27          Kamajors were raised in xxxxxxxxx?

28 A. There was no [inaudible] Kamajor decision, but I know



1 for houses to be burnt in that statement? Did you or did  
2 you not, or you don't remember?

3 A. No, I can't remember that now.

4 Q. And if that statement is read to you, would you agree  
5 that you said so?

6 A. If I say that I signed it, then I will say I so.

7 Q. Thank you.

8 A. But if I didn't, then I won't answer to it; I won't say  
9 yes to it.

10 Q. I remember you in -- under examination-in-chief you  
11 mentioned about only three groups that you called them  
12 factions in the war. Three groups. This was the SLA,  
13 the RUF and the CDF; did you?

14 A. Yes.

15 Q. Did you know of any other group apart from those three?

16 A. Even if -- even if I know of another group, and I think  
17 if anybody could -- all the initiations, whatever they  
18 could initiate and could graduate under that initiation,  
19 were all under and below CDF.

20 Q. I have not come to initiation yet. I am talking about  
21 groups that participated in the conflict that you  
22 referred to. You said, "The army, the RUF and the CDF."  
23 Surely the army and the RUF were not initiated.

24 A. [No interpretation]

25 Q. Well if I remind you that there was another group called  
26 ECOMOG, would you agree?

27 A. Yes. Yes, I know, I know them.

28 Q. Then there was another group referred to as UNAMSIL;

1 would you agree?

2 A. Yes.

3 Q. And then before ever the Kamajors came, you and myself  
4 and others arranged to raise Kamajors. You knew also  
5 that there were some others that were not perfectly  
6 soldiers, but they were being referred to as vigilantes  
7 and border guards based in xxxxxxxxx with the soldiers;  
8 would you agree?

9 A. Yes, they were.

10 Q. Also --

11 JUDGE THOMPSON: Is it both vigilantes and border guards?

12 THE ACCUSED NORMAN: And border guards.

13 JUDGE THOMPSON: Separate groups?

14 THE ACCUSED NORMAN: Different groups, separate groups.

15 JUDGE THOMPSON: I see.

16 THE ACCUSED NORMAN: Under the army.

17 Q. Also, Mr Witness, you have indicated here that Hinga  
18 Norman attended some meetings at xxxxxxxxx and that he  
19 went there with some people.

20 A. Yes.

21 Q. And that you also attended.

22 A. Yes.

23 Q. Whenever Hinga Norman went to xxxxxxxxx, which house  
24 would you really go and sit until he was called to the  
25 meeting? Which house: the owner of the house, the name  
26 of the -- of the -- of the owner of the house you know  
27 very well. What was that name? He is deceased now, I  
28 know, but help. The name.



1 A. Well, when he was sent to us, whenever I would go to hold  
2 a meeting, he would go to AJ Lamin's house.

3 Q. And it was at that house you, myself and others always  
4 met?

5 PRESIDING JUDGE: Let's have the name of that man.

6 THE ACCUSED NORMAN: You met at that meeting.

7 PRESIDING JUDGE: The man that owns that house.

8 THE ACCUSED NORMAN: AJ Lamin, My Lord. And most times I  
9 slept there.

10 JUDGE THOMPSON: Can we have the -- I think there was a  
11 subsequent question whether he agrees with you that you  
12 and himself and someone else always met in the house.

13 THE ACCUSED NORMAN: That's what I am following up.

14 JUDGE THOMPSON: Yes, quite. We don't have the answer.

15 THE ACCUSED NORMAN:

16 Q. That you, myself and others always, whenever I was in  
17 ~~xxxxxxxxxx~~, even if I was sleeping there, we were always  
18 met there. Not meeting, not held meeting, but we always  
19 met there.

20 A. Yes, whenever I would go, he would go to AJ Lamin's place  
21 and all of us would go there and we sit and discuss.

22 Q. Indeed others things, ate and drank.

23 A. We -- I ate together with you, but I didn't drink  
24 together with you.

25 Q. You did, you drank water and soft drink, not wine, I know  
26 that.

27 A. Yes.

28 Q. Now, you said at the meeting in the Court Barri you saw

1 Chief Hinga Norman and he was addressing the meeting.

2 Before Chief Norman addressed the meeting, did anybody  
3 speak before Chief Norman?

4 A. This meeting that I'm talking about when Mr Norman went,  
5 he was so angry when he entered the Barri. He was so  
6 angry. And when he turned round and saw everybody and he  
7 said, "Thank you, the work that I told you to do, you did  
8 not do it. You are supposed to have rased this town to  
9 the ground." He said, "These are the people that..."

10 MR JABBI: The witness is not dealing with your question that  
11 has posed to him.

12 JUDGE BOUTET: One person asking questions at this time.

13 MR JABBI: Okay.

14 JUDGE BOUTET: And after that that's for you. So, I mean, you  
15 are part of Mr Norman's team.

16 THE ACCUSED NORMAN:

17 Q. Thank you. So, you are saying I just walked into the  
18 Court Barri and I started addressing; did you? Are you  
19 saying that?

20 A. That's what you did just as you left -- as you entered.  
21 You were so angry when you are speaking in that meeting.  
22 I am not talking about another meeting, but that  
23 particular one.

24 Q. And you have to leave, and that was very usual of you  
25 personally leaving me talking and then you walking away;  
26 was it?

27 A. That is not usual of me, but in that case I did it.

28 Q. Thank you. And you said you have stated here what I

1 said, if I remind you of the rest that you have not said  
2 I said, would you agree?

3 A. [No interpretation]

4 Q. Hold on. Hold on.

5 A. Yes, but --

6 Q. I want to agree with you that I was vexed. And this is  
7 what I said. You will have to agree or disagree, that  
8 you, the people of xxxxxxxx, has -- had caused the  
9 suffering of the people of xxxxxxxx. And that it was  
10 because you were split in two groups: one group  
11 supporting soldiers, the other group supporting Kamajors,  
12 that had inflicted such injury and pain over my people of  
13 xxxxxxxx. And that you were not to blame the soldiers  
14 nor the Kamajors, but yourself.

15 JUDGE BOUTET: Mr Norman, please allow the witness to respond,  
16 because your question is getting very long with many  
17 sub-questions, so --

18 THE ACCUSED NORMAN: Sorry, My Lord. Among others those were  
19 some of the salient utterances I made.

20 JUDGE THOMPSON: The first part of it you say was that you  
21 want him to agree with you that you had said that --

22 THE ACCUSED NORMAN: They.

23 JUDGE THOMPSON: -- they had caused the suffering of the people  
24 of Koribundu.

25 THE ACCUSED NORMAN: Of xxxxxxxx.

26 JUDGE THOMPSON: By being split in their loyalty towards  
27 soldiers and who?

28 THE ACCUSED NORMAN: And Kamajors.

1 JUDGE THOMPSON: And Kamajors. Well let him answer that part  
2 first.

3 THE ACCUSED NORMAN: Yes.

4 Q. You are speaking the truth before this light and this  
5 chair, these honourable chairs and everybody here, and I  
6 respect your truth.

7 A. When he said that we had made the people to suffer in  
8 xxxxxxxxx because we were split among soldiers and  
9 Kamajors, no, that is not what happened. No, it is not  
10 so.

11 Q. And that --

12 MR MARGAI: My Lords, I am sorry, I think we --

13 JUDGE THOMPSON: I don't have the answer.

14 MR MARGAI: No, I think we need clarification here, because  
15 according to his answer, it's a bit ambiguous, because it  
16 could mean that that was not said by Chief Norman, or the  
17 conduct that is alluded to is not true of them.

18 JUDGE THOMPSON: Well, actually I do not accept the question  
19 is reformulated, but what I understand the question to be  
20 is that the first accused is asking him whether he agrees  
21 with him that at that meeting he did say that it was the  
22 people of xxxxxxxxx that had caused the sufferings, or  
23 that it was they who had caused the suffering of the  
24 people of xxxxxxxxx --

25 MR MARGAI: By having a split loyalty.

26 JUDGE THOMPSON: Towards -- one towards the soldiers and --

27 MR MARGAI: As My Lord pleases.

28 JUDGE THOMPSON: In other words, he is asking him to agree or

1 disagree that he, the first accused, did say that or did  
2 make that statement at the meeting.

