

Case No. SCSL-2004-15-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ISSA SESAY  
MORRIS KALLON  
AUGUSTINE GBAO

FRIDAY, 17 MARCH 2006  
9.47 A.M.  
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Candice Welsch Mr Matteo Crippa
For the Registry:	Mr Geoff Walker Ms Maureen Edmonds
For the Prosecution:	Mr Peter Harrison Mr Alain Werner Mr Mohamed Bangura Ms Shyamala Alagendra Mr Mark Wallbridge (Case Manager) Ms Amira Hudroge (intern)
For the Principal Defender:	NO APPEARANCE
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph
For the accused Morris Kallon:	Mr Shekou Touray Mr Melron Nicol-Wilson
For the accused Augustine Gbao:	Mr Andreas O'Shea Mr John Cammegh

1 [RUF17MAR06A - SGH]  
2 Friday 17 March 2006  
3 [Closed session]  
4 [The accused present]  
09:37:59 5 [Upon commencing at 9.47 a.m.]  
6 WITNESS: TF1-330 [Continued]  
7 PRESIDING JUDGE: Good morning. Good morning, Mr Witness.  
8 Good morning, Mr Cammegh.  
9 MR CAMMEGH: Good morning, Your Honour.  
09:47:47 10 PRESIDING JUDGE: So you are ready to resume and complete  
11 your cross-examination this morning?  
12 MR CAMMEGH: Certainly, yes.  
13 PRESIDING JUDGE: Thank you.  
14 CROSS-EXAMINED BY MR CAMMEGH: [Continued]  
15 Q. Yes, good morning, Mr Witness.  
16 A. Yes.  
17 Q. I would like us to finish this morning so I am going to be  
18 as quick as I can.  
19 A. In God's name.  
09:48:08 20 JUDGE ITOE: This morning in the next one hour. That was  
21 the promise, Mr Cammegh, wasn't it? Anyway, let's get along,  
22 we'll see how it goes.  
23 MR CAMMEGH: I will do my best.  
24 Q. I was asking you last night about Augustine Gbao's  
09:48:27 25 movements in 1998 and I just want to recap. I was suggesting to  
26 you that in November of 1998 Augustine Gbao left Kailahun Town  
27 and in fact never returned. And you will remember that what I  
28 suggested was that he was ordered to brush the Kono to Bunumbu  
29 road. I think you told us that you were aware of a road from



1 Kono down to Bunumbu, so I will take it from there.

2 A. What I said yesterday is what I am still saying. Even if  
3 they gave an order for him to leave Kailahun to go to Bunumbu I  
4 do not know. But I used to see him. Apart from that, when I was  
09:49:33 5 coming to Kenema he was in Segbwema. There is a road in  
6 Segbwema, they say that road leads to Bunumbu. From Segbwema  
7 there is a town called Dodola [phon]. They said there is a road  
8 that leads to Bunumbu. This is what I know.

9 Q. All right. Just cast your mind back if you will, please.

09:50:12 10 First of all let me ask you this: Were you still living in  
11 Kailahun Town when disarmament took place in 2000?

12 A. I used to come there.

13 Q. When you say "I used to come there," do you mean you were  
14 living there at that time or just visiting?

09:50:36 15 A. At that time I used to go to my home town sometimes for two  
16 days and I return to Kailahun. That's what I said.

17 JUDGE ITOE: Mr Witness, where were you during disarmament?  
18 Where were you living during disarmament?

19 THE WITNESS: I was in XXXXXX.

09:51:00 20 MR CAMMEGH: I am reminded of what the witness actually  
21 told us yesterday, and this is in fact exactly the same I would  
22 submit. He says he was living in XXXXXX Town up until  
23 disarmament but that he would visit his home town, which would be  
24 Talia, periodically for a day or two at a time. So thank you for  
09:51:19 25 that, Mr Witness.

26 Q. My question is this: Did you see Augustine Gbao in  
27 Kailahun Town in 1999 through to 2000?

28 A. I did not get the complete question. That year that you  
29 spoke of, I used to see him in person. I used to see him with my



1 own very eyes.

2 Q. All right. Well, just let me make my position clear. What  
3 I am suggesting is that -- and I have may have made a mistake  
4 yesterday. I am told that I said it was on Issa Sesay's orders  
09:52:14 5 that Augustine Gbao went on to the highway. If I did say that I  
6 meant to say Sam Bockarie. Let me make my position clear. I am  
7 suggesting that on the orders of Bockarie in November of 1998  
8 Augustine Gbao left Kailahun Town and did not return. Right up  
9 until disarmament he did not return. Now, am I right about that,  
09:52:43 10 please?

11 A. I said I used to see him there indeed. I used to see him  
12 in Kailahun. Even if he were going for two days, but he used to  
13 return and I would see him in Kailahun Town. Apart from this one  
14 I have something to say for everybody to hear. If you can allow  
09:53:01 15 me.

16 PRESIDING JUDGE: What is it? Is it in answer to that  
17 question, Mr Witness?

18 THE WITNESS: This question that you have asked me, no, it  
19 is not it. There was a question you asked me yesterday that I  
09:53:26 20 answered. He agreed after that and that -- he said something  
21 after that and I want to explain for everybody to hear, if he  
22 allows me.

23 PRESIDING JUDGE: Go ahead.

24 THE WITNESS: I said that we were subscribing things and  
09:53:51 25 farming, but we handed everything over to XXXXXX. This  
26 XXXXXXXX told us that he would hand them over to Augustine  
27 Gbao. He told XXXX yesterday from that paper that those things, it  
28 was not Augustine Gbao who was distributing them. He mentioned  
29 two units yesterday, those that are called agriculture and S4.



1 He said they were doing the distribution of these things. But  
2 he -- when they distributing these things he would just record  
3 them. After he had recorded them he would send them to Mosquito.  
4 What I think is that he has agreed to what I am saying, that it  
09:54:35 5 is the truth. That's my thoughts.

6 PRESIDING JUDGE: Could you repeat the last part of what  
7 you have just said, Mr Witness? The very last part.

8 THE WITNESS: I said what in the Mende traditional way,  
9 just like I have explained, it shows that all that I have said is  
09:54:54 10 not a lie.

11 PRESIDING JUDGE: That's fine. Mr Cammegh.

12 MR CAMMEGH: Thank you. I think I'd better deal with that  
13 so that my position remains absolutely clear in what I am  
14 putting.

09:55:11 15 PRESIDING JUDGE: I don't think it does change.

16 MR CAMMEGH: Well, I am happy to leave it if  
17 Your Honours -- Your Honours know my case. I don't quite follow  
18 that.

19 PRESIDING JUDGE: I don't think what the witness has added  
09:55:22 20 changes your position.

21 JUDGE ITOE: It changes nothing.

22 MR CAMMEGH:

23 Q. Okay. Mr Witness, so you say that up until disarmament you  
24 continued to see Gbao in Kailahun Town. So you stand by your  
09:55:42 25 statement of 27th March at page 17457, do you, when you say, "I  
26 saw Gbao over three years in Kailahun before the disarmament"?  
27 You stand by that statement?

28 A. I saw him. I saw him with my own very eyes.

29 Q. But do you also stand by what you said in that statement





1 where it states, "The witness said he was told that Augustine  
2 Gbao was leader of those who investigated people in the RUF when  
3 he was asked what Gbao's position was." Do you stand by that  
4 too?

09:56:50 5 A. Morie Fekai said he was IDU. What IDU means is that for  
6 instance in the police they are the CID. They were  
7 investigators. When I asked him that is what he told me.

8 Q. Right. Of course, I have already put it to you, I did so  
9 yesterday, that it wasn't until about three months ago that you  
09:57:08 10 informed the Prosecution that Gbao's duties were wider than you  
11 originally stated. I have something else to put to you or to ask  
12 you about now.

13 MR CAMMEGH: It is at page 27 of Your Honours' transcript.  
14 It is at line 20.

09:57:32 15 JUDGE ITOE: Transcript of what date?

16 MR CAMMEGH: 14th March. I think it is the 14th. The same  
17 one as yesterday, Your Honour. I am sure that is 14th March.  
18 Let me just check that.

19 PRESIDING JUDGE: Yesterday we were dealing with the 14th.

09:58:06 20 MR CAMMEGH: Yes, 14th. It is line 20 of page 27.

21 Q. You see, Mr Witness, there is something else here that I  
22 suggest isn't contained --

23 A. Yes.

24 Q. -- in any of your statements.

09:58:17 25 You were asked the question by Mr Harrison: "You've talked  
26 about civilians working on farms for commanders; what do you mean  
27 by that?"

28 And your answer: "Like Issa Sesay, we cultivated the farm  
29 for him. We cultivated a farm for Augustine Gbao. We cultivated



1 a farm for Mosquito."

2 Now, witness, you don't make any reference to cultivating a  
3 farm for Augustine Gbao in any of the statements in any of your  
4 previous meetings with the Prosecution. Why is it that you

09:59:03 5 mention that for the first time on Tuesday of this week?

6 A. Initially when they went and obtained a statement from me I  
7 told them that where you were staying, they would farm for you  
8 there. Just like it was in Giema, the Giema people used to farm  
9 for him. The civilians.

09:59:46 10 Q. Can you explain, please, why you never told anybody until  
11 this Tuesday that Augustine Gbao was receiving forced labour on  
12 an individual farm, if I can use those words?

13 A. If they did not write it, then they forget, but I did say  
14 it. This same thing that I am saying, that's why you take me

10:00:19 15 forward and backwards, but what I said is what I keep saying.  
16 This that I have been saying is what I said. I did say it. If  
17 they forgot and did not write it, then they did not write it, but  
18 I did say it.

19 Q. So the gentleman or the lady representing the Prosecution  
10:00:38 20 made a mistake, did they, in failing to record everything that  
21 you said?

22 A. Yes. If they did not write it, then they forgot, but I  
23 said it.

24 Q. Okay. Well, may I suggest to you, Mr Witness, that  
10:00:58 25 Augustine Gbao did have one personal farm in Sandialu but that no  
26 outside civilians ever worked on it. It was friends and close  
27 family only. What do you say to that?

28 A. There were no ordinary civilians. All the civilians were  
29 for the RUF government. There was no civilian who would work for



1 you. If he worked for you, he would work through force. No  
2 civilian was for himself. We were all for the RUF, every  
3 civilian. All the civilians who cultivated that farm that you  
4 talked about they were RUF civilians.

10:01:50 5 Q. Well, I put my case in relation to that matter. You told  
6 us, or you have said many times during your testimony there was  
7 not enough food for the civilians to eat while they were being  
8 made to work. Specifically, at page 27, lines 14 and 15 you  
9 state that XXXXXXXX was the one who did not give you food to  
10:02:28 10 eat. But, Mr Witness, you were allowed your own food, weren't  
11 you, in Kailahun Town?

12 A. When we were going to find food, we would obtain a pass.  
13 That is what we would use to go and find food, wherever we went  
14 to find food. I talked about it yesterday, but if you ask me, I  
10:02:47 15 would explain again where we were going to find food and how we  
16 went.

17 Q. Well, I think we have your answer to that recorded  
18 previously. But let me suggest to you exactly what did happen in  
19 relation to the food distribution in Kailahun. First of all, it  
10:03:17 20 is right, isn't it, that up until the bombing started - and if I  
21 said January of '99 yesterday, I meant to say January of '98 -  
22 but until the bombing started weren't civilians selling  
23 foodstuffs and other essential commodities without hindrance in  
24 the Kailahun Town market house?

10:03:54 25 A. There was no market. There was no market, I am still  
26 telling you. In fact, the towns in which we were it was like a  
27 bush. We were going in between bushes to go into our houses.  
28 There was no market.

29 Q. Come on, Mr Witness, please, there was a marketplace in



1 Kailahun Town at that time, wasn't there? You know that full  
2 well.

3 A. I did not see it. I did not -- I was not seeing it. The  
4 market was in Kailahun. I did not see it, maybe some other  
10:04:16 5 people saw it, but I did not see it.

6 Q. But, Mr Witness, the marketplace has always been on the  
7 road leading from the court barri out of town. If you pass the  
8 court barri on your left-hand side, the market is on that road,  
9 on both sides of the road. I am not putting it very well. And  
10:04:48 10 the market has always been there.

11 JUDGE ITOE: Maybe if it is -- [overlapping speakers]

12 THE WITNESS: At that time -- at that time that war was not  
13 in this country.

14 JUDGE ITOE: There is a difference here, the way I perceive  
10:05:01 15 it, you know, between the existence of the infrastructure and the  
16 activity. The infrastructure could be there, but was the  
17 activity there. That's what I am trying to place.

18 MR CAMMEGH: Well, I appreciate Your Honour's point and I  
19 will tidy it up. I understand the point Your Honour makes.

10:05:29 20 Q. Mr Witness, it is very simply, I suggest.

21 A. Yes.

22 Q. That market was operating throughout the war. Civilians  
23 were buying, selling, bartering foodstuffs and commodities  
24 amongst one another unhindered until January 1998.

10:06:06 25 A. Father, please don't force me to tell lies. I have told  
26 you there was no markets during the war. There was no markets  
27 where trading was taking place. I did not see any market there.  
28 If you saw it there, I did not see any.

29 Q. And I suggest that after January of 1998 the market trading





1 was hindered by the bombing. But whenever it was safe to do so,  
2 market trading did resume in the town. Throughout '98 to '99 up  
3 until disarmament.

4 A. I said I not see this at all. I did not see any markets.  
10:07:01 5 I had one trousers and one shirt.

6 Q. Can I just return to the Agricultural Unit for a moment,  
7 please. Didn't the Agricultural Unit run a policy, which was  
8 pursued by its boss whose name, I think, was AA Vandí? The  
9 policy being to dispute seedlings to civilians to farm for  
10:07:45 10 themselves. Do you remember that policy instigated by the AU and  
11 assisted by the G5?

12 A. The G5 was not assisting us at all that in fact here is  
13 some seed rice for you to plant for yourself. The only  
14 assistance -- the only thing G5 did was to oversee us to do the  
10:08:03 15 government farm.

16 Q. Well, I suggest that is not entirely accurate and I am  
17 sorry to jump back, but on the subject of the market, can I  
18 suggest this to you: From 1997 goods from Kenema, Bo, goods  
19 obtained at the Gbele crossing point with Guinea were all sold in  
10:08:34 20 this market place until the time when the aerial bombing  
21 commenced. Do you remember that?

