

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL-2004-15-T
TRIAL CHAMBER I

THE PROSECUTOR
OF THE SPECIAL COURT
V.
ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO

WEDNESDAY, 2 FEBRUARY 2005
9.42 A.M.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Ms Peace Malleni
Mr Matteo Crippa

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Peter Harrison
Mr Christopher Santora
Ms Millicent Stronge (intern)
Mr Mark Wallbridge (Case Manager)

For the Principal Defender:

No appearance

For the accused Issa Sesay:

Mr Wayne Jordash
Ms Chloe Smythe

For the accused Morris Kallon:

Mr Shekou Touray
Mr Melron Nicol-Wilson

For the accused Augustine Gbao:

Mr John Cammegh

1 [HS020205A - JM]
2 Wednesday, 2 February 2005
3 [Open session]
4 [The accused Gbao not present]
5 [The witness entered court]
6 [On commencing at 9.42 a.m.]
7 PRESIDING JUDGE: Good morning, learned counsel. We're
8 resuming our session. This would be the 24th Prosecution
9 witness. Mr Santora, you're leading the
10 examination-in-chief this morning?
11 MR SANTORA: Yes, Your Honour. It is the 25th Prosecution
12 witness.
13 PRESIDING JUDGE: The 25th. Yes, it is, you're right. TF --
14 MR SANTORA: TF1-012, and the witness will be speaking in
15 Kono.
16 WITNESS: TF1-012 [Sworn]
17 [Witness answered through interpreter]
18 PRESIDING JUDGE: Yes, Mr Santora, you may proceed.
19 MR SANTORA: Thank you, Your Honour.
20 EXAMINED BY MR SANTORA:
21 Q. Good morning, Mr Witness.
22 A. Good morning. How do you do.
23 Q. Mr Witness, I'm going to ask you questions. I want you
24 to listen to the questions carefully. And if you don't
25 understand a question, please say you don't understand it
26 and I will rephrase it.
27 A. Ask me.
28 Q. Mr Witness, where were you born?
29 A. I was born in **xxxxx**.

- 1 Q. And what chiefdom in **xxxx** were you born in?
- 2 A. **xxxxxxx**.
- 3 Q. Mr Witness, what is your profession?
- 4 A. I am a farmer.
- 5 Q. Mr Witness, what languages do you speak?
- 6 A. I speak Kono. I speak Kono, I speak Krio, but I'm going
7 to testify in Kono.
- 8 Q. Mr Witness, where were you living --
- 9 PRESIDING JUDGE: He says he speaks Kono and Krio?
- 10 MR SANTORA: Yes, Your Honour.
- 11 Q. Mr Witness, where were you living during the war in
12 Sierra Leone?
- 13 A. I was in **xxxxx**.
- 14 Q. Do you remember the time during the war that Tejan Kabbah
15 was thrown out of power?
- 16 A. Yes.
- 17 Q. Where were you living --
- 18 PRESIDING JUDGE: Do the Defence teams find any difficulty
19 with leading, asking a leading question on issues like
20 that?
- 21 MR JORDASH: No.
- 22 PRESIDING JUDGE: All right. Please, there are certain issues
23 which are established which we should know already in
24 this Court. You should feel free to put the date, you
25 know, to the witness.
- 26 MR SANTORA: Okay. Thank you, Your Honour.
- 27 Q. Where were you living at this time?
- 28 A. The time when they overthrew Tejan Kabbah, I was in
29 **xxxxxxx**.

1 Q. Can you tell us what happened after Tejan Kabbah was
2 thrown out of power?

3 A. I can explain it. Let me explain.

4 Q. Go ahead and explain.

5 A. [No interpretation]

6 PRESIDING JUDGE: Mr Santora --

7 MR SANTORA: I'm not getting English. I'm hearing just the
8 translator.

9 JUDGE BOUTET: We all do. He's not shutting off his
10 microphone.

11 MR HARRISON: I apologise for interrupting, but I think this
12 is a problem we've faced before. My recollection was
13 that in the interpretation unit, the microphones may be
14 left on for a longer period. I'm just wondering if that
15 could be checked by the audiovisual staff.

16 MR CAMMEGH: I'm not getting Your Honours on my headphones at
17 all. I'm getting the witness and I'm getting
18 Mr Harrison, but not the Bench.

19 JUDGE BOUTET: Are you on right channel?

20 MR CAMMEGH: Well, I'm on English, which is the one I was
21 advised.

22 JUDGE BOUTET: It should be.

23 PRESIDING JUDGE: Are you getting us now?

24 MR CAMMEGH: I'm getting you now.

25 PRESIDING JUDGE: Right, okay.

26 MR SANTORA: Okay, I'm hearing myself now, so I'll proceed.
27 If there's any problem, we'll stop.

28 Q. Okay, Mr Witness. I'd like you to explain to the Court
29 what happened after Tejan Kabbah was thrown out of power?

- 1 A. At one time, we were in **xxxx**. Then we heard -- when we
2 all voted for him, at one time we heard that they had
3 overthrown him. It was a surprise to many people. We
4 said having elected this man only for one year, now he
5 has been overthrown? Not even up to a week, we heard
6 that Corporal Bori [phoen] was going up to **xxxx**.
- 7 PRESIDING JUDGE: You heard that what?
- 8 MR SANTORA: He said Corporal Bori.
- 9 Q. Before you proceed, who is Corporal Bori?
- 10 A. He was a soldier, but he had been killed. But they'd
11 started everything. That is what we heard.
- 12 Q. So you said that you heard Corporal Bori was coming?
- 13 A. Yes. We went. We went to community. We went for a
14 meeting.
- 15 Q. Where was this meeting?
- 16 A. Community centre, **xxxxx**.
- 17 Q. And what happened when you got to the community centre in
18 **xxxxx**?
- 19 A. We went there with Mosquito, Superman, Colonel Bunema [phoen],
20 Gullit, Five-Five, Issa. By then, Issa was not a
21 general. Mosquito was in charge.
- 22 Q. Were these individuals all present?
- 23 A. All those that I've named were all in that convoy. They
24 attended that meeting.
- 25 PRESIDING JUDGE: Can he take that list again, please,
26 Mr Santora.
- 27 MR SANTORA: Yes, can you remember all of the people --
- 28 PRESIDING JUDGE: Let him repeat the names.
- 29 MR SANTORA:

- 1 Q. Repeat the names of the people that were present with
2 Bori. The names you just mentioned, can you repeat them?
- 3 A. Let me go over it again.
- 4 Q. Yes, please.
- 5 A. Corporal Bori, Superman, Gullit, Five-Five and Issa. By
6 then there were so many I cannot name them all.
- 7 Q. These people were at the community centre?
- 8 A. Yes.
- 9 Q. What happened at the community centre?
- 10 A. What happened, then Bori said, they now own the
11 government and [inaudible]. If anybody says they are not
12 going to support the government, they will kill you.
13 Having seen the condition at that time in xxxx, you that
14 have a good vehicle, they will take it from you.
- 15 MR JORDASH: Can we slow down a touch, please.
- 16 MR SANTORA:
- 17 Q. Mr Witness, when you explain, you can speak slowly so we
18 can understand and make sure we get your information. So
19 go ahead and proceed. What was happening -- what
20 happened at the community centre. You said Bori was
21 addressing people; is that correct?
- 22 A. Yes, he held a meeting and spoke to people. He told them
23 that they own the government now. He said whosoever says
24 he will not support them, except he goes to Guinea or
25 else they will kill you.
- 26 Q. Who do you mean by "they"?
- 27 A. Them, like who now?
- 28 Q. You said that "they owned the government." Who is
29 "they"?

- 1 A. Those who did the overthrow, Corporal Bori and the RUF,
2 they all came together. By then, you don't call them
3 RUF, you call them soldiers.
- 4 Q. Aside from Bori, did anybody else say anything at this
5 community centre meeting?
- 6 A. Yes. Most of them gave speeches. But the way they were
7 doing things now, it was not pleasing to people.
8 Whosoever have good cars, they take it from you.
- 9 Q. After this meeting, did they leave?
- 10 A. Yes, they all returned. Some came to Freetown, and we
11 went to our villages.
- 12 Q. Where did you go specifically?
- 13 A. At that time, I returned back to my village where I came
14 from, after the meeting.
- 15 Q. What village is that?
- 16 A. ~~xxxxxx~~.
- 17 Q. Mr Witness, do you remember the time that the ECOMOG
18 forces in 1998 entered Freetown and removed the AFRC and
19 RUF?
- 20 A. Yes.
- 21 Q. And where were you at this time?
- 22 THE INTERPRETER: Your Lordships, can the witness go slower
23 than this.
- 24 MR SANTORA:
- 25 Q. Mr Witness, I'm going to ask you to speak slowly so the
26 translation person can understand exactly what you say.
27 Okay. I'm going to repeat the question.
28 You said that you remember the time -- or I'm asking
29 you, do you remember the time that ECOMOG forces entered

- 1 Freetown and removed the AFRC and RUF?
- 2 A. Yes.
- 3 Q. Where were you at this time?
- 4 PRESIDING JUDGE: Please, let us take him there.
- 5 THE WITNESS: In **xxxx**.
- 6 MR SANTORA:
- 7 Q. What village in **xxxx** were you in at this time?
- 8 A. At that time, we were in **xxxxxxx**.
- 9 Q. Can you tell the Court, Mr Witness, what happened at this
10 time, after the ECOMOG came into Freetown?
- 11 A. Yes.
- 12 Q. Go ahead and start explaining what happened, to the
13 Court.
- 14 A. At one time, we saw vehicles coming in big convoys with
15 so many vehicles.
- 16 Q. Coming into where, Mr Witness?
- 17 A. They entered **xxxxxx**.
- 18 Q. And about how many vehicles did you see?
- 19 A. There were so many. There were so many. They had
20 trucks. Trucks, vans. The vehicles were so many.
- 21 Q. When you first saw this convoy about how long was this
22 after you heard that ECOMOG had come into Freetown?
- 23 A. The time when ECOMOG went into Freetown, that was the
24 time they went to **xxxx** with Johnny Paul.
- 25 Q. Okay. You said you saw a convoy come into **xxxxxxx**; is
26 that correct?
- 27 A. Yes.
- 28 Q. It had many vehicles; is that correct?
- 29 A. Yes.