3 MR MARGAI: Yes.

4 JUDGE THOMPSON: And that's why I wanted us to deal with that  
5 first before we go to stage two and stage three.

6 MR MARGAI: Very well, as My Lord --

7 THE WITNESS: He said so, that is what he has even said. He  
8 said so, that we have -- we were split, some of us  
9 supporting the Kamajors and the others supporting the  
10 soldiers. He said that. He said that. He himself has  
11 answered that; he said so.

12 THE ACCUSED NORMAN:

13 Q. Thank you, thank you.

14 JUDGE THOMPSON: The answer is, "I agree."

15 THE ACCUSED NORMAN: Thank you.

16 Q. And that you should not blame the soldiers nor the  
17 Kamajors, but yourselves.

18 A. No, it is not so.

19 Q. At the second meeting you stated that I told someone  
20 called Joe Tamidey that they were warriors. They should  
21 not complain about you not feeding them on your  
22 [inaudible]. Did you say that?

23 A. Yes.

24 Q. Thank you. And that Joe Tamidey should not bother me  
25 with such complaints. Before Joe Tamidey's arrival at  
26 the time you saw him, was there any other commander  
27 before him in xxxxxxxxx? If you don't remember the  
28 name, I will call the name, perhaps you will remember.

1 JUDGE BOUTET: Mr Norman, I am not sure I understand your  
2 question. Are we talking Joe Tamidey's at that meeting,  
3 or in the region?

4 THE ACCUSED NORMAN: No, I have left that meeting now and we  
5 have gone to another meeting, that is the second meeting.

6 JUDGE BOUTET: I know, you are talking of the second meeting.

7 THE ACCUSED NORMAN: After the second meeting which -- what  
8 happened has been said. I am now proceeding to before  
9 Joe Tamidey's arrival in the area as a commander.

10 JUDGE BOUTET: Okay, in the area, that's what I was asking.  
11 Thank you.

12 THE ACCUSED NORMAN:

13 Q. Whether, Mr Witness, you are aware of his predecessor,  
14 somebody who had been there before him. He was a Bahama.  
15 And perhaps if I call the name, Vanjawai, that will ring  
16 a bell. Vanjawai.

17 PRESIDING JUDGE: Mr Norman, ask him if he knows Mr So-so-so.

18 THE ACCUSED NORMAN:

19 Q. Do you know the commander that was before Joe Tamidey  
20 called him by name?

21 PRESIDING JUDGE: Give him the name.

22 THE ACCUSED NORMAN:

23 Q. Vanjawai.

24 A. Oh yes. Yes, he was Bahama.

25 Q. Do you know, you and others, sent a word of complaint  
26 about him to me and the council of chiefs in Base Zero?

27 PRESIDING JUDGE: Who was Vanjawai?

28 THE ACCUSED NORMAN: He was a commander.

- 1 PRESIDING JUDGE: No, it is not for you to answer.
- 2 THE ACCUSED NORMAN: Sorry.
- 3 PRESIDING JUDGE: I am asking the witness.
- 4 THE WITNESS: This Vanjawai, they said he was a wonderful  
5 Kamajor. They said he had come to attack xxxxxxxxx.  
6 This Vanjawai that Mr Norman is talking about, I don't  
7 know him, but I used to hear his name, said he was a bad  
8 man. They said you -- you will have to come and attack  
9 xxxxxxxxx, but we didn't see him attack xxxxxxxxx.
- 10 THE ACCUSED NORMAN: Thank you.
- 11 PRESIDING JUDGE: Okay.
- 12 THE ACCUSED NORMAN: Then --
- 13 THE WITNESS: Is it water for drink?
- 14 JUDGE BOUTET: Yes, it is for you.
- 15 THE ACCUSED NORMAN:
- 16 Q. Now, normally at a meeting, where do you say was the  
17 arrangement for the elders and the chiefs to sit in the  
18 Barri?
- 19 A. Well, for that one, I will give an example. Say, for  
20 example, this Court, say like where the judges are  
21 sitting, those are where -- that was where the elders  
22 were sitting. They usually -- some people sit on the  
23 railings and the elders would sit around where the judges  
24 are seated now.
- 25 Q. The elders and the sub-chiefs always sat together with  
26 the regent chief or the paramount chief, like My Lords  
27 are sitting? So that was the position that Chief  
28 Sundeful [phonetic] and Chief Bowa [phonetic] and others

1 were sitting along with me? You remember that?

2 A. Yes, all of them will be seated there. [Overlapping  
3 microphones].

4 Q. And yourself and others will sit just right in front of  
5 me, facing me.

6 A. Yes, when there was a -- when he will go -- he will go as  
7 a regent chief. When the war was not as intensified as  
8 then, that is the way we used to sit.

9 Q. [Mr Norman interrupts] was always interpreted.

10 A. If he would be present at such a meeting, he will  
11 interpret, but if he would not be present there, he would  
12 not interpret.

13 Q. At that particular meeting you are talking, he was there  
14 and he interpreted.

15 A. Yes.

16 Q. Do you know a man by the name of Daramy Rogers?

17 A. Yes.

18 Q. Was he in any way around that area during that meeting?

19 A. I did not see him.

20 Q. Do you know a man by the name of Charles Moiwo?

21 A. Yes.

22 Q. Did you see him around that meeting?

23 A. Yes.

24 Q. Did you see Chief Foday of Telu at that meeting?

25 A. There was -- there was a lot of crowd. I didn't see him,  
26 but possibly he was there.

27 Q. These are our own prominent chiefs, if you saw them, you  
28 will realise, you would know them. Did you see them, did



1 you see him? You won't forget his name. Chief Foday,  
2 Chief Foday, the section chief.

3 A. I did not see him, even if he was there I did not see  
4 him.

5 Q. Did you Silaji Rogers at the meeting?

6 A. Yes.

7 Q. Did you see Mr Brima Tarawallie at the meeting, you know  
8 Brima Tarawallie?

9 A. Yes, he was a warrior.

10 Q. What did Brima Tarawallie do during the war as a Kamajor,  
11 to your knowledge?

12 A. I cannot tell because I was not in their group. I cannot  
13 tell.

14 Q. Right, but you know, as an elder, that it was true that  
15 same Brima Tarawallie that you and others sent -- always  
16 sent messages to me as your chief in Base Zero.

17 A. Well, I never -- I never was present at any meeting where  
18 they sent Brima Tarawallie to Chief Norman.

19 Q. [Mr Norman interrupts] and you also know that you and  
20 myself and elders of xxxxxxxxx had a policy that  
21 whenever there was any stranger in any of the towns, the  
22 chief of the town would know where they reside or where  
23 they resided.

24 A. Mr Norman, please go over that question again.

25 Q. I will talk slowly. You, myself, the other elders of the  
26 chiefdom made it a policy in xxxxxxxxx that because  
27 there was war, so anybody who entered our town or  
28 villages, that person or those people shall report to the

1 chiefs to know with whom they were staying and with whom  
2 they were putting up.

3 A. Yes, that's the traditional policy, besides even yours,  
4 that is what we meant, whosoever -- whenever a stranger  
5 would go to one, you would have to tell the household  
6 head and you tell the chief, it's a traditional law.

7 Q. So if there was any other tribe, apart from your people  
8 residing in xxxxxxxx, those tribes or those people will  
9 be identified with their stranger heads; not so?

10 A. Yes, whether it was a Temne man, a Mende man, what was  
11 your -- you would be responsible for. You will have to  
12 show with whom you are staying or for whom you are  
13 staying.

14 Q. So if anyone got killed, the stranger head would know;  
15 not so?

16 A. Please go over that question again.

17 Q. Having made that type of rule and regulation, if anybody  
18 got missing in xxxxxxxx or got killed, the stranger  
19 heads would know.