22 A. I have told you that I did not see any markets. You want  
23 me to continue talking and you want me to agree to something that  
24 I did not see. I did not see it. I did not see it. I did not  
10:09:07 25 see it.

26 Q. Mr Witness, that is fine. At page 30 on 14 March at  
27 line 22 you were asked: "What would happen if people would not  
28 do the work?" You said: "You would not do it, they would beat  
29 you and they would continue beating. You, if you were going to



1 die, you died." Well, how many people died that you personally  
2 know of?  
3 A. Where I was. Where I was.  
4 JUDGE ITOE: Why don't you start with those who were beaten  
10:10:08 5 before you get to the ultimate.  
6 MR CAMMEGH: Okay.  
7 Q. Perhaps you could name some individuals who you say you saw  
8 being beaten, Mr Witness.  
9 A. The first person is I myself sitting here. They beat me  
10:10:28 10 very, very well. I know that they beat me very seriously twice.  
11 They beat me up in Talia and they beat me by a [indiscernible]  
12 behind Sandialu. They said I did not take so many people there.  
13 I just took 100 my people for manpower. They beat me very  
14 seriously but I did not die, but they beat me.  
10:10:47 15 Q. Thank you. Who is they? Who beat you? Could we have a  
16 name?  
17 A. XXXXX beat me up at XXXXX. Where I went in XXXXX,  
18 the commander whom they said I should take the manpower to, his  
19 name was XXXX. He beat me seriously and it affected me very  
10:11:11 20 seriously and I was ill for two months.  
21 Q. All right. Well, I am not in a position to dispute that,  
22 but did you -- do you recall any of your colleagues being beaten  
23 by these people?  
24 A. I who was working with them as xxxxxx they would beat me  
10:11:42 25 up. I know about my own beating.  
26 Q. You know about your own beating, all right. Well, I won't  
27 ask the question again.  
28 JUDGE ITOE: But, Mr Witness --  
29 THE WITNESS: [Overlapping speakers] some other commanders.



1 JUDGE ITOE: -- you refused to work, they beat you and so  
2 on. You were working in a group. Were you the only person who  
3 was beaten? Was a beating only concentrated on you?

4 A. In the group that I was, they beat me twice, they beat me  
10:12:15 5 twice, very serious beating indeed. Because you who were the  
6 xxxxx when they beat you up and the others see the kind of  
7 beating that they have given to you, they would not do anything  
8 careless about the work that they have been given to do. You the  
9 xxxxx who has been beaten, you the leader when you have been  
10:12:29 10 beaten, those followers -- xxxxxxx would know that if they  
11 refused to do the work, that this same fate that will befall  
12 them.

13 MR CAMMEGH:

14 Q. Would you agree with me, Mr Witness, that you have not  
10:12:46 15 testified to anybody else other than yourself being beaten by the  
16 RUF during the forced labour, have you?

17 A. They somebody. xxxxx, she was beaten for fishing,  
18 xxxxxxx. I know that.

19 Q. You were told that, were you?

10:13:21 20 A. I was not at the fishing expedition she was in xxxxx. When  
21 was beaten she came and told us that they beat her.

22 Q. Right.

23 A. There is a xxxxxx section called --

24 THE INTERPRETER: Your Honours, he has called a name of a  
10:13:31 25 town that I did not get clearly.

26 PRESIDING JUDGE: Can you repeat the name of that section  
27 in xxxxxx that you just mentioned, Mr Witness?

28 A. The xxxx section is called xxxxx, there is xxxxx and  
29 there is xxxxxxx and xxxxxx. It is the same town.



1           PRESIDING JUDGE: Thank you.

2           MR CAMMEGH:

3       Q.    Did she tell you why she had been beaten?

4       A.    She said she did not hasten to catch the -- she did not  
10:14:06 5    hasten to catch fish, that's why she was beaten. But whatever  
6    met you, you will be able to tell yourself and you the civilian  
7    will have no business to find out what was happening to the other  
8    person.

9       Q.    All right. Now, I don't dispute that there may well have  
10:14:35 10   been organised labour, but what I suggest, Mr Witness, is that  
11   whenever organised labour occurred, it was in pursuance of one  
12   simple aim and that was the promotion of the war effort. That is  
13   right, isn't it?

14      A.    You were not doing it willingly. You were doing that work  
10:15:04 15   by force. They were forcing us to do that work.

16      Q.    No, Mr Witness, Kailahun District was in a state of war  
17   for -- with the exception of May '97 to February '98, Kailahun  
18   District was in a state of war, wasn't it, throughout the latter  
19   half of the nineties?

10:15:35 20   A.    Starting from 1991, all the other years up '98 and 2001, up  
21   to the time of disarmament we were in state of war, because when  
22   they had not disarmed we were in a war.

23      Q.    And food was very scarce, as we know. It was necessary,  
24   wasn't it, to organise labour in order for the harvest -- well,  
10:15:59 25   the collection of food and the distribution of food?

26      A.    We were doing the food work for them. We were finding food  
27   for ourselves in the bush and eat. But we are finding food for  
28   them. All that I have explained here, if it was -- if the  
29   distance was not long I would have taken out a paper to show to





1 you. Even banana we harvested, even palm oil that we subscribed  
2 is true.

3 There was a doctor, he wrote a letter in my presence. But  
4 the letter -- we were supposed to have given Fekai so he sent the  
10:16:46 5 letter in my presence. So I want to explain about that letter so  
6 that you know. What he had in that letter was that xxxx should  
7 carry palm oil, ten rubbers, that they were going to buy palm  
8 oil. It was written in that letter. In 2001 they told xxxx  
9 that every chiefdom should distribute palm oil to them. He and  
10:17:06 10 the G5 clerk wrote that letter. I have that letter. If you give  
11 me vehicle right now I will go and bring that letter for you to  
12 see. In that letter they said every chiefdom should contribute  
13 ten tin drums of palm oil. If you give me a vehicle now I will  
14 go to my home town and bring that letter. Maybe I would see --  
10:17:26 15 maybe I would find that other letter if it has not been devoured  
16 by weevils.

17 PRESIDING JUDGE: Thank you, Mr witness. Mr Cammegh.

18 MR CAMMEGH:

19 Q. Mr Witness --

20 A. Yes.

21 Q. -- can I ask about documents later on? The point that I  
22 want to focus on at the moment is the general observation that I  
23 am suggesting there was a war effort, Kailahun was at war and it  
24 was essential for people to pull together in an organised manner  
10:18:00 25 to support the war effort?

26 A. That work that you are talking about, it was by force.  
27 Whether you were willing or not, you are going to do it by force.  
28 Whether you were willing or not, you are going to do it by force.  
29 It is the war work. But like I am sitting here now, nobody would



1 tell me to do something forcefully. I am now all by myself.  
2 Nobody will tell me to do it by force. But at that time I was  
3 not by myself. We were for them. Whatever they told us to do we  
4 did, whether you like it or not.

10:18:38 5 Q. All right.

6 JUDGE THOMPSON: Counsel, perhaps the war effort concept  
7 sounds esoteric. Would you clarify it a bit perhaps?

8 MR CAMMEGH: I will.

9 JUDGE THOMPSON: Because just using the concept itself can  
10:18:52 10 be a little problematic.

11 MR CAMMEGH: Yes.

12 JUDGE THOMPSON: Perhaps you need to simplify it.

13 MR CAMMEGH: I will be more specific in this way.

14 JUDGE THOMPSON: Quite right, yes.

10:18:58 15 MR CAMMEGH:

16 Q. Mr Witness, can I make it clear that when I use the words  
17 "war effort" I suppose I am talking of two separate aims or  
18 objectives. First of all, I am referring to the need to equip  
19 and feed the soldiers at the front line. Secondly, I am  
10:19:33 20 referring to the need to feed civilians, amongst whom, of course,  
21 many were working. So that is what I mean by "war effort".

22 MR CAMMEGH: Does that suffice, Your Honour? That's  
23 exactly what I mean.

24 JUDGE THOMPSON: In terms of two ingredients of it, and if  
10:19:54 25 he agrees with you perhaps you can make some progress.

26 MR CAMMEGH: Yes.

27 Q. So Mr Witness, now I have explained what I mean by war  
28 effort, do you accept that during those years '96 to 2000, with  
29 the exception of May '97 to February '98, do you accept that it



1 was a necessity for the population of Kailahun to pull together  
2 in what I call the war effort?

3 A. That RUF work we were doing it was the government work. We  
4 were doing it for the soldiers. We were doing it for the  
10:20:46 5 soldiers. When we did it we would hand it over to ~~xxxxxx~~.  
6 They did not give us ours -- not a day -- even as I'm explaining,  
7 not a day did they give us even a single cup, "That this work  
8 that you've done, this is what you should have, you the  
9 civilians, for the work that you've done." Not a day did they do  
10:21:03 10 that.

11 Q. All right. Well, I suggest you are wrong about that and I  
12 am going to explore one or two of the documents with you in due  
13 course on that point. But can I return to what is recorded at  
14 page 30 of the transcript, where you said at line 23 if you  
10:21:32 15 didn't do the work they would beat you, they would continue  
16 beating you, if you are going to die, you die. Mr Witness, you  
17 haven't told this Court about anybody dying, have you, as a  
18 result of forced labour?

19 A. I said I was beaten. Even if they had continued beating me  
10:22:06 20 I fell ill. If I had died then, then I would have died as a  
21 result of that beating. Beating. If I had died. But I did not  
22 see -- I did not see anybody being beaten until he dies. But  
23 that beating that they gave to me was what I have explained. And  
24 that beating, oh, that beating was very serious and it affected  
10:22:23 25 me very seriously and I fell ill for two months.

26 Q. Mr Witness, I completely understand the point you are  
27 making. I do understand. But --

28 MR CAMMEGH: I am not putting the question because it would  
29 be repetitive.



1           PRESIDING JUDGE: And he has told you that he has not seen  
2 anybody.

3           JUDGE THOMPSON: Yes, he has virtually said that he agrees  
4 with you.

10:22:45 5           MR CAMMEGH: Yes, exactly.

6 Q.     Finally, you haven't told this Court about anybody actually  
7 starving to death, have you? You don't know anyone who starved  
8 until they died?

9           JUDGE THOMPSON: Are you putting the question to him?

10:23:10 10          MR CAMMEGH: I am.

11          JUDGE THOMPSON: Perhaps you should.

12          MR CAMMEGH:

13 Q.     Mr Witness, nobody --

14 A.     Yes. I myself sitting here -- I myself sitting down here,  
10:23:21 15 there is starvation. When it was very difficult to find food I  
16 had xxxx died. There is a place called xxxxx  
17 xxxxxx. If you look there, the number of corpses we buried  
18 there, if you see the graveyard you feel sorry for us. There was  
19 one individual in xxxx whose father died as a result of hunger.

10:23:48 20 The grave is still there. If you follow me now I will show it to  
21 you. The whole garden there is full of graves of people who died  
22 as a result of starvation. In fact the illness that came that  
23 came as a result of that is called xxxxxxx. The xxxxx is there  
24 where they buried such people who fell ill as a result of that

10:24:11 25 xxxxxx. If you followed me know I will show that place to  
26 you, so that you know that I am not telling lies.

27 Q.     Mr Witness, perhaps I didn't put the question finely  
28 enough. What I am suggesting to you is simple. Nobody died of  
29 starvation as a result of forced labour, did they?





1 A. xxxx -- Mr xxxxxxxxxx died as a result of  
2 starvation. His xxxxx died of starvation. Many of them. Those  
3 are the names I know, but there are many people who died as a  
4 result of that. And I told you that the grave is there where I  
10:24:50 5 am living. At the time that the war has not yet started where we  
6 were burying people is different. And when we went into that  
7 bush where we were living, the people who died there, there was a  
8 place where we buried them. Before the war we had place where we  
9 buried them. That's not what I'm talking about. Those people  
10:25:07 10 who died when we were in the bush, that's the place I have shown  
11 to you.

12 PRESIDING JUDGE: Mr Witness, we hear you, but the question  
13 was do you know of anyone that died of starvation because of the  
14 forced labour?

10:25:29 15 THE WITNESS: Those are the people I have named. I said  
16 there is xxxxxx and his xxxx.

17 PRESIDING JUDGE: Who died of starvation because of the  
18 forced labour?

19 THE WITNESS: The work that we were doing and there was no  
10:25:46 20 food. When we worked for long and there was no food, that the  
21 food had been exhausted, even the palm cabbage that we used to  
22 eat was not enough. He hadn't any axe to fell a palm tree to get  
23 that palm cabbage, so he died of starvation. We were eating palm  
24 cabbage then. Palm cabbage. Palm cabbage.

10:25:58 25 PRESIDING JUDGE: Thank you. Mr Cammegh.

26 MR CAMMEGH: Thank you.

27 Q. Mr Witness, I accept that some people did die of, I'll use  
28 the word "malnutrition". But you haven't actually said, have  
29 you, in any of your testimony until now or any of your witness



1 statements, that anybody starved to death because of being  
2 involved in forced labour? You haven't, have you?

3 PRESIDING JUDGE: He just said that.

4 MR CAMMEGH: Until this point.

10:26:43 5 PRESIDING JUDGE: Until this point, that's fine.

6 MR CAMMEGH: Yes.

7 PRESIDING JUDGE: Sorry.

8 MR CAMMEGH: That is quite all right, Your Honour.

9 Q. Until this point you haven't actually stated that as a  
10:26:52 10 fact, have you?

11 A. I said that if they did not write it down, but I said it.  
12 All that I'm saying here I did tell them. If they did not write  
13 it, then they forgot and did not write it. But I told them.

14 Q. All right. Let's move onto a different subject now. There  
10:27:38 15 was -- before you left ~~xxxxx~~, there was in fact a very basic  
16 medical centre in ~~xxxx~~, wasn't there, which was run by the RUF?

17 A. I did not see any RUF hospital. I have said in this Court  
18 that if you go to Kailahun, the places where I'm talking about in  
19 Kailahun, if there is any hut there you find and say this was the  
10:28:23 20 place where RUF were treating people, then I will be telling  
21 lies. I have said it once and I am saying it today. The  
22 medicine that we use -- there is a traditional medicine that we  
23 used in the bush called gbangbei in Mende and yumbuyambei. That  
24 is what we would cut and put it in a bottle and put water on top  
10:28:39 25 of it and that's what we will drink as medicine. I do see people  
26 selling that medicine in this town.

