

THE SPECIAL COURT FOR SIERRA LEONE

COURT

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

THE PROSECUTOR  
OF THE SPECIAL

NORMAN

V.  
SAM HINGA

MOININA FOFANA  
ALLIEU KONDEWA

FRIDAY, 17 SEPTEMBER 2004  
9.50 a.m.  
OPEN SESSION

Before the Judges:  
Benjamin Mutanga Itoe, Presiding  
Bankole Thompson  
Pierre Boutet

For Chambers:  
Mr Clemens Daburon (intern)

For the Registry:  
Ms Maureen Edmonds

For the Prosecution:  
Mr Joseph Kamara  
Mr Mohamed Bangura  
Mr Raimund Sauter  
Mr Kevin Tavener  
Ms Leslie Murray (intern)  
Mr Alex El Jundi (intern)  
Ms Maxine Marcus

For the Principal Defender:  
Ms Simone Monasebian  
Mr Ibrahim Yillah  
Mr Alpha Sesay (intern)

For the Accused Sam Hinga Norman:  
Dr Bu-Bubakei Jabbi  
Mr John Wesley Hall  
Ms Quincy Whitaker

For the Accused Moinina Fofana:  
Mr Arrow Bockarie.  
Ms Phoebe Knowles  
Mr Victor Koppe

For the Accused Allieu Kondewa:  
Mr Yada Williams  
Mr Ansu Lansana  
Mr James T Kamara (intern)

1 [On resuming at 3.10 p.m.]  
2 [Open session]  
3 [HN170904D]  
4 [At this point in the proceedings, a portion of  
the  
5 transcript, pages 1 to 90, was extracted and  
sealed under  
6 separate cover, as the session was heard in  
camera]  
7 PRESIDING JUDGE: We are resuming the session, and  
8 Prosecution, please.  
9 MR SAUTER: Your Honours, Prosecution calls witness  
TF2-042.  
10 15:11:14 Witness will give her statement in English.  
11 PRESIDING JUDGE: TF?  
12 MR SAUTER: TF2-042.  
13 WITNESS: TF2-042, sworn  
14 JUDGE THOMPSON: Is it the 11th Prosecution witness?  
could we  
15 15:11:56 just confirm the number; the 11th or the 10th?  
16 MR SAUTER: I'm not sure, I'm sorry.  
17 JUDGE THOMPSON: All right, let us confirm that.  
18 MR SAUTER: 10th.  
19 JUDGE THOMPSON: 10th?  
20 15:12:12 MR SAUTER: Yes, Your Honour.  
21 EXAMINED BY MR SAUTER:  
22 Q. Madam, thank you for coming. Let me first ask  
you some  
23 questions concerning your personal data.  
Please, answer  
24 slowly and also, you are giving your statement  
in  
25 15:12:30 English; it has to be translated for some of the  
accused

26 to understand. Okay?

27 A. Yes.

28 MR SAUTER: So, Madam, you are --

29 PRESIDING JUDGE: Madam, you are welcome, but please,  
speak

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are saying 1 slowly like counsel has said so that what you  
2 can be translated to the accused persons.  
3 THE WITNESS: Okay, sir.  
4 PRESIDING JUDGE:  
15:13:00 5 Q. You understand me.  
6 A. Yes, sir.  
7 MR SAUTER:  
8 Q. Madam, you are 51 years old; is that correct?  
9 A. Yes, sir.  
15:13:12 10 Q. You were born in Freetown; correct?  
11 A. Yes, sir.  
12 Q. At present you are residing in xxxxx ; is that  
correct?  
13 A. Yes, sir.  
14 Q. Your marital status is that of a single?  
15:13:22 15 A. Yes, sir.  
16 Q. You have seven children?  
17 A. Yes, sir.  
18 Q. Did you attend school?  
19 A. Yes, sir.  
15:13:34 20 JUDGE THOMPSON: But counsel, would you slow down a  
bit?  
21 MR SAUTER: I'm sorry, Your Honour.  
22 JUDGE THOMPSON: You got carried way. "I reside in  
xxxxxxx."  
23 THE WITNESS: Yes, sir.  
24 MR SAUTER:  
15:13:44 25 Q. You marital status is that of a single; is that  
correct?  
26 A. Yes, sir.  
27 Q. Do you have children?

28 A. Yes, sir.

29 Q. How many, please?

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1 A. Seven children.

2 Q. Did you attend school?

3 A. Yes, sir.

4 Q. For how many years?

15:14:14 5 A. Well, I attended the primary school for seven  
years, and

6 I did four years in secondary school.

7 Q. Which languages apart from English are you  
speaking?

8 PRESIDING JUDGE:

9 Q. Primary school for seven years and four years in

15:14:34 10 secondary school.

11 A. Yes, sir.

12 JUDGE THOMPSON: She speaks what?

13 MR SAUTER:

14 Q. Which languages apart from English do you speak?

15:14:46 15 A. Well, the local Krio.

16 Q. What is your profession, please?

17 A. I am a xxxxxxxx.

18 Q. And when did you start to work as a xxxxxxxx?

19 A. Since the year 1971.

15:15:08 20 Q. And you were permanently working as a xxxxxxxx  
21 since that time?

22 A. Yes, sir.

23 Q. Let's come to the year of 1998. Can you recall  
where you

24 have been in February 1998?

15:15:28 25 A. 1998, I was in Kenema.

26 Q. Who at this time was in control of Kenema?

27 A. Well, in 1998 -- the earliest part of 1998 the  
AFRC was

28 in control.

of 29 Q. What do you mean when you say "the earliest part

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1 1998"?

2 A. That was between January and February 8.

3 Q. And what do you mean this "AFRC"?

4 A. Armed Forces Revolutionary Council.

15:16:16 5 Q. Can you explain that to us a little bit more  
what this

6 means?

7 A. Well, the AFRC comprises of soldiers and the  
rebels.

8 Q. Thank you. Can you recall when the AFRC took  
over

9 control of Kenema?

15:16:44 10 A. Well, it was during the year 1997.

11 Q. Did, to your memory, anything specific happen in  
1997?

12 what made the AFRC take over control of Kenema?

13 A. Well, the AFRC took over Kenema as soon as it  
took over

14 the city of Freetown - the same day the soldiers  
took

15:17:14 15 over Kenema - and they invited the rebels to  
join them.

16 Q. Thank you. How was the relationship between the  
17 population of Kenema and the AFRC soldiers?

18 A. Well, the relationship was not so cordial.

19 Q. Are there -- or where there any specific reasons  
--

15:17:52 20 PRESIDING JUDGE: Just wait a minute, Mr Sauter. The  
who; and 21 relationship between who -- between the AFRC and  
22 the rebels or the soldiers?

23 MR SAUTER: No, no, the population of Kenema.

24 PRESIDING JUDGE: The relationship between the  
population.



15:18:06 25 MR SAUTER: Yes.  
26 JUDGE THOMPSON: In between -- between the population  
or  
27 between one -- some entity and the population?  
28 MR SAUTER: My question was: How was the  
relationship between  
29 the population of Kenema and the AFRC soldiers.

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1 JUDGE THOMPSON: Yes, that's what I thought. I  
didn't -- you  
2 said between the population.  
3 MR SAUTER: No, no, no. Between the soldiers, which  
means the  
4 AFRC soldiers and the population.  
15:18:36 5 JUDGE THOMPSON: And the AFRC -- and the population.  
Okay.  
6 MR SAUTER: And the answer was, to my memory, "Not  
too  
7 cordial."  
8 Q. Do you know the reasons why the relationship was  
not too  
9 cordial as you said?  
15:18:56 10 A. Yes, sir. They were doing a lot of evil to the  
civilian  
11 populace, and this include using force on them  
and even  
12 taking them as they like to take them up, by  
abusing them  
13 or doing other things else with them.  
14 Q. I understood that you at this time worked as a  
xxxxxx  
15:19:32 15 xxxxxx xxxxxx in Kenema; is that right?  
16 A. Yes, sir.  
17 Q. Have you, in performing your duties, been in any  
way  
18 affected by AFRC soldiers?  
19 A. Yes, because whenever we go to work, if there is  
any  
15:19:52 20 report against any of the members of the AFRC,  
the  
21 soldiers or the rebels, they always advise us  
not to take  
22 the report, but to send the people to the  
brigade where

deal with 23 they have their command. They said they would  
with them. 24 the people according to how they want to deal  
15:20:16 25 Q. So --  
26 PRESIDING JUDGE: Please, wait. Let us get the  
reply. The 27 reply is being recorded. Please.  
28 MR SAUTER:  
29 Q. So if I got you right, you could not perform  
your xxxxx

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1 duties properly?