1 Q. Okay. Then what did you see?

2 A. What I saw, when they came, by then we are now in the
3 bushes around the town. Then they asked an old man to
4 announce in the town as a crier, town crier. They said
5 people should come to Pa Faniya's compound. Then we
6 asked what have happened. They said the president has
7 come, Johnny Paul.

8 Q. Okay. Before you proceed, Mr Witness, you said that you
9 were in the bush after the convoy came; is that correct?

10 A. Yes. By then, we weren't sleeping in the town again. We
11 sleep in the bush.

12 Q. Okay. And while you were in the bush, you said a town
13 crier came in and told you to come to Chief Faniya's [phoen]
14 compound; is that correct?

15 A. Yes.

16 Q. Where is Chief Faniya's compound?

17 A. It is in xxxxxxxx.

18 Q. So, did you proceed to go to Chief Faniya's compound?

19 A. Yes.

20 Q. Okay. Explain to the Court what you saw when you arrived
21 at Chief Faniya's compound in xxxxxxxx.

22 A. When we came, we saw them, so many of them. Mosquito,
23 Johnny Paul himself, Superman, Rambo, Staff Alhaji. They
24 call him now Staff Biyoh. There were so many. Then they
25 explained to us that as for now -- in fact, it was then
26 Johnny Paul told us that it was a pleasure to him because
27 -- he's heading from xxxxxxxx.

28 Q. Okay, Mr Witness, before we go on, I want to make sure we
29 have it clear. Can you say all the commanders that you

- 1 remember seeing at Chief Faniya's compound when you
2 arrived. Again, just repeat the list so it's clear.
- 3 A. I said Superman, Mosquito, Rambo, Colonel Bunema,
4 Staff Alhaji, Issa. There were so many. Because by
5 then, no civilian could be able to understand what they
6 were really after.
- 7 Q. Mr Witness, you said Issa. Who is Issa?
- 8 A. Issa Sesay. By then, they called him Povi [phoen].
- 9 Q. And how did you know that these commanders were there?
- 10 A. They were introduced to us by their followers. At times
11 you see them in a big group of men, following them. They
12 say, "This is a commander."
- 13 Q. Aside from these commanders, who else was at Chief
14 Faniya's compound?
- 15 A. Apart from the commanders, people were there. There were
16 so many.
- 17 Q. And what happened at the compound?
- 18 A. What happened, we were there. They captured six people.
- 19 Q. Who captured six people?
- 20 A. RUF and the soldiers. They were all now united together.
- 21 Q. What did they do with the six people?
- 22 A. Those six people, they killed them all.
- 23 Q. Who killed them?
- 24 A. The soldiers. They said they found voters' ID card in
25 their pockets.
- 26 Q. Who said that they found voters' ID cards in their
27 pockets?
- 28 A. Their followers who were moving with them went in search
29 of those boys. And when they found them, they thought

- 1 they had money in their pockets. So they were searching
2 in their pockets where they found wallets. In those
3 wallets, they found those voters' ID cards. It was
4 because of those voters' ID cards that they were killed.
- 5 Q. Why were they killed because of their voter ID cards?
- 6 A. They said they voted for Tejan Kabbah.
- 7 Q. How were they killed?
- 8 A. They were shot.
- 9 Q. Did you see this?
- 10 A. I witnessed it. In fact, one of the persons who killed
11 those people is Saquee [phoen], a Kono fellow. I know him.
- 12 Q. And the six people that were killed, did you know them?
- 13 A. I know only one person among them.
- 14 Q. And without giving me a name, how do you know that
15 person?
- 16 A. We are all in that same town.
- 17 Q. So this person was from xxxxxxxx?
- 18 A. Yes.
- 19 Q. After these six people were killed, what happened?
- 20 A. At that time, they moved. They said they were going to
21 Guinea.
- 22 Q. Who said they were going to Guinea?
- 23 A. That convoy which comprised of Mosquito, Johnny Paul,
24 Colonel Bunema, Staff Alhaji, they all decided that
25 they are going to Guinea.
- 26 Q. You said Johnny Paul was present in the convoy?
- 27 A. Yes.
- 28 Q. How did you know that?
- 29 A. The vehicle in which he was sitting, one of his

- 1 bodyguards came to me and held me by my hand and showed
2 me -- he said, "This is our president".
- 3 Q. And how did he appear?
- 4 A. He was dressed like a woman.
- 5 Q. Do you know why he was dressed as a woman?
- 6 A. Because at that time, ECOMOG had routed them from
7 Freetown. They were trying to escape with him, so they
8 dressed him in that manner so that people could not
9 recognise him.
- 10 Q. So at Chief Faniya's compound when these events were
11 going on, which commanders actually spoke to the people
12 there?
- 13 A. That commander, I could not remember his name now because
14 there were many, and even Johnny Paul himself spoke to
15 us.
- 16 Q. And with regards to the incident about the civilians who
17 were killed with the voter ID cards, how specifically did
18 you learn that they were killed because of their voter ID
19 cards?
- 20 A. They took it from their pockets. They took it from their
21 pockets and displaced it, and said, "You see, these are
22 the people who are going to vote for that foreigner." So
23 we who had ours in our pockets removed it and threw it
24 away.
- 25 Q. So they did this in front of other people; is that
26 correct?
- 27 A. Yes.
- 28 Q. And after they removed the voter ID cards and spoke to
29 the people, what happened right after that?

- 1 A. At that time, after they've killed those people, they
2 just order that the bodies be taken away for burial.
3 Then they went away.
- 4 Q. Okay. You said then that the convoy started departing
5 towards Guinea; is that correct?
- 6 A. Yes.
- 7 Q. Did you go with the convoy?
- 8 A. Yes. In that convoy were the people who were carrying
9 loads for them.
- 10 Q. Were you carrying a load?
- 11 A. Yes.
- 12 Q. About how many people went on the convoy?
- 13 A. The people were many because the civilians which they
14 captured from xxxxxxx, xxxxxx, and xxxxxx there were all
15 in that convoy. It was the last convoy. The people were
16 so many.
- 17 Q. Were other people carrying loads too?
- 18 A. Yes. People like that cannot hold you -- you say you
19 cannot hold loads for them.
- 20 Q. What do you mean by that, Mr Witness?
- 21 A. What?
- 22 Q. You said that people like that -- can you repeat your
23 answer to the last question?
- 24 A. What I'm saying is that they cannot capture you without
25 putting a load on your head to carry for them. That's
26 what I mean, the rebels.
- 27 Q. So did you proceed towards Guinea?
- 28 A. We didn't reach to Guinea.
- 29 Q. Where did you go?

- 1 A. We stopped at xxxxx [phoen].
- 2 Q. Can you tell the Court where xxxxxx is?
- 3 A. xxxxxx is in xxxxxx.
- 4 Q. Mr Witness, do you know how to spell xxxxxx, the name of
5 this place?
- 6 A. I cannot read and write.
- 7 Q. Let me ask you this question: xxxxxx is in which
8 chiefdom again?
- 9 A. It is in xxxx. xxxxx, xxxxxx Chiefdom.
- 10 Q. Okay. This convoy that you were with, with the other
11 civilians, where were the commanders in this convoy?
- 12 A. Most of the commanders were in vehicles. Some were
13 walking on foot. And the rest of us were walking on
14 foot. Some in vehicles again, as I said.
- 15 Q. Can you remember the types of vehicles that the
16 commanders were in?
- 17 A. Yes. Land Cruiser, Land Rover.
- 18 Q. How long did it take for the convoy to get to xxxxxx?
- 19 A. It was a day's walk, just a day's walk. We were not
20 running, neither walking.
- 21 Q. Can you tell Court what happened when the convoy got to
22 xxxxxx?
- 23 A. Yes. When we arrived at xxxxxx, at that time the man
24 who showed us the road to go, he was called Pa Mara. It
25 was from him we came to know that the motor road didn't
26 go through. When we reached at that point, the vehicles
27 could not go further. So they killed that man, saying
28 that he wants to betray them.
- 29 Q. Okay. Why couldn't the vehicles go further?