27 Q. Had you ever heard, during your time in either ~~xxxxxx~~ or  
28 Kailahun Town, of a man Dr Farbai [sic], F-A-R-B-A-I?

29 A. I used to hear of him but I did not know of him.



1 Q. Right. He was the chief combat medic of the RUF, I  
2 suggest, responsible not only for the welfare of combatants but  
3 also of civilians. Do you recall him?

4 A. I did not see that.

10:29:36 5 Q. Had you ever heard of man called Dr Kulagbwamda?  
6 K-U-L-A-G-B-W-A-M-D-A?

7 A. Yes, I know him. In normal times I used to know him. I  
8 used to know him. I used to know him.

9 Q. Where did you know him? Where did you see him?

10:30:07 10 A. He was Buedu. He was in Buedu. At the time that I went to  
11 Buedu -- it was not in Buedu Town. There's a village you pass  
12 through. You go to Mile 31 and you go to Buedu. That village is  
13 called Boabu. That was where Kulagbwamda was living. He was the  
14 soldier. He was in the front line. But I knew that he was  
10:30:19 15 staying in Boabu.

16 Q. I entirely agree with you, Mr Witness, with respect. Do  
17 you remember if he, in fact, was Dr Fabai's deputy, deputy chief  
18 combat medic?

19 A. I do not know that. If it were a civilian doctor, I would  
10:30:53 20 have said this is the person's deputy. For instance, if you  
21 asked me for the subscription, apart from this --

22 THE INTERPRETER: Your Honours, the witness is going very  
23 fast.

24 PRESIDING JUDGE: Mr Witness, Mr Witness, please, do not  
10:31:10 25 speak too fast because we are unable to get the interpretation,  
26 the translation of what you say. Thank you.

27 THE WITNESS: I said I cannot talk about this doctor being  
28 next to this other one, that this was next to this one. I cannot  
29 say -- I cannot talk about that. But if it was with reference to



1 our own traditional medicine, for instance, the gbangbei, the  
2 gbangba or the yumbuyambei, if somebody asks me, "Where did you  
3 get this from," I will tell that person. If that other person  
4 asked me, I will tell that person. That was our own doctor,  
10:31:44 5 yumbuyambei and gbangba.

6 PRESIDING JUDGE: Mr Cammegh?

7 MR CAMMEGH: Thank you.

8 Q. I want to move on from medical care quickly. But can I  
9 just ask this: wasn't it announced as RUF policy that, wherever  
10:32:10 10 it were possible, civilians and RUF soldiers were to be treated  
11 free of charge? Was that not announced by the RUF?

12 A. I was not told. If they had told me that, I would have  
13 left xxxx. From xxxxx to xxxx, it is up to 15 miles. It is up  
14 to 15 miles. I would not have drank that yumbuyambei. Now that  
10:32:55 15 we have medicines, I do not drink the yumbuyambei. Some people  
16 are used to drinking that medicine. Up to now, they are drinking  
17 that medicine, but I am not drinking it now because I can have  
18 English medicines.

19 Q. Okay. But as a town commander, were you not made aware by  
10:33:20 20 the RUF that one of their political objectives was that  
21 medication was not a privilege for the wealthy but was, in fact,  
22 the right of every Sierra Leonean? Was that announced as an  
23 objective of the RUF?

24 A. I do not know about that.

10:34:16 25 Q. Right. Very briefly, to change the subject, did the RUF  
26 not announce their intention to sponsor schools in the Kailahun  
27 District throughout those years?

28 A. I do not know about that. Where would you go to school?  
29 That was why some of us have deteriorated because even our





1 children who were in schools since the war, they never went to  
2 school. After the war, they would have all gotten married and  
3 they've not gone to school any more. If there had been schools,  
4 they would have gone to school.

10:35:04 5 Q. Mr Witness, I don't dispute that there were very, very few  
6 schools in Kailahun during the war years, but was it not  
7 announced that the political objective --

8 PRESIDING JUDGE: He has told you, Mr Cammegh, that he  
9 doesn't know.

10:35:12 10 MR CAMMEGH: All right.

11 Q. Okay. Well let's move on from health care and schools and  
12 return to Augustine Gbao.

13 MR CAMMEGH: Your Honour, perhaps an hour was slightly  
14 optimistic, but I shouldn't be much longer than that.

10:35:44 15 Q. Now you told us several times that Augustine Gbao, when you  
16 knew him, was in the IDU performing a similar role to CID; yes?

17 A. I said IDU. He was a senior commander. He was a senior  
18 commander. When we say senior commander, in fact, he was the  
19 senior most commander.

10:36:11 20 Q. Are you in a position to confirm this: he was appointed  
21 chief of the IDU in February 1996? Can you comment on that?

22 A. I wouldn't say that in this year he was made commander, but  
23 I know that that was his work. That was the position he had.

24 Q. Okay. Just to wrap this point up, are you able to comment  
10:36:44 25 on -- well, do you know if he'd been in Camp Zogoda in late 1995  
26 at a meeting with Sankoh and other leaders, or other commanders,  
27 I should say?

28 A. I don't know. I don't know at all.

29 Q. Okay. Do you know whether or not Augustine Gbao had been



1 senior training instructor in the Bayama training base in the  
2 latter half or the second half of 1995?

3 A. All that questions that you're asking me I wouldn't talk  
4 about because that training base is like -- in Mende we have our  
10:37:43 5 society. If you were not going there, you would not talk  
6 anything about it.

7 PRESIDING JUDGE: You don't know about that, Mr Witness.  
8 This is what you're saying?

9 THE WITNESS: No. No. I don't know anything about it.

10:37:56 10 MR CAMMEGH: All right.

11 JUDGE ITOE: Is it that he was a training instructor there,  
12 or a military commander of the training school?

13 MR CAMMEGH: My case is that he was --

14 JUDGE ITOE: That's in Bayama.

10:38:04 15 MR CAMMEGH: In Bayama between August and approximately  
16 December 1995. My case is Augustine Gbao was a senior training  
17 instructor at the Bayama training base without rank. It's not my  
18 case that he was in charge of that training camp. As I put  
19 previously, he was, I suggest, promoted to captain.

10:38:38 20 PRESIDING JUDGE: Yes. But this is --

21 MR CAMMEGH: I'm just dealing with --

22 PRESIDING JUDGE: Please.

23 MR CAMMEGH: I'm talking too much, sorry.

24 Q. All right. Can we go to page 42 of 14 March transcript,  
10:38:57 25 please?

26 PRESIDING JUDGE: What is the line?

27 MR CAMMEGH: I am sorry, I don't need to go there, you will  
28 be pleased to hear. I think I have already covered the point.  
29 Your Honours, page 48.



1 Q. I'd like to discuss with you now, please, Mr Witness,  
2 Augustine Gbao's position in the command structure in the  
3 Kailahun District or Kailahun Town. It is line 18, please,  
4 page 48, 14 March. You were being asked about fishing at the  
10:40:20 5 time and you made this statement to the court last Tuesday: "At  
6 that time" -- and at line 8 you are referring to the period 1997  
7 up to 2000 -- "At that time Augustine Gbao was the head commander  
8 in Kailahun." Well, I have already suggested to you that after  
9 November 1998 Augustine Gbao left Kailahun. But, Mr Witness, in  
10:40:49 10 fact, Augustine Gbao was never the head commander in Kailahun  
11 Town, was he?

12 A. He was an RUF senior commander but he was based in  
13 Kailahun. That is why I said he was a senior commander in  
14 Kailahun. He was an RUF senior commander.

10:41:08 15 Q. I appreciate that he was an RUF senior commander and I  
16 don't dispute that. But you told the Court last Tuesday that  
17 between 1997 and 2000 - that is line 8 - going back to line 18,  
18 "Augustine Gbao was the" -- "the head commander in Kailahun." I  
19 am suggesting you're wrong. He was not the head commander, was  
10:41:49 20 he, at any time?

21 A. I have told you that he was head of all the other  
22 commanders. The rank that he had, he was above all of the  
23 others. His own position was above all of the others. If you  
24 talk about overall, that means he is over all the others.

10:42:08 25 Q. Thank you for that. Just to complete your answer, you have  
26 then said, "Together with the other commanders whom I have named,  
27 they were in Kailahun. Martin George, Sam Koroma and him,  
28 Augustine Gbao, they were in Kailahun." Just to recap, I think  
29 you told us that Martin George and Sam Koroma -- were they G5 or



1 MP? I can't remember. Can you help me with that, please?

2 A. I don't know their position, but they were commanders.

3 They were commanders in Kailahun. They were not G5. Morie Fekai

4 was G5. Morie Fekai. Morie Fekai's name is G5. The others were

10:43:02 5 commanders. When Martin George left, it was Sam Koroma who

6 replaced him. I had been there in that position, but it is a

7 soldier position.

8 Q. Were Martin George and Sam Koroma in the IDU?

9 PRESIDING JUDGE: What is the question again, Mr Cammegh?

10:43:30 10 MR CAMMEGH: My question was were Martin George and

11 Sam Koroma in the IDU?

12 THE WITNESS: I do not know whether they were in the IDU.

13 Gbao was a senior commander. He was the one I knew. His agents

14 that were under him, I wouldn't say this was this, this was this.

10:43:48 15 The person whom I knew in Giema when he was working there when in

16 ~~xxxxx~~, he was called RD Lahai, but he is deceased. The other is

17 called Francis Musa. I know these two names.

18 Q. Okay.

19 MR CAMMEGH: Your Honour, I should have remembered my

10:44:00 20 instructions. I've forgotten them. Can I briefly take

21 instructions, please, as to these two names.

22 PRESIDING JUDGE: Please.

23 MR CAMMEGH: Thank you. Sorry for the disruption.

24 Q. Let me just complete your answer. You said:

10:44:52 25 "Martin George, Sam Koroma and him, Augustine Gbao, they

26 were in Kailahun. There were other commanders but, most of

27 them, I do not know their names. I have forgotten their

28 names."

29 Now I am not criticising you for forgetting names, of





1 course, but what I would like you to reconsider, Mr Witness, is  
2 whether or not Gbao was the head commander in Kailahun during  
3 that time period.

4 A. He was a RUF senior commander. You've asked me a while ago  
10:45:32 5 and I have answered. He was an RUF senior commander in Kailahun.  
6 I am not saying he was just for Kailahun Town, but for all RUF he  
7 was a senior commander for IDU.

8 Q. Well, let me ask you whether you were aware of the area  
9 commander of the RUF during that period. Did you know if there  
10:46:00 10 was an area commander of the RUF?

11 A. That name that you are calling, I don't even know that  
12 position. xxxxxxxx whom we knew was xxxxxxx; he was  
13 G5. All that you are calling, area commander, I don't even know  
14 what area commander is. The soldiers should know that, the RUF  
10:46:22 15 soldiers.

16 Q. When you say your xxxxxxx, are you referring  
17 to you as an individual, or you the entire civilians?

18 A. xxxxxxx, xxxx were leading the civilians. xxxxxxx,  
19 including all of the civilians, our colleague civilians, he was  
10:46:56 20 working with us.

21 Q. So xxxx and xxxxxxx [sic] were controlled, if that is  
22 the right word, by xxxxxxx; is that what you are saying?

23 A. Including our followers, all of them as long as they were  
24 civilians they were following us. It was xxxxxxx who was  
10:47:23 25 working with us.

26 Q. This is xxxxxxx of the xxx?

27 A. He is xxxxxxx, he was working with us.

28 Q. Thank you. Now let me return to this idea of area  
29 commanders, and I understand that you have said you don't know



1 anything about an area commander. But let me put a name to you,  
2 please, and see if it is familiar. Do you remember the name  
3 Denis Lansana?

4 A. I used to hear that name but I would not say that this is  
10:47:58 5 his position, that this was the position he had. But as long as  
6 it is a military position - because one day they never brought a  
7 soldier to me to introduce him to me that this is his position -  
8 they, the commanders, would know that.

9 Q. Okay, now you say you heard the name, were you aware that  
10:48:13 10 he was a -- let's use the words "a big man" within the RUF  
11 organisation?

12 A. What I have said here is what I am going to say again. I  
13 said I used to hear his name. But those whom I knew as  
14 commanders are the names I have mentioned to you. Even if you  
10:48:32 15 continue asking me for the whole day, it is the same answer that  
16 I will be giving you.

17 Q. I was just wondering if you knew whether he was important  
18 or not, that's all. You don't have to use titles or ranks; I  
19 just wanted to know if you believed he was important at that  
10:48:45 20 time.

21 A. In RUF, the commanders were many but the military  
22 commanders, I don't know them. If you asked me about the  
23 civilian commanders that were in Kailahun, those whom I knew I  
24 would name them. But for the military position, I don't know  
10:49:08 25 about this was what this person was and this was the place he was  
26 in, that Denis Lansana was in this position. If I say that now  
27 please don't force me to tell lies. If you are asking me about  
28 something else, ask me and I will answer you.

29 Q. All right. I understand fully what you are saying. Just



1 to put you in the picture and I am not asking you to comment on  
2 this, I am suggesting that he was the area commander during that  
3 time period and that he lived in Pendembu. My question is  
4 this --

10:49:38 5 PRESIDING JUDGE: Well, maybe you could -- because these  
6 kind of questions cause -- ask the witness if he knew. I mean,  
7 he's heard the name, maybe he's heard that he lived in Pendembu.  
8 You are putting two things together that you maybe break in  
9 parts.

10:49:46 10 MR CAMMEGH: I will break it down.

11 Q. Were you aware that Denis Lansana was based - I'll use the  
12 word based - in Pendembu?

13 JUDGE ITOE: Was living in.

14 THE WITNESS: I used to hear his name that he is inhabitant  
10:50:03 15 from Pendembu. He was there but I did not go there to see him  
16 with my own eyes.

17 Q. That's quite all right. Thank you very much. Now, do you  
18 remember the name Vandí Kosia?

19 A. Vandí Kosia, I used to hear his name but I do not even know  
10:50:31 20 in person. I do not know him. You would hear somebody's name,  
21 somebody would say this is the person's name but to see him and  
22 to know him, that you would know him, but I don't know him.