20 A. Yes. When -- only if -- when the stranger goes and you  
21 report that stranger, you introduce him to the chief, but  
22 either he dies naturally or being killed or whatever, you  
23 will report it to the chief. If you are not pleased, you  
24 will report it to the chief.

25 Q. During my stay in Telu, did any incident occur that you  
26 remember that was of importance to the entire chiefdom  
27 affecting Chief Norman, to your knowledge?

28 A. Sorry sir.

1 PRESIDING JUDGE: Yes.

2 THE WITNESS: Sorry, sir.

3 PRESIDING JUDGE: Yes.

4 MR. WITNESS: Most of the questions that Mr Norman is asking  
5 me are not part of my statement. I have the answers to  
6 them, but they are not part of my statement.

7 JUDGE BOUTET: That's okay you still have to answer his  
8 questions.

9 PRESIDING JUDGE: You can still answer, you are not bound to  
10 answer only questions which are in your statement. Okay?  
11 You should answer all the questions which he puts to you.  
12 You are not limited to only your statement. I know you  
13 are a judge and you are haunted by your own profession as  
14 a traditional judge. You don't want to incriminate  
15 yourself.

16 THE WITNESS: Yes, because I don't want to open old wounds.

17 PRESIDING JUDGE: He says he doesn't want to open old wounds,  
18 that's why he doesn't want to answer -- that's why he  
19 doesn't want to answer many questions.

20 THE ACCUSED NORMAN:

21 Q. [Inaudible]

22 A. I don't want to open old wounds, but if you want me to  
23 answer, I can answer.

24 Q. [Mr Norman interrupts] me and my people --

25 PRESIDING JUDGE: Mr Norman, unless the questions are very  
26 relevant to your case --

27 THE ACCUSED NORMAN: Yes, My Lord.

28 PRESIDING JUDGE: -- the witness says he does not want to open

1 old wounds and, as you very well appreciate, one of the  
2 rules of this Tribunal is to do justice and to encourage  
3 reconciliation amongst the components of this troubled  
4 society as best as we can. So, it is for you to  
5 determine, you know, how pertinent or how vital a reply  
6 to the questions you are putting, you know.

7 THE ACCUSED NORMAN: The peculiar --

8 PRESIDING JUDGE: Yes.

9 THE ACCUSED NORMAN: -- the peculiar situation is that the  
10 accused Samuel Hinga Norman is being defended by Chief  
11 Samuel Hinga Norman.

12 PRESIDING JUDGE: Mr Norman, go ahead, please.

13 THE ACCUSED NORMAN: Thank you, My Lord.

14 PRESIDING JUDGE: Go ahead, go ahead. It was just an advice.

15 THE ACCUSED NORMAN:

16 Q. Mr Witness --

17 A. Yes.

18 Q. -- you see me smiling. It is not an issue that I should  
19 smile over. Nor my standing here is funny, it is not,  
20 but only that the Krio man says, [words spoken in Krio].  
21 I just want to jog your memory about what happened to all  
22 of us, and when I ask you this question, I am not  
23 deliberately asking you to open new wounds that would  
24 cause tears to you or myself, but it is the truth, that's  
25 all.

26 A. That's why I raised up my hand. If the judges -- if the  
27 judge tells me to answer, then I will answer. He asked  
28 if we knew what happened to you in Telu, is that -- is



1 that not the question? That's why I have asked the judge  
2 if he wants me to answer the question, I will answer it.  
3 Can I answer? May I answer the question?

4 PRESIDING JUDGE: Yes, please answer the question if Mr Norman  
5 wants you to answer the question.

6 THE WITNESS: Well, I can't remember the time, but at the time  
7 when there was so much confusion in that land, they said  
8 Mr Norman had been attacked in Telu, but he was not just  
9 attacked. There was a time -- he said he wanted to train  
10 children to fight a war. There were a lot of boys; there  
11 were a lot of boys. I can't remember the number now. He  
12 said he wanted to train them the art of war. He used to  
13 go to Koribundu to the soldiers. Mr Samura they used to  
14 discuss. I used to see Samura giving them some guns. He  
15 had a boy with him called Tamba; he used to take him  
16 along. So this went on for some time, then we saw  
17 this -- the soldiers had been -- had been sent to him at  
18 Telu, that they should be there together just helping to  
19 train those boys. After some time they sent some  
20 other -- some others again. Then we said, "This thing  
21 is, this thing is serious," till about a month. Then we  
22 are there one morning they said the rebels had attacked  
23 the town. Then we said where was Mr Norman? Then they  
24 said -- they said he was not there; he was in Bo. Then  
25 he said, "No, these were our warriors that had gone  
26 there, and this man had taken children there; what would  
27 we do?" We did not go there. They attacked. After some  
28 time, I particularly met with him in Bo. I said, "How

1 did it happen?" He said, "They attacked me." But I went  
2 and I was lying under a lime tree and in Alhaji Conteh's  
3 [phonetic] house I was lying there. That was what  
4 Mr Norman told me. That is what happened that was  
5 serious that happened about him, that he went and said he  
6 wanted to train boys the art of war. They killed all of  
7 those boys; all of them were killed.

8 Q. When you talk about boys, are you talking about five  
9 years old or older men, young men?

10 A. They were young men, starting from 15 years, 16 years,  
11 sometimes 20 years.

12 Q. Who sent them for the soldiers to train them? Was it a  
13 chiefdom arrangement or was it solely Hinga Norman  
14 arrangement?

15 A. It is that same Mr Norman that did say it was his  
16 arrangement, because he was our head. He headed all of  
17 us, so whatever he could bring to us, there was no way of  
18 denying it. But we also didn't like it the way the  
19 soldiers were in xxxxxxxxx and he said that he should go  
20 and train the boys in xxxxxxxxx. It was so awful, but we  
21 couldn't deny it, because as he was our head.

22 Q. Did xxxxxxxxx select their own people to be trained?

23 A. Yes, they sent them.

24 Q. The other chiefdoms also sent their own to be trained?

25 A. Yes.

26 Q. Thank you. Now, Mr Witness, you have said here that you  
27 suffered in this war. Do you know, as a matter of fact,  
28 that you were not the only one that suffered the ravages





- 1 of this war?
- 2 A. Ours and mine are not the same, but I'm much more  
3 concerned about the mine.
- 4 Q. That is the reason why I wanted to ask you about the  
5 attack on Telu Bongor. What would you say was the  
6 estimated number of people killed in Telu Bongor --  
7 civilians, in that attack and Kamajors? If you don't  
8 remember I will not force you, I will just suggest a  
9 number, perhaps you remember?
- 10 A. Go over that again.
- 11 Q. What was the estimated number of casualties, people  
12 killed in that one single attack on Telu?
- 13 A. I don't know the number.
- 14 Q. But you know it was alarmingly high.
- 15 A. Yes, there was so much, but I don't know the number.
- 16 Q. It was very -- it was more than 500 on that one day.
- 17 A. No, don't say that to me. You made the arrangements, if  
18 you say so, then you will be correct.
- 19 Q. Mr Witness, you know it is not usual for any chiefdom  
20 which you, the tribal authorities or the chiefdom  
21 authorities, may exclude them of decision-making you have  
22 stayed here; not so? You said it. I didn't say it for  
23 you. Now don't exclude yourself.
- 24 A. Yes.
- 25 Q. [Mr Norman interrupts] comparing that number of  
26 casualties in Telu to that number in xxxxxxxxx, which was  
27 greatest?
- 28 A. Well, I would have said that Kxxxxxxx out-numbered the

1 Telu's.

2 Q. [Mr Norman interrupts] casualty.

3 A. Yes.

4 Q. What did you say in your statement that was the estimate  
5 in Koribundu?

6 A. [No interpretation]

7 Q. Fine, thank you.

8 A. I talked about the two people, my people, are dying.

9 Q. [Mr Norman interrupts] Thank you.

10 THE ACCUSED NORMAN: Thank you, My Lord.

11 JUDGE BOUTET: Thank you.

12 PRESIDING JUDGE: Mr Norman, are you through?

13 THE ACCUSED NORMAN: [Inaudible] My Lord.

14 PRESIDING JUDGE: You are through. We shall break for ten  
15 minutes and we will pursue the cross-examination by  
16 stand-by counsel.