1 A. There was no bridge. There was no thoroughfare. That
2 was the end of the road for vehicles.

3 Q. And you said that Kamara was shot because they thought he
4 betrayed them; is that correct?

5 PRESIDING JUDGE: Did I hear him say Pa Mara? What was the
6 name?

7 MR SANTORA:

8 Q. Was the name Pa Mara or Kamara?

9 A. Hmm?

10 Q. The name of the person who was shot, who showed the road,
11 what was his name again?

12 A. His name, I said Pa Mara. Mara, Mara.

13 PRESIDING JUDGE: Pa Mara?

14 THE WITNESS: Pa Mara, yes. That was what the wife told us.

15 MR SANTORA:

16 Q. Who killed him?

17 A. One boy they called T.

18 Q. Who was T?

19 A. He is a soldier.

20 Q. Do you know who T's boss was?

21 A. All of them at that time were under one command.

22 Q. Whose command was that?

23 A. It was Johnny Paul's command at that time.

24 Q. So after the convoy reached xxxxxx and the bridge was
25 out, what happened?

26 A. After they found out that there was no bridge, the convoy
27 returned again.

28 Q. Returned to where?

29 A. They returned as far as xxxxxx.

- 1 Q. And were all the commanders still present with the
2 convoy?
- 3 A. They were all in the same convoy again.
- 4 Q. What happened after the convoy returned to xxxxxx?
- 5 A. The time when the convoy returned to xxxxxx, it was then
6 Mosquito selected a few commanders to go with Johnny Paul
7 to Kailahun.
- 8 Q. Can you tell the Court which commanders went with Johnny
9 Paul and Mosquito to Kailahun?
- 10 A. The commanders were so many. In fact, most of them have
11 died. At that time, they had no proper name.
- 12 Q. Did some commanders stay in xxxxxx, or did they all go
13 to Kailahun?
- 14 A. Some remained in xxxxxx and gave an order that whatever
15 town they capture, they must leave soldiers there. They
16 shouldn't leave it empty.
- 17 Q. Do you remember which commanders stayed in xxxxxx after
18 the others went to Kailahun?
- 19 A. Yes. Commander that remained was Staff Alhaji, Savage,
20 and the small small boys.
- 21 Q. So the other commanders went to Kailahun. Is that
22 correct?
- 23 A. Yes.
- 24 Q. And did they proceed in vehicles?
- 25 A. Yes.
- 26 Q. After they left, what happened?
- 27 A. At that time, Savage remained. At that time we were
28 there now, they told us there is an order. At that time,
29 Superman, they came.

- 1 Q. Okay. Before you proceed, you said Superman came. Is
2 that correct?
- 3 A. Yes.
- 4 Q. Did Superman come to xxxxxxx?
- 5 A. Yes.
- 6 Q. Did any other commanders come to xxxxxx with Superman?
- 7 A. Yes.
- 8 Q. Do you remember which commanders came?
- 9 A. Rambo came. Bunema came. Gullit came. Five-five.
10 They came to xxxxxx.
- 11 Q. And where were they coming from?
- 12 A. They came from Kailahun.
- 13 Q. And you said there was an order. What do you mean "an
14 order"?
- 15 A. The order they were talking of was that they said they
16 had seen xxxxxxx as a place wherein people don't want to
17 cooperate with them, that people are running away from
18 them going in the bushes, and that whosoever is now
19 caught in the bush will be killed. That was the order
20 they gave.
- 21 Q. Who gave this order?
- 22 A. At that time, Mosquito was in charge.
- 23 Q. How did you hear about the order?
- 24 PRESIDING JUDGE: Mr Santora, please, please.
- 25 MR SANTORA: Sorry, Your Honour.
- 26 PRESIDING JUDGE: Anybody running into the bush will be
27 killed. The order was given by who? The order was given
28 by who?
- 29 MR SANTORA: The witness said Mosquito.

1 Q. How do you know Mosquito gave this order?

2 A. Staff Alhaji brought the paper. He read the paper to us,
3 indicating to us that it was Mosquito who gave the order
4 that whosoever goes into the bush now must be killed.

5 Q. Did the order say anything else?

6 A. He said they should set houses on fire because we didn't
7 support them. We were leaving the town going to the
8 bushes. Therefore, we don't need houses.

9 Q. Was this order carried out?

10 A. Yes.

11 Q. Can you explain?

12 A. Yes. That was the time now, when Savage and Staff Alhaji
13 and Superman and Five-Five, that was the very day they
14 started burning xxxxxx.

15 Q. Mr Witness, before this order from Mosquito was Savage
16 burning houses in xxxxxxxx?

17 A. No, at the time they left them in xxxxxx and went to
18 Kailahun there was no burning of houses yet. Nobody
19 touched any house.

20 JUDGE BOUTET: Mr Prosecutor, I heard the witness say that the
21 order was carried out, and I'm not sure I fully
22 understood. He gave a series of names; Savage, Staff
23 Alhaji, Five-Five, and so on. I would like to understand
24 a little bit more what's the meaning of that.

25 MR SANTORA: I will clarify that with the witness,
26 Your Honour.

27 Q. Mr Witness, you said that Savage, Staff Alhaji, Superman,
28 and Five-Five, that this was the time then that burning
29 of houses started; is that correct?

- 1 A. Yes.
- 2 Q. What do you mean by naming these four commanders?
- 3 A. Who are they? I didn't get you clear about these four
4 commanders.
- 5 Q. You named these four commanders. Why did you name them?
- 6 A. They started burning houses in xxxxxxxx.
- 7 Q. Okay. When you say "they", do you mean them personally
8 or do you mean their men?
- 9 A. They have boys behind them. They only pass instructions
10 to them, say, "Burn this house, burn this house, burn
11 this house." And that very evening they burned 36
12 houses.
- 13 Q. Mr Witness, did you see them burning houses?
- 14 A. If you go to xxxxxxxx now, you will see the evidence of
15 what they did. This is known by everybody now,
16 worldwide.
- 17 PRESIDING JUDGE: That does not answer the question.
- 18 MR SANTORA: I will repeat the question, Your Honour.
- 19 Q. Mr Witness, when the burning of the houses started did
20 you see it?
- 21 A. I saw them. I saw them burning these houses.
- 22 Q. Where were you exactly?
- 23 A. By then I was now in their hands, in captivity. After
24 they killed my friend, they had empathy for me. They
25 were now using me as an errand boy, sending me anywhere.
- 26 Q. Mr Witness, you also said that the order that came from
27 Mosquito said that civilians who were hiding in the bush
28 should be killed. Did this happen?
- 29 A. Yes.

1 Q. Can you explain?

2 THE INTERPRETER: Your Lordship, the witness is going so
3 lengthy in his testimony that we cannot translate.

4 MR SANTORA:

5 Q. Mr Witness, I want you to repeat what you just said but
6 very slowly so the translation unit can understand you,
7 okay. Now, the question I asked you was whether or not
8 the order for people in the bush to be killed was carried
9 out.

10 A. Yes, it was carried out. Anybody now caught in the bush,
11 as long as you are brought before them. They kill you,
12 threw you in the water. There is a place now they call
13 Savage Water.

14 There is a house with four rooms and a parlour. At
15 one time, he and Staff Alhaji, they said the boys should
16 go out on an errand. They said whosoever is found in the
17 bush, let them bring him. By then we were now in the
18 town. The boys went out that day. So many people were
19 captured that day. As they brought them, Savage gave an
20 order. He said they should all be lodged in that house.
21 That four rooms were all filled with people. Also the
22 parlour. Nobody knows the count. They set fire to it.
23 They were all burnt.

24 When we went there, if you see the oil of human
25 being coming out, it took two months, the oil was running
26 out. The house is still there.

27 Q. Okay, Mr Witness, I want to ask you about this incident
28 with the people who were put in the house. These people,
29 were they men and women?

- 1 A. Men and women. There were so many. The person who
2 himself killed them never knew their count.
- 3 Q. This house, was it in Tombodu?
- 4 A. Right now UN have said, they said they are going to
5 transform it in a sort of museum.
- 6 Q. When this happened with the people in the house, this was
7 after the order that Staff Alhaji read from a piece of
8 paper?
- 9 A. Yes. When the order came, then the killing started now
10 in Tombodu.
- 11 Q. About how long was this incident in the house after the
12 order was read from the paper? Was it -- about how many
13 days or weeks?
- 14 A. The day they read that letter, some of us didn't sleep in
15 the town. We slept in the bush. It was that same day,
16 the evening, that they burnt that 35 houses.
- 17 Q. And was that the same day they put the people inside the
18 house with four rooms?
- 19 A. No. There came a time now, they went out in search of
20 men in the bush as how hunters go in search of animals.
- 21 Q. Okay. What was this time? Was it in the dry season
22 still?
- 23 A. It was almost to the end of the dry season because the
24 place were now dried.
- 25 Q. Was this the same year that ECOMOG threw out the AFRC and
26 RUF from Freetown?
- 27 A. When ECOMOG routed them from Freetown, they went to Kono,
28 they went to Kuchero. They couldn't see a way to go
29 through. They came to Tombodu and went to Kailahun.

1 There the order came from Kailahun. It was from that
2 time they began the atrocity now.

3 Q. Okay. You mentioned something called Savage Water. What
4 is this?

5 A. That water, it's sad to say something about. When he
6 killed those people by burning them in that house most of
7 his colleagues became worried. They called him and said,
8 "The way you are doing things will make us be alarmed
9 outside." Then he promised that he will not do it again,
10 but he will find another place. That was the time he
11 called that water Savage Water. He killed people and
12 threw them in there.

13 Q. Do you know about how many people were killed and thrown
14 in that water?

15 A. Even ourselves, we don't know. That is all the reason
16 the white man has said that they were going to dry up
17 that water to even count how many people were thrown in
18 that water, for them to know exactly, because so many
19 people are in that pit.

20 Q. Can you explain to the Court where exactly Savage Water
21 is?

22 A. Yes. If you enter into Tombodu while going to Bendu II,
23 at that junction, there the water is. In fact, it has
24 been fenced by UNAMSIL that nobody goes there again.