2 A. Yes, sir.

3 Q. Do you know anything about an operation called,

4 "Operation Pay Yourself"?

15:20:54 5 A. Yes, sir.

"Operation 6 Q. Could you describe, to your knowledge, what

7 Pay Yourself" meant?

shops, 8 A. Well, the "Operation Pay Yourself", they looted

of the 9 houses and take whatever they wanted to take out

15:21:06 10 shops. So they called it "Operation Pay

Yourself," and 11 this started on February 8th, 1998.

12 Q. And for what time, about, this operation was

carried out? 13 A. It lasted for days, nearly a week.

14 Q. Did the soldiers, AFRC, at any time leave

Kenema? 15 A. Yes, sir.

16 Q. When did they leave Kenema?

17 A. Well, they left Kenema on the Friday and the

balance left 18 on Saturday.

19 Q. Do you know for what reasons the AFRC left

Kenema? 20 A. Well, we knew what happened, that they left

15:22:18 21 15th of February. Then we came to know why they

until the 22 left.

February 1998 23 Q. So what time did you learn on the 15th of

Kenema? 23 about the reasons for the soldiers to leave

15th of 24 A. Well, we saw the Kamajors entering Kenema on the  
15:22:58 25 February, the year 1998. So we were told that  
was the 26 reason why they fled.  
they 27 Q. What was the reaction of the population when  
28 realised that AFRC was leaving Kenema?  
29 A. Everybody was happy.

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leaving 1 Q. Did the soldiers loot property when they were  
2 Kenema?  
3 A. Yes, sir.  
left 4 Q. Did the soldiers cause any devastation when they  
15:23:58 5 Kenema?  
6 A. Yes, sir.  
kind or to 7 Q. Could you please describe to the Court which  
8 which extent they caused devastation when  
leaving Kenema?  
9 A. Well, what they did before they left, they  
looted houses,  
15:24:20 10 properties and took them away. They even took  
vehicles  
11 along with them, and I heard that they even  
raped people 12 in their houses before they left.  
13 PRESIDING JUDGE:  
14 Q. That they even did what.  
15:24:38 15 A. They even raped people in their houses.  
16 Q. You heard.  
17 A. Yes, sir.  
18 MR SAUTER:  
people 19 Q. But you did not see that by your own eyes that  
15:25:00 20 were being raped in their houses; is this  
correct?  
21 A. No, sir.  
was to 22 Q. Okay. Did you have any information as to who  
23 replace the soldiers in Kenema?  
24 A. Well, we were hearing that the ECOMOG soldiers  
will be

15:25:28 25 coming from Liberia to Kenema. That was what we  
heard.

26 Q. And did ECOMOG come?

27 A. Well, they came after the Kamajors had taken  
over.

28 Q. When you speak about Kamajors, who do you mean?  
could

29 you describe what the Kamajors are?

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normally 1 A. Well, we know them by their attire, because they  
caps on 2 wear clothes with sebehs on it, and they wore  
caps, and 3 their heads with also the sebehs hanging on the  
carried 4 they normally carry machetes or guns. Some  
15:26:16 5 sticks at the initial stage in their hands.  
there 6 Q. The time when AFRC had control over Kenema, had  
7 been any Kamajors in Kenema to your knowledge?  
soldiers see 8 A. No, they were in hiding, because when the  
hiding. 9 any Kamajors, they killed them. So they were in  
15:26:50 10 Q. Do you happen to know who was the leader of the  
Kamajors?  
introduced to 11 A. Yes, sir. The leader of the Kamajors was  
was 12 us, I think, about -- between 1996 and 1997. He  
Hinga Norman. 13 shown to us as the Kamajor boss. He was Mr  
police 14 He spoke to us in a gathering at the Kenema  
15:27:22 15 station.  
means? 16 Q. You said, "He was introduced to us." That  
17 A. Well, we were a lot of xxxxxx. We were  
18 gathered; we were called to a meeting.  
Kenema xxxx 19 Q. So you mean Mr Norman was introduced to the  
15:27:48 20 xxxxxx?  
21 A. Yes, sir.



Kenema? 22 Q. Okay. Had the Kamajors ever gained control over  
23 A. Yes, sir.  
24 Q. When did this happen?  
15:28:04 25 A. It was on the 15th of February that they took  
over  
26 control of Kenema Township.  
27 Q. Could you please describe a little bit more in  
detail how  
28 the Kamajors managed to take control over  
Kenema?  
29 A. Yes, sir. It was on the 15th of February 1998.

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1 Q. what happened on this day?  
2 A. Yes, on this day we were hearing sounds - people  
singing,  
3 dancing and clapping. They were saying that,  
"Our  
4 saviour has come to Kenema". So on hearing  
this, nearly  
15:29:08 5 all of us xxxxxx went out to look at hangha  
hangha  
6 roads because the Kamajors were travelling along  
7 roads in groups. So we were so happy to see  
them. When  
8 they were passing, we were saying thanks to  
them, "Thank  
9 you, you've come to save us. Thank you, you've  
come to  
15:29:24 10 save us".  
11 Q. Where was your residence at this time; on the  
15th of  
12 February 1998?  
13 A. I was staying at xxxxxxx, Kenema.  
14 Q. By yourself, or did you have anyone to live with  
you?  
15:29:50 15 A. Yes, I was staying there with my children.  
16 Q. At what time of the day the Kamajors came?  
17 A. It was around 7 in the morning - 7.00 a.m.  
18 Q. And where did you stay when you learned that the  
Kamajors  
19 were entering Kenema?  
15:30:28 20 A. Well, I was standing along Hangha Road in front  
of the  
21 xxxxxxxx.  
22 Q. What were your personal feelings when you saw  
the  
23 Kamajors marching into Kenema?

24 A. I was really happy.

15:31:06 25 Q. Did you as well regard the Kamajors as the  
saviours?

26 A. Yes. When we saw them, we thought they were  
coming to

27 save us, so I also regard them as saviours.

28 Q. About how many Kamajors did you personally see  
entering

29 the town?

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were in 1 A. They were many - there were thousands, but they  
2 groups.  
3 Q. Did the Kamajors carry any weapon?  
4 A. Yes. Some of the them were carrying machetes  
and some of  
15:31:56 5 them guns.  
6 Q. Did they have any other weapons beside machetes  
and guns?  
7 A. Well, the other weapon that I saw them holding  
was  
8 sticks.  
9 Q. When you were standing beside the road or the  
street  
15:32:30 10 jubilating the Kamajors, did you wear xxxxx or  
plain  
11 clothes?  
12 A. No, I was in plain clothes.  
13 Q. Have you been afraid of being identified xxxxx  
xxxxx  
14 xxxxx?  
15:32:56 15 A. No, I was not on duty by then, so I was in plain  
clothes.  
16 Q. How did you express your sympathy for the  
Kamajors apart  
17 from waving, singing and dancing?  
18 A. I was saying thanks to them. I was saying,  
"Thank you  
19 very much; thank you."  
15:33:28 20 Q. Did you, and possibly others, tie palm leaves  
around your  
21 head?  
22 A. Yes. We were asked by the Kamajors to tie white  
cloths  
23 around our head at first. Then, later on, some  
of them

heads. 24 came and told us to tie palm leaves around our  
15:33:56 25 Q. Could you give us an explanation what white  
cloths or  
26 palm leaves tied around the head -- as a  
meaning?  
27 A. Well, we don't know the meaning, sir, but they  
told us to  
28 tie white cloths around our heads, but I don't  
know the  
29 meaning and later we were told to take off the  
white

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1 cloths and tie palm leaves on our heads, but I  
don't know 2 the meaning.  
3 Q. How was the attitude of the Kamajors towards the  
people 4 greeting them, jubilating?  
15:34:44 5 A. They were also singing and dancing whilst they  
were 6 marching on.  
7 Q. I understood that there were not any hostilities  
at this 8 time.  
9 PRESIDING JUDGE: What question was that?  
15:35:06 10 MR SAUTER: I understood that there were not any  
hostilities. 11  
12 PRESIDING JUDGE: That's very suggestive; it's very  
13 suggestive.  
14 JUDGE THOMPSON: It sounds leading.  
15 MR SAUTER: I withdraw my question.  
15:35:24 16 Q. When did you return to your xxxxx?  
indoors. They 17 A. Well, we were told by the Kamajors to go  
18 soldiers 19 said they want to search for -- if there is any  
20 around, so we were to go indoors.  
21 Q. Did you obey the order?  
15:35:46 22 A. Yes, sir. We obeyed the orders; all of us went  
to our 23 xxxxxx.  
24 Q. While in your xxxxxxx, could you observe what's  
going on 25 outside?  
26 A. No. We were sitting inside, because we were  
afraid when 27

15:36:14 25 the told us to go back to our xxxxxx. So we  
were  
indoors I 26 afraid; we were sitting indoors, but while  
27 heard three gunshots in the air.  
28 Q. Who at this time was with you in your xxxxx?  
29 A. I was there with my children.