23 Q. Well, let me try and help you. I suggest that Vandí Kosia  
24 was the deputy area commander for the Kailahun District of the  
10:51:11 25 RUF. And that he was based in Kailahun Town from 1997 until the  
26 end of the war. Now does that help you remember?

27 A. I don't know that. I don't know that. Those positions  
28 that you are listing, you know them but I don't know them.

29 Q. Well, I am putting to it you as a fact that Vandí Kosia was



1 the senior RUF commander in Kailahun Town for about four years,  
2 between 1997 and 2000. Did you know him?

3 A. I do not know that. You know that, but I don't know that.

4 Q. You lived in Kailahun during -- well, you've told us  
10:52:05 5 between '98 and the end of the war. Did you ever hear the name  
6 Vandi Kosia while you were living there?

7 JUDGE ITOE: He said yes, he heard the name.

8 PRESIDING JUDGE: He said he heard the name but he doesn't  
9 know him, never seen him, doesn't know what he was doing.

10:52:20 10 MR CAMMEGH: That's not the question I intended to ask.

11 Q. All right. Did you meet any other military commanders from  
12 the RUF during these years in Kailahun Town?

13 A. Those with whom I met and we spoke are the names I have  
14 shown to you. Those with whom -- those whom I saw and spoke  
10:53:04 15 with, I have named to you. I do not know those commanders. Even  
16 if you saw one and you do not know the type of job he was doing,  
17 you would not know. I cannot explain the secrets of soldiers.  
18 Even if you ask me for the whole day I would not explain because  
19 I was not there. I am not an initiate into the soldier society,  
10:53:24 20 the military society.

21 Q. Okay. Well, I want to move on from this point but one last  
22 time can I refer to that section at page 48 where you say:

23 "There were other commanders but most of them I do not know  
24 their names. I have forgotten their names."

10:53:48 25 Now, if you don't know their names or you have forgotten  
26 their names, it is possible, isn't it, that there may well have  
27 been other commanders there senior to Augustine Gbao, it is just  
28 you never knew who they were? Could that be right?

29 A. This that I have told you, that Augustine Gbao in Kailahun,





1 the position that he had, there was no commander that I knew that  
2 was senior to him where he was, where we were together in  
3 Kailahun. He was the senior commander for RUF there.

4 [RUF17MAR06B - SV]

10:54:34 5 PRESIDING JUDGE: Mr Witness, please listen to the question  
6 carefully and answer the question. I know you said that,  
7 according to you, of the commanders you knew he was the senior.  
8 But the question is not that. Listen carefully. Take your  
9 question again, Mr Cammegh.

10:54:54 10 MR CAMMEGH: Yes.

11 Q. Look, all I'm saying is this: I'm not suggesting you're  
12 lying about this at all. All I'm suggesting is because there are  
13 some commanders who you didn't know, you have simply jumped to a  
14 conclusion that -- no, let me put it again.

10:55:20 15 PRESIDING JUDGE: Yes, put it in simple terms.

16 MR CAMMEGH: I'll try again.

17 Q. Haven't you just made an assumption that Augustine Gbao was  
18 the head commander?

19 A. No, it's not something I have made up. It's not something  
10:55:48 20 I have made up. What I know is what I have said. What I used to  
21 know is what I have said. It's not something I -- in fact, I  
22 wouldn't make it up with anybody. No, I've taken an oath.

23 Q. I'm suggesting that there were other more senior commanders  
24 there who you didn't know. That's all I'm suggesting.

10:56:16 25 A. Well, maybe you know them, but I did not know them, apart  
26 from Mosquito and Issa Sesay.

27 Q. All right. Well, I think the point is implicit and I've  
28 made it clear, Mr Witness, I disagree with you when you say that  
29 Gbao was the head commander. But let's move on now.



1 A. You are reading it from a paper. I'm not reading it from  
2 any paper. I'm just saying it.

3 PRESIDING JUDGE: That's fine, Mr Witness. That's fine.

4 MR CAMMEGH:

10:57:04 5 Q. We're nearly finished or we're getting towards the end,  
6 Mr Witness, so please just bear with me a little longer. Let's  
7 go on to mining. I accept that the main supervisor of the mining  
8 in that area was Patrick Bangura. I agree with you there. Let's  
9 turn to page 49 and it's line 5. I'm going to talk about the  
10:57:36 10 mining in Giema now, Mr Witness, all right?

11 You told the Court last Tuesday, 14th March, that there was  
12 mining in Giema. 1998 to 1999, the civilians were mining for  
13 diamonds. How do you know about that?

14 A. I went there and saw them digging. I went there twice.

10:58:20 15 Q. Okay. I think you told us that the first day you went  
16 there you saw them digging the pits. Remember?

17 A. Very well. Along the Boabu Road, a road leading to Boabu,  
18 on that main road. You would be there and then you would see the  
19 Giema Town.

10:58:45 20 Q. Right. Second time you went there there was a sacrifice  
21 taking place. Do you remember that?

22 A. On that day when that sacrifice -- that ceremony was taking  
23 place I went there.

24 Q. And who was there on that second day when the sacrifice was  
10:59:03 25 taking place; do you remember?

26 A. I said I saw Mosquito there. Even Augustine Gbao was there  
27 and Mr Patrick Gbao [as interpreted]. The commanders were many,  
28 but I didn't go closer to them, but those I saw. I can't say I  
29 saw Issa Sesay there because there was a large crowd there.



1 Those were the ones I saw. I was only amongst my colleague  
2 civilians.

3 Q. Well, I accept your answer on that. Can you remember what  
4 the sacrifice was?

10:59:49 5 A. They said the sacrifice was for them to pick up some  
6 diamonds. A sheep and a white satin cloth like the one on the  
7 neck of the grandpas up there.

8 Q. Who said that the sacrifice was for a white sheep and a  
9 white satin? Who told you that?

11:00:29 10 A. I said a sheep, a sheep, and a white cloth was used for the  
11 sacrifice.

12 PRESIDING JUDGE: Who told you about that?

13 THE WITNESS: Mr Patrick Bangura who was in charge of that  
14 mining. He told me that that was the -- that was what they used  
11:00:52 15 for the sacrifice.

16 MR CAMMEGH:

17 Q. Where were you when Patrick Bangura told you that?

18 A. I was in xxxxxx when I heard that the sacrifice was going  
19 there -- going on there. That was the reason why I went there.

11:01:08 20 When they said after the sacrifice they would pick up some  
21 diamonds, I went there to see so that I could know what a diamond  
22 was.

23 Q. Were you at the mine at the time the sacrifice took place?

24 A. I was there. I saw it all when that sacrifice took place.

11:01:36 25 That white cloth was attached to a stick and placed where they  
26 were mining the diamonds.

27 Q. Did you see a black goat as part of the sacrifice?

28 A. Those two items I have mentioned were the ones I saw. I  
29 didn't see a black goat.



1 Q. I see. Now this was a big ceremony, wasn't it, attended by  
2 several leading members of the RUF?

3 A. The way I saw it, it was a very big ceremony. To get a  
4 diamond was a very big ceremony. The way I heard about diamonds,  
11:02:32 5 it involves a very large sum of money. But I never knew a  
6 diamond.

7 Q. Augustine Gbao was not involved in the running of any  
8 mines, was he?

9 A. That sort of work would not be happening in that Kailahun  
11:03:05 10 area and say Augustine Gbao was not there. He was there. To go  
11 in search of money, he was there.

12 Q. Well, how do you know that? If you were living in Kailahun  
13 Town, how are you able to testify to this Court that  
14 Augustine Gbao was moving around, checking on mining? How can  
11:03:31 15 you --

16 A. I said I went there. I said I went there. I have said  
17 this. I went there and I saw him with my eyes. I went there. I  
18 didn't stay in Kailahun and heard that he was there. I went  
19 there and saw him.

11:03:46 20 Q. Well, what were you doing there?

21 A. I said I went there to see a diamond with my eyes. I went  
22 there to see a diamond with my eyes. But I didn't see it.

23 Q. Did you need a pass to travel to Giema from Kailahun Town?

24 A. Wherever we had wanted to go we would take a pass. I had a  
11:04:19 25 pass that I was going to Giema.

26 Q. So you had freedom of movement, did you, just to go and see  
27 a diamond? You were able to move as you pleased, were you?

28 A. Wherever you had wanted to go, you would go and take a  
29 pass. That would indicate that you were going to somewhere.





1 Whosoever commander you come across, you would show him that pass  
2 to tell him that you are coming from say, for example, Kailahun.  
3 That was the -- that pass will identify you that you are coming  
4 from somewhere.

11:04:59 5 Q. And did this pass system apply to all civilians?

6 A. Whosoever was a civilian, wherever you had wanted to go you  
7 would take a pass.

8 MR CAMMEGH: Thank you. The last portion of the transcript  
9 I would like to refer to is Your Honours' page 41 and it's going  
11:05:32 10 back to the command structure point. It's at line 16. In fact,  
11 I think Your Honours ought to look at line 9 onwards to put it  
12 into context.

13 Q. Mr Witness, let's return to the years 1997 to 2000. As far  
14 as you were aware who were the leaders of the RUF?

11:06:40 15 A. I sitting here, I was xxxxx for the xxxxx. xxxxx  
16 xxxxx was a leader for the xxxxxxx. xxxxx was a leader  
17 for the xxxxx. xxxxx was a leader for the xxxxxxx.  
18 We were many that I can say on the side of the civilians, but I  
19 can't talk about soldiers.

11:07:06 20 Q. You can't talk about soldiers?

21 A. Apart from those I have mentioned I can't say about others.  
22 Those that I mentioned, if you want me to recount their names I  
23 will call their names. I have said you have it on the paper. I  
24 don't have it on a paper. You are just putting me aback.

11:07:30 25 Q. Well, no, Mr Witness, with respect, if you could remember  
26 something in relation to the RUF high command last Tuesday then  
27 surely you can remember it today without a paper. Who do you say  
28 was at the top of the command structure of the entire RUF between  
29 1997 and 2000?



1 A. He was the one they called CO Mosquito and Issa Sesay. The  
2 third person was Augustine Gbao.  
3 Q. Right. Okay. Why do you say that Augustine Gbao was the  
4 third person?  
11:08:25 5 A. The IDU commander, they said, for the RUF, for the whole of  
6 the RUF. That's the reason why I said he was the third person.  
7 Q. Again, aren't you just making an assumption that  
8 Augustine Gbao was the third person?  
9 A. I am not assuming. The one that I heard and what I saw is  
11:09:06 10 what I am explaining to you.  
11 Q. What you heard and what you saw leads you to the conclusion  
12 that Gbao was number three; is that right?  
13 A. Yes, what I heard and what I saw.  
14 Q. All right. Let me mention some other names to you, names  
11:09:29 15 of individuals who I say were of very high rank in the RUF during  
16 those years. First of all, do you know the name Peter Vandí?  
17 A. I don't know him.  
18 Q. Do you know the name Morris Kallon?  
19 A. Morris Kallon, I heard his name, but to see him facially,  
11:10:10 20 it was in 2001. By then it was during the disarmament in Makeni.  
21 But to say I saw him during all those years, I didn't.  
22 Q. Do you know the name Superman?  
23 A. That one, too, I heard his name, but I don't know him.  
24 Q. Okay. Do you know the name Mike Lamin?  
11:10:36 25 A. I don't know.  
26 Q. Do you know the name CO Isaac?  
27 A. I don't know him.  
28 Q. Do you know the name Gibril Massaquoi?  
29 A. I don't know him.



1 Q. Do you know the name Momoh Rogers?

2 A. I don't know him. Even if he were here, I wouldn't know  
3 him.

4 Q. Well, I won't list their alleged duties, Mr Witness, but  
11:11:19 5 what I will suggest is this: there are an awful lot of names  
6 you've never heard of, aren't there?

7 A. The commander -- they had so many commanders, but I don't  
8 know all of them, and so many of these names I never knew about.  
9 It was only those that we were there together I can mention. To  
11:11:50 10 hear somebody's name, but if you had not seen him, then you would  
11 not be able to remember.

12 Q. Well, I'm simply -- well, I've made the point.

13 PRESIDING JUDGE: Keep that for your arguments.

14 MR CAMMEGH: Can I just state that I rely on Mr Jordash's  
11:12:11 15 cross-examination in relation to the documentation, save for one  
16 or two points I'd like to raise now. So I don't need to trawl  
17 through that.

18 PRESIDING JUDGE: Are you intending to introduce some  
19 documents, some exhibits?

11:12:31 20 MR CAMMEGH: I think they've all been exhibited already.

21 PRESIDING JUDGE: Of those exhibited, are you making  
22 reference to other parts or portions of these exhibits?

23 MR CAMMEGH: I will be briefly.

24 PRESIDING JUDGE: By "other", I mean different parts than  
11:12:47 25 the ones underlined by Mr Jordash?

26 MR CAMMEGH: I think it's probably the same. I think they  
27 are items that have been -- if Your Honour would give me a  
28 moment, I would like to avoid this, if I can. Forgive me. Can I  
29 clarify Your Honour's referring to the underlining -- the



1 exhibits --

2 PRESIDING JUDGE: It's 85A and B, A was at 27 March 2003.

3 MR CAMMEGH: No, Your Honour, we're talking at

4 cross-purposes. I'm referring to the documentary exhibits.

11:13:32 5 PRESIDING JUDGE: I see. Okay. Sorry.

6 MR CAMMEGH: Yes.

7 PRESIDING JUDGE: You were not talking statements, you were  
8 talking documents.

9 MR CAMMEGH: No. I'm afraid I haven't apportioned exhibit  
11:13:42 10 numbers to the pages, so can I just refer to the page numbers?

11 PRESIDING JUDGE: Yes.

12 MR CAMMEGH: I'm sure Mr Jordash has exhibited these.

13 Q. Mr Witness, you produced for the Prosecution and for us  
14 several pages from your records. You, I think, kept these  
11:14:24 15 documents after the war; is that correct? You kept them  
16 yourself?

17 A. The documents I came with were with me. I had said earlier  
18 that I have another. If you give me a vehicle, I will go back  
19 and bring that one too.

11:14:52 20 Q. When you say you have another, how many more do you have?  
21 Is it just one?

22 A. Two.

23 Q. Okay. These are documents that you gave to the Prosecution  
24 in December of last year; is that right?

11:15:25 25 A. Yes, on the 20th of that month that I gave the documents to  
26 them.