25 Q. You said that - Mr Witness - while you were in ~~xxxxxxx~~,
26 people were killed and thrown into Savage Water. Did you
27 actually see people being killed?

28 A. That which I didn't see, I would not talk about it. I
29 saw it for myself. They killed somebody. A stone was

1 tied at his back and thrown into the water. The other
2 day again, they killed about three people and tied stone
3 on their back and throw them into the water.

4 Q. Aside from seeing these killings and the burning of
5 houses, did you see anything else while you were in
6 Tombodu when Savage was there?

7 A. Yes, because we were there. Even Savage, when he killed
8 those people, he became off head. He begun acting like a
9 mad man.

10 Q. What did he do?

11 A. He became mad. They took him and carried him to the
12 imbarmara [phoen] at Masofiniya.

13 Q. Before they took him away, did he do anything else in
14 xxxxxx that you saw?

15 A. Anything about Savage is hard to explain because all what
16 he did in xxxxxx is so many that to explain it it's very
17 difficult, so hard to explain.

18 Q. While Savage was in xxxxxxxx, where were you exactly in
19 xxxxxx?

20 A. We're all in xxxxxx. While they were up in the town, we
21 were down towards the riverside, but it was in the same
22 town.

23 Q. And what were you doing at this time?

24 A. By then I was a farmer, but, because I have been
25 captured, I had nowhere to go. I was just there with
26 them doing nothing again.

27 PRESIDING JUDGE: He said he was an errands man. It's on
28 record. He had been captured and he was running errands
29 for them, unless you have something else you were heading

1 towards.

2 MR SANTORA: No, I was actually going to explore that,
3 Your Honours.

4 Q. You said before, Mr Witness, that when you were captured
5 in Tombodu at this time when Savage was there you were an
6 errands man. What do you mean by that?

7 A. I was there with them --

8 PRESIDING JUDGE: The interpreter is complaining. He's going
9 too fast, he is saying too long. Let him proceed --

10 MR SANTORA: Thank you, Your Honour.

11 [HS020205B 11.00 a.m. - EKD]

12 Q. Mr Witness, I'm going to ask you the question again and I
13 just want you to speak slowly and let the translator hear
14 it so he can translate it for us to understand exactly
15 what you say, okay. You said that while you were there
16 in xxxxxxxx, while Savage was there, you were captured and
17 were an errands man. Now, I'd like you to explain slowly
18 what you mean by that?

19 A. There was no other job. In the morning they will ask us
20 to come to headquarters, we the civilian who were in
21 their captivity. When you come, they will send you --
22 some of you who will go and find food for them, like
23 cutting banana for them, you go. When they bring loads
24 to be taken to the headquarters you who have to carry it,
25 you carry it. If it happens that you are appointed to go
26 to Kailahun with motor battery you have to take it there.

27 Q. What do you mean by "motor battery"?

28 A. The actual batteries which motor cars use. It is those
29 kind of batteries which they use for wireless operation

- 1 for signals.
- 2 Q. What do you mean by "signals"?
- 3 PRESIDING JUDGE: Mr Santora, you don't understand that? You
4 think it's not fully understood?
- 5 MR SANTORA: I want to clarify because he said motor batteries
6 used in cars used for signals and I didn't know if it was
7 understood.
- 8 PRESIDING JUDGE: For wireless operations, that's what we
9 heard from the translation.
- 10 MR SANTORA: Okay.
- 11 Q. I want to ask you about the motor batteries that were
12 used for signals. Was this happening in xxxxxxxx?
- 13 A. Yes.
- 14 Q. Can you explain what you know about that?
- 15 A. Where the signal was positioned it was like whatever is
16 happening in Guinea, Freetown and everywhere, we get it
17 from them in the morning. At that time we were advised
18 that nobody hang clothing outside even if you learn that,
19 because when the jet is coming, from there it will pick
20 it up that there are people in there. It was through
21 that signal we got all that information.
- 22 Q. Mr Witness, this signal -- this radio, was this in
23 xxxxxxxx?
- 24 A. Yes.
- 25 Q. Who operated the radio?
- 26 A. Abraham Signa [phoen].
- 27 Q. Do you know what group Abraham Signa is with?
- 28 A. Yes, he was an RUF.
- 29 Q. Mr Witness, this radio was there at the same time Savage

1 was in Tombodu?

2 A. Yes.

3 MR JORDASH: Can we be careful? Communications are of -- it
4 is just an objection, Your Honours. Communications are
5 obviously important in the case. The question, I
6 respectfully submit, should have been: When did this
7 signal exist? Not was it in existence when Savage was
8 there?

9 PRESIDING JUDGE: Sustained. Mr Santora, you can rephrase
10 your questions in other ways.

11 MR SANTORA: Thank you, Your Honour.

12 Q. This radio in Tombodu, when was it there?

13 A. I cannot remember the exact date, but in the time the
14 convoy came and went back to Kailahun, from then the
15 radio was established.

16 Q. And where exactly in Tombodu was the radio located?

17 A. It was located at Mansaray compound.

18 Q. Did you personally see the radio at Pa Mansaray's
19 compound?

20 A. Yes. It was a small gadget, it wasn't heavy. Only the
21 battery was heavier, with a solar panel they were
22 operating on.

23 Q. Did you see people talking on the radio?

24 A. Every morning we went there to see how they operate.
25 Every evening we went there to the headquarters and saw
26 them operating it. In fact, when messages came for us to
27 carry loads here to Njagbema, it was through that radio
28 we'll get it.

29 Q. Mr Witness, from your position could you see who they

- 1 were talking with on the radio?
- 2 PRESIDING JUDGE: I beg your pardon, Mr Santora.
- 3 MR SANTORA: I can rephrase the question a little more
- 4 eloquently.
- 5 PRESIDING JUDGE: Yes, please.
- 6 MR SANTORA:
- 7 Q. From where you were could you determine who they were
- 8 talking with on the radio?
- 9 A. I didn't know exactly whom they were talking with, but I
- 10 knew that they were talking to their big men from
- 11 headquarters, Koidu, Buedu and other areas.
- 12 Q. Mr Witness, I want to take you now ahead in time a little
- 13 bit. I want to talk about the time around the Lome Peace
- 14 Accord. Do you remember this time?
- 15 A. Yes.
- 16 Q. Where were you around the time of the Lome Peace Accord?
- 17 A. I was in **xxxxx**.
- 18 Q. What town?
- 19 A. At that time I was in **xxxxx**.
- 20 Q. Can you tell us what happened around the time of the Lome
- 21 Peace Accord in **xxxxxx**?
- 22 A. Yes, I can explain. At one time we were in **xxxxx** when we
- 23 heard that Pa Sankoh was going to Kono -- [translation
- 24 interrupted]
- 25 PRESIDING JUDGE: When you heard that who was going to Kono?
- 26 MR SANTORA: I believe he said Pa Sankoh.
- 27 THE WITNESS: Pa Sankoh, Foday Sankoh.
- 28 PRESIDING JUDGE: That Pa Sankoh was going to where?
- 29 THE WITNESS: He was coming to **xxxxx**.

- 1 MR SANTORA:
- 2 Q. Then what happened after you heard this?
- 3 A. They said we should go to our community centre for a
4 meeting. We went.
- 5 Q. What happened at this meeting at the community centre?
- 6 A. We went there, Pa Sankoh went there, we saw him. At that
7 time he showed us Akim to be his CSO.
- 8 Q. Can you repeat that again, Mr Witness? He showed you
9 what?
- 10 A. He showed us Akim, Akim, that he was his CSO. He also
11 showed Issa, Issa Sesay.
- 12 Q. What exactly did he say about Issa Sesay?
- 13 A. At that time he told us that Issa Sesay was now the
14 general.
- 15 Q. What else did Sankoh say?
- 16 A. [Translation interrupted]
- 17 PRESIDING JUDGE: Too long. Too long.
- 18 MR SANTORA:
- 19 Q. Go ahead and explain again slowly what else Sankoh said.
- 20 A. That was the time he introduced Issa to us that he is not
21 an extra somebody, he is a Sierra Leonean. At that time
22 there were so many, lot of big men were there, and Pa
23 Sankoh spoke to us.
- 24 Q. Did Pa Sankoh say anything else?
- 25 A. Yes, they said they have no food. Then he said, "How can
26 you say this?"
- 27 PRESIDING JUDGE: Who said they have no food?
- 28 THE WITNESS: "When you're in Kono you say you don't have food
29 here."

1 PRESIDING JUDGE: Mr Witness, when you're talking say who said
2 what. Say, "This man said we have no food," "this one
3 said," you know. We want to know who said what.

4 THE WITNESS: His soldiers. Because when they came to the
5 meeting he said, "You can't tell me that you don't have
6 food here, because Kono here, you have diamonds here,
7 then you are telling me that you don't have food here."

8 MR SANTORA:

9 Q. What else did he say, Mr Witness?

10 A. He said they should get themselves in mining, diamond
11 mining. They should work for the government.

12 Q. Who said this?

13 A. Sankoh, Foday Sankoh.

14 Q. And what exactly did he say about diamond mining?

15 A. The whole of Kono is diamondiferous, everywhere you find
16 diamond. And, therefore, they should start mining
17 diamonds anywhere and at any time.

18 Q. Who did he say this to?

19 A. He said this to Issa, Akim, Staff Alhaji, and most of
20 their members.

21 Q. After he said this, what happened?

22 A. Having said so, we returned to our villages because that
23 was the end of the meeting.

24 Q. Then what happened after you returned to your villages?

25 A. We're there now. As we returned we sat down. Then at
26 one time Issa sent people: Colonel Gibbo, Colonel Lion,
27 Officer Med. They came to Tombodu, they said we should
28 work for the government. The small boy who asked which
29 sort of government, they kept him in a back boot for the

1 whole day.