17 The Court will rise for ten minutes.

18 [Recess taken at 4.38 p.m.]

19 [On resuming at 5.00 p.m.]

17:01:55 20 [HN130904E]

21 JUDGE BOUTET: Counsel for first accused?

22 CROSS-EXAMINED BY MS WHITAKER:

23 MS WHITAKER:

24 Q. Mr Witness, did you ask the Prosecution to keep your  
17:02:02 25 identity a secret?

26 A. Yes.

27 Q. Are you afraid of people knowing your name?

28 A. Yes.

1 Q. Have you spoken to anyone from the TRC - the Truth and  
2 Reconciliation Commission?

3 A. I do not understand what the Truth and Reconciliation  
4 Commission is -- whether they went to me and spoke to me.  
17:02:51 5 I don't understand.

6 Q. Were you aware that there was a Truth and Reconciliation  
7 Commission held in Sierra Leone?

8 A. Yes.

9 Q. Did you speak to people from that Truth and  
17:03:07 10 Reconciliation Commission?

11 A. Yes.

12 Q. Did you give evidence at the Truth and Reconciliation  
13 Commission?

14 A. No.

17:03:35 15 PRESIDING JUDGE: What is the answer?

16 THE INTERPRETER: No.

17 PRESIDING JUDGE: He did not give evidence.

18 THE INTERPRETER: No, he didn't.

19 MS WHITAKER:

17:03:44 20 Q. You gave a statement to the Prosecution, is that right,  
21 for this court?

22 A. This court -- this one that we're sitting in?

23 Q. Yes.

24 A. Yes.

17:04:04 25 Q. And did you tell the truth in that statement?

26 A. Yes, I said what I knew.

27 Q. Have you read through it recently -- today or yesterday,  
28 the last few days?

1 A. If I've read it? No, I have not.

2 Q. Was it read through to you at the time then?

3 A. Yes, they did.

4 Q. And I think you signed the statement; that's right, isn't  
17:04:50 5 it?

6 A. I didn't sign it.

7 MS WHITAKER: Could the witness be shown the statement and  
8 asked if that's the -- sorry.

9 Q. At the bottom of the page, Mr Witness, is that your  
17:05:12 10 signature?

11 A. Yes, it has my signature.

12 Q. Thank you. And I think on every page it has your  
13 signature; is that right?

14 A. Yes.

17:06:15 15 Q. And there's nothing you wish to change about that  
16 statement now?

17 JUDGE THOMPSON: Please identify the statement this is.

18 THE WITNESS: It has my signature, but I didn't write it.

19 MS WHITAKER:

17:06:37 20 Q. No, but you signed it?

21 A. I'm saying that it has my signature.

22 MS WHITAKER: Not just the signature, My Lord.

23 JUDGE THOMPSON: Quite. I want this for the records.

24 MS WHITAKER:

17:06:53 25 Q. But there's nothing you wish to change about that  
26 statement now, as far as you know?

27 JUDGE BOUTET: I'm not sure this is a fair question of this  
28 witness.

1 PRESIDING JUDGE: He hasn't read the statement.

2 JUDGE BOUTET: You ask him to read the statement first before  
3 you ask him -- he just said to you that he didn't write  
4 the statement. I mean, this is his signature, but maybe  
17:07:10 5 you should ask him to read it and ask him.

6 MS WHITAKER: He said it was read through to him at the time  
7 and I was just asking now --

8 JUDGE BOUTET: What is the time -- when was that?

9 MS WHITAKER:

17:07:18 10 Q. Do you know when they came to interview you,  
11 Mr Witness -- the Prosecution?

12 A. No, I can't remember that date.

13 Q. But as far as your evidence is, you told them the truth  
14 in that statement when they came to see you; yes?

17:07:47 15 A. Yes.

16 Q. Now, Mr Witness, is it correct that **xxxxxxxx** and **xxxxxxxx** are  
17 two amalgamated chiefdoms -- they were brought together  
18 in the '60s?

19 A. Yes, **xxxxxxxx**, it consists of two chiefdoms, but it  
17:08:27 20 was amalgamated together and called **xxxxxxxx**. It's  
21 an amalgamated chiefdom.

22 Q. **xxxxxxxx** was one and **xxxxxxxx** was the other; is that right?

23 A. Yes, what has been amalgamated, it's now one chiefdom.

24 Q. Yes, but the amalgamation caused some resentment between  
17:08:46 25 the two chiefdoms; is that right?

26 A. Resentment, yes, it was there.

27 Q. Because I think it's right there are more people in the  
28 **xxxxxxxx** chiefdom than in the **xxxxxxxx** chiefdom; is that

1 right?

2 A. Yes.

3 Q. So when there were elections for the paramount chief, it  
4 was the people of xxxxxxxxx who were able to elect their  
17:09:35 5 man, if you see what I mean -- elect their person; is  
6 that right?

7 A. Repeat the question.

8 Q. Because there were more people in xxxxxxxxx than in xxxxxxxxx,  
9 when it came to the elections for the paramount chief,  
17:09:59 10 the people of xxxxxxxxx were able to elect their person?

11 A. Yes, it could be so. Because they have a large crowd and  
12 the majority, they could win the chieftaincy, but now  
13 that we have an amalgamation, whatever they do, as it is  
14 in the law, when a chief dies in xxxxxxxxx, the chieftaincy  
17:10:41 15 shifts to xxxxxxxxx. As we are now in a tribe in every way,  
16 but they did not succeed the chieftaincy in xxxxxxxxx. In  
17 spite of the fact that they are the majority, but we won  
18 the chieftaincy.

19 Q. And the dominance that xxxxxxxxx had had -- it may not be  
17:11:05 20 the case -- caused resentment to the people of xxxxxxxxx;  
21 that's right, isn't it?

22 A. Yes, they are in the majority and, because they dominate,  
23 it does not in any way anger us; no, it does not anger  
24 us.

17:11:35 25 Q. Well, I'm going to suggest that the people of xxxxxxxxx were  
26 resentful of the domination of xxxxxxxxx to you, but it's  
27 right that xxxxxxxxx is in xxxxxxxxx, isn't it?

28 A. Yes, all xxxxxxxxx -- xxxxxxxxx is the headquarters, yes.

1 Q. And Chief Norman is from xxxxxxxxx - Old xxxxxxxxx?

2 A. No, Chief Norman is from Mongeray. He came there and he  
3 settled in Telu.

4 Q. Yes, which is in xxxxxxxxx, isn't it?

17:12:17 5 A. Yes.

6 Q. Thank you.

7 PRESIDING JUDGE: The first accused is from where?

8 THE INTERPRETER: Mongeray chiefdom.

9 MS WHITAKER: The xxxxxxxxx chiefdom in Telu.

17:12:32 10 A. Mongeray chiefdom.

11 Q. And Telu is in xxxxxxxxxr. Thank you.

12 A. Yes.

13 Q. Now, xxxxxxxxx itself I think is a town that was split  
14 between two groups as well; is that right?

17:12:58 15 A. We are not divided. xxxxxxxxx is one town. It's the  
16 same town, one chief. The section chief is only one.

17 Q. I'm sorry, I wasn't clear. It was split even before  
18 President Kabbah was overthrown -- there were people who  
19 supported the soldiers in xxxxxxxxx and people who  
17:13:17 20 supported the Kamajors?

21 A. There's no truth in that.

22 Q. So there were no issues in xxxxxxxxx between these two  
23 groups before President Kabbah was overthrown; is that  
24 your evidence?

17:13:46 25 PRESIDING JUDGE: Ms Whitaker, take it very easy. You're  
26 going a bit too fast.

27 MS WHITAKER: I apologise.

28 PRESIDING JUDGE: Please, take it easy and slowly, because you

1 are interested in his reply.

2 MS WHITAKER: I am.

3 PRESIDING JUDGE: Please, take it slowly.

4 MS WHITAKER:

17:14:02 5 Q. So there was no split in ~~xxxxxxxx~~ before President  
6 Kabbah was overthrown?