27 Q. All right. I just want to briefly go through just a few of  
28 those documents. Can I start at page 17000.

29 PRESIDING JUDGE: 17000 what?





1 MR CAMMEGH: It's the --

2 PRESIDING JUDGE: Yes, but it's not 17000. It's 17400 and  
3 something.

4 MR CAMMEGH: Well, the figure I've got is 17000. I've  
11:16:14 5 copied it down from -- can I just check that, in case I've done  
6 it incorrectly.

7 PRESIDING JUDGE: Show me the one you have in your hands,  
8 Mr Cammegh.

9 MR CAMMEGH: I don't think Your Honour will be able to see  
11:16:29 10 from here, but the typed serial number on it is 00015884.

11 JUDGE ITOE: That's not the number we use. There's another  
12 number at the top.

13 MR CAMMEGH: I know that, Your Honour, but I might have  
14 that wrong, that's why I'm referring to the typed --

11:16:44 15 PRESIDING JUDGE: [Overlapping speakers] 884 would be  
16 17500.

17 MR CAMMEGH: 17500.

18 PRESIDING JUDGE: That's right, and that has been filed as  
19 Exhibit 84A.

11:16:59 20 MR CAMMEGH: 84A. Well, I'll blame Mr Jordash's  
21 handwriting for that. So it's 17500.

22 PRESIDING JUDGE: That's right.

23 MR CAMMEGH: Thank you.

24 Q. Now, Mr Witness, you referred to or you submitted a  
11:17:15 25 document which appears to be undated. I'm just going to read it  
26 to you. It seems to be from the G5 --

27 PRESIDING JUDGE: It is not undated, if I may. Your copy  
28 doesn't show it, but the one on record has the date.

29 MR CAMMEGH: Okay.



1 Q. It is a note from -- again, mine is a poor copy, but it's  
2 from headquarters, Kailahun.  
3 PRESIDING JUDGE: G5.  
4 MR CAMMEGH: G5. It is G5, thank you.  
11:17:58 5 Q. From the G5 headquarters, Kailahun, to the --  
6 PRESIDING JUDGE: AG chiefdom.  
7 MR CAMMEGH: Is the agricultural chiefdom commander?  
8 PRESIDING JUDGE: Yes.  
9 MR CAMMEGH: Of Luawa Chiefdom.  
11:18:16 10 Q. It reads like this, Mr Witness -- I'm sorry to take so  
11 long:  
12 "Be information, there is a radio message in file for you  
13 from the chiefdom commander, Pa Sellu Ensa at Kono.  
14 According to the report received by the above-named office  
11:18:46 15 that the brushing of the CDS" - and I think we are agreed  
16 that's chief of defence --  
17 PRESIDING JUDGE: Chief of defence staff.  
18 MR CAMMEGH: Staff. Thank you.  
19 JUDGE ITOE: Mr Cammegh, this was read to this witness by  
11:19:03 20 Mr Jordash.  
21 MR CAMMEGH: Yes.  
22 JUDGE ITOE: And it was subsequently admitted in evidence,  
23 I think, as 84B, I don't know.  
24 MR CAMMEGH: 84A.  
11:19:16 25 JUDGE ITOE: 84A, yes. So is there any point in reading it  
26 back to him, since you have adopted Mr Jordash's tendering and  
27 position on those documents? Do we need to go through the  
28 exercise of reading that again? It was read to the witness  
29 yesterday.



1 MR CAMMEGH: All right. Can I make a brief reference to  
2 the other documents to record which I wish to use in support?

3 JUDGE ITOE: That's all right. That's okay.

4 MR CAMMEGH: I'm sorry, I'm going to require Your Honour's  
11:19:49 5 assistance here because I don't have the exhibit numbers listed.  
6 The next one is page 17496, so it's four pages before this one.  
7 17496.

8 PRESIDING JUDGE: Exhibit 82.

9 MR CAMMEGH: Thank you.

11:20:07 10 PRESIDING JUDGE: That too has been read to the witness.

11 MR CAMMEGH: Yes. I do need to refer to this one very  
12 quickly.

13 Q. Mr Witness, on what seems to be 27 October 1999, there was  
14 an instruction --

11:20:29 15 PRESIDING JUDGE: It's 28 October, Mr Cammegh.

16 MR CAMMEGH: Thank you.

17 Q. There was an instruction, Mr Witness, from the acting  
18 overall section commander, I think that's Buedu, to the town  
19 commander --

11:20:45 20 PRESIDING JUDGE: It's not Buedu, I remember. It's  
21 Bandajuma.

22 MR CAMMEGH: Thank you.

23 Q. There's a message from the acting overall section commander  
24 at Bandajuma to the town commander, I think it's Mambuma [sic]  
11:21:08 25 Village and it instructs to send 14 cups of clean rice and a  
26 quantity of palm oil. Out of this, seven cups of rice and, I  
27 think, seven pints of oil, or a quantity of oil, for each  
28 village. Now isn't this an example of a reward or a payment for  
29 work done?



1 A. It was not for payment. If you see a section commander  
2 writes that sort of letter, then the people whose names are on  
3 that paper were supposed to get that food. It was not a payment  
4 at all. He wouldn't have used force on me to bring all of that  
11:22:13 5 if he had not written that letter?

6 Q. Right. Well, I don't want to argue the point. I've made  
7 the suggestion. This message also refers to the need for two  
8 villages to -- I think it's contribute one coach?

9 PRESIDING JUDGE: One cock.

11:22:38 10 MR CAMMEGH: Oh, one cock.

11 PRESIDING JUDGE: "For the sacrifices of the Mamba Hill."

12 MR CAMMEGH: Yes.

13 Q. "For the sacrifices of the Mamba Hill." Can I just briefly  
14 ask you about Mamba Hill?

11:22:54 15 PRESIDING JUDGE: I don't know if you were here when this  
16 was discussed. If this is something new, it's only because it  
17 was explored, I would say, extensively.

18 MR CAMMEGH: Your Honour, I wasn't here, but I think there  
19 is something that hasn't been put in relation to the libation  
11:23:12 20 ceremonies.

21 PRESIDING JUDGE: Very well. I just wanted to observe --

22 MR CAMMEGH: I fully appreciate Your Honour's interruption  
23 there.

24 Q. Mr Witness, I know that there was a sacrifice at Mamba, but  
11:23:26 25 these libation ceremonies were a very important part of civilian  
26 life, weren't they, in Kailahun?

27 JUDGE ITOE: But there again, this witness had visited this  
28 aspect. I have no objection, but he visited this extensively  
29 yesterday. But since you want to develop that again, fair





1 enough.

2 MR CAMMEGH: Yes, Your Honour.

3 Q. Were libation ceremonies also held regularly in Jojoima  
4 near Sandialu?

11:24:10 5 A. I don't know anywhere in Sandialu where they go to worship.  
6 Mamba is in our chiefdom. They call there Nyandehun Mambabo.  
7 There is where I knew about, but I don't know about where you are  
8 talking about.

9 Q. I'm simply suggesting that sometimes more than a thousand  
11:24:31 10 people would attend the libation ceremonies at Mamba, at Jojoima  
11 and at Gbworgbu, G-B-W-O-R-G-B-U, do you agree or do you have  
12 knowledge?

13 A. Which towns? Which towns? About Mamba where we went to  
14 offer that sacrifice, we were not up to that number you've  
11:25:14 15 called. When there was no war, it was our people, our ancestors  
16 who went there to perform that sacrifice. But because it was  
17 during the war that they asked us to go there to perform that  
18 sacrifice, so that they would win the war. You are just taking  
19 me aback. If we continue to be here for the rest of the day, you  
11:25:33 20 will not confuse me at all.

21 PRESIDING JUDGE: He's not trying to confuse you,  
22 Mr Witness. He's just trying to clarify certain issues.

23 MR CAMMEGH:

24 Q. And I'm desperately trying to finish in five minutes,  
11:25:48 25 Mr Witness, so please just help me. These ceremonies were very  
26 important for the civilians because the civilians drew a sense of  
27 protection from them, didn't they?

28 A. Those days it was something they used to do. Even myself  
29 sitting here, I didn't know that the people used to go there to



1 worship until I was told. That place is owned by the people of  
2 Nyandehun, that place called Mamba. It was when I was told I  
3 became aware that people go there to worship. It was during the  
4 days of our fathers.

11:26:53 5 MR CAMMEGH: Thank you. Your Honours, I'm not going to put  
6 these two documents. I do adopt my friend's cross-examination,  
7 but I wonder if you could assist me, it's page 17498.

8 PRESIDING JUDGE: It's Exhibit 80.

9 MR CAMMEGH: Thank you. And finally it's page 17504.

11:27:16 10 PRESIDING JUDGE: 504 is Exhibit 83.

11 MR CAMMEGH: Thank you.

12 Q. Mr Witness, you told Mr Jordash, the gentleman on my left,  
13 yesterday about chickens. You told him that chickens would be --  
14 I nearly used the word captured, but I suppose chickens would be  
11:27:43 15 retrieved from the front lines and brought back to the villages  
16 where it was felt the local inhabitants would know how to bring  
17 them up. Do you remember?

18 A. I said during that time chickens were brought from the war  
19 front and they would give them to their relatives and when that  
11:28:16 20 time came, all of where they wrote those letters to bring  
21 chickens, they knew there were chickens there.

22 Q. So --

23 A. It happened even in Mendebwema.

24 Q. Yes, so the reality is that in various villages in Kailahun  
11:28:43 25 District chickens were wandering around the village freely under  
26 the control -- it sounds silly but under the control of the  
27 civilians, they belonged to the civilians, didn't they?

28 A. During the days of the RUF -- during the days of the RUF  
29 those chickens were brought from the war front that were given to



1 those people. During the time I said we went to perform that  
2 sacrifice at Mamba. But the chickens got finished in Kailahun,  
3 sheeps got finished in Kailahun, goats got finished in Kailahun,  
4 dogs got finished in Kailahun and even cats got finished in  
11:29:37 5 Kailahun. Lizards too got finished in Kailahun.

6 Q. [Overlapping speakers] aren't lizards poisonous, Mr -- it  
7 doesn't matter.

8 PRESIDING JUDGE: So when you say "finished," you mean they  
9 were not distributed or given to the villagers? That's what you  
11:29:56 10 mean, Mr Witness?

11 THE WITNESS: The RUF soldiers used to eat those items I've  
12 mentioned. Whenever you have asked me a question, you recalled  
13 my memory to all of those things. Between 2001 and 2002 if you  
14 ask me a question about that, I will explain everything like the  
11:30:28 15 way women take rice out to dry in the sun and scatter them all  
16 over. I will explain everything. I'm ready now. But maybe  
17 you're not going to ask me that particular question.

18 PRESIDING JUDGE: We need not to go there now. Mr Cammegh.

19 MR CAMMEGH: Yes.

11:30:46 20 Q. Mr Witness, I don't want to be facetious, but if any  
21 morning you woke up in Kailahun Town, you would probably have  
22 heard chickens calling cock-a-doodle-doo or something like that.  
23 They were wandering around the village and they laid eggs. They  
24 were food owned by the civilians, weren't they?

11:31:23 25 A. In Kailahun I didn't get a sound of a cock or the crowing  
26 of a cock the time I was there.

27 MR CAMMEGH: Your Honours, I promise I really am almost  
28 over. In fact, if we have a break now, I can probably wrap up  
29 immediately after we come back.



1           PRESIDING JUDGE: I thought you could do it before.

2           MR CAMMEGH: I'm happy to do that if you want me to.

3           PRESIDING JUDGE: Because it will allow us to start off  
4 with a new witness if possible and feasible.

11:31:53 5           MR CAMMEGH: I'm more than happy to do that.

6           Q.    Mr Witness, you have said an awful lot about -- or you have  
7 said a great deal about Augustine Gbao. You have said that he  
8 was instrumental in the provision of forced labour.

9           A.    This that I've told you --

11:32:35 10          Q.    Please let me ask the question.

11           PRESIDING JUDGE: Just wait, Mr Witness. Wait.

12           MR CAMMEGH:

13          Q.    You have also implied that he was instrumental in the fact  
14 that civilians didn't have enough to eat. But you only referred  
11:33:03 15 to these things for the first time when you spoke to the

16 Prosecution in December of last year. The question is this:  
17 Have you simply told the Prosecution what you think they wanted  
18 to hear about Augustine Gbao?

19          A.    What I knew was what I told them. What I knew was what I  
11:33:47 20 told them indeed. What I knew was what I told them.

21          Q.    My last question is this: When three years ago you first  
22 spoke to the Prosecution and you told them that you had been told  
23 that Gbao was leader of those who investigated people in the RUF,  
24 why didn't you tell them that he was also involved in forced  
11:34:29 25 labour? Why wait until last December?

26          A.    What I am saying today in this Court I have been telling  
27 them. If they did not write it then they have forgot all that I  
28 have said in this Court. If they did not write it, then they  
29 forgot. Please, I am begging you, write what I am saying. All





1 of you who are writing, please write what I am saying. If they  
2 did not write what I said, then they forgot all what I have said  
3 here. Please, I'm begging you, those of you who are writing,  
4 please, please, please, I am begging you record it on paper so  
11:35:10 5 that you can keep it.

6 Q. My final point is this: You tell this Court that you  
7 arrived in Kailahun Town in 1998.

8 A. I was living there.

9 Q. I have put it to you that in November of that year  
11:35:28 10 Augustine Gbao left Kailahun for good.

11 A. I said I used to see him. Maybe you were not seeing him,  
12 but I used to see him.

13 Q. I am suggesting that you and Gbao lived in Kailahun Town  
14 together for only a few months and therefore that what you have  
11:35:59 15 told this Court about Augustine Gbao is a product of your  
16 imagination. Isn't that so?

17 A. I am saying the truth. That was why I have given you one  
18 point. That's why I gave a point yesterday and I explained  
19 today. I explained to them for the Court to hear that yesterday  
11:36:25 20 when you started asking me, you explained to me that all the work  
21 that we were doing is true. That's why I explained today. If  
22 you did not write it yesterday, let them write it today and it is  
23 the same thing that I have told you that please write it on  
24 paper. Let's proceed.

11:36:44 25 Q. We don't need to proceed any further, Mr Witness. That's  
26 all I have to ask you. Thank you very much.