2 Q. Who kept him in the back boot?

3 A. Officer Med.

4 JUDGE BOUTET: Why was it that he was kept in that place?

5 MR SANTORA:

6 Q. Why did they put him in the back boot?

7 A. The mere fact that boy asked the question. When they
8 said we should work for the government and he said what
9 government, they said if the boy doesn't know that there
10 is a government now operating within them, that was the
11 reason they kept him in the back boot. Then the work
12 started.

13 Q. Mr Witness, before you proceed, how do you know that
14 Officer Med and Colonel Gibbo were sent by Issa?

15 A. Issa himself went there. He himself went there and
16 called up a meeting with us. Went and spoke to us that
17 the war had come to an end, no more firing of gun. The
18 only thing now, we shall find money.

19 Q. Do you know what he meant by "find money"?

20 A. Yes, he said if we do mining, we'll be able to get money
21 because that's the only occupation in Kono.

22 Q. So what happened?

23 A. Then we asked a question, "How are we going to do this
24 work?"

25 Q. Then what happened?

26 A. Then we started the work.

27 Q. Who started working?

28 A. Officer Med, Gibbo had mining there.

29 Q. Who actually did the mining?

1 A. We are doing the mining, but we are later made
2 organisers. They used to go out now in search of people,
3 capture them, bring them for the mining.

4 Q. Who would -- sorry.

5 JUDGE BOUTET: Mr Prosecutor, the witness said, "We asked a
6 question how to do the work", and we moved from there.
7 We didn't get any answer to that.

8 PRESIDING JUDGE: There was no reply to that question.

9 JUDGE BOUTET: The witness said, "We asked a question how do
10 we do the work?", and then he talked about Officer Med
11 and so on.

12 MR SANTORA: The work started. I will clarify, Your Honours.

13 Q. When Issa came and spoke with you and you asked him, "How
14 are we going to do this work?", what was the response?

15 A. He said we are going to work for the government. They
16 said it was going to be government mining.

17 Q. Mr Witness, you said people were captured to work in the
18 mining; is that correct?

19 PRESIDING JUDGE: What does he mean by "government mining"?
20 What is government mining?

21 MR SANTORA:

22 Q. When you said "government mining," did you know what he
23 meant?

24 A. Yes, because at that time they were there, they said they
25 had a government. So it was their government, yes. So
26 whatever proceeds we got from there was their own -- for
27 their own government. That was what I made to
28 understand.

29 Q. Mr Witness, you said that people were captured and

1 brought to mine. Where were they captured from?

2 A. From Sandor. Even from Kabala, they brought people from
3 there. Makeni also, they brought people from there.
4 Even at Tongo, as long as you come there they will gather
5 you to be taken to Kono.

6 Q. And who brought these people to mine exactly?

7 A. I didn't get you clear.

8 Q. Who actually captured these people and brought them to
9 mine?

10 A. RUF.

11 Q. Mr Witness, can you describe for the Court the conditions
12 of what it was like to mine at this time?

13 A. The condition under which we are working was this: No
14 food and the type of mining they introduced was only
15 their own style. I've never seen it before. 200 people,
16 200 shovels. No tiring; you can't rest. If our people
17 had not planted plantain or banana in Kono, people would
18 have died and died so much because there was no food. If
19 you say you are tired there were smaller boys - short,
20 short ones - [inaudible]. Some had guns they could
21 not carry, they go dragging it. If you say you are
22 tired, they fire you, you are dead.

23 Q. Explain what you mean when you say, "If you said you were
24 tired, they would fire you, you were dead." Did you see
25 this happen?

26 A. Yes, it happened. One commander, Sherriff, fired one boy
27 because he said he was tired and want to go to toilet.
28 He was killed because of that.

29 JUDGE BOUTET: The witness, when he first talked about small

1 boys, he mentioned something about guns too heavy or
2 something along those lines. I'd like to understand a
3 bit more what was it he was attempting to describe. Will
4 you take him over that, please?

5 MR SANTORA: Yes, Your Honour.

6 Q. You said that some of these boys that were there, that
7 the guns were too big for them. What do you mean by
8 that?

9 A. They were small boys -- small, small boys. A small boy,
10 you go and hang G3 on him, will he be able to carry it?
11 He'll going on dragging it. So that was what I meant.

12 JUDGE BOUTET: When you were talking of small boys -- the
13 witness testified that you were tired, you were dead.
14 Does that mean you were dead from the small boys?

15 THE WITNESS: Those small boys were staying together.

16 MR SANTORA:

17 Q. What did you mean when you said, "If you were tired, you
18 were dead"?

19 PRESIDING JUDGE: He has demonstrated it.

20 MR SANTORA: Okay, I was clarifying because --

21 PRESIDING JUDGE: All right, okay. Go ahead, please. Let him
22 provide the answer.

23 THE WITNESS: That which you have asked me is what I should
24 explain?

25 MR SANTORA:

26 Q. Yes, explain what you mean when you say, "If you were
27 tired you were dead"?

28 A. In our own way, the way we do mining was on a shift
29 basis. If you have five or six, you go down by turns.

1 But in their own case, there was no resting. If they
2 give you shovel you be on that shovel for a month with no
3 rest.

4 Q. Mr Witness, these conditions which you're describing,
5 which mining pit exactly were you at and are referring
6 to?

7 A. We were in charge of the mining. There were machines.
8 There was a Caterpillar, there are drag lines. We are in
9 charge of the mining.

10 Q. You had stated before that there were civilians with
11 shovels. You said there were 200 civilians and 200
12 shovels at the time that the mining started. Where
13 exactly were you when the mining started, which mining
14 pit?

15 A. Was between Tombodu and Bendu II; the bridge that linked
16 them was what was cut. The bridge was cut, cut off.

17 Q. Mr Witness, who was in charge of the mining where you
18 were?

19 A. Our commander whom we had with us was Officer Med.

20 Q. After the diamonds were mined, where did they go?

21 A. At times Issa himself came over to us, we gave him the
22 diamonds. At times myself and Officer Med went to
23 Koakoyima to meet Issa, where we gave him the diamonds.

24 Q. Mr Witness, do you have any knowledge as to what Issa did
25 with those diamonds after you gave them to him?

26 A. Well, we only gave him the diamonds. When we carried the
27 diamonds to him, we give him. But at times, there came a
28 time when I was made to understand that he took those
29 diamonds to Charles Taylor.

1 Q. Mr Witness, how were you made to understand that these
2 diamonds were taken to Charles Taylor?

3 A. One typical reason, an example I can show, there was no
4 road to come to Freetown. From observation we realised
5 that all his business was towards Liberia and not to
6 Freetown again.

7 Q. Mr Witness, you said that Issa came several times to
8 visit Tombodu; is that correct?

9 A. There he used to have his meals; one of our mothers
10 cooked for him.

11 PRESIDING JUDGE: That did not answer the question.

12 MR JORDASH: Could we just get the answer to that, though,
13 Your Honour, just before he does answer the question. I
14 just missed the answer.

15 MR SANTORA:

16 Q. Can you repeat that again, Mr Witness?

17 A. Say let me hear.

18 Q. You stated that Issa came to Tombodu several times to
19 visit; is that correct?

20 A. Yes, every day he used to come there, he had mining
21 there.

22 JUDGE BOUTET: He answered that, Mr Jordash, something to do
23 with mother used to cook for him, but mother of whom I
24 don't know.

25 MR SANTORA: He can explore perhaps later or if -- okay.

26 Q. Mr Witness, when Issa came, do you remember if anybody
27 else came with him?

28 A. He had companions with him with whom he came. Moses
29 Kallon -- Morris Kallon, Colonel Gbao, they used to come

1 there in the mining.

2 Q. Did anybody else come with Issa?

3 A. He came there every day because that was their government
4 mining. Most of the authorities came there. CO Lion
5 also came there.

6 MR TOURAY: Sorry, Your Honour, did you get the name of Kallon
7 properly? Was it Moses Kallon?

8 JUDGE BOUTET: He didn't say, he just said Kallon.

9 MR TOURAY: I heard the word Moses.

10 MR HARRISON: I think if it is helpful for Mr Touray, the
11 transcript can be read back to him. I don't know if he
12 wants it to be done.

13 PRESIDING JUDGE: Let's verify it. We don't want to go back
14 to transcript, please. Ask him. We don't have very much
15 time for this. Yes, ask him.

16 MR SANTORA:

17 Q. You said Kallon?

18 A. Kallon, Moses Kallon. I cannot just say the word better,
19 but I know him.

20 Q. How do you know Kallon?

21 A. The day he came there was the very day he was introduced
22 to me by one of his boys called Tactica [phoen].

23 MR SANTORA: Can I request a retranslation of that, because I
24 know I distinctively heard something that was not
25 translated. I don't profess to be conversational in
26 Kono, but I did hear a phrase that was not translated and
27 I was wondering if we can get a retranslation of that
28 answer.

29 PRESIDING JUDGE: The witness has to --

1 MR SANTORA: I will repeat the question and ask the --

2 Q. Mr Witness, how do you know Kallon? Can you repeat your
3 answer again slowly for the Translation Unit?

4 A. Yes. He was in the mining pit. Then they came with a
5 vehicle. They came down. Then the boy Tactica - he is a
6 rebel, but they were the guards on the mining - he came
7 up and he showed me, he said, "This one of our bosses."
8 He was standing over the bridge, overlooking the mining.
9 There I knew him.