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1 Q. For what time did you stay together with your  
children in  
2 your xxxxxx, approximately?  
3 A. I can't understand you, sir.  
4 Q. For what time approximately did you stay  
together with  
15:37:08 5 your children in your xxxxxx?  
6 A. On that day?  
7 Q. Yes.  
8 A. We stayed for few hours, sir.  
9 Q. Did you stay there together with your children  
15:37:30 10 permanently?  
11 A. No, they were going out and coming in, but I was  
sitting  
12 in the parlour. They were going out and coming  
in.  
13 Q. You are saying "they were going out." who is  
"they"?  
14 A. The children, they were going out and coming.  
Some of  
15:37:58 15 them would say, "I want to go to the toilet,"  
some would  
16 say, "I want to go and drink water." That was  
why they  
17 were going out.  
18 Q. When your children returned after having been  
out, did  
19 they tell you what they observed outside?  
15:38:16 20 A. Yes, sir. Two of my children came and they told  
me that  
21 they have shot Sergeant Mason, but I did not  
believe  
22 them. I thought they lying, so I told them to  
shut their  
23 mouth.



24 Q. Did Kamajors came to your xxxxx?  
15:38:40 25 PRESIDING JUDGE: Sergeant who?  
26 THE WITNESS: Sergeant Mason.  
27 MR SAUTER:  
28 Q. Did Kamajors, on this day, while you were  
staying in your  
29 xxxxx, come to your house?

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1 A. Yes, sir.

2 Q. what did they do?

3 A. well, before they came to my xxxx, I heard  
another

4 xxxx woman screaming, but she was speaking in  
Mende and

15:39:22 5 I cannot hear Mende -- I do not know what she  
was saying.

6 So I came out to see what was happening, because  
her

7 xxxxxx was very near my own. So I saw her lying  
on the

8 ground and the Kamajors had a machete in their  
hand, but

9 what she was saying to them -- after she had  
finished

15:39:44 10 speaking, they took the machete back and they  
left for my

11 own xxxxxx. And when they came to my own xxxxxx,  
they

12 asked me if I have any soldier or any SSD man in  
my

13 xxxxxx. I said, "No, I have none," but one of  
them know

14 me, so he told them to leave and go because I'm  
somebody

15:40:22 15 not harmful and very nice. So they left my  
xxxxxxx.

16 Q. In which language you communicated with the  
Kamajors?

17 A. In Krio, sir.

18 Q. And this event you've just described, is the  
only

19 encounter with Kamajors at your xxxxxx on this  
day?

15:41:00 20 A. well, after that my children told me later that  
the

Sergeant 21 Kamajors have shot down Corporal Fandai and  
22 Momoh Samura.  
people. 23 PRESIDING JUDGE: Let us get the names of those  
Samura. 24 A. Yes, sir. Couple Fandai and Sergeant Momoh  
15:41:40 25 Later on I --  
what 26 PRESIDING JUDGE: Had been shot or had been killed?  
27 happened to them?  
28 THE WITNESS: Have been shot dead, sir.  
29 MR SAUTER:

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xxxxxx? 1 Q. Did other troops of Kamajors come to your  
xxxxxx? 2 A. Yes, sir. They came from the bicycle field end.  
3 Q. what did they do when they arrive at your xxxxx?  
4 A. well, when they arrived at my quarters, they  
asked me for 5 arms and ammunition. I told them that I am  
15:42:24 5 without -- I  
6 haven't got either a xxxxx or any ammunition  
with me. I 7 said I'm supposed to be supplied, but when they  
came, it 8 was not enough for me, so I was left out. So I  
have no 9 ammunition.  
15:42:44 10 Q. Did they believe you that you as a xxxxxxxx do  
not 11 have arms and ammunition at all?  
12 A. No, they did not believe me; they were arguing  
that I 13 have, but I told them that I haven't got any.  
They later 14 came to believe that.  
15:43:10 15 Q. When this group of Kamajors left your home,  
could you see 16 where they are going?  
17 A. Yes, sir. When they came to me they seemed so  
furious 18 and fierce, so I was so afraid of them, but I  
decided to 19 take a look to see what they were doing. So as  
they were 20 moving, I left behind them.  
15:43:34 21 Q. And what else did you do?  
22 A. I followed them, but I kept a distance behind  
them - I

police 23 followed them. I saw them moving towards the  
24 football field.  
15:44:02 25 Q. Did anything happen as long as you were able to  
follow 26 them?  
met two 27 A. Yes, sir. Whilst they were on the field, they  
28 police officers.  
29 Q. Did you know the police officers?

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1 A. Yes, sir.

2 Q. Could you tell the court?

3 A. The one was OC Kanu.

4 Q. And the other one?

15:44:38 5 A. Was Desmond Pratt.

officers? 6 Q. Did the Kamajors do anything to these police

they halt 7 A. Yes. whilst the men were walking on the field,

asked the OC 8 them, and the police officers stopped. They

He told 9 Kanu, who was the OC SSD about his own identity.

15:45:06 10 them that he was the OC SSD. They did not --

11 Q. Could you explain to us what OC SSD is?

12 A. Officer commanding special security division.

13 Q. Okay, go ahead.

better if 14 A. So he himself thought they would understand him

15:45:32 15 he showed them his identify card. So he took

out his 16 identity card and showed it to them. As soon as

they 17 have read the card, they shot him, and also shot

Desmond. 18 whilst they were on this, a sergeant, Sergeant

Turay, he 19 came from behind them --

20 JUDGE OUTRÉ: slowly, please, slowly.

21 THE WITNESS: Okay, sir.

22 JUDGE BOUTET: Go ahead.

quarter 23 THE WITNESS: Sergeant Turay, he came from his own

to -- just 24 which was behind the police field. He entered

15:46:36 25 to talk on behalf of the police officers. He  
also was  
26 shot - Sergeant Turay.  
27 MR SAUTER:  
28 Q. When you say these three police officers were  
shot, do  
29 you mean shot to death?

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1 A. Yes, sir, they were shot dead.

2 Q. And you could see it?

3 A. Yes, sir.

4 Q. Having seen the killing of xxxxx xxxxxx, what  
did you  
15:47:08 5 do?

6 A. Well, I was so afraid, so I left and went back  
to my  
7 xxxxx.

8 Q. And did you stay in your xxxxxx?

9 A. Well, I left the xxxxx to meet my children,  
because by  
15:47:36 10 then my children had all run away. They ran to  
one of my  
11 friend's place.

12 Q. For how long approximately did you stay with  
your friends  
13 before eventually returning to your xxxxxx?

14 A. Well, it all happened within an hour's time;  
between 7.00  
15:48:00 15 and 8.00 in the morning.

16 Q. So, once again, how long did you stay with your  
friends  
17 outside your xxxxx?

18 A. Okay. You mean after I had left my xxxxx?

19 Q. Yes.

15:48:22 20 A. Well, I was with them for about a week.

21 Q. Am I right that you returned to the xxxxxx the  
22 first time after the 15th of February after  
about one  
23 week?

24 A. No, it was days after that I returned to check  
on my



15:48:52 25 xxxxxx, but on entering the xxxxxx, the xxxxxx  
was  
26 stinking by then -- stinking from the dead  
bodies by 27 then.  
28 Q. When being in the xxxxxx, did you personally  
see 29 any dead bodies?

MOMODOU JALLOW - SCSL - TRIAL CHAMBER I

1 A. Yes, sir.

2 Q. Were you able to recognise the corpses?

3 A. Yes, sir.

4 Q. Whose corpses were they?

15:49:32 5 A. I was able to recognise the corpse of Sergeant  
Mason,

6 Corporal Fandai, Sergeant Samura, Sergeant  
Turay, OC Kanu

7 and Desmond Pratt, and later I saw the corpse of  
Essai

8 (phonetic) Mimor.

9 PRESIDING JUDGE:

15:49:58 10 Q. The names again.

11 A. Yes, sir. Sergeant Mason, Corporal Fandai,  
Sergeant

12 Samura, Sergeant Turay, OC Kanu, Desmond Pratt,  
and later

13 I saw the corpse of Essai (phonetic) Mimor.

14 MR SAUTER:

15:50:54 15 Q. Did you meet anybody else when being in the  
xxxxxx

16 xxxxxxxx?