7 A. No, we're not divided at all.

8 Q. You said in your statement that you gave the Prosecution  
9 that there was a big split due to the suspicions on both  
17:14:19 10 sides, and this existed before the overthrow of President  
11 Kabbah. Why did you say that?

12 MR TAVENER: I object to that.

13 THE WITNESS: No.

14 MR TAVENER: I object to that question. In the statement it  
17:14:47 15 refers to the split. It speaks about the Kamajors and  
16 the military. This witness has not agreed that there was  
17 a split in the civil -- in the population. If the  
18 question is going to be asked, it should be clarified as  
19 to whether the split my learned friend is asking about is  
17:15:03 20 between the Kamajors and the military, or the population  
21 of the town. There's clearly a difference. This witness  
22 has not agreed there's been any split in the population.

23 MS WHITAKER:

24 Q. Was there a split in the population between the soldiers  
17:15:20 25 and their families on one side, and those who didn't  
26 support the soldiers within ~~xxxxxxxx~~?

27 A. No, no, it was not like that; there was no division  
28 amongst us.



1 Q. So everyone in xxxxxxxxx supported the soldiers, did  
2 they?

3 A. Yes.

4 Q. There were no Kamajors in xxxxxxxxx then?

17:16:11 5 A. The Kamajors were there, but the manner of their stay, we  
6 were all in support of the soldiers.

7 Q. Including the Kamajors, you're saying, were supporting  
8 the soldiers?

9 A. All of us -- all of us were supporting the soldiers. The  
17:16:33 10 soldiers were governing us; they were protecting us.

11 Q. Mr Witness, are you saying the Kamajors were supporting  
12 the soldiers in xxxxxxxxx?

13 A. Yes. It was later that things happened when they reached  
14 there.

17:17:00 15 Q. During 1998 when there were attacks -- that you've told  
16 us many attacks by the Kamajors, you're saying the  
17 Kamajors were still supporting the soldiers in xxxxxxxxx?

18 JUDGE BOUTET: This is not the evidence. I mean, now you are  
19 going with a question in 1998. That was not your  
17:17:17 20 question before. The witness has answered you to say:  
21 at the time of everything we worked together, as such.  
22 You did not ask about 1998. Now you're asking about  
23 1998. That's not his evidence.

24 MS WHITAKER: My question was before the overthrow of  
17:17:32 25 President Kabbah, so before that date --

26 JUDGE BOUTET: I must say, if that's your question, I'm  
27 confused, too, because I didn't know that was your  
28 question. I know some questions away that's what you

1 asked, but I didn't know you were still in the time  
2 frame.

3 MS WHITAKER: I do apologise.

4 Q. For instance, at the beginning of 1998, before  
17:17:52 5 February -- in January 1998, are you saying the Kamajors  
6 were supporting the soldiers in xxxxxxxxx?

7 A. January 1998 until February 1998, no, Kamajors were not  
8 supporting the soldiers any longer, but when the Kamajor  
9 just started, we were all in support of the soldiers, but  
17:18:27 10 from January to February, uh-uh, there was a big split.

11 Q. Prior to the attack that you've described, there was  
12 already a split within xxxxxxxxx between people who  
13 supported the soldiers and people who supported the  
14 Kamajors; is that fair?

17:18:56 15 A. No, there was no division.

16 Q. Prior to the attack -- any day before the attack you've  
17 described, the Friday in February, weeks, months before  
18 that, the Kamajors -- there were people who supported the  
19 soldiers and people who supported the Kamajors; yes?

17:19:36 20 A. That time you're talking about is a very short time. It  
21 reached the time when all of us, the elders, were in  
22 support of the soldiers. We begged them not to fight  
23 with the Kamajors and we begged the Kamajors not to fight  
24 with the soldiers. We did that until we got fed up.

17:20:03 25 Q. Yes. All I'm saying is there were problems between  
26 people who supported the Kamajors and people who  
27 supported the soldiers in xxxxxxxxx before the attack on  
28 the mosque that you've described; yes?

1 THE INTERPRETER: Please take the question again.

2 PRESIDING JUDGE: Don't say "yes". I resent - the Bench takes  
3 exception to punctuating your question with a "yes".

4 MS WHITAKER: I apologise.

17:20:30 5 PRESIDING JUDGE: Put your question and leave it at that,  
6 please.

7 THE INTERPRETER: And, please, take the question slowly.

8 JUDGE THOMPSON: I would like to say it would make life much  
9 less complicated for all of us if you asked him, "Do you  
17:20:42 10 agree or disagree," because that's what it is. In fact,  
11 I wanted to indicate that it may well be that you have  
12 not put the questions in the context of his own  
13 examination-in-chief, but, of course, you are quite  
14 permitted to ask broad questions, but if the intention is  
17:21:05 15 to put the question against the context of his  
16 examination-in-chief, that he in fact had said there was  
17 a split, wouldn't it make life a little simpler for us if  
18 you direct him to that aspect of his examination-in-chief  
19 where he made some statement to that effect.

17:21:25 20 MS WHITAKER: I'm not asking him directly about that. I'm  
21 asking him whether there was mistrust and bad feeling  
22 between people prior to that Friday that he described.

23 JUDGE THOMPSON: Of course, which has a very restrictive time  
24 frame, and I'm with that. It just needs to be put in  
17:21:42 25 context. Ask him if he disagrees or disagrees.

26 MS WHITAKER: Thank you. I hadn't realised that it was quite  
27 so controversial.

28 MR MARGAI: May I seek clarification here? What I heard him

1 say in response to the last question was that, "We, the  
2 elders" - literally - "were for the soldiers." I'm not  
3 sure whether you got that, My Lords.

4 JUDGE BOUTET: I'm not sure I got that. I got that, "We, the  
17:22:09 5 others, met with the soldiers and we met with the  
6 Kamajors. We tried to" --

7 MR MARGAI: No --

8 JUDGE BOUTET: After that.

9 MR MARGAI: Before that, he did say, "We, the soldiers" --  
17:22:21 10 sorry -- "We, the elders, were for the soldiers and we  
11 met the Kamajors in an effort to reconcile them." I just  
12 want to be sure whether you got that aspect about them  
13 being for the soldiers, literally.

14 JUDGE THOMPSON: I did not.

17:22:37 15 PRESIDING JUDGE: I did not get that.

16 JUDGE THOMPSON: That is why I wanted to seek clarification.  
17 Perhaps the translator could help us with that. That was  
18 why I intervened, because there was some kind of  
19 ambiguity in terms of the questioning and the response,  
17:22:56 20 and --

21 MR MARGAI: I just wanted to know what you made out of that in  
22 case you got it --

23 JUDGE THOMPSON: [Overlapping microphones] Perhaps learned  
24 counsel will help us out with this.

17:23:08 25 MS WHITAKER: I certainly heard that as my translation, that  
26 the elders were for the soldiers.

27 Q. So, Mr Witness, do you agree that, for instance, in  
28 January, in xxxxxxxxxx, there were people who supported

1 the soldiers and people who supported the Kamajors -- in  
2 January 1998, for instance?

3 A. No. We were all in support of the soldiers -- all of us,  
4 the elders. The reason why we were in support of the  
17:23:48 5 soldiers, because whether you were Kamajor or not a  
6 Kamajor, we are all in support of the soldiers. So we  
7 are telling the soldiers that, "Don't fight with these  
8 people." We begged them. We begged them, with a lot of  
9 sweat -- with a lot of effort, but there was a division  
17:24:10 10 that these were for Kamajors and soldiers? No, it was  
11 not like that.

12 Q. I'm not talking about the elders; I'm talking about the  
13 whole town. There were some people who supported the  
14 Kamajors and some people who supported the soldiers?

17:24:26 15 A. If that was the situation, I'm not aware of that.

16 Q. You weren't aware of anyone who didn't support the  
17 soldiers in xxxxxxxxxx in January 1998?

18 A. We were in support of the soldiers, but that there were  
19 some people who were supporting the Kamajors, I'm not  
17:24:48 20 aware of that.