10 Q. Mr Witness, you said "rebel". What do you mean by rebel?

11 A. Well, we had rebels, we had soldiers, but that boy was
12 not a soldier. But when they all came together as one,
13 they called themselves soldier, but that boy was a rebel
14 and that's the reason I identify him to be a rebel.

15 Q. Mr Witness, the people that were mining in the pits, were
16 they paid?

17 A. One day, even we ourselves are in charge of the mining,
18 we are not paid. Nobody was paid.

19 Q. Why didn't you leave then?

20 A. Hey, at that time we had nowhere to go again, because
21 having killing that of my colleague, I was just among the
22 man like a madman. It is only now that I am beginning to
23 behave myself as a human being.

24 Q. Did anyone try to leave, Mr Witness? Did any of the
25 civilians who were mining leave or try to leave?

26 A. Again, somebody tried to escape. It was this same boy,
27 Sherriff, who shot him again. After shooting him dead,
28 he wrote in his record that he has killed a Kamajor,
29 because that was their usual practice. Anybody they

1 killed they said he was a Kamajor.

2 Q. Mr Witness, you said that at one point Caterpillar
3 machines came into the mining area; is that correct?

4 A. Yes, there was a Caterpillar and a drag liner. All were
5 there.

6 Q. Do you know where the Caterpillar machines were from?

7 A. The Lebanese who were in Kono, those who ran away and
8 left their machines behind. It was those machines they
9 took and repaired. Those were the machines they were
10 using.

11 Q. And aside from these Caterpillar machines that were
12 repaired, was there any other equipment being used to
13 mine?

14 A. Except for the pumping machines, baling machines.
15 Besides that, only those two machines were there: The
16 Caterpillar and the drag liner.

17 Q. And do you know where the baling machines came from?

18 A. Most times we did hear them saying that most of the
19 things they brought in were from Liberia. They brought
20 them in vehicles. Even petrol, they used to get petrol
21 from there.

22 Q. Mr Witness, who told you that these machines came from
23 Liberia?

24 A. The stockpiler we had, Tactica, he was in charge of the
25 stores. He took record of everything and I was the
26 supervisor. He told me that these things were coming
27 from Liberia.

28 MR SANTORA: Thank you, Mr Witness. That's all the questions
29 that I have for this witness at this time, Your Honours.

- 1 THE WITNESS: Okay.
- 2 PRESIDING JUDGE: Learned counsel, we'll rise for 5 minutes.
- 3 THE WITNESS: Yes, sir?
- 4 PRESIDING JUDGE: And resume for Mr Jordash's
- 5 cross-examination. The Court will rise, please.
- 6 [Break taken at 12.00 p.m.]
- 7 [HS020205C - RK]
- 8 [On resuming at 12.25 p.m.]
- 9 JUDGE THOMPSON: Mr Jordash, your witness.
- 10 MR JORDASH: Your Honour, thank you.
- 11 CROSS-EXAMINED BY MR JORDASH:
- 12 Q. Good afternoon, Mr Witness.
- 13 A. Yes.
- 14 Q. Now before I move to ask you questions about the events
- 15 you've described, I just wants to ensure that you
- 16 understand what this is about. Can you tell this Court
- 17 who you think I am? Do you understand the question,
- 18 Mr Witness?
- 19 A. I do understand. I don't know you.
- 20 Q. Do you understand what my job is?
- 21 A. I don't know.
- 22 Q. Do you understand what the gentlemen's job is who was
- 23 asking you questions a moment ago?
- 24 A. Which one?
- 25 Q. Well, there was only one gentlemen asking you questions a
- 26 moment ago and he is sitting to your left. Do you
- 27 understand what his job is?
- 28 A. Yes. I don't know his job.
- 29 Q. So, yes, you do understand what his job is or no, you

- 1 don't understand what his job is?
- 2 A. I don't know his job, except he tell me.
- 3 Q. Except what, sorry, Mr Witness?
- 4 A. I said I don't know your job unless you tell me.
- 5 Q. Well, I'm just going to ask you first of all what you
- 6 understand before I tell you. Do you understand why you
- 7 have been called to this Court?
- 8 A. Yes.
- 9 Q. Can you tell us why that is?
- 10 A. Yes.
- 11 Q. Would you like to?
- 12 A. Hmm?
- 13 Q. Would you like to explain to us, Mr Witness, what you
- 14 understand is your role in this Court?
- 15 A. Yes.
- 16 Q. Well, would you like to do it now?
- 17 A. Yes. I can explain.
- 18 Q. Well, to explain, you'll have to speak to us, Mr Witness.
- 19 A. I want to understand something: If you want me to
- 20 explain to you the reason why they brought me here to
- 21 explain to you?
- 22 Q. Just listen to the question, Mr Witness. Why do you
- 23 think you have been brought to this Court?
- 24 A. They've brought me here to testify.
- 25 Q. And what is the purpose of you testifying, as you
- 26 understand it?
- 27 A. The way I understand it, the wrongs that have passed have
- 28 already been passed, for it not to be repeated by any
- 29 other person. That is what I know.

- 1 Q. Is anybody on trial here?
- 2 A. I didn't understand.
- 3 Q. Is anybody being tried in this Court? Is anybody being
4 accused of anything?
- 5 A. They didn't point finger at anybody, but those who did
6 the wrong, some are here, some are not here.
- 7 Q. Who is here that did the wrong?
- 8 A. Issa is number 1.
- 9 Q. How do you know Issa is number 1?
- 10 A. Because Issa was now in charge of RUF. We all did obey
11 him now.
- 12 Q. When did you learn that Mr Issa Sesay was to be tried in
13 this Court?
- 14 A. The time they were doing these wrongs nobody knew for
15 sure that they would bring them to justice. It was of
16 late that we heard that they brought them to justice.
- 17 Q. When did you hear that?
- 18 A. It is now quite a length of time.
- 19 Q. Well, this year, last year? Can you estimate, please?
- 20 A. Last year, it was last year.
- 21 Q. Was that -- let me just start that again. Do you recall
22 giving a statement to the Prosecution in November of
23 2002, late 2002?
- 24 A. Yes.
- 25 Q. Did you know at that time when you gave your statement,
26 Mr Sesay would be on trial?
- 27 A. Yes, because the time I was giving out my statement to
28 them we were told that they will bring them to book,
29 because of the atrocities, cutting the hands of people,

- 1 killing people, all the wrongs that they did, they said
2 that they will stand for it.
- 3 Q. Right. Now, so you were told by the person -- who told
4 you that, Mr Witness?
- 5 A. We heard it from the radio. There was an announcement we
6 said no matter how the lengthy the time may be, they must
7 bring those people to book.
- 8 Q. What did the person say -- the person who took your
9 statement, do you remember that person?
- 10 A. The time for the statement taking is a length of time. I
11 cannot remember now exactly.
- 12 Q. Do you remember -- well let me start that again. How
13 were you first contacted by the Prosecution to give your
14 side of the story?
- 15 A. It happened that when they went to our town --
- 16 Q. Don't mention the name of your town, Mr Witness.
- 17 A. It happened that when we went to our town, they asked us
18 that whosoever had suffered in the hands of those people
19 by burning your house, cutting your limbs and undergoing
20 so much atrocity from them, you can come forward and give
21 your story.
- 22 Q. And you went forward to the place you were asked to go
23 to; is that right?
- 24 A. Hmm?
- 25 Q. Was this then that you learned who would be on trial?
- 26 A. It was the time we came to realise that the time when the
27 people were committing those crimes even though you as a
28 lawyer you wouldn't be bold to appear before them.
- 29 Q. So you know that I'm a lawyer, do you?

- 1 A. Yes.
- 2 Q. And you know that I'm Mr Sesay's lawyer?
- 3 A. I know that.
- 4 Q. How did you know that?
- 5 A. Because I can now see you are advocating for him.
- 6 Anybody advocating for somebody is your client.
- 7 Q. When you gave your statement to -- in November late 2002,
- 8 did you receive any money?
- 9 A. At that time no money was given to us, because they said
- 10 if they give out money the whole thing will become lies,
- 11 so the white men that went there they didn't give us any
- 12 money.
- 13 Q. When did you first receive money?
- 14 PRESIDING JUDGE: Mr Jordash, please.
- 15 MR JORDASH: I beg your pardon, sorry, Your Honour.
- 16 PRESIDING JUDGE: Yes, please.
- 17 MR JORDASH: Thank you.
- 18 Q. Just let me ask a different question. When you were told
- 19 that, what did you think about that? When you were told
- 20 that no money was to be given, because if money was
- 21 given, it would make -- give -- make people lie?
- 22 A. [Translation interrupted]
- 23 Q. Okay, Mr Witness, just pause to allow some translation,
- 24 sorry to interrupt?
- 25 A. He gave an example. He said it happened in South Africa.
- 26 That when Special Court went there, they were giving out
- 27 money in the form of hundred dollars. People were coming
- 28 out telling lies on other people.
- 29 Q. Do you think that's possible in this type of situation in

1 Sierra Leone, Mr Witness?

2 A. Yes, if money was first introduced, it would have
3 happened because somebody would have looked at his
4 companion and began telling lies on him?

5 Q. Is it right, Mr Witness, that you've received, since the
6 24th of December until the 31st of January, 2005 a total
7 of 576,000 Leones?