17 A. Yes. When I went to the police barracks, I was  
asked out

18 of the place by the Kamajors. They told me that  
they

19 were in control, there are no more police  
officers, no

15:51:12 20 more soldiers; they, the Kamajors, are the  
police

21 officers and also the soldiers.

22 Q. Did you do anything --

23 A. Yes.

24 Q. -- to help your dead colleagues?

15:51:40 25 A. Yes, sir. So I made an attempt to bury the  
bodies. I  
in 26 wanted to go out and find some people to assist  
kamajors 27 digging the grave for the people, but the  
before 28 refused. They said I have to get permission  
29 burial.

MOMODOU JALLOW - SCSL - TRIAL CHAMBER I

1 Q. Did you go for a permission?

2 A. Yes, sir. I left the barracks and was going --  
few  
3 yards - I met one of the Kamajor bosses - a  
chief, and I  
4 explained everything to him, and he told me to  
go ahead  
5 and do the burial and he was behind me. We came  
15:52:20 together  
6 and he told the Kamajors to allow us to bury our  
7 colleagues.  
8 Q. And did you bury your xxxxxxxx?

9 A. Yes, sir. We called boys from the neighbourhood  
of the  
10 barracks. They came in and dug the pit together  
15:52:42 with  
11 some officers, but I left them while they were  
digging to  
12 prepare food for the workers. So when I came  
with the  
13 food, they ate and after that they went to  
collect the  
14 dead bodies for burial in the pit that they have  
dug.

15:53:06 15 Q. Do you happen to know how many of your  
colleagues in  
16 Kenema in the course of the taking over control  
by the  
17 Kamajors were killed?

18 A. Yes, sir.

19 Q. How many?

15:53:24 20 A. Well, in fact we did bury six police officers  
and the  
21 soldiers in the pit. There were seven police  
officers  
22 that I know of in the barracks.

23 PRESIDING JUDGE:  
24 Q. When you say "in a pit," was it a common grave  
or  
15:53:46 25 individual graves.  
26 A. It was a common grave, sir.  
27 MR SAUTER:  
28 Q. My question was whether or not you happen to  
know the  
29 total number of policemen who were killed during  
the

MOMODOU JALLOW - SCSL - TRIAL CHAMBER I

1 course of the --

2 A. Okay, the whole exercise. Well, I later came to  
know

3 that there were 36 officers dead in Kenema.

4 Q. Who told you that 36 officers were killed?

15:54:28 5 A. Well, when we surrendered to the ECOMOG at the  
NIC

6 building in Kenema, a report was given that 36  
officers

7 were killed.

8 PRESIDING JUDGE:

9 Q. You mean 36 police officers?

15:54:46 10 A. Yes, sir.

11 MR SAUTER:

12 Q. Are you speaking of a report made by ECOMOG?

13 A. No, sir. The police officers gave the report to  
the

14 ECOMOG officers.

15:55:04 15 Q. Do you know why the Kamajors were killing police  
officers

16 in Kenema?

17 A. Yes. I later learnt that the police officers  
were

18 disturbing them whilst they want to do their  
duties, and

19 also they said we worked together with the  
juntas, so we

15:55:34 20 were all juntas, because during AFRC time, each  
never

21 government department were on strike, but we  
are

22 strike. So they said we worked with them, so we  
23 juntas also.

24 Q. When you say "junta," whom do you mean as junta?

15:55:54 25 A. Junta -- junta comprises of the soldiers and  
rebels. So  
26 they classed us all as juntas.  
27 Q. Did you know one person by the name of  
Massaquoi?  
28 A. Yes, sir.  
29 Q. Who was Mr Massaquoi?

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of Kenema 1 A. Mr Massaquoi was the mayor by then -- the mayor  
2 township by then.  
3 Q. Do you know whether or not anything happened to  
4 Mr Massaquoi?  
15:56:44 5 A. Yes, sir. Mr Massaquoi was arrested by Maskita  
and taken 6 to the police station for interrogation. He was  
taken to 7 CID and later he was placed in cells, and after  
sometime, 8 he, the Maskita came, and collected him from the  
police 9 cells.  
15:57:06 10 Q. Sorry, I did not understand. Who arrested Mr  
Massaquoi?  
He was 11 A. Maskita took Mr Massaquoi to the police station.  
12 taken to the CID headquarters in Kenema for  
13 interrogation.  
14 Q. Who was Maskita?  
15:57:24 15 A. He was one of the rebels.  
16 Q. And a rebel leader?  
17 A. Yes, sir.  
was 18 Q. Sorry. Did I get you right, that Mr Massaquoi  
19 arrested by the junta?  
15:57:48 20 A. The junta, yes, sir.  
21 Q. And brought to Kenema police?  
22 A. Yes, sir.  
23 Q. And what after that happened with Mr Massaquoi?  
24 A. Mr Massaquoi was placed in cells by the CID  
people.



15:58:02 25 Later on, he was taken from the cells by the  
same  
26 Maskita.  
27 Q. And did he ever return?  
28 A. No, he never returned with him.  
again? 29 Q. After this time did you ever see Mr Massaquoi

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1 A. No, sir. I only heard about his dead body.

2 Q. Did you hear who allegedly killed Mr Massaquoi?

3 A. No, sir.

4 Q. Did the Kamajors blame you, xxxxxxx --

15:58:54 5 MR WILLIAMS: I object, My Lord. My Lord, it's  
clearly

6 suggestive.

7 PRESIDING JUDGE: Can you sit down whilst your  
colleague is on

8 his feet, please.

9 MR WILLIAMS: My Lord, I will take an objection, My  
Lord, to

15:59:10 10 that question, My Lord, that it's suggestive.

11 PRESIDING JUDGE: He did not even complete it. Let  
him --

12 MR WILLIAMS: It's pre-emptive, My Lord.

13 PRESIDING JUDGE: Yes, let him complete it, then you  
can -- I

14 didn't hear -- he started. I had the impression  
that you

15:59:28 15 have, but we didn't know. Let him ask the  
question

16 again.

17 MR WILLIAMS: As My Lord pleases.

18 MR SAUTER:

19 Q. Did the Kamajors blame the police of having  
anything to

15:59:56 20 do with the death of Mr Massaquoi?

21 A. Yes, the Kamajors said that the police sold Mr  
Massaquoi

22 to the junta.

23 Q. When did the situation start to calm down in  
Kenema after

24 Kamajors has taken over control?

16:00:28 25 A. Well, when the ECOMOG arrived, the situation  
cooled down.

26 Q. Could you tell us when ECOMOG arrived?

27 A. Well, a few days after the ECOMOG arrived. That  
was

28 towards the weekend.

29 Q. When did you the police personally take up  
office again

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1 after this incident?

2 A. Well, as soon as the ECOMOG came, they made  
announcement  
3 that any police officer or soldier should report  
at the  
4 NIC headquarter to surrender themselves to the  
ECOMOG.

16:01:12 5 So some xxxxx xxxxxxxx, xxxxx went and xxxx gave  
up  
6 xxxxxx to the ECOMOG soldiers.

7 Q. Have xxxx personally been among those ones who  
surrendered  
8 to ECOMOG?

9 A. Yes, sir.

16:01:42 10 Q. Have the Kamajors been involved in any of the  
surrender  
11 process?

12 A. Yes, sir. Whilst we were inside the compound of  
the NIC  
13 building, they were there threatening us; they  
were  
14 scratching the ground with the machetes. They  
were  
15 making sounds, "Crat, crat. we want their  
16:02:02 hearts. It's  
16 hearts," in  
17 Krio.

18 Q. Do you know any Mr Eddie Mansaray?

19 A. Yes, sir.

16:02:24 20 Q. Has he been present when xxxx surrendered to  
ECOMOG?

21 A. Yes, sir.

22 Q. Did he address the xxxxxxxx being present in the  
23 ECOMOG headquarters?

24 A. Yes, sir.

16:02:42 25 MR JABBI: Objection, My Lord. My Lord, the  
Prosecutor is

26 constantly suggesting and leading the witness in  
various

27 ways. This is a very clear example.

28 PRESIDING JUDGE: Sustained. Learned counsel,  
please, you

29 will avoid -- you are not giving evidence. You  
are not

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1 giving evidence. Please ask questions to -- put  
2 questions to the witness. It is important that  
you put 3 questions. Don't suggest answers to him or  
convert it 4 to -- convex yourself to a witness; it's not  
allowed 5 procedurally.  
16:03:16

6 MR SAUTER: I beg your pardon, but in my  
understanding it is a  
7 question that I asked the witness, whether or  
not a 8 certain person addressed them -- certain  
persons.