21 Q. Your relatives who were Kamajors, they were supporting  
22 the soldiers in 1998, were they?

23 A. Yes, in that town.

24 Q. Now, Mr Witness, you gave evidence that on the Friday in  
17:25:09 25 February, when you were at the mosque, the Kamajors  
26 attacked -- that's right; do you remember giving that  
27 evidence?

28 A. Yes, yes.

- 1 Q. And the attack was repulsed by the soldiers; the soldiers  
2 kept the Kamajors out?
- 3 A. Yes.
- 4 Q. And during the attack some houses were set on fire or  
17:25:49 5 damaged during that attack?
- 6 A. During that attack, yes, they destroyed some houses.
- 7 Q. Thank you. And RPGs were used during that attack?
- 8 A. Yes.
- 9 Q. Thank you. And it's right, isn't it, that an RPG can set  
17:26:21 10 fire to a house if it's fired into it?
- 11 A. Yes, it would bomb the house.
- 12 Q. Thank you. You described on the Friday evening the  
13 soldiers taking their property away from xxxxxxxxx as  
14 they were leaving; is that correct?
- 17:26:56 15 A. Yes, that was about 6:00. All of us went together.
- 16 Q. And these were soldiers who'd lived in xxxxxxxxx for many  
17 years, were they?
- 18 A. Yes, they stayed there for long.
- 19 Q. They were having to abandon their homes, were they?
- 17:27:22 20 A. Yes, they abandoned their houses. They didn't take  
21 anything except their bags and their children.
- 22 Q. And, presumably, they were not happy to abandon their  
23 homes of many years?
- 24 A. Yes, they wouldn't be happy.
- 17:27:42 25 Q. Were there still soldiers packing and leaving by the time  
26 you left xxxxxxxxx?
- 27 A. No, we left there together.
- 28 Q. You were the last person out of xxxxxxxxx, were you?

1 A. No, no.

2 Q. So there were soldiers still perhaps behind you packing  
3 and leaving?

4 A. I was not the last person. It does not mean the soldiers  
17:28:33 5 were the last people, or the civilians being the last  
6 people. Those of us who left xxxxxxxxx were more than  
7 thousands -- were in the thousands and thousands. All of  
8 us went.

9 Q. But you were not the last person to leave xxxxxxxxx,  
17:28:47 10 you've just said?

11 A. No, no, no.

12 Q. So you don't know what xxxxxxxxx looked like when the  
13 last people left xxxxxxxxx, do you?

14 A. No.

17:28:59 15 Q. You next saw it a month and a half later; is that right?

16 THE INTERPRETER: Take the question again, please.

17 MS WHITAKER:

18 Q. You next saw xxxxxxxxx a month and a half after you left  
19 it that evening?

17:29:14 20 A. Yes, indeed.

21 Q. Have you heard of the situation of a retreating army  
22 burning towns to stop an enemy occupying them? Have you  
23 heard of that ever happening?

24 A. No, I've not heard of that.

17:29:45 25 Q. Now, in your statement you said that all the civilians  
26 left with the soldiers on Friday. Is that the situation;  
27 all the civilians left on Friday?

28 A. All of us left there, but we didn't leave there and use

1 the same route. Some people went to villages, some went  
2 a quarter of a mile away.

3 Q. So those left behind were not civilians; anyone who  
4 stayed behind was not a civilian?

17:30:30 5 A. No, there were some civilians -- many of them. It's a  
6 big town. People used to go in their own corners, but  
7 those of us who went to Bo were many, but most of them  
8 were in their places where they spend their day.

9 Q. Your evidence is all the civilians left with the soldiers  
17:30:51 10 on Friday; is that right?

11 MR TAVENER: I object to these questions. The manner in which  
12 these questions are put to the witness can lead to  
13 confusion. My friend is --

14 THE WITNESS: Yes, they left, but I don't know where they  
17:31:03 15 meant to go.

16 MS WHITAKER: I think the witness understood perfectly well.  
17 He just answered it.

18 MR TAVENER: In the future, in putting certain questions such  
19 as, "All witnesses left the town."

17:31:14 20 MS WHITAKER: I didn't say that.

21 MR TAVENER: The witness has given the circumstances in which  
22 he left town. To use that then to ask further questions  
23 to confine his answer, the Prosecution would submit  
24 that's incorrect, or not a proper way to put questions to  
17:31:30 25 a witness in these circumstances.

26 JUDGE BOUTET: Ms Whitaker, do you wish to reply to this?

27 MS WHITAKER: I do. I put that he said in his statement that  
28 all the civilians left and, indeed, as my learned friend



1 knows, that is what it says in the statement. I was  
2 asking him, I think quite properly, whether that was the  
3 case and he agreed, I believe.

4 JUDGE BOUTET: Objection denied.

17:31:47 5 MS WHITAKER:

6 Q. You also said in your statement that you sent boys into  
7 ~~xxxxxxx~~ two days later to spy on it -- to see what was  
8 happening; is that correct?

9 A. I didn't send them, but when they went to those little  
17:32:18 10 villages, they came there and they came together with the  
11 Kamajors just to observe what they were doing. I send  
12 somebody? No, I didn't send anybody.

13 Q. Well, you said in this statement that the people -- the  
14 boys that were sent to ~~xxxxxxx~~ two days later, when  
17:32:40 15 they were there, the Kamajors had not yet entered.

16 A. No, no.

17 Q. No, what? No, you didn't say that, or no that --

18 A. I didn't say I sent some boys to Bo -- to ~~xxxxxxx~~,  
19 [Inaudible] the Kamajors there.

17:33:16 20 Q. Can I read you the paragraph and see if you agree that  
21 this is what you said? "Two days later" -- this is after  
22 the Friday -- "Two days later we sent some of our boys to  
23 spy on ~~xxxxxxx~~ --

24 THE INTERPRETER: My Lords, she's going very fast if she wants  
17:33:32 25 it to be interpreted.

26 MS WHITAKER: I do apologise.

27 Q. "Two days later we sent some of our boys to spy on  
28 ~~xxxxxxx~~to see what was happening." Can you just wait?

1 "By that time the Kamajors had not entered xxxxxxxx.  
2 They later entered." Do you remember saying that to the  
3 Prosecution?

4 A. I didn't send any boys. The boys went. xxxxxxxxndu is a  
17:34:41 5 big town and in any big town there are villages -- the  
6 villages Txxxxxxx and xxxxxxx and so on. They didn't  
7 go far away. When the Kamajors were coming, they came  
8 together with them, and they saw what happened. To say  
9 that we sent some people to go and spy on the town, no,  
17:35:06 10 that's not it.

11 Q. I'm not concerned about whether you sent them or not.  
12 What I'm interested in --

13 JUDGE BOUTET: Slowly, please.

14 MS WHITAKER: Sorry.

17:35:15 15 Q. That two days later, from the Friday, the Kamajors had  
16 not yet entered xxxxxxxx?

17 A. We went Friday, Saturday, Sunday -- Kamajors were in  
18 xxxxxxxx.

19 Q. What, on Sunday they entered? You said two days later  
17:35:41 20 from the Friday the Kamajors were not -- had not yet  
21 entered; is that correct?

22 A. There is no truth in that. If that is what the person  
23 said happened, someone's telling lies.

24 Q. Mr Witness, I'm only taking this from your statement.  
17:36:08 25 When are you now saying the Kamajors entered?

26 A. On Friday.

27 Q. Why did you say to the Prosecution that they had not  
28 entered two days after Friday, so Sunday?

1 A. Here, or in my statement?

2 Q. In your statement, why did you say that?

3 A. This was in the war. I mean, sometimes you get confused.  
4 What I know is we went on Friday. Saturday and Sunday  
17:36:58 5 they entered. They didn't take two days when they  
6 entered.

7 Q. This statement that you gave to the Prosecution was after  
8 the war; is that right?

9 A. After the war? Yes, we left Bo -- went to Bo, spent some  
17:37:28 10 time there, yes.

11 Q. And you are now saying that what you told the Prosecution  
12 when you gave this statement is no longer the truth --  
13 it's not true; is that what you're saying?