27 PRESIDING JUDGE: Thank you, Mr Cammegh.

28 THE WITNESS: Thank you too.

29 PRESIDING JUDGE: Mr Prosecutor.



1 JUDGE ITOE: Mr Cammegh is still on his feet.

2 MR CAMMEGH: I was simply going to point out for the  
3 benefit of everyone concerned that I don't consider that any  
4 contradictions have been established within these papers so I  
11:37:12 5 don't propose to underline or submit any.

6 PRESIDING JUDGE: Thank you.

7 MR HARRISON: There's just two or three questions to be  
8 asked in re-examination.

9 RE-EXAMINED BY MR HARRISON:

11:37:26 10 Q. Witness, I'm going to ask you just a couple of questions.  
11 Earlier this morning, I think it was around 10.25 this morning,  
12 it was suggested to you that you had never said to the  
13 Prosecution that people have died of starvation or malnutrition  
14 and I'm going to read to you a brief excerpt from what is now  
11:37:53 15 Exhibit 85B, which are supposedly notes from December of 2005 of  
16 conversations that you may have had with the Prosecution and it  
17 is starting from the top of what is Court Management numbering  
18 17462, the top line on that page. I'm going to read to you three  
19 sentences and then ask you a question. It reads as follows:

11:38:31 20 "From 1996 to the disarmament we could not sell our cocoa  
21 and palm oil production and therefore we had to rely on  
22 bush fruits, roots and plants. Because of the lack and  
23 poor quality of food" --

24 MR JORDASH: Sorry to jump up. Sorry, Mr Harrison. As I  
11:38:52 25 understand what the Prosecution are doing, they are re-examining  
26 a witness about cross-examination conducted by my learned friend  
27 for Mr Gbao, which does not concern the filing of written  
28 statements as exhibits with underlining. Now, as I understood  
29 the procedure, the Court had ruled that if the Defence file



1 exhibits, written statements with underlining, then the  
2 Prosecution could re-examine by putting to a witness by leading  
3 questions the aspects of the written statements they considered  
4 as corrections. However, in my respectful submission, that order  
11:39:51 5 which was opposed by the Defence but which was made does not  
6 extend to leading questions in re-examination on issues which  
7 have not been dealt with by written underlinings filed as  
8 exhibits. We have seen just now, I would respectfully submit, an  
9 extension of Your Honours' order which allows leading questions  
11:40:26 10 in relation to the filing of statements with underlinings as  
11 exhibits, to leading questions now allowed in re-examination per  
12 se.

13 PRESIDING JUDGE: I don't think we ever qualified our  
14 decision to allow leading questions. So this is your own  
11:40:48 15 qualifier of our decision. In any event, the issue is not  
16 whether it was leading or not. We allow re-examination on some  
17 issues. And you're saying that the order that we issued allowed  
18 re-examination in spite of your objections only to those parts of  
19 the statements that we allowed to be exhibited.

11:41:08 20 MR JORDASH: My understanding was that Your Honours' ruling  
21 allowed leading questions to be able to allow the Prosecution to  
22 put to a witness the contents of statements --

23 PRESIDING JUDGE: We certainly allowed that the contents,  
24 whether they were leading or not -- but, anyhow, please, this is  
11:41:27 25 not the issue. The issue is they were allowed to put those  
26 portions of the statement that would amplify, explain or explain  
27 in a different context matters that were already raised or  
28 examined in cross-examination and that for which you had filed or  
29 a party had filed some parts of the statements.



1 JUDGE THOMPSON: And I think the terminology we used was in  
2 purported rebuttal of what in fact the Defence had raised and  
3 highlighted as alleged or perceived inconsistencies.

4 MR JORDASH: My complaint is this, that it's not allowed  
11:42:12 5 ordinarily that a witness can -- that a party can lead their  
6 witness in re-examination. But as I understood what Your Honours  
7 have ruled on the previous occasion at the end of the last trial  
8 session, that in relation to purported corrections or purported  
9 rebuttals contained in witness statements, then Your Honours were  
11:42:34 10 allowing that section to be read to the witness and the witness  
11 to be asked whether -- [overlapping speakers]

12 JUDGE THOMPSON: [Overlapping speakers] Yes, well  
13 exclusively in purported rebuttal.

14 MR JORDASH: Yes, but that doesn't --

11:42:47 15 PRESIDING JUDGE: That's what you called leading, yes, we  
16 allowed that to be [overlapping speakers]. That's fine, that's  
17 okay.

18 MR JORDASH: But what I didn't understand the case to be  
19 was that the Prosecution could, without any filings being made by  
11:43:01 20 the Defence as exhibits, then simply go through the witness's  
21 statements reading out sections which they believe rebuts the  
22 Defence cross-examination generally.

23 JUDGE THOMPSON: But unrelated to the alleged or perceived  
24 inconsistencies that you have highlighted,

11:43:22 25 MR JORDASH: But this was not. This was --

26 JUDGE THOMPSON: That's the point you're making. You are  
27 saying that they cannot, under our ruling, in fact highlight any  
28 portions of the statement which are unrelated to the alleged or  
29 perceived inconsistencies which the Defence has raised and





1 highlighted.

2 MR JORDASH: Exactly.

3 JUDGE THOMPSON: In other words, it would be some kind of  
4 back door process of making the document open season.

11:44:00 5 MR JORDASH: Exactly. Your Honour puts it exactly as I  
6 intended.

7 JUDGE ITOE: In fact, what you're saying, Mr Jordash, is  
8 that since you did not highlight what they are seeking to rebut,  
9 they cannot highlight it. It cannot come in re-examination.

11:44:18 10 MR JORDASH: Exactly, yes.

11 JUDGE THOMPSON: And that's what I understand our ruling  
12 was.

13 MR JORDASH: Yes.

14 JUDGE THOMPSON: It was a narrow, restricted, ruling  
11:44:28 15 relating to a procedure which we ourselves said limited,  
16 restricted, only for prior inconsistent statements and the  
17 evidence that they are entitled to lead in re-examination must be  
18 related to what you have highlighted.

19 MR JORDASH: Yes.

11:44:51 20 JUDGE THOMPSON: Otherwise we have open season.

21 MR JORDASH: Otherwise, the whole practical machinery of  
22 re-examination is completely altered.

23 JUDGE THOMPSON: Quite right. And perhaps otherwise we  
24 then fall foul of a rule which says that the Prosecution are not  
11:45:12 25 allowed to rely on statements made out of court --

26 MR JORDASH: Yes, exactly.

27 JUDGE THOMPSON: -- to show consistency between the  
28 statement made out of court and the witness's testimony from the  
29 witness stand.



1 MR JORDASH: Exactly, yes. Those are my submissions.

2 PRESIDING JUDGE: Mr Harrison.

3 MR HARRISON: This isn't a question of recent --

4 MR O'SHEA: Sorry.

11:45:39 5 MR HARRISON: Just let me explain because, Your Honour,  
6 we're going on a wild goose chase. This isn't prior inconsistent  
7 statement, this is recent fabrication. That's why I read out in  
8 the introduction that at 10.25 this morning it was put to the  
9 witness that he had never said in any prior statement to the

11:46:01 10 Prosecution that people in Luawa Chiefdom had died of  
11 starvation - and then later on there was a slight modification -  
12 or malnutrition. So we're saying it's an allegation of recent  
13 fabrication. We're going to a prior statement to show that the  
14 allegation is unfounded. And that, we say, is always admissible  
11:46:27 15 and it's not a question of prior inconsistent statement.

16 PRESIDING JUDGE: So you're saying this is a different  
17 matter that is unrelated to our previous ruling and our previous  
18 decision?

19 MR HARRISON: Yes. Well, whether it's unrelated may be a  
11:46:41 20 bit unfair, but it's different.

21 PRESIDING JUDGE: [Overlapping speakers] well it's  
22 unrelated in the sense it speaks about statements, but it's not  
23 the same foundation.

24 JUDGE THOMPSON: Quite. Quite.

11:46:49 25 MR CAMMEGH: The basic principle, of course, is that if I  
26 have misrepresented something the witness may or may not have  
27 said in a previous document, Mr Harrison is clearly at liberty to  
28 rebut that by referring discretely --

29 PRESIDING JUDGE: This is what he's doing.



1 MR CAMMEGH: -- and specifically to that fact. But  
2 obviously I would caution that that is done discretely rather  
3 than reading out an entire tract. So if it could be done in  
4 different terms such as leading the witness in terms: Is it  
11:47:23 5 right that on such and such a date you did state that, for  
6 example, 50 people died as a result of whatever, using an  
7 exaggerated example, then I couldn't object to that. But what I  
8 do object to is an entire tract being read out because that may  
9 offend other defendants and may, perhaps, if I can use the  
11:47:49 10 phrase, be a sledgehammer to crack a nut. The simple fact that  
11 the witness made reference to that in a previous document is, in  
12 my submission, all that needs to be flagged up by the Prosecution  
13 and I would concede that.

14 MR JORDASH: Could I also concede that. I'd misunderstood  
11:48:06 15 what the Prosecution were doing and I apologise for wasting time.  
16 But, yes, I accept the Prosecution are entitled to do that.

17 PRESIDING JUDGE: You accept that this is a different  
18 issue?

19 MR JORDASH: For sure, yes.

11:48:22 20 PRESIDING JUDGE: Yes, Mr Harrison, obviously the objection  
21 is withdrawn.

22 MR HARRISON: Let me just read - and if I'm reading too  
23 much, please indicate right now, defence counsel - but I was  
24 looking at the last three sentences of paragraph 8.

11:48:39 25 MR CAMMEGH: Sorry, could I have the page again?

26 MR HARRISON: Sorry.

27 PRESIDING JUDGE: 17462.

28 MR HARRISON: Paragraph 8 is the very top paragraph and I'm  
29 suggesting that the final three sentences can be read. I had



1 actually started reading from the fourth, or I was going to read  
2 the four sentences, but if it's acceptable to read the last  
3 three, I shall just do that now.

4 PRESIDING JUDGE: Starting with "because"?

11:49:06 5 MR HARRISON: Yes.

6 MR CAMMEGH: In all honesty I can't object to this.

7 PRESIDING JUDGE: Very well. Go ahead, Mr Harrison.

8 MR HARRISON:

9 Q. Witness, just listen to these words for a moment.

11:49:20 10 "Because of the lack and poor quality of food a lot of  
11 civilians got sick. Their legs, feet and heads started to  
12 swell and many civilians died everywhere in the Luawa  
13 Chiefdom as a result."

14 Do you remember saying those words to the Prosecution?

11:49:52 15 A. Yes, so many people died. Even where I was living. I had  
16 explained to the -- they died of starvation. We were working and  
17 we had no food.

18 MR HARRISON: There's no further questions.

19 PRESIDING JUDGE: Thank you very much.

11:50:05 20 MR CAMMEGH: Can I just state for the record, if  
21 Mr Harrison didn't, I'm not sure if he did or not, that this  
22 excerpt is from the proofing notes dated 1st to 20th December  
23 2005?

24 PRESIDING JUDGE: Yes, he didn't say that, but by making  
11:50:21 25 reference to 17462 we took it to be that, but I appreciate your  
26 intervention because it's certainly more tidy and more accurate  
27 for the records. Thank you very much.

28 Mr Witness, that concludes your evidence in this Court and  
29 you may go back to your home place now. We thank you very much





1 for having come here and we wish you good luck. Thank you very  
2 much.

3 THE WITNESS: Amen.

4 PRESIDING JUDGE: Thank you. Court is adjourned for the  
11:51:02 5 recess, thanks.

6 [Break taken at 11.51 a.m.]

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1 [RUF17MAR06C - EKD]

2 [Upon resuming at 12.22 p.m.]

3 [Open session]

4 [The witness entered court]

12:23:18 5 PRESIDING JUDGE: Mr Prosecutor, you are ready with your  
6 next witness?

7 MR HARRISON: Yes, it's TF1-343. The Prosecution is asking  
8 for leave of the Court to allow a person from witness and victims  
9 services unit to sit adjacent to the witness, solely for the  
12:23:38 10 purpose of assisting with water or other physical issues that may  
11 arise.

12 PRESIDING JUDGE: That's fine. That's okay.

13 MR HARRISON: This would be the 63rd witness and the 62nd  
14 witness called by the Prosecution. My colleague, Mr Werner has  
12:24:00 15 conduct of this examination.

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

17 MR HARRISON: It's Temne.

18 PRESIDING JUDGE: Temne.

19 THE WITNESS: It is Temne.

12:24:14 20 PRESIDING JUDGE: Thank you, Mr Witness. Can the witness  
21 be sworn now, please.

22 THE WITNESS: Okay.

23 PRESIDING JUDGE: Mr Court Officer, we still have to give  
24 the decision about the closed session in open session before we  
12:24:56 25 proceed with this witness. So to avoid any discrepancy we would  
26 rather do that now before we proceed to take the oath of this  
27 witness. Mr Justice Thompson, please.

28 JUDGE THOMPSON: This is the ruling of the Chamber in  
29 respect of the closed session hearing of the testimony of witness



1 TF1-330.

2 Consistent with the general requirement that criminal  
3 proceedings are to be held in public, as mandated by Rule 78 of  
4 the Rules of Procedure and Evidence of this Court, and taking  
12:25:33 5 cognizance of Article 17(2) of the Statute of the Court, but  
6 exceptionally as authorised by Rule 79(A)(ii) of the said Rules  
7 of Procedure and Evidence and the need to protect witnesses as  
8 provided for in Rule 75, this Chamber on the application of the  
9 Prosecution for the testimony of Witness TF1-330 to be heard in  
12:26:04 10 closed session did, by way of an exceptional procedure, grant the  
11 said application on the grounds advanced by the Prosecution. It  
12 was also ordered that portions of the witness's testimony that  
13 may not reveal his identity or endanger his or his family's  
14 safety shall be made public after a proper and careful review by  
12:26:34 15 the Court Management section.

16 PRESIDING JUDGE: Thank you, Mr Justice Thompson. So that  
17 completes the process with reference to the previous witness.  
18 We, Mr Court Officer, can move now to take the oath of this  
19 particular witness.