9 JUDGE THOMPSON: But, why not, "Did it happen? Did  
anything  
16:03:36 10 -- did," you know, that kind of thing. I mean,  
you don't

11 have to suggest what you want as the answer to  
her. That  
12 is suggestive; that's leading. You don't have  
to suggest  
13 what you want as the answer to her. That is  
suggestive;

14 that's leading. I mean, she can tell her story  
on an  
16:03:48 15 episodic basis, you know, episode by episode.  
You

16 confine yourself to a certain event and later  
come out  
17 with the answers.

18 PRESIDING JUDGE: And you are very lucky to have an  
19 enlightened witness, who knows what she is  
talking about.

16:04:10 20 SAUTER: Of course.

21 PRESIDING JUDGE: So, please.

episodes. 22 JUDGE THOMPSON: [Overlapping microphones] it in  
23 MR SAUTER:  
24 Q. You said before Kamajors were present when xxxxx  
16:04:22 25 colleagues -- some of xxxx colleagues  
surrendered?  
26 A. Yes, sir.  
27 Q. Is that right?  
28 A. Yes sir.  
Kamajors 29 Q. What did members of the -- or did members of the

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1 do anything while xxxxx xxxx colleagues  
surrendered to  
2 ECOMOG?  
3 A. Yes, sir. Whilst at the NIC compound, they were  
there  
4 threatening us with their machetes saying that  
they want  
5 our hearts, and after some time one of their  
16:04:50 leaders,  
6 Eddie Mansaray came in and spoke to us.  
7 Q. What did he say?  
8 A. Well, he told us to prepare and know that we are  
safe,  
9 and he also told us that promotions were given  
by the  
10 AFRC and transfers were made by the AFRC. He  
16:05:20 says that  
11 they are not valid; they are all void. And he  
also told  
12 us to stay calm and fear nothing. He spoke a  
lot of  
13 things, but I can't remember the balance that he  
said.  
14 Q. After having surrendered to ECOMOG, were you  
able - you  
15 and your colleagues, were you able to take up  
16:05:52 xxxxxx  
16 duties?  
17 A. Well, the day we surrendered, the ECOMOG made it  
clear to  
18 us, "Those who think they are safe, you can go  
home, but  
19 if you think you are not safe, you can stay in  
the  
20 compound with them." So I myself, I know that I  
16:06:10 have  
21 nothing, so I left for my xxxxx and every  
morning I



22            come to the ECOMOG and reported myself. We  
spent some  
23            days reporting before later ECOMOG told us to  
visit the  
24            station.  
16:06:32 25    Q.    When you say "station," I assume you mean the  
xxxxx  
26            station; am I correct?  
27    A.    Yes, sir. The xxxxx station, sir.  
28    Q.    And what did you find when you went to the xxxxx  
29            station?

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everywhere 1 A. Well, we met the xxxxx station ransacked --  
dirt that 2 was turned over and there were a lot of papers,  
the 3 was left outside. There were no furniture in  
packed it 4 station. So we have to clear all the dirt and  
16:07:10 5 into one pile. We were in this process when the  
Kamajors 6 entered. They asked us what are we doing. We  
told them 7 that we were ordered by the ECOMOG to clean the  
station, 8 and they told us to get out of the station, they  
said 9 because we are no more xxxxxx xxxxxx and so we  
have 10 nothing to do with the xxxxx station.

11 [HN170904E 4.10 p.m.]

station -- 12 Q. And what did you do? Did you go out of the  
13 A. No, we never went out. They were in this  
process when 14 the ECOMOG soldiers came in. When the ECOMOG  
soldiers 15 came in, they asked them what they were doing,  
16:11:17 16 all ran away, but they got hold of some and they  
so they 17 asked them to go out -- the remaining ones that were  
asked 18 asked them to get out of the station.  
left, they 19 Q. And were you able, from this moment on, to  
perform your 20 xxxxxx duties?  
16:11:39

every 21 A. Yes, from this moment, we went to the station  
normally 22 morning, but there was no place to sit, so we  
we sit 23 take stones, put it inside the charge office and  
in the 24 on the stones. So -- but still, whilst we are  
16:11:59 25 station, there was a lot of threats by the  
Kamajors.  
this made 26 They normally come in to ask us questions, so  
ECOMOG 27 us to go fear, so we made the reports to the  
soldiers to 28 soldiers and every morning they gave us some  
the 29 be with us in the station. Some were sitting at

end of 1 charge office end and the others were by the CID  
2 the police station -- every day.

Honours. 3 MR SAUTER: Thank you. One moment, please, Your  
No 4 more questions, thank you. Thank you very much.

16:12:55 5 JUDGE BOUTET: First accused, are you ready to  
proceed with 6 your cross-examination of this witness -- either  
yourself 7 or your counsel, as you wish?

8 THE ACCUSED NORMAN: I won't be long.

9 CROSS-EXAMINED BY THE ACCUSED  
NORMAN:

16:13:15 10 Q. Madam Witness --

11 A. Yes, sir.

12 Q. You made a statement or statements to the  
Prosecution,  
13 did you?

14 A. Yes, sir.

16:13:31 15 Q. How many statements?

16 A. Well, I can't tell, sir.

17 Q. One or two?

18 A. You mean the pages, sir?

19 Q. No, how many times you made the statements?

16:13:51 20 A. To the Prosecution side?

21 Q. Yes.

22 A. I made one statement, sir.

23 Q. Thank you. Are you sure you made only one  
statement?

24 A. Yes, sir, but after I have made the statement,  
they

16:14:08 25 normally come and check on me to know whether  
I'm

26 constant with the statement that I've made.  
Special 27 Q. Thank you. Apart from the Prosecutors of the  
person 28 Court, were you approached by any other group or  
29 to make statement?

MAUREEN P DUNN - SCSL - TRIAL CHAMBER I

1 A. No, sir.

2 Q. If I may remind you, not even the TRC?

3 A. No, sir.

4 Q. Thank you. Do you remember when you first made  
this  
16:14:40 5 statement -- the date?

6 A. I cannot remember the date, but it was in  
January 2003.

7 Q. Thank you. If I help you with the date, maybe  
you  
8 agree - 10 January 2003?

9 A. Maybe, sir.

16:15:05 10 Q. Thank you. You have stated a few things, but  
I'm just  
11 interested in a few. When you said, under your  
12 examination-in-chief, that the Kamajors took  
over Kenema,  
13 what did you mean?

14 A. Yes, sir. The AFRC was in control of Kenema  
until that  
16:15:46 15 time, but towards the weekend - I think that  
will be  
16 around the 13th or the 14th - they fled out of  
Kenema.  
17 So when the Kamajors came, they took over.

18 Q. By "took over", did you mean all the  
administration of  
19 Kenema?

16:16:10 20 A. Yes, sir.

21 Q. To control Kenema in township and in every form  
of  
22 administration?

23 A. Yes, sir.

24 Q. And that the police were under that  
administration?

16:16:25 25 A. well, it was not so long, sir -- it never took a  
week  
26 when the ECOMOG came.  
27 Q. whether it was one day or two days, were the  
police under  
28 that Kamajor administration?  
29 A. Yes, sir.

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single 1 Q. Who was the Kamajor administrator in charge as a  
2 person; do you know?  
3 A. Well, we all knew you as the head, sir.  
4 Q. Who was the head?  
16:16:54 5 A. You, sir, Mr Hinga Norman.  
6 Q. Did you see me in Kenema?  
7 A. No, sir, but you are the figurehead, sir.  
thought 8 Q. Fine. Is it because I'm the figurehead, so you  
9 because I was, so I took over Kenema?  
16:17:05 10 A. No, sir. But we thought you gave orders, sir.  
would 11 Q. Fine. So whenever Kamajors were in Kenema you  
12 think that I gave orders?  
13 A. Yes, sir.  
14 Q. Was the Kamajor a Norman creation?  
16:17:25 15 A. We are made to know that you are the head, sir.  
16 Q. Who made you to know?  
17 A. Yourself, sir.  
that you 18 Q. Fine. So I made a proclamation in Sierra Leone  
19 should know me as Kamajor head?  
16:17:37 20 A. At the meeting that was held in the police  
station, you  
sir. 21 were introduced as the head of the Kamajors,  
22 Q. Who did that introduction?  
23 A. Well, I cannot remember, because time's passed.  
remember 24 Q. Yes, you remember Hinga Norman, but you cannot  
16:17:52 25 who introduced Norman?  
26 A. Yes, sir.