8 PRESIDING JUDGE: Mr Jordash, may we have the time frame,
9 please.

10 MR JORDASH: 24th of December, 2004 until the 31st of January,
11 2005. This is -- Before Mr Harrison leaps up, this is
12 from the witness and victims support, and not the
13 Prosecution.

14 PRESIDING JUDGE: 24/12/04 to?

15 MR JORDASH: 31st of January, 2005, Your Honours.

16 JUDGE THOMPSON: From the victims and witnesses unit.

17 MR JORDASH: Your Honour, yes.

18 Q. Did you understand the question, Mr Witness?

19 JUDGE THOMPSON: Give us a figure.

20 MR JORDASH: 576,000 Leones. There is more, but this is the
21 first aspect.

22 THE WITNESS: Whatever happens you have to explain for people
23 to understand. I received the money, but not in the
24 bulk. They gave me in bits because I have children back
25 at home whom I have to attend to. That money which was
26 given me was left with them.

27 PRESIDING JUDGE: Mr Jordash, how much money again?

28 MR JORDASH: 576,000 Leones.

29 PRESIDING JUDGE: 576?

1 MR JORDASH: 76, yes.

2 PRESIDING JUDGE: 576,000 Leones.

3 MR JORDASH:

4 Q. Is that right, 24th of December? Do you think that
5 figure's about right, Mr Witness?

6 PRESIDING JUDGE: We want to have his explanation, please. He
7 explained that he had children.

8 THE WITNESS: 24th December last year was the time they
9 brought me here.

10 PRESIDING JUDGE: First of all he said he didn't receive that
11 money in bulk.

12 MR JORDASH: Yes, he said he received it in small --

13 JUDGE BOUTET: In bits.

14 MR HARRISON: I think he indicated he had children.

15 MR JORDASH: We're coming to that.

16 THE WITNESS: Yes, I was not given in bulk.

17 Q. Would you agree that the amount you've received in that
18 period is in the region of 576,000 Leones?

19 A. Yes.

20 Q. You are a farmer by profession; is that right,
21 Mr Witness?

22 PRESIDING JUDGE: Mr Jordash, let's be fair to the witness.
23 He had an explanation he was making. After he did say
24 that he did not receive the money in bulk, I think he was
25 saying that he has children and so on and so on.

26 MR JORDASH: Your Honour, I'm going to ask him about that.
27 I certainly wouldn't want that answer not to be explored.

28 PRESIDING JUDGE: All right. That's okay.

29 MR JORDASH:

- 1 Q. You're a farmer by profession; is that right?
- 2 A. Yes.
- 3 Q. That's is what you do at the moment?
- 4 A. Even up to now I'm a farmer.
- 5 Q. 576,000 Leones how long do you think it would take you to
6 earn that as a farmer?
- 7 A. That's the reason they say -- that's the reason why they
8 say it is not good to be in a conflict situation. What
9 I do get for my farming is far above that that you're
10 calling here.
- 11 Q. So what would you earn in a month then, Mr Witness, which
12 is far beyond 576,000 Leones?
- 13 A. I have a coffee farm. I have a cocoa farm. With the
14 advent of the war we came to realise that banana us
15 survive. I have a banana plantation, over 800 trees. It
16 is out of that I pay my children's school fees. For now
17 the price of coffee is low, but we still do get money out
18 of it.
- 19 Q. Well, you've told us that you would earn far beyond
20 576,000 so could you just give us an estimate in Leones
21 as to what you would expect to earn in a month as a
22 farmer?
- 23 A. Well, I don't want to become liar, but to say the truth
24 in the dry season if I sell all my produce, I would get
25 above 700,000 Leones.
- 26 Q. In one month?
- 27 A. Not within one month, but I say by year. That is only
28 for cocoa, the banana has its own.
- 29 Q. I'm trying to work out what it is, Mr Witness, you would

- 1 earn in a month or a year, if that's easier for you?
- 2 A. For banana, when the NGOs are there with us, if I sell my
3 banana, I will get above 100,000. I built my house out
4 of my produce, not from mining.
- 5 Q. Mr Witness, concentrate on the question. I'm not asking
6 you what do in terms of crops. I'm asking to estimate,
7 as best you can, the amount of money you would receive in
8 a year or a month, whichever is easiest for you.
- 9 A. To be frank with you, putting my garden produce all
10 together, if I sell, besides what I give out to people
11 helping me, I will bank 500,000 per annum.
- 12 Q. 500,000 for the year?
- 13 A. Yes.
- 14 Q. Thank you. Did you ask the people looking after you in
15 Freetown for the 576,000?
- 16 A. No.
- 17 Q. How did it end up being given to you?
- 18 A. They brought me here knowing very well that I'm not based
19 here and I have children back home so they give me per
20 week.
- 21 Q. You received 70,000 Leones for clothes as well; is that
22 right?
- 23 A. Yes.
- 24 Q. Did you ask for those clothes?
- 25 A. Yes.
- 26 Q. Are those the clothes you're wearing now?
- 27 A. Yes.
- 28 Q. So you've received 185,000 Leones of either money or
29 clothes since the 24th of December 2004; do you agree?

1 A. Not for clothes, not for clothing at all.

2 Q. Well, 70,000 for clothes and then other expenses which has
3 been -- well, I'll come to that. 70,000 for cloths and
4 576,000 for other things; yes?

5 A. Yes, that is truth. That is truth. 70,000 Leones for
6 clothing and this 576,000 for other things.

7 Q. And those are the thing you -- are what? What was the
8 money for?

9 A. Well, it is just a humanitarian gesture. They know very
10 well I have left my family behind. My children are there
11 going to school. It is what I used for lunch for them
12 and other things back at home.

13 Q. Do you accept, though, that the amount of money you've
14 received since the 24th of December, 2004 is, when
15 compared to your annual income, a lot of money?

16 A. It is not a lot of money to me, because while I'm back at
17 home in my bush there, what I get out of my bush is above
18 this that you're talking of.

19 Q. Well, Mr Witness, according to your annual income that
20 you've just given us, of 500,000 a year, you would, on
21 average have 42,000 Leones a month. Whereas you've
22 received since being in Freetown just over a month,
23 185,000. You don't accept that you earned a lot of money
24 from this attending at the trial?

25 THE INTERPRETER: Your Lordships, let the lawyer also give us
26 a space.

27 MR JORDASH: Sorry.

28 Q. Let me re-put that. From your annual income of 500,000
29 Leones that works out at 42,000 Leones a months. You've

1 received from your attendance here on the 24th, 185,000
2 so --
3 JUDGE THOMPSON: 185,000 per --
4 MR JORDASH: Leones.
5 JUDGE THOMPSON: Leones per
6 MR JORDASH: For just over a month from the 24th.
7 JUDGE THOMPSON: And you're saying compared with what he would
8 earn from his own vocation it's a lot of money.
9 MR JORDASH: It's four times as much.
10 JUDGE THOMPSON: Yes, well, why not say four times as much?
11 Because when you say a lot, he's disagreeing with you.
12 MR JORDASH: I was just --
13 JUDGE THOMPSON: Why not be specific? You just were using
14 figures now. We're in the realm of mathematics. Why not
15 put it to him in that way?
16 MR JORDASH: I hadn't calculated it myself until --
17 JUDGE THOMPSON: Well, 185 minus 42.
18 MR JORDASH: I have now. Well, my learned colleague has
19 anyway.
20 JUDGE THOMPSON: So why not put it that way and then we can
21 make progress.
22 MR JORDASH:
23 Q. Isn't it right, Mr Witness, that you've earned over four
24 times as much since the 24th of December than you would
25 ordinarily as a farmer?
26 A. You mean here.
27 Q. That's what we're talking about, Mr Witness? By attend
28 here you've earned over five times what you ordinarily
29 earn. Do you accept that?

1 A. I disagree with you. What I get from my farm is far
2 above what I'm getting here. If I say I'm a farmer -- if
3 I say I'm a farmer, I buy -- I don't buy rice.

4 JUDGE THOMPSON: [Microphone not activated]

5 MR HARRISON: No I think the witness has answered. It's the
6 translator who's giving the --

7 JUDGE THOMPSON: Oh, I see.

8 MR HARRISON: So I would ask if the translator would be
9 allowed to continue with the response.

10 JUDGE THOMPSON: Okay, let's have that.

11 THE WITNESS: If I say I'm a farmer, I do rice farming. I
12 don't buy rice, I don't buy fish, I don't buy even meat.
13 All that I get it from my farm. So what I get from the
14 other areas, is far above what you're talking about.

15 JUDGE THOMPSON: [Microphone not activated] kind of answer
16 which will take us into a whole area of argumentative
17 cross-examination, because I was thinking that one way of
18 looking at this thing is that if you put specific figures
19 to him, he agrees that it is four times in terms of
20 figures, four times what he earned, and then you leave it
21 to the Court to draw the inferences, because when you
22 come to the other side, he might still disagree with you.
23 There are other aspects of his life which do not
24 necessarily mean that that's all what he is getting,
25 which he may be missing. It is very possible.

26 MR JORDASH: Your Honour. Firstly, before I address
27 Your Honour, could I just ask for the witness's
28 translation be turned off.

29 JUDGE THOMPSON: Yes. Could we have the witness's translation

1 turned off for the time being?