14 [5.35 p.m. HN130904F]

17:29:58 15 A. What I said to you -- what I said to him, maybe that was  
16 what he wrote. What I said to him, that when we left

17 ~~xxxxxxx~~ on the Friday, Saturday, Sunday, that's when  
18 the Kamajors entered.

19 Q. So they entered some time after you left; is that fair?

17:30:24 20 A. Yes, when we left on Friday.

21 Q. You didn't see them enter?

22 A. On this very Friday, yes, they entered, but they were  
23 repelled by the soldiers. On that Friday they went away  
24 and Saturday, Sunday, that's when they entered finally.

17:30:49 25 Q. They then entered some time after you left, but you did  
26 not see them enter; is that fair?

27 A. Friday -- that Friday when we were there, they entered  
28 and they fought with the soldiers, but the soldiers



1 repelled them. On Friday we went away, Saturday --  
2 Sunday, and they entered.

3 Q. So it may be Saturday or it may be Sunday they entered  
4 permanently -- sorry, it was my mistake, permanently  
17:31:21 5 entered and stayed there?

6 A. Yes, they entered on Sunday and they sat there and they  
7 caused a lot of destruction.

8 Q. They entered permanently on the Sunday?

9 A. Yes, I think, yes.

17:31:41 10 Q. Thank you. Would you describe yourself, Mr Witness, as a  
11 Kamajor supporter?

12 A. No.

13 Q. But you felt able to attend the meeting where Chief  
14 Norman addressed the people, did you?

17:32:08 15 A. Yes, indeed.

16 Q. You didn't feel under threat so that you couldn't attend  
17 the meeting?

18 A. Yes, I attended the meeting. No, somebody would catch me  
19 and beat me as long as Mr Norman was at the meeting.

17:32:34 20 Q. And you said you were not happy about what was said, so  
21 you left the meeting; is that right?

22 A. Yes, yes.

23 Q. Did other people leave with you?

24 A. Take it again, please.

17:32:53 25 Q. Did other people leave at the same time?

26 A. I can't tell that one.

27 Q. You didn't see anyone else leaving?

28 A. Yes, the town is a big town; it's not a small town --

1 everybody scattered.

2 Q. Did you see anybody else leaving, was the question?

3 A. Yes, at the meeting, yes, many of us left, but everybody  
4 was going different directions. It is a big town.

17:33:35 5 Q. Are you saying they all left, because they were unhappy  
6 about what Chief Norman was saying? You're saying lots  
7 of people left.

8 A. I can't answer that one. I didn't -- I can't say they  
9 were not happy, but I just saw many people going.

17:33:54 10 Q. All right. You did see them going, leaving. So you were  
11 unhappy with what had been said, but you came back to the  
12 meeting two weeks later?

13 A. Yes, indeed.

14 Q. And are there -- can you remember anything else that  
17:34:24 15 Chief Norman said at the meeting other than that which  
16 you've told us?

17 JUDGE BOUTET: Which meeting are you talking about?

18 MS WHITAKER: The first meeting, I do apologise.

19 A. The first meeting, what I have told you here, is what I  
17:34:50 20 heard. After he had told thanks.

21 Q. How long did you hear Chief Norman speak for?

22 A. You mean how long he spoke for? He spoke for about five  
23 minutes or six minutes.

24 JUDGE BOUTET: I'm not sure we're prepared to let you go into  
17:35:22 25 that domain. I just want to remind you of the rules that  
26 are applicable in the first accused's scenario. The  
27 first accused has himself cross-examined the witness, he  
28 did ask him many, many questions on that very issue. And

1 the purpose of allowing counsel to ask questions is not  
2 to go over the areas, but to cover other areas. Up to  
3 now, we have not intervened, because it was borderline,  
4 but now you're talking of an issue and issues that were,  
17:35:50 5 in fact, covered by the first accused in his own  
6 cross-examination of the witness.

7 MS WHITAKER: My mistake, Your Honour. I hadn't heard him ask  
8 for an exact time -- the time.

9 JUDGE BOUTET: Well, the whole issue -- well, maybe he did not  
17:36:01 10 ask the exact time --

11 MS WHITAKER: That was my only question. Thank you.

12 JUDGE BOUTET: -- addressed by Mr Norman to that crowd at that  
13 meeting and the various meetings, as such. Many, many  
14 questions have been asked about that. I'm talking of the  
17:36:11 15 meetings, whether or not it is the minutes, the hours --

16 MS WHITAKER: I was concerned about the duration, which I  
17 didn't think had been raised, but thank you.

18 Q. Final matter, Mr Witness. You've told us that you don't  
19 earn an income at the moment, and you rely on your  
17:36:29 20 family; is that right?

21 A. Yes, indeed.

22 Q. Is it right you've received over a million Leones in  
23 order to testify at this Court?

24 A. No, I've not received 1 million, but I do receive petty  
17:36:58 25 cash.

26 Q. How much have you received, Mr Witness?

27 A. When they went and called me that we should come, that  
28 man gave me some token, that I should come because we are

1 coming to Freetown, and I told him that now that I'm a  
2 responsible person, if I leave my family, who would take  
3 care of them? And he gave me some token, some small  
4 money.

17:37:33 5 Q. I thought your family took care of you, rather than you  
6 taking care of your family?

7 A. At the moment my children are taking care of me, but as I  
8 was leaving my children when this man went and collected  
9 me, gave me something that I gave to them.

17:38:11 10 Q. He gave you money for dependants, didn't he?

11 A. Ten people -- I have 12 people.

12 Q. Yes. And you received money to support ten people, in  
13 addition to your payments; is that right?

14 A. The money that they gave me for ten people, that is what  
17:38:42 15 I took -- I took some of it and gave it to my children.

16 Q. 20,000 Leones a day is what you're being given for your  
17 dependants; is that right?

18 A. No, they've not given me 20,000 per day to give to my  
19 children, my people.

17:39:07 20 Q. So the Prosecutors are lying, are they, if they tell us  
21 that's what they've given you?

22 A. Yes, that they're giving me 20,000 to give to my people,  
23 then they're telling lies.

24 Q. It's a lie. And are they lying also when they said you  
17:39:26 25 receive 816,000 Leones for coming to Freetown?

26 A. Please take the question again.

27 Q. Are the Pros -- the court, are they lying when they say  
28 you received 816,000 Leones to come to Freetown?



1 A. They didn't give me any money in Bo that is up to that  
2 amount for me to come to Freetown.

3 Q. So they're lying when they say they've given you 816,000  
4 Leones, are they?

17:40:20 5 A. No. When you said that they gave me that money for me to  
6 come to Freetown, they didn't give me that money in Bo.

7 Q. I didn't say it was in Bo; I said did they give you that  
8 money? Do you remember now receiving that money?

9 A. Yes, I am receiving some petty cash. After every week  
17:40:59 10 they will give me some small money, but that they've  
11 given me that amount like you've shown to me, that  
12 bulk -- that money in bulk, it is not like that.

13 JUDGE THOMPSON: Wouldn't it be fair if -- is that a bulk sum,  
14 a once-and-for-all payment?

17:41:20 15 MS WHITAKER: Sadly, we were not given any breakdown.

16 JUDGE THOMPSON: Because that seems to be probably responsible  
17 for the impasse here, because if it is a bulk sum, then  
18 my inference would be is that it is an aggregation --  
19 it's not an aggregation, it may be an aggregation of so  
17:41:41 20 many different payments. Or, it may well be a  
21 once-and-for-all payment.

22 MS WHITAKER: As I understand, the attendance allowance for  
23 attending Freetown, which is separate from the  
24 dependant -- the 20,000 per day that I was referring to  
17:41:50 25 separately. The total package is at least a million  
26 Leones, and I was just asking this witness to confirm  
27 that he had received that which he described as petty  
28 cash.

1 JUDGE THOMPSON: Yes, because that is the confusion here.

2 What he seems to be calling petty cash does not seem to  
3 tie up with my conception, if you are putting to him that  
4 he received 816,000 Leones.