12:27:05 20 WITNESS: TF1-343 [Sworn]

21 [The witness answered through interpreter]

22 MR WERNER: Good morning, Your Honours.

23 PRESIDING JUDGE: Yes, Mr Prosecutor, you may proceed.

24 MR WERNER: Thank you.

12:28:05 25 EXAMINED BY MR WERNER:

26 Q. Good morning.

27 A. Should I start? Should I start talking?

28 JUDGE ITOE: What is the pseudonym of this witness, please?

29 MR WERNER: Yes, Your Honour, TF1-343.



1 Q. Mr Witness, I'm going to ask you some questions. If you  
2 can just answer my questions.  
3 A. Yes.  
4 PRESIDING JUDGE: Mr Witness, when you do answer the  
12:28:57 5 question, please --  
6 THE WITNESS: Yes.  
7 PRESIDING JUDGE: -- go slowly.  
8 THE WITNESS: Okay.  
9 PRESIDING JUDGE: Thank you.  
12:29:09 10 MR WERNER: Thank you.  
11 Q. Mr Witness, where were you born?  
12 A. xxxxxx.  
13 Q. And do you know in which district is xxxxxx?  
14 A. Yes. Yes, I know the district.  
12:29:35 15 Q. Can you tell this Court in which district is xxxxxxxx?  
16 A. Yes.  
17 Q. Please do so, Mr Witness.  
18 A. Bombali District.  
19 Q. Do you know when were you born?  
12:30:06 20 A. I cannot tell because I am not literate.  
21 Q. Mr Witness, do you remember the war in Sierra Leone?  
22 A. Yes, I heard about it a long time ago.  
23 Q. And where were you living during the war?  
24 A. I was at xxxxxx.  
12:30:41 25 Q. Mr Witness, did anything you can --  
26 A. Yes.  
27 Q. Did anything you can remember happen in your village?  
28 A. Yes.  
29 Q. What happened, Mr Witness?





1 A. Well, I was born at xxxxxx. We heard about the war right  
2 from the north. It did not come immediately to us. Well, there  
3 are many years. Since I'm not literate, after these 10 years,  
4 well, we experience this war in our own place. We experience  
12:31:42 5 this initially during that time they went and burnt the town for  
6 us, so when they went --  
7 Q. Just pause there, Mr Witness.  
8 A. Okay.  
9 Q. "They went and burnt." Who are you talking about? Who  
12:32:09 10 went and burnt?  
11 A. Well, we heard about rebels and everybody came to know  
12 about that. So we heard about them. They came near us and when  
13 we were in the bush they went into town. We were in the bush far  
14 from them. So --  
12:32:46 15 Q. When you say, "They went and burnt," where did they burn or  
16 what did they burn?  
17 A. They burnt the houses.  
18 Q. In which place?  
19 A. At xxxxxxxx.  
12:33:07 20 Q. And how many houses did they burn?  
21 A. The houses, I cannot tell exactly, but they were more than  
22 30 houses that were burnt. There were more than that.  
23 Q. When the rebels came to xxxxxx and burnt houses, did  
24 anything else happen?  
12:33:40 25 A. Yes. Something happened there.  
26 Q. What happened, Mr Witness?  
27 A. What happened there, when we were in the bush, when we  
28 came, we met two corpses. When we looked at them, we identified  
29 them as our own relatives. One of them was Pa Amadou Munu, he



1 was a speaker. When we looked at him --

2 Q. Carry on, Mr Witness. Carry on.

3 A. We found out that he was stabbed. He was stabbed and he  
4 was hit with sticks. And the other one, they did not bring him  
12:34:37 5 right into town. They just put him on the outskirts of the town.  
6 He was killed and he was also hit with sticks and when he died  
7 they left the sticks there and left him. He was also called  
8 xxxxxxxx.

9 Q. When you say they left him, who are they, Mr Witness?

12:34:59 10 A. When they had killed him, they left him there, because they  
11 captured him in the bush. They did not bring him into town.  
12 They killed him and left him around the outskirts of the bush.  
13 When they had left him, they went away. When they went to town,  
14 that was the time they spent the night there.

12:35:31 15 Q. Mr Witness, who killed him, xxxxx?

16 A. Those who killed him? The rebels that went. The rebels  
17 that went were the ones that murdered both of them.

18 Q. As far as you know, Mr Witness, did anything else happen  
19 during that time when the rebels attacked xxxxxx?

12:36:10 20 A. Yes. Well, they also captured one of our brothers who was  
21 called xxxxx. He was -- they took him along. But when they went  
22 with him, it took some time, they released him and he came. He  
23 is still there. They did not kill him.

24 Q. When you say "they took him along," who took him along,  
12:36:35 25 Mr Witness?

26 A. The rebels themselves. The rebels themselves spent two  
27 days. The third day they went away. That was the time that they  
28 took him away. They spent two days. The third day they went  
29 away. So when he was captured, they did not release him. They



1 took him along. Asana.

2 Q. Mr Witness, during this same time did the rebels do  
3 anything else elsewhere?

4 A. The rebels, the first rebels, two days that they spent  
12:37:23 5 there. The third they went away. They did not do anything until  
6 when they had gone we ourselves, we came to town and saw these  
7 corpses. And from that time we did not understand that they had  
8 done any other thing. The next thing that we heard was that they  
9 had gone to Kamakwie. We did not hear that they did any other  
12:37:44 10 thing. After that year, the other year that was the time that  
11 another group came. That is the second group.

12 Q. When you say the second year, what do you mean?

13 PRESIDING JUDGE: The other year.

14 MR WERNER: Sorry, thank you, Your Honour.

12:38:06 15 Q. You said the other year. What do you mean by that?

16 A. After the first group had gone and they had done the things  
17 that I spoke about, the second group that came, these were the  
18 ones that I'm referring to. I said that was the second time that  
19 they came during that time, during that year. When they came,  
12:38:33 20 they also told us that they were coming. I was still at xxxxxx.  
21 We heard about their coming. In another town which was not far  
22 away from our own, we heard that they were coming and the chief  
23 said, "Mm", he said, "Let's don't stay here. These people are  
24 coming." So they came up to a town that was called xxxxxx. That  
12:38:57 25 is the time that we heard that they had started burning at  
26 Mateti. Then the people ran away and went into the bush. We  
27 went into the bush.

28 Q. Stop just there, Mr Witness. The time they came to Mateti  
29 are you able to say how long after the first attack did this



1 second event took place? Are you able to say how long after?

2 A. When we were at ~~xxxxx~~, when they told us that they were  
3 coming from the east, so we heard that they had started burning.  
4 Until they went to a place that was called Almamikukuna.

12:40:04 5 Ma-Almamikukuna. They went there and burnt the place.

6 E. Then they killed some people there.

7 Q. What happened after that, Mr Witness?

8 A. They went and chopped a colleague -- both hands of one of  
9 our colleagues.

12:40:34 10 Q. Where did they do that?

11 A. It was at Ma-Almamikukuna.

12 Q. And who did that, Mr Witness?

13 A. The rebels that we heard about. These were the ones that  
14 did it. And they also captured one man that is called Pa Aruna.

12:41:06 15 Q. What happened after that, Mr Witness?

16 A. After that we also heard that they had gone to a town that  
17 is called Bagboya. Then they came up to Mafabu. They came on  
18 killing people. They did kill people at Mafabu.

19 Q. Who did kill people at Mafabu, Mr Witness?

12:41:36 20 A. The rebels. The rebels that were advancing, they were  
21 advancing, they were just coming destroying and they were almost  
22 coming to ~~xxxxx~~ but by then we were almost in the bush, because  
23 we were not in the town any more. We heard them coming and  
24 making these destructions.

12:41:55 25 Q. And are you able to say when did that happen?

26 A. I cannot tell the time. I cannot tell the time, but for  
27 us, they came to us during -- in a month that is called April.  
28 That was the time that the majority of our colleagues had burnt  
29 their farms. That was the time that they came to us. When they





1 came to us, well, they came to xxxxxx. They killed a lot of  
2 people in xxxxxx.

3 Q. Mr Witness, where were you when they came --

4 A. Yes.

12:42:44 5 Q. -- to Mxxxxx?

6 A. I was in the bush. We hid in the bush. See, when you hear  
7 about these people you cannot stay. So we went away so that we  
8 will not be seen by them. Except -- we cannot even come to town,  
9 we are always in the bush.

12:43:14 10 Q. You say, "They came to xxxxx." Who came to xxxxxxxxx,  
11 Mr Witness?

12 A. The rebels. Because we used to call them rebels. Because  
13 Foday Sankoh's war, those people who took part in it, we call  
14 them rebels. Some people call them soldiers but all of us in

12:43:38 15 xxxxi call them rebels. So all the chiefs told us that we  
16 should not stay in town and that we should all escape, because  
17 the rebels were coming.

18 Q. When the rebels came in xxxxxxx did anything happen,  
19 Mr Witness?

12:43:59 20 A. Yes a lot of people were killed. They killed a lot of  
21 people at Malama. They went up to Malama. At Malama again they  
22 killed a lot of people up to -- they went, they crossed to a town  
23 that is called Petifu.

24 Q. Mr Witness, now I'm talking about xxxxxxx, only xxxxxxx.

12:44:28 25 You say they killed a lot of people in xxxxxx. How do you know  
26 about that?

27 A. I was able to know that in the bush where I was hiding,  
28 because some of our people -- when they killed people they would  
29 go and hide into a place that is called Rosos. They would come



1 into the towns and destroy and they would go to Rosos and there  
2 were some people that had been watching at them. See, when they  
3 destroyed, when they went to Rosos, our people would go and watch  
4 what had happened and when they came to us all of us would know.

12:45:12 5 Even if you were in the bush you would know.

6 Q. You say, "They went to Rosos." Who went to Rosos,  
7 Mr Witness?

8 A. The rebels themselves, they went to Rosos. They settled at  
9 Rosos. That was the place that they settled. We were in the  
12:45:32 10 bush.

11 Q. You just said they killed a lot people in xxxxxx. How  
12 many people were killed in xxxxxxxx?

13 A. The people that they killed at xxxxxx? They were many. I  
14 cannot recall all of them, but I knew some of their names. Even  
12:46:01 15 if they are not up to 20, but it's something around that. I knew  
16 some of their names. One of them was Pa Bakra Lama. The other  
17 one was called Bab Kalley with his wife. She was called Hawa.  
18 These were all the people that were killed at xxxxxx. I cannot  
19 call all their names, but there were many, those that were killed  
12:46:37 20 at xxxxxxxx.

21 Q. Okay. Now, Mr Witness --

22 A. This killing and they will just come, just like I stated.  
23 See, when they were working, when we were able to get somebody  
24 that could help us, one lady who was hiding in the same place  
12:47:02 25 with us --

26 Q. Just pause one second, Mr Witness. You said that the  
27 rebels went to Rosos?

28 A. That was where they were settled.

29 Q. Do you know the names of any of the people who went to



1 Rosos, Mr Witness?

2 A. Yes, because when they left there they stayed there for  
3 some time. Well, since the first ones did not stay there for  
4 long, but the second batch stayed there for long. So we heard --

12:47:45 5 I cannot say that I called them and they answered, because I came  
6 here and I had taken oath. But when they spend a considerable  
7 number of time, we know that in fact some people knew their names  
8 and they also knew the names of the people that were residents in  
9 XXXXXXX. The others said that they were called Sergeant Musa,

12:48:07 10 some said Five-Five and the other one said Adama Cut Hand.

11 PRESIDING JUDGE: What is the last name again?

12 MR WERNER: Adama Cut Hand.

13 THE WITNESS: These were the three groups that I heard  
14 about and I did not see them, but that is what I heard. And if I  
12:48:32 15 were to be asked, these are the names that I would give to you,  
16 the names that I have given to you.

17 JUDGE ITOE: Is it Adama Cut Hand?

18 MR WERNER: Yes, Your Honour.

19 THE WITNESS: Yes, that was her name. I did not see her at  
12:48:57 20 all. It is good to say the truth because I had taken oath. You  
21 see, but that is what they told me.

22 MR WERNER:

23 Q. Now, Mr Witness, did anything happen after that you can  
24 remember?

12:49:16 25 A. Yes.

26 Q. Just tell this Court.

27 A. Well, the real thing that happened, the purpose for which I  
28 came to this Court, they were at Rosos, they did not stay there.  
29 It was just a place to which they went to pass the night. All



1 the areas, the towns that were around the area, they would always  
2 unleash destruction. At XXXXX, they went there and they met --  
3 they captured a lady and the lady's name was called XXXXXX who  
4 knew where we were hiding. See, in the morning she will run away  
12:49:57 5 from us.

6 Q. Just pause there, Mr Witness. When you say that XXXXXX,  
7 she knew where we were hiding, who are you talking about? Who  
8 was hiding, Mr Witness?

9 A. Those of us that were hiding there were many and they had  
12:50:26 10 some people, that people that were coming from different places.  
11 The place was packed full of people. Some people had gone to  
12 Makeni. So this lady had sneaked away and went to town. We did  
13 not know that she was captured and when she was captured she was  
14 threatened. When they had killed the people in town, they told  
12:50:44 15 her that if she did not show where we were hiding, she would be  
16 killed. And she was afraid and she led them.

17 Q. Just pause, Mr Witness. Just pause there. Who threatened  
18 this lady? You said they threatened her. Who threatened this  
19 lady?

12:51:09 20 A. The rebels. The rebels who came. Who came to town.  
21 Because they would always go from one town to the other and if  
22 they met anything they would take it away and whatever they met  
23 they would take away. So they were going. That was the time  
24 that they captured this lady that I was talking about. So this  
12:51:29 25 lady led them because she was afraid of being killed. She took  
26 these people to where we were hiding. During that time they were  
27 not that many. If they were up to eight, they would not be more  
28 than that. They were three, and the elderly ones were five.

29 Q. Who are these people, the eight who came where you were?





1 A. The rebels that threatened the lady who showed them where  
2 we were hiding and who led to our own capture where we were  
3 sitting.

4 Q. And how were they dressed, Mr Witness?

12:52:20 5 A. Three of the children did not have any combats and the five  
6 had combats and they had guns. The others had machetes.