2 MR JORDASH: The big difficulty --

3 JUDGE THOMPSON: Yes.

4 MR JORDASH: Your Honour's colleagues are conferring.

5 JUDGE THOMPSON: Yes. My difficulty is really how far can we
6 get with this. First of all you have presented to the
7 witness that what he got from the victims and witnesses
8 unit is in the form of earnings. That can be
9 argumentative. I noted that, you see. And then what he
10 earns from his vocation, which is farming, my difficulty
11 is if you put the figures to him, whether he denies that
12 he's not getting far more than he would have earned, the
13 figures speak for themselves. I mean we can't manipulate
14 mathematics. If you're saying what he has got from the
15 victims and witnesses unit is four times what he would
16 have earned from miss own figures. That, from a
17 mathematical point of view, is not disputable. What may
18 be disputable is whether he accepts that quantitatively
19 or qualitatively his life as a farmer gives him far less
20 than what he may have received from the OTP. I just
21 wanted to put that in focus, because I don't know when we
22 get to that kind of argument how far we can evaluate
23 anything, any answers that you may be getting from him.
24 That's just my own random thinking on it.

25 MR JORDASH: Well, Your Honour, I answer Your Honour's concern
26 in two ways. Firstly that this witness has now
27 backtracked from his original estimation of 500,000 a
28 year. If the answer he has given to me, to this Court
29 was that he earned more than the sum he'd received from

1 the victims and witness unit then it is not consistent
2 with the answer that he only earns 500,000 a year. To
3 that extent I submit a further cross-examination to have
4 him answer the question how much he earns; I don't want
5 to spend much time on this, but I do want this evidence
6 to be before the Court. But the witness, for some
7 reason, is finding it difficult to answer and stick to
8 the answer.

9 The second way I would say is this: That I do
10 not want to be criticized at a later stage for floating
11 suggestions in the Court about motivation without giving
12 witnesses the opportunity to rebut such allegations. Not
13 every witness who I cross-examine and place the expenses
14 before them will be motivated by those expenses; I'm not
15 suggesting they will. Some will, I submit, and it's
16 those witnesses who ought to be given the chance, I would
17 respectfully submit, to say no, it's not true.

18 JUDGE THOMPSON: Right.

19 MR JORDASH: Later on Your Honours can evaluate whether that
20 answer itself was true.

21 JUDGE THOMPSON: Well, with that explanation I think I can
22 understand the line of your cross inquiry. But with the
23 emphasis that the mathematical side of it is a certainty.
24 I mean, whether he denies 42 -- 185 is four times more
25 than 42, it is a mathematical certainty; there needn't be
26 any argument about that. But the other part I would
27 yield to your explanation and let you continue.

28 MR JORDASH: But Your Honours, I certainly want to move
29 through this type of cross-examination as quickly as

1 possible, because it is -- it is peripheral insofar as
2 the substance of the evidence is concerned.

3 JUDGE BOUTET: But don't read this evidence the same way as
4 you do, Mr Jordash. Because he's trying to give the
5 explanation as to why this difference. The difference is
6 when he's at home, he gets his own fish, he gets his own
7 crop and he doesn't have to pay because he gets it out of
8 his own plantation. So all of this, if he were to buy,
9 it would cost money, so if you add all these costs, to
10 what it is he's given you, he's telling you it comes to
11 more than that. If you keep pursuing this we're going to
12 get into these kind of details for a long, long time.
13 Because obviously, the witness does not make calculation
14 on a daily basis, on a monthly basis as you want him to
15 give you and he's try to go give these answers. I don't
16 have the same problems as you do with this.

17 MR JORDASH: Your Honour, in due course I will be submitting
18 on behalf the first accused that the way in which
19 payments have been given to the witnesses has in effect
20 perverted the whole process. That's where I'm going.
21 I'm not seeking to hide that, because if --

22 PRESIDING JUDGE: No, you can't hide it. Because, I perceive
23 it. We perceive it. As a Chamber, we perceive it. Your
24 cross-examination on this line is geared towards
25 impeaching the credibility of the witness and sort of
26 having accepted or asked for these monies in order to
27 incriminate your client.

28 MR JORDASH: Yes.

29 PRESIDING JUDGE: This is where you're going, we understand

1 that. But point is the parameters you are pursuing.
2 This is a witness, who, he's a villager and he doesn't --
3 he has his farms and he said in my village when I'm at
4 home I don't buy fish, I don't buy plantains, I don't buy
5 this, I don't buy that. If you have to start quantifying
6 all those things in terms of cash, I don't know where we
7 may be able to arrive at.

8 MR JORDASH: Well, that's if he's telling the truth. He may
9 not have a farm. We may investigate and find he doesn't
10 have a farm.

11 PRESIDING JUDGE: Well, that is it. Those are matters which
12 will come up in your cross-examination. He has said a
13 number of things. He has a garden which gives him about
14 100,000 Leones, he has bananas and so on. I mean, that
15 is it. If you can tell him that he doesn't have a farm
16 and impeach his credibility on that, then that's fine.

17 MR JORDASH: Well, I can't tell him he hasn't got a farm at
18 the moment. But when my investigator attends to where he
19 lives I'll be able to say yes or no. And I will be
20 criticized later on, if I don't turn around to the Court
21 and say, "this witness was lying," and had failed to
22 explore that area in cross-examination.

23 JUDGE BOUTET: This is not what you're trying to do. At least
24 that is not my understanding of what you're trying to do,
25 Mr Jordash. Absolutely not. You are at liberty to
26 explore that; if you feel this is important for you and
27 your clients, please do so.

28 JUDGE THOMPSON: Yes, I concur in that. I think if you need
29 to lay some evidential foundation in the records upon

1 which you would need to build some defence in the future,
2 that is perfectly permissible and legitimate. Otherwise
3 the process would not be what it is. And I certainly
4 feel that you're entitled to go along the line that
5 you're going. We don't want you to feel that there is
6 any constraint from the Bench. It's just that we want to
7 satisfy ourselves as to where you're going. It's just
8 that I didn't want you to get bogged down in the
9 mathematical certainty. Because he cannot, by his
10 answers, nor can you, change a mathematical certainty.

11 MR JORDASH: I know Your Honours give me plenty of latitude.
12 I'm aware of that and I wasn't suggesting otherwise. I
13 will finish this though, very, very swiftly, if I may.

14 PRESIDING JUDGE: I was just going to say that, since very
15 peripherally in your cross-examination, I was thinking
16 that you were virtually closing the chapter.

17 MR JORDASH: I am virtually closing the chapter.

18 PRESIDING JUDGE: You may proceed, Mr Jordash.

19 MR JORDASH: Thank you.

20 Q. You've told us, Mr Witness --

21 MR HARRISON: I'm sorry, if he could just.

22 MR JORDASH: I beg your pardon.

23 Q. Are you getting me, Mr Witness?

24 A. Hmm.

25 Q. You told us, Mr Witness, that usually you would not pay
26 for such things as meat, rice, I think you said?

27 PRESIDING JUDGE: Fish.

28 MR JORDASH:

29 Q. Fish; is that correct?

- 1 A. Yes. I don't buy oil also.
- 2 Q. There's no reason that that situation has changed since
3 you came to Freetown on the 24th of December, is there?
- 4 A. It is not happening now because I'm not there.
- 5 Q. Well, what is happening to your farm then? Nobody
6 working on it?
- 7 A. My younger brothers I left behind to supervise my work.
8 Every time I get complaints from them. Even the brushing
9 I left them to brush, they say the progress is very slow.
10 That has made me become very bitter within myself. I am
11 just disappointed -- I am discouraged, rather.
- 12 Q. So your brother's working on the farm now. Other members
13 of your family, are they working on it?
- 14 A. Yes, they are working on the farm. I left them there.
- 15 Q. You left food for your family while you were away, did
16 you not?
- 17 A. The foot I left with them was very small, so it got
18 finished. The money which they give me here is what I
19 sent to them over there.
- 20 Q. But can your brother not continue to farm for you while
21 you are away to produce the rice or to produce the fish?
- 22 A. He is not so strong. He was a student before, so he is
23 not accustomed to native works.
- 24 Q. Before I move on, Mr Witness, what is not being done on
25 your farm that would be done if you were there?
- 26 A. If I'm not there, the work will not function properly,
27 because my presence there we encourage everybody within
28 my family to go to the farm. When the children come from
29 school, they also go to the farm.

1 Q. But what is being done -- what is not being done that
2 would be done if you were present?

3 A. What I know is this is the period for me to brush within
4 my coffee farm and to brush my farm. They've brushed my
5 farm but nobody has brushed the coffee farm. This
6 they've told me just a few days ago.

7 Q. Is that the only thing that has not been done, brushing
8 your coffee farm, that would ordinarily be done in your
9 presence?

10 A. I've not heard anything strange again from home. The
11 only thing is the farm work which is going down slowly.
12 You know farming has a time which that time -- the time
13 expires there will be no proper farming.

14 Q. No, but just stick to the question and then I'm finished
15 with this, Mr Witness. Apart from coffee brushing, is
16 there anything else which is not being done on your farm
17 since you were gone that would ordinarily be done?

18 A. That is the only thing, no other thing has happened in my
19 absence.

20 MR JORDASH: That's the end of this period, Your Honours.

21 I notice the time.

22 PRESIDING JUDGE: Yes. Learned counsel, we would be
23 adjourning to tomorrow at 9.30 to continue with
24 Mr Jordash's cross-examination of this witness. We will
25 adjourn to tomorrow at 9.30. The Court will rise.
26 [Whereupon the hearing adjourned at 1.22 p.m. to be
27 reconvened on Thursday, the 3rd day of February, 2005, at
28 9.30 a.m.]

29

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-012	1
EXAMINED BY MR SANTORA	1
CROSS-EXAMINED BY MR JORDASH	38