17:42:15 5 MS WHITAKER: Your Honour, all I can go on is what I'm told by  
6 the relevant authorities, that an attendance allowance is  
7 paid to this witness of 816,000 Leones. In addition, he  
8 had already received 140,000 Leones as a family  
9 subsistence allowance from the Prosecution.

17:42:35 10 JUDGE THOMPSON: Well, I let you continue trying. Perhaps he  
11 needs to clarify what he means by "petty cash".

12 MS WHITAKER:

13 Q. Is a million Leones petty cash to you, Mr Witness?

14 PRESIDING JUDGE: If he received all of it at the same time.

17:42:45 15 He said he was receiving petty cash periodically.

16 MS WHITAKER: In any amount, whether the total or separately,  
17 is a million Leones petty cash?

18 PRESIDING JUDGE: It depends on what they gave him at each  
19 time he received something, which he does not deny.

17:42:57 20 MS WHITAKER:

21 Q. A total of a million Leones in whatever amounts, is that  
22 petty cash to you, Mr Witness?

23 PRESIDING JUDGE: No, no, no, that is not the petty cash. He  
24 said he received petty cash, you know, at sporadic,

17:43:09 25 spreadout moments, you see. That is what he is referring  
26 to. I don't know what he would refer to as "petty cash".  
27 What he is saying is he didn't receive 816,000 Leones,  
28 you know, up front, a million Leones, you know, up front.

1 Maybe it is good to look at it, you know, otherwise.

2 MS WHITAKER: It's irrelevant.

3 JUDGE THOMPSON: I don't want to speculate on this matter. I

4 think it is important that the witness tells us what he

17:43:38 5 means by "petty cash". It will help me. I mean --

6 otherwise we are into a territory of speculation.

7 MS WHITAKER: Indeed, Your Honour.

8 Q. What do you mean by "petty cash," Mr Witness?

9 A. Sometimes after the week -- at the end of the week, they

17:44:01 10 would take some small money amount into maybe 30,000

11 Leones, sometimes 112,000, just like that, and I was not

12 recording it on paper. When they give it to me, that's

13 what I use to buy bread, coffee -- I smoke cigarettes.

14 Q. About how often did they give you 112,000 Leones,

17:44:30 15 approximately -- ten times maybe?

16 PRESIDING JUDGE: If it is ten times, it goes beyond a

17 million.

18 MS WHITAKER: Exactly, Your Honour.

19 Q. Approximately how many times did you receive amounts in

17:44:53 20 that region?

21 A. It could be up to two weeks, then they take it to me.

22 Q. How many times did you receive amounts of 112,000,

23 witness?

24 A. I can't remember that one.

17:45:17 25 Q. More than five?

26 A. What I'm thinking about, it is like I'm trapped.

27 Q. There's no trap, Mr Witness.

28 A. It could be about five times.

1 Q. I'm suggesting to you that it was more than five times,  
2 that you've had in excess of 850,000 Leones in total, in  
3 all sources. I'm going to suggest that's what's  
4 happened, Mr Witness; do you agree?

17:46:07 5 A. Will you say that again?

6 Q. I'm going to suggest you've had more than 850,000 Leones;  
7 do you agree?

8 A. I still do not understand your question.

9 Q. You've -- well --

17:46:11 10 PRESIDING JUDGE: Ms Whitaker, please be sympathetic with the  
11 translators. Can you go slowly and let them get you  
12 properly so as to translate you very faithfully to the  
13 witness?

14 MS WHITAKER: Sorry.

17:46:30 15 Q. Five times 112,000 is over half a million Leones; that's  
16 right, isn't it?

17 A. It seems that it is like three times or four times, this  
18 412,000 that we're talking about.

19 Q. Well, Mr Witness, all I can say is the Prosecu -- the  
17:47:18 20 court say they have given you 816,000; might that be  
21 correct?

22 A. Well, they have given me the money; they have said so.  
23 It may be true, but when they give it to me, I eat it; I  
24 don't keep it.

17:47:43 25 Q. Thank you. Would you have come to court if they hadn't  
26 paid you this money, Mr Witness?

27 A. I would come. I would come. They just gave me that  
28 money. I wouldn't deny it.

1 Q. Thank you. Thank you.

2 A. I don't want them to give it to me.

3 Q. You don't want them to give it to you; is that what you  
4 said?

17:48:12 5 A. I said I don't want it, but if they had said, "There is  
6 no money, if you want to come and talk," yes, I would say  
7 I would come. But now that they've given me money that,  
8 "If you come, we will provide you lodging, we will  
9 provide you feeding, we would give you allowance," yes,  
17:48:33 10 that's why I came.

11 MS WHITAKER: Thank you, Mr Witness.

12 A. Yes, I told my family that I'm coming, and they said,  
13 "come."

14 MS WHITAKER: Thank you.

17:48:46 15 JUDGE BOUTET: Counsel for the second accused, are you ready  
16 to proceed with your cross-examination?

17 MR TAVENER: Your Honour, you might consider, in light of this  
18 witness's age, whether or not -- how long we can go on  
19 with this particular witness. I note last week there was  
17:48:57 20 a younger witness who was 28, but this witness is  
21 considerably older, how much -- whether it has an impact  
22 on him, the length of the day. I appreciate the need  
23 for --

24 JUDGE BOUTET: Thank you. We'll ask the witness.

17:49:11 25 Mr Witness, we're not finished yet with your  
26 evidence. Are you able and capable to carry on for a  
27 little bit longer today? Or you want a break?

28 THE WITNESS: I want us to go now and come back tomorrow

1 because I'm feeling a little bit dizzy.

2 JUDGE BOUTET: Mr Bockarie, how long do you expect your  
3 cross-examination to be?

4 MR BOCKARIE: Well, I'm guided by the Bench, Your Honour.

17:50:42 5 JUDGE BOUTET: If you stand guided by the Bench, we'll tell  
6 you two minutes, so if -- we want to know in fairness to  
7 you and your client.

8 PRESIDING JUDGE: We'll give you five.

9 MR BOCKARIE: Well, Your Honour, I think we'll do it tomorrow.

17:50:58 10 I would prefer doing it in the morning, because I don't  
11 know how long it will take. It depends on how he  
12 responds to my questions.

13 JUDGE BOUTET: And, Mr Margai?

14 MR MARGAI: My Lord?

17:51:12 15 JUDGE BOUTET: How long do you expect your cross-examination  
16 to be?

17 MR MARGAI: Well, I'm here to do damage repair. It depends on  
18 questions posed and answers given.

19 JUDGE BOUTET: So if there's no damage, then --

17:51:29 20 MR MARGAI: If there's no damage, there will be no questions.

21 PRESIDING JUDGE: Has the hurricane we've just past been very  
22 severe? [Overlapping microphones]

23 MR MARGAI: Well, so far it has not reached

24 PRESIDING JUDGE: It has not reached the height?

17:51:41 25 MR MARGAI: No, no.

26 PRESIDING JUDGE: Well, this said, the witness is of a  
27 particular age, the Chamber would have wished to go on  
28 until about 7.00 and even 7.30 in order to conclude the

1 cross-examination of this witness, but given the physical  
2 complaint, you know, and the age of the witness which --  
3 of which we take particular notice, we would adjourn for  
4 a continued cross-examination by Mr Bockarie and  
17:52:31 5 Mr Margai tomorrow.

6 [Trial Chamber confers]

7 PRESIDING JUDGE: We will adjourn the session and resume  
8 tomorrow at 9.30. The Court will rise, please.

9 [Whereupon the hearing adjourned at 6.00 p.m., to be  
17:53:50 10 reconvened on Tuesday, the 14th day of September 2004, at  
11 9.30 a.m.]

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C E R T I F I C A T E

We, Maureen P Dunn, Roni Kerekes, Momodou Jallow 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 results of said cause.

\_\_\_\_\_ MAUREEN P DUNN

\_\_\_\_\_ RONI KEREKES

\_\_\_\_\_ MOMODOU JALLOW

\_\_\_\_\_ SUSAN G HUMPHRIES



Ruling 1

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