27 Q. Madam Witness?  
28 A. Yes, sir.  
29 Q. At the time when Hinga Norman was introduced as  
Kamajor

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1 boss, was there a government in Sierra Leone?  
2 A. Yes, sir.  
3 Q. what type of government - de facto or de jure;  
that is,  
4 government by the ballot box, or government by a  
16:18:20 5 military?  
6 A. Government by the ballot box, sir.  
7 Q. And who was the president of that government?  
8 A. Honourable Tejan Kabbah, sir.  
9 Q. And it was at that time you said that Hinga  
Norman was  
16:18:35 10 introduced?  
11 A. Yes, sir.  
12 Q. Was there a resident minister in Kenema?  
13 A. By then, yes, sir.  
14 Q. Good. Who was the resident Minister?  
16:18:44 15 PRESIDING JUDGE: Mr Norman, slowly, please.  
16 THE ACCUSED NORMAN: Sorry; I get carried away, I'm  
sorry.  
17 PRESIDING JUDGE: I know.  
18 JUDGE BOUTET: Still, you can say it [microphone not  
19 activated]  
16:18:56 20 PRESIDING JUDGE: It's in your interests to make sure  
--  
21 THE ACCUSED NORMAN:  
22 Q. Was there a resident minister?  
23 A. Yes, sir.  
24 Q. Who was?  
16:19:02 25 A. I can't remember him, sir.  
26 Q. Was there a permanent secretary in Kenema?  
27 A. I don't know, sir.

28 Q. You don't know?

29 A. I don't know, sir.

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1 Q. Was there a chief police officer in Kenema?  
2 A. Yes, sir.  
3 Q. Who was?  
4 A. By then -- the time you entered yourself?  
16:19:25 5 Q. Yes.  
6 A. I can't remember --  
7 Q. Thank you.  
8 A. But I think it was Mr xxxx[phon].  
9 Q. Thank you. You cannot remember, but you think?  
16:19:33 10 A. Yes, sir.  
11 Q. It was Mr who?  
12 A. Mr xxxx [phon].  
13 Q. Could he have been at that meeting?  
14 A. Yes, sir, he was.  
16:19:41 15 Q. He was. Is that Mr xxxx [phon] still in the  
police?  
16 A. No, sir.  
17 Q. Has he left the police?  
18 A. Yes, sir, he has retired.  
19 Q. He has retired?  
16:19:57 20 A. Yes, sir.  
21 Q. Would you know whether that Mr xxxx [phon] would  
be in  
22 Sierra Leone?  
23 A. I can't tell, sir.  
24 Q. Fine. And you and Mr xxxxxx [phon], who would  
be the best  
16:20:11 25 to tell whether Hinga Norman declared himself as  
the boss  
26 of the Kamajors who took over?  
27 JUDGE THOMPSON: Argumentative.

28 THE ACCUSED NORMAN: Thank you.  
29 Q. Would you say that you are the proper person to  
say Hinga

MAUREEN P DUNN - SCSL - TRIAL CHAMBER I

1 Norman took over Kenema?

2 A. Well, I did not say that you take over Kenema.

what

3 I said -- I said I thought you were the one who

gave

4 orders to the Kamajors.

16:20:40 5 Q. Thank you. Thank you. So you were just

thinking?

6 A. Yes.

7 Q. Thank you. And I'm sure, Madam Witness, you are

an

8 experienced xxxxx xxxxxx.

9 A. Yes, sir.

16:21:03 10 Q. You witnessed the laying to rest those bodies

that were

11 decomposed?

12 A. Yes, sir.

13 Q. And you will know the spot where they were

buried?

14 A. Yes, sir.

16:21:19 15 Q. As you are sitting here, you could tell us that

spot?

16 A. Yes, sir.

17 Q. Where was it?

18 A. It was very near Mr - Sergeant Vandi's quarters.

19 Q. That is in the police barracks?

16:21:35 20 A. Yes, sir.

21 Q. And that place can be identified by you?

22 A. Yes, sir.

23 Q. And that if they requested, their Lordships

could go and

24 see that place -- you would identify the place

to them,

16:21:52 25 would you?

are

- 26 A. well, the place is now mixed up, because people  
27 planting different types of crops in that area.  
28 Q. But surely --  
29 A. But I know the point.

MAUREEN P DUNN - SCSL - TRIAL CHAMBER I

1 Q. You know the place?

2 A. Yes, sir.

3 Q. You can manage at least to point to the place?

4 A. Yes, sir.

16:22:07 5 Q. Thank you. Again, I'm emphasising that I admire  
your  
xxxx 6 eloquence, and I suppose you are a very trained  
7 xxxxx. Have you ever investigated a murder case  
8 before?

9 A. I assist in investigating murder cases.

16:22:34 10 Q. You assist in investigating --  
11 A. Murder cases, yes, sir.

for 12 Q. Then you assist, also, in compiling the report  
13 prosecution if an accused is identified?

14 A. Can't get you, sir. Say it again.

16:22:53 15 Q. I'm saying it slowly.  
16 A. Yes, sir.

assist 17 Q. You assist in the investigation. You would also  
you 18 in compiling the report. When you investigate,  
19 compile reports?

16:23:08 20 A. No -- well, the investigator in charge of that  
case is  
interim 21 responsible to make a report -- to write an  
22 report about his findings.

23 Q. I'm talking about you assisting in the  
investigation.  
- never 24 A. No, normally the assistants never made reports -



16:23:24 25 compiled reports.  
26 Q. No, I said you assist in compiling.  
27 A. Maybe.  
28 Q. Now, in your case, have you ever assisted in  
compiling  
29 murder reports? You are an experienced --

MAUREEN P DUNN - SCSL - TRIAL CHAMBER I

assist in 1 A. Yes, I assist in investigating. I normally  
2 taking one or two statements.  
3 Q. Yes.  
4 A. Then, that's my own part.  
16:23:48 5 Q. Fine. Now, when you take a statement, what do  
you do 6 with that statement?  
7 A. When we take the statement, you have to give it  
to the 8 person concerned to read it, or you read it for  
him. 9 Q. Yes.  
16:24:02 10 A. If he can't read, you can read and explain it  
over to 11 him.  
12 Q. Yes.  
13 A. And later you ask him to sign.  
14 Q. Fine. And --  
16:24:10 15 A. And I also sign as the recorder.  
as an 16 Q. Fine. And I suppose that you've done all that  
17 experienced xxxx lady?  
18 A. Yes, sir.  
actual 19 Q. After all that is done, what do you do with the  
16:24:21 20 compiled and signed statement?  
21 A. I hand it over to the investigator, sir.  
22 Q. Fine. How do you hand it over -- just say,  
"Here it is," 23 or you make a sort of report to conclude on it  
and then 24 give it?  
16:24:34 25 A. No, I normally hand it over personally to the

26 investigator.  
27 Q. Fine. And apart from murder, have you done an  
28 investigation of any case before?  
29 A. Yes, sir.

MAUREEN P DUNN - SCSL - TRIAL CHAMBER I

1 Q. Like what case?

2 A. Well, in criminal cases --

3 Q. Fine.

4 A. -- assault cases, et cetera.

16:24:53 5 Q. Hold on. In a criminal case, when you  
investigate, who

6 are you looking for in that investigation?

7 A. You are trying to get the suspect.

8 Q. The suspects?

9 A. Yes, the accused.

16:25:04 10 Q. The accused. The one who really, by your  
suspicion,

11 would have committed the crime?

12 THE INTERPRETER: My Lords, he's moving too fast. We  
are

13 finding it difficult to interpret for the  
accused

14 persons.

16:25:19 15 PRESIDING JUDGE: A complaint has been lodged against  
you,

16 Mr Norman, by the translation booth. We don't  
want to

17 investigate that complaint.

18 THE ACCUSED NORMAN: [Inaudible].

19 Q. I'm sorry?

16:25:33 20 JUDGE BOUTET: Can you repeat your last question?

21 THE ACCUSED NORMAN:

22 Q. Madam Witness, when you investigate crimes, you  
submit

23 your report -- the investigation; that is, you  
are

24 finding out who may have committed the crime --  
who may

16:25:52 25 have?

- 26 A. Yes, sir.
- 27 Q. And after that, that report to you will go  
somewhere?
- 28 A. Yes, sir.
- 29 Q. Where does it go?

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in 1 A. Well, after compiling the report, there's an NCO  
NCO in 2 charge of crime. You deposit the files to the  
station 3 charge of crime, who later take it to the  
4 officer, and then the OC.

16:26:12 5 Q. Yes. Now, who does the recommendation whether  
there was 6 someone to follow or nothing to follow?

7 A. The officer in charge.

8 Q. The officer in charge?

9 A. Yes, sir.

16:26:22 10 Q. Based upon you, the investigator's, report?

11 A. Yes, sir.

suspicion 12 Q. Now, who normally is charged with an offence of  
13 by the police?

16:26:48 14 MR SAUTER: Your Honours, I object. I cannot see the  
police 15 relevance of these questions. We are not in a  
16 exam.

examination. 17 PRESIDING JUDGE: Overruled. He's in cross-  
18 Continue, Mr Norman.

19 THE ACCUSED NORMAN: Thank you, My Lord.

16:27:00 20 Q. Who is normally recommended for charging -- say,  
"This 21 person is recommended to be charged"?

think fit has 22 A. Yes, sir. You can recommend the person you  
23 committed the offence.

person? 24 Q. Fine. Do you recommend the parent of that

16:27:18 25 A. No, sir.  
26 Q. Do you recommend the boss of that person?  
27 A. No, sir.  
28 Q. Thank you. In the case of murder --  
29 PRESIDING JUDGE: Mr Norman, you will cut it short,  
because we

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1 will soon start questioning the relevance.

2 THE ACCUSED NORMAN: The relevance --

3 PRESIDING JUDGE: If you pursue it too far.

4 THE ACCUSED NORMAN: Thank you.

16:27:40 5 PRESIDING JUDGE: Please.

6 THE ACCUSED NORMAN: The relevance is --

7 JUDGE THOMPSON: You don't need to tell us what the  
relevance  
8 is. We just remind you that even cross-  
examination has  
9 relevance boundaries.

16:27:53 10 THE ACCUSED NORMAN: Thank you, sir. Thank you, My  
Lords.

11 Q. It is not the parent nor the boss that is  
recommended for  
12 charging but the one who is surely suspected to  
have  
13 committed the crime; not so?

14 A. Yes, sir.

16:28:08 15 Q. Thank you. And do you know that there are laws  
under  
16 which people, who eat their fellow human beings  
in this  
17 country, are charged?

18 A. Yes, sir.

19 Q. That is what law -- the law of --

16:28:29 20 A. It's under the Murder Act, sir.

21 Q. You first kill --

22 A. Yes, and then you eat.

23 Q. Then you eat?

24 A. Yes, sir.

16:28:36 25 Q. What would be the act of eating?

26 A. We normally call it "cannibalism".



27 Q. Cannibalism?  
28 A. Yes, sir.  
29 Q. So normally, if somebody eats another person,  
they charge

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1 that person with cannibalism?

2 A. Yes, sir.

with 3 Q. The one that doesn't eat, is he or she charged

4 cannibalism?

16:28:57 5 A. He's charged with murder.

kill -- if 6 Q. No, the one who doesn't eat and also does not

murder? 7 you don't kill, would they charge you for

8 A. No, sir.

eating? 9 Q. If you don't eat, would they charge you for

16:29:07 10 A. No, sir. Most --

11 Q. Thank you.

Court will 12 A. Let me canvass more, sir. I don't know if the

sent by 13 permit me. Most of the Kamajors say they are

14 you. That was what they normally tell us.

16:29:19 15 Q. Fine. So whatever they told you, you took for

granted?

16 A. Yes, sir.

the 17 Q. Because it is Hinga Norman. If I told you that

you 18 president of Sierra Leone told me to eat, would

19 believe?

16:29:34 20 A. No, sir.

21 Q. You wouldn't?

22 A. Yes, sir.

23 Q. You would believe --

24 A. No, sir, I wouldn't believe.

16:29:40 25 Q. But if they told you that, "Hinga Norman told me  
to eat,"  
26 you'd believe? Madam witness?  
27 A. Yes, sir. The way they acted and what they  
said, that  
28 also made us believe that you sent them.  
29 Q. Fine. Now, the way I acted and the way I said  
it here,

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eat human 1 would you believe that the president sent me to  
2 beings?  
3 A. No, sir.  
4 Q. You wouldn't believe?  
16:30:06 5 A. I wouldn't believe, sir.  
6 Q. Do you have anything against Hinga Norman?  
you were 7 A. No, sir. I only met you for the first time --  
8 introduced to us in the station.  
9 Q. As a xxx xxx --  
16:30:19 10 A. Yes, sir.  
11 Q. -- when somebody tells you that, "This person  
tells me to 12 do so," do you believe immediately?  
13 A. I have to investigate, sir.  
indeed, 14 Q. Fine. Did you investigate the Kamajors whether,  
16:30:31 15 Hinga Norman sent them, or told them to eat?  
16 A. Well, most of them, they were just saying that,  
sir.  
17 Q. That is what I'm saying. They said it. Did you  
18 investigate?  
19 A. I have no power to investigate the matter, sir.  
16:30:45 20 Q. Fine. So you would believe without the power to  
21 investigate?  
22 A. Yes, sir.  
have 23 Q. Fine. So as the xxx xxx, because you do not  
you? 24 power to investigate, you would believe, would  
16:31:02 25 A. Yes, sir.

26 Q. Thank you. So, in the xxxxx, when you were  
being taught  
27 the elementary of law, were you told to believe  
every  
28 statement that somebody told you of another  
person?  
29 A. I have to investigate, sir.

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another 1 Q. Fine. And the statement of another person for  
2 person, what would you call that statement?  
3 A. Hearsay.  
the xxxxxx, 4 Q. Hearsay. Now, in the law that you studied in  
16:31:46 5 is hearsay a reliable statement?  
6 A. Well, in that case --  
7 Q. Is hearsay?  
8 A. Yes, in that case it's hearsay, but it seems to  
be 9 believable.  
16:32:00 10 Q. In my case?  
11 A. Because the way they were acting and what they  
were 12 doing, because there's no-one to control them or  
correct 13 them, so we thought you were behind them.  
14 Q. Fine. So you're thinking -- you think it's  
right? 15 A. Yes, sir.  
16 Q. You think your thoughts are right?  
17 A. Yes, sir.  
18 Q. Fine. And you think that, as a very experienced  
19 xxxxxxxx, you want the Court to take your  
thinking as 20 being right?  
16:32:36 21 A. No, sir.  
22 Q. Fine. Thank you. Madam, that will be all.  
Thank you, 23 My Lords.  
24 A. Thank you.  
16:32:54 25 JUDGE BOUTET: Thank you, Mr Norman. Counsel for Mr  
Norman?

26 Thank you, Mr Norman, you may be seated.  
27 MS WHITAKER: Thank you, Your Honour.  
28 JUDGE THOMPSON: Learned counsel, our injunction  
remains, that  
29 you must not traverse grounds already covered by

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1 Mr Norman.

2 MS WHITAKER: Indeed.

3 CROSS-EXAMINED BY MS WHITAKER:

4 MS WHITAKER:

16:33:15 5 Q. Madam Witness, I'm going to ask you a few more  
questions

6 on behalf of Chief Norman.

7 A. Yes, sir.

8 Q. Now, I think you said that during the AFRC's  
period of

9 illegal government that all the other government  
16:33:33 10 departments were on strike; is that correct?

11 A. Yes, madam.

12 Q. Was that because they didn't recognise the  
government?

13 A. Yes, madam.

14 Q. Because it was illegal?

16:33:42 15 A. Yes.

16 Q. Thank you. But the police officers remained --

17 PRESIDING JUDGE: Slowly.

18 MS WHITAKER: Sorry, sorry.

19 PRESIDING JUDGE: Ms Whitaker, slowly.

16:33:53 20 JUDGE THOMPSON: Ms Whitaker, could we go over it  
again from

21 the start?

22 MS WHITAKER: The witness confirmed that all the  
other

23 government departments were on strike during the  
period

24 of the illegal AFRC government, because they  
didn't

16:34:06 25 recognise the government.

26 JUDGE BOUTET: Go ahead.



27 MS WHITAKER:  
28 Q. The police officers continued working during  
this period?  
29 A. Yes.

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1 Q. And police officers took directions and orders  
from the 2 AFRC government?  
3 A. Yes.  
4 Q. Including handing people over to the AFRC who'd  
make 5 complaints against them, for them to deal with?  
16:34:57 6 A. Well, they normally come to the xxxxx, tell us,  
"we 7 want so-and-so person," so we have no  
alternative but to 8 give the person to them.  
9 Q. This is the AFRC saying, "we want so-and-so"?  
16:35:14 10 A. Yes.  
11 Q. And you would go and get that person --  
12 A. Yes.  
13 Q. -- for the AFC?  
14 A. Yes, because if you did not give the person to  
them, they 15 would break the cells and take them off.  
16 Q. They would take them anyway?  
17 A. Yes.  
18 Q. Thank you. And you wear uniforms as xxxx xxxx;  
is 19 that correct?  
16:35:34 20 A. Yes.  
21 Q. And were you also armed xx xxxx xxxxx,  
generally? 22 A. Some xxxxx were armed -- not all.  
23 Q. Now, in your evidence, you described Kamajors  
coming to 24 your xxxxx. These are in the xxxx xxxx, are  
16:36:05 25 they?

26 A. Yes, in the xxxx xxxxx.  
27 Q. And they were searching for arms and ammunition  
in your  
28 xxxxxx?  
never 29 A. They asked me for arms and ammunition. They

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1 searched, but they asked me.

2 Q. And you said you didn't have any?

3 A. Yes.

4 Q. And they accepted that?

16:36:21 5 A. Yes. They asked a few more questions and then  
they left.

your 6 Q. So they questioned you about arms and accepted  
7 answers and left?

8 A. I can't hear you.

of arms -- 9 Q. Sorry. They questioned you about the presence  
16:36:36 10 A. Mmm-hmm.

left? 11 Q. -- and they eventually accepted your answers and  
12 A. No, there was a big argument before they left.

elder 13 Q. Okay. And I think you also said that a kamajor  
14 helped you to enable your xxxxxxxx to be buried;  
is  
16:36:59 15 that correct?

16 A. Yes, madam.

ECOMOG 17 Q. You stated that, when you surrendered to the  
18 forces at the NIC building, there was a report  
given of a  
19 number of police officers being killed?

16:37:19 20 A. Yes, madam.

being 21 Q. Is it correct that you didn't see that number  
22 killed; this is just what you heard --

town. 23 A. No, some of them were not killed inside Kenema  
24 Some of them -- while they were going to hide,  
they

16:37:34 25 caught them and killed them. As soon as they  
knew they  
26 were police officers, they were killed.  
27 Q. This was a report given by someone at the NIC  
building,  
28 is it?  
29 A. Yes, madam.

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1 Q. Do you remember who that person was?  
2 A. I cannot remember.  
3 Q. Was he a police officer?  
4 A. He was a police officer.  
16:37:50 5 Q. A male police officer?  
6 A. A male.  
7 Q. But you don't recall his name?  
8 A. No, I don't.  
9 Q. And, finally, I think you described being in the  
--  
16:38:10 10 returning to the police station.  
11 A. Yes.  
12 Q. And the Kamajors were giving you some  
harassment?  
13 A. Yes.  
14 Q. And ECOMOG came in and told the Kamajors to  
leave?  
16:38:23 15 A. Yes.  
16 Q. And the Kamajors obeyed ECOMOG?  
17 A. Yes, they left.  
18 MS WHITAKER: Thank you.  
19 JUDGE BOUTET: Thank you. Counsel for second  
accused.  
16:38:44 20 PRESIDING JUDGE: Mr Koppe, you'll go slowly.  
21 MR KOPPE: Yes, I will.  
22 PRESIDING JUDGE: I don't want you to start before  
you fall  
23 into the same trap.  
24 JUDGE BOUTET: I know you're some distance from your  
mike. It  
16:38:56 25 may cause some difficulties -- just to make sure  
we hear  
26 what you're saying. Thank you.

27 CROSS-EXAMINED BY MR KOPPE:

28 MR KOPPE:

your 29 Q. Madam Witness, you have mentioned earlier in

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1 statement that Eddy Mansaray addressed police  
officers in  
2 Kenema; is that correct?  
3 A. Yes, sir.  
4 Q. And you've also stated that he apologised to the  
people  
16:39:24 5 gathered there; is that correct?  
6 A. No, he never apologised. He only said that the  
things  
7 that were done, he promised would never -- he  
8 apologise -- he said they will not happen -- he  
said,  
9 "The only thing that what the AFRC has done, the  
16:39:43 10 promotions, the transfers, are not valid." He  
said,  
11 "They are void."  
12 Q. Can you explain? I'm not quite sure if I  
understand you.  
13 A. When Mr Eddy Mansaray went to the NIC to address  
us, he  
14 told us that we have nothing to fear -- that was  
the  
16:40:02 15 first word he told us. Then, after he told us  
that,  
16 everything --  
17 JUDGE BOUTET: Slowly, please.  
18 THE WITNESS: After that he told us that everything  
that the  
19 AFRC had done is void. He said the promotions  
and the  
16:40:13 20 transfers are not valid. They are all void.  
21 MR KOPPE:  
22 Q. Thank you. During the attack on Kenema and your  
23 subsequent contacts with Kamajors, was there, in  
your



there 24 opinion, anybody in charge of the Kamajors? was  
16:40:43 25 somebody to address problems to; in other words,  
was  
26 there a boss of the Kamajors?  
because we 27 A. Yes, there were bosses -- they have bosses,  
while and 28 have Mr Eddy Mansaray. He comes in once in a  
29 we have another man called Arthur.

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1 JUDGE BOUTET: What's the name?  
2 A. Arthur, and there were all the bosses.  
3 MR KOPPE:  
4 Q. And when questions were asked, did they solve  
these  
16:41:19 5 issues -- solve these problems?  
6 A. You mean what the Kamajors were doing, did they  
solve the  
7 problem -- the problems?  
8 Q. No, if there was a situation, for instance, of  
violence  
9 and somebody would report that to the Kamajors  
in charge,  
16:41:42 10 would anybody take that complaint seriously?  
11 A. Well, everybody was afraid to report the Kamajor  
by then,  
12 until after the ECOMOG came, and then people  
have the  
13 guts to report to ECOMOG what the Kamajors were  
doing.  
14 MR KOPPE: Thank you, I have no further questions.  
16:42:05 15 JUDGE BOUTET: Thank you. Cross-examination for  
third  
16 accused?  
17 MR WILLIAMS: I don't have any questions for this  
witness.  
18 JUDGE BOUTET: Thank you, Mr Williams. Re-  
examination?  
19 MR SAUTER: Thank you, My Lords. No questions now.  
16:42:27 20 JUDGE BOUTET: Thank you.  
21 PRESIDING JUDGE: Madam Witness, thank you very much.  
we are  
22 very appreciative that you came.  
23 A. Yes.

-- 24 Q. And we thank you for your precision and clarity  
16:43:40 25 A. Yes, sir.  
Tribunal. 26 Q. -- in the evidence you have given before this  
27 A. Yes, sir.  
safely 28 Q. I won't say we've finished with you, but I could  
in due 29 say that we have, unless circumstances do arise

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1 course for us to call you back here.

2 A. Yes, sir.

3 Q. But I think for now you stand as a discharged  
witness.

4 A. Yes, sir.

16:44:04 5 Q. Thank you very much.

6 A. Yes, sir. I thank you, too, sir. I thank the  
whole

7 Court.

8 [The witness withdrew]

9 PRESIDING JUDGE: The Tribunal will rise, because we  
cannot

16:44:22 10 take on another Prosecution witness. It's about  
a

11 quarter to 5.00 and, if we take any witness now  
and go

12 either at the pace of the Prosecution or Mr  
Norman and

13 Defence counsel, we may only be leaving here for  
a very

14 late weekend at 9.00. So I think it's a  
convenient point

16:44:47 15 for us to break off, and to resume here on  
Monday at

16 9.30. The Court will rise and resume at 9.30.  
The Court

17 rises, please.

18 [Whereupon the hearing adjourned at 4.45 p.m.,  
to be

19 reconvened on Monday, the 20th day of September  
2004, at

20 9.30 a.m.]

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24  
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C E R T I F I C A T E

court  
Leone, do  
the  
place  
(machine writer)  
foregoing  
of said  
understanding.

We, Momodou Jallow and Maureen P Dunn, official  
reporters for the Special Court for Sierra  
hereby certify that the foregoing proceedings in  
above-entitled cause were taken at the time and  
as stated; that it was taken in shorthand  
and thereafter transcribed by computer, that the  
pages contain a true and correct transcription  
proceedings to the best of our ability and

nor related  
are in

we further certify that we are not of counsel  
to any of the parties to this cause and that we  
nowise interested in the results of said cause.

\_\_\_\_\_ MOMDOU JALLOW

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



1 WITNESSES FOR THE PROSECUTION:  
WITNESS: TF2-082 [Continued]  
1 CROSS-EXAMINED BY MR WILLIAMS  
25 RE-EXAMINATION BY MR KAMARA  
91 WITNESS TF2-042 sworn  
91 EXAMINED BY MR SAUTER  
116 CROSS-EXAMINED BY THE ACCUSED NORMAN  
130 CROSS-EXAMINED BY MS WHITAKER  
133 CROSS-EXAMINED BY MR KOPPE