7 Q. When you say "three of the children," who were these  
8 children, Mr Witness?

9 A. The children, that doesn't mean that they are that young  
12:52:49 10 but some would be around 10 years, 13, 14. It was not that they  
11 were too young. So when they went, they went and started  
12 searching the things that we kept. In fact, the one that was  
13 running after me was the one that chopped me on my shoulder. If  
14 I had somebody that would lift off my shirt, you would see where  
12:53:12 15 I was chopped. The other one captured --

16 THE INTERPRETER: Your Honours, the witness is too fast.

17 PRESIDING JUDGE: Mr Witness, please go slow.

18 THE WITNESS: Okay, I'm so happy about that.

19 PRESIDING JUDGE: We need to hear what you have to say.

12:53:27 20 THE WITNESS: Okay, little by little?

21 PRESIDING JUDGE: Little by little, yes.

22 THE WITNESS: Okay.

23 PRESIDING JUDGE: Mr Prosecutor, would you take the witness  
24 back to that place.

12:53:39 25 MR WERNER: Sure.

26 Q. So, Mr Witness, we are going to go very slowly now and step  
27 by step.

28 A. Okay.

29 Q. You say that these eight people came, there were three



1 children with them, and then can you tell this Court,

2 Mr Witness --

3 A. It was the children that summed up to eight when I counted  
4 them, because the elderly ones were up to five.

12:54:10 5 PRESIDING JUDGE: I thought it was eight in total. So it  
6 was eight children?

7 MR WERNER: No, no, I understood the evidence to be eight  
8 people in total and three children, but I can clarify that.

9 THE WITNESS: I said all of them that went were eight. The  
12:54:27 10 children were three and the elderly ones were five. That was  
11 what I said.

12 JUDGE ITOE: And their ages ranged from 10, 11 and 12.

13 MR WERNER: For the three --

14 JUDGE ITOE: For the three children.

12:54:42 15 MR WERNER: Yes, Your Honour.

16 THE WITNESS: The children. The children. I was not  
17 talking about the elderly ones that were running after us. The  
18 ages that I gave were for the children.

19 PRESIDING JUDGE: That's 10, 13, 14.

12:54:55 20 THE WITNESS: Yes.

21 MR WERNER:

22 Q. What is the first thing that happened after you saw these  
23 people coming? What is the first thing that happened?

24 A. I said that they captured three of us. Was that not what I  
12:55:22 25 said? I said they captured one elder woman who was called Adama.  
26 I said they captured Osman and they captured me.

27 Q. Who captured Adama, Osman and yourself, Mr Witness?

28 A. The rebels who met us in the bush with the woman whom they  
29 captured.



1 Q. And what happened after that, Mr Witness?

2 A. When they captured us they said that -- they said, "You,  
3 we're not going to kill you people but we're going to give you  
4 letters."

12:56:11 5 Q. And what happened after that?

6 A. They called Pa Osman and they said, "Come and put your hand  
7 here." There were sticks. There were sticks that were cut by  
8 the Fullanese and said, "Put your hand here." He went and placed  
9 his hand on this stick and they cut it off. And they told Pa

12:56:34 10 Osman to put the other hand and they cut it off again. And they  
11 told him -- they said, "Go and sit down there." They said in  
12 Krio, "Go and sit down there." He went and sat down there. They  
13 called me again. They said, "You come here again."

14 THE INTERPRETER: Your Honours, would the witness go little  
12:56:49 15 by little.

16 PRESIDING JUDGE: Mr Witness, we need to hear what you have  
17 to say, so go slowly, slowly. So what happened after Pa Osman?

18 THE WITNESS: They called me. They said, "Come here and  
19 put your own hands."

12:57:18 20 MR WERNER:

21 Q. Mr Witness, who said that?

22 A. The rebels that went. The rebels that captured us. The  
23 letters they said they will give us, those were the ones they've  
24 started giving us.

12:57:33 25 Q. What was this letter about, Mr Witness?

26 A. They were cutting off their hands. They were cutting off  
27 their hands. They did not tell us what was contained in their  
28 letters. They were cutting my hands. They called me and they  
29 cut two of my hands together. Then they ordered me to go and sit



1 elsewhere. One of them went and struck Pa Osman on his head.  
2 The first man whose hands they cut off, they struck him on his  
3 head. After that they called the old woman. They said, "Come,"  
4 and she came. So they were cutting off her hands. Then  
12:58:23 5 Pa Osman, he fell slowly after they've struck him on the head.  
6 So while we were suffering the pain and they were cutting the  
7 other woman's hands, after they've cut off her hands -- all the  
8 three of us, they'd cut off our hands. Then they said, "Go to  
9 Tejan Kabbah and explain."  
12:58:47 10 Q. Who said that?  
11 A. They that went, the rebels. They were the ones that told  
12 us that.  
13 Q. Did anything happen, Mr Witness, to Pa Osman? Anything  
14 else, sorry. Did anything else happen?  
12:59:13 15 A. Pa Osman, that was where -- that was where we left him. He  
16 did not go to cure himself. He left there. So after they've cut  
17 off their hands, they tell the lady to lead them because they  
18 don't know the area. It was the lady that led them to the town.  
19 Q. Now, Mr Witness, just for sake of clarity, you said that --  
12:59:42 20 A. Yes, yes.  
21 Q. -- the rebels cut Pa Osman's hands and then they cut your  
22 hands --  
23 A. Yes.  
24 Q. -- and then they cut a lady's hands. Who was this lady,  
13:00:00 25 Mr Witness?  
26 A. Yes, indeed. Yandama. She is called Yandama.  
27 MR WERNER: Your Honour, could the record reflect the fact  
28 that the two hands of this witness are cut.  
29 PRESIDING JUDGE: Yes, for the record the witness --





1 THE WITNESS: Yes.

2 PRESIDING JUDGE: Both of his hands are cut and he's  
3 displaying --

4 THE WITNESS: They cut them off. Well, in fact, the three  
13:00:37 5 of us, our hands were completely cut off.

6 PRESIDING JUDGE: We hear you, Mr Witness. We hear.

7 MR O'SHEA: Can I just note for the record that it is not a  
8 matter of dispute this man's hands are cut and that he has  
9 suffered greatly.

13:00:55 10 PRESIDING JUDGE: Thank you.

11 MR WERNER:

12 Q. Mr Witness, you said that Pa Osman didn't go anywhere after  
13 that. Did you see Pa Osman again?

14 A. Yes. Pa Osman? What? Pa Osman? I said that was where we  
13:01:32 15 slept. The day they cut off their hands we couldn't do anything  
16 because we are suffering from lacerated pain. We didn't go  
17 anywhere. So in the morning, people led us from the bush. That  
18 was in the morning I saw one of my relatives named Foday. He  
19 went with me to Makeni. The woman, somebody shout for her and  
13:01:56 20 they took her along. I was the very first person that was taken  
21 to Makeni. When I was taken at Kalangba, it was the ECOMOG that  
22 made me to be taken to the government hospital. It was at the  
23 government hospital that they took us.

24 Q. Did Pa Osman go to the government hospital, Mr Witness?

13:02:16 25 A. Pa Osman, he died. He didn't go there. But myself, I went  
26 there, Yandama went there and the other ones whose hands were cut  
27 off by them, whenever they cut off people's hands there, the  
28 person went there.

29 Q. Before --



1 A. Okay.

2 Q. Mr Witness, just listen to my question.

3 A. Yes.

4 Q. Before you left the place where your hands were amputated  
13:02:53 5 did you see anything else?

6 A. Yes, I saw other things.

7 Q. What did you see, Mr Witness?

8 A. As I went around -- I said as they went around, they were  
9 stationed at Rosos. All that they did in the surrounding  
13:03:20 10 villages is what I'm explaining to you. It's what I'm explaining  
11 to you. I have explained to you about Ma-Alimamy wherein they  
12 cut people's hands. They went and cut people's hands at --  
13 people's hands at a place called Reima. The man's name is called  
14 Pa Alimamy.

13:03:41 15 PRESIDING JUDGE: Mr Prosecutor, we should explore that  
16 this afternoon after the recess, unless you tell me you only have  
17 a few minutes to go.

18 MR WERNER: I would like to tell you I think that's the  
19 case but honestly I cannot be sure. It may be 10 minutes or --

13:03:57 20 THE WITNESS: It's all right.

21 JUDGE ITOE: Were you at the end of your  
22 examination-in-chief?

23 MR WERNER: Sorry, Your Honour?

24 JUDGE ITOE: Were you at the end?

13:04:03 25 MR WERNER: Yes, I don't have a lot more but it can --

26 THE WITNESS: I am not going to end up as of now. The  
27 reason is --

28 PRESIDING JUDGE: No, no, Mr Witness, we will allow you to  
29 speak.



1 MR WERNER: If you tell me that 10 minutes is fine then I  
2 can assure you that I will have finished.

3 PRESIDING JUDGE: Go ahead.

4 MR WERNER:

13:04:22 5 Q. Mr Witness, I understand you have things to say about other  
6 villages. Just listen to my question.

7 A. Yes.

8 Q. Before you left the place where the rebels cut your hands,  
9 before you left the place, did you see anything else?

13:04:39 10 A. Yes. Well, I saw a lot of things before I was taken to  
11 Makeni. That's the situation I'm explaining. I said Pa Alimamy  
12 hands were cut off at Ro-Petifu, Alimamy's hands were cut off.  
13 We are the people's whose hands were cut off.

14 Q. Okay, that's fine.

13:05:11 15 A. The one that died sum up to the number five.

16 PRESIDING JUDGE: So you saw five people that had died  
17 there?

18 THE WITNESS: I said five of us. Four of us went to cure  
19 ourselves in Makeni. The fifth person died, that is Pa Osman.

13:05:39 20 MR WERNER:

21 Q. You told this Court that you went to the governmental  
22 hospital at Makeni. Did you meet anyone at the governmental  
23 hospital in Makeni, Mr Witness?

24 A. All what they did in the town I knew before I went away.  
13:06:15 25 Because I told you that they captured one person at Kukuna and  
26 they captured somebody at Mafabu called Ibra. He too was  
27 captured.

28 Q. Okay and who captured these people, Mr Witness?

29 A. Yes. The rebels that stayed at Rosos. Those were the ones



1 that captured them.

2 Q. When you were at the government hospital in Makeni, did you  
3 meet anyone there?

4 A. Yes. A lot of them. But for us who came from Mateboi,  
13:07:03 5 we're able to identify those people that came from Mateboi. We  
6 met a lot of people whose hands were cut off, whose legs were  
7 removed. We met a lot of them. We were there almost for a  
8 month. Yes, I think we spent there a month.

9 Q. And did you speak --

13:07:21 10 A. And one woman --

11 Q. Mr Witness, did you speak with some of these people you met  
12 in the government hospital in Makeni? Did you speak with them?

13 A. Yes, I spoke with -- in fact, they ask us as to how we  
14 inquired -- we incur those disasters and we explained to them.  
13:07:50 15 Sometimes your colleague will come and talk to you and if you  
16 want to go to the gents you will have to talk to yourselves.  
17 That was the way we were so solemn there at the hospital.

18 Q. And said that you saw a lot of people with hands cut and  
19 you said legs removed.

13:08:19 20 A. Yes.

21 Q. Do you know where these people were coming from?

22 A. Yes.

23 Q. Where, Mr Witness?

24 A. One of them came from Royema, the other from Ro-Petifu the  
13:08:35 25 other from Ma-Almamikukuna, two of us came from Mateboi, I and  
26 Yandama. We went to Makeni. So the others that we met there at  
27 the hospital, I cannot tell their names. Only those people that  
28 we came from the same place that I can tell their names.

29 Q. That's fine. Mr Witness, you gave names of villages. You





1 talk about Ro-Petifu, you talk about Royema, Ma-Almamikukuma?

2 A. Yes.

3 Q. Do you know in which district --

4 A. Yes.

13:09:09 5 Q. -- are these villages, Mr Witness?

6 A. I know, I know. That is Sanda Tendaren, but Makeni is our  
7 own district. All of us.

8 Q. Mr Witness.

9 A. Yes.

13:09:28 10 Q. I am not asking about the chiefdom for these villages. Do  
11 you know the district?

12 A. Bombali.

13 Q. How long did you stay at the Makeni hospital, Mr Witness?

14 PRESIDING JUDGE: He stated he spent a month there.

13:09:57 15 MR WERNER: Sorry about that.

16 Q. What did you do after you spent one month in the Makeni  
17 hospital? What did you do after that?

18 A. There was one sister there he sympathised with me. Because  
19 the government hospital did not sympathise with people. Because  
13:10:21 20 if they give you medicines, if you don't have money you wouldn't  
21 get them. The woman was called Sister Paul. She was the person  
22 that took us from the government hospital and took us to her  
23 compound. She treated us there. After that she will take us to  
24 the Red Cross. That woman was called Margaret. When she was  
13:10:52 25 tired, she will take us to that woman.

26 Q. That's fine. That's fine.

27 MR WERNER: I don't have any more questions.

28 PRESIDING JUDGE: That concludes your examination-in-chief?

29 MR WERNER: Yes. Thank you very much, Mr Witness.



1           PRESIDING JUDGE: We will adjourn now for the recess for  
2 lunch and reconvene at 2.45. Mr Witness, we will continue after  
3 this break. Thank you, court is adjourned.

4           THE WITNESS: Okay. Okay. Okay.

13:11:36 5                           [Luncheon recess taken at 1.12 p.m.]

6                           [Upon resuming at 2.55 p.m.]

7                           [The accused Sesay not present]

8           PRESIDING JUDGE: Yes, Mr Jordash. Your cross-examination?

9           MS ASHRAPH: Before we get to that, Your Honour, you will  
14:57:27 10 note that Mr Sesay is not present in Court this afternoon. That  
11 is because he is with our legal assistant taking instructions for  
12 next week's witnesses. Obviously there is no problem with  
13 continuing in his absence.

14           PRESIDING JUDGE: Thank you very much. Counsel for the  
14:57:43 15 second accused?

16           MS ASHRAPH: No questions for this witness.

17           PRESIDING JUDGE: No cross-examination. Thank you very  
18 much. Counsel for the second accused.

19           MR NICOL-WILSON: Your Honour, very few questions.

14:57:47 20           PRESIDING JUDGE: Very well, are you ready to proceed now?

21           MR NICOL-WILSON: Yes.

22                           CROSS-EXAMINED BY MR NICOL-WILSON:

23 Q.    Good afternoon, witness.

24 A.    Good afternoon.

14:58:07 25 Q.    Your village, Mateboi, is not too far from Rosos; is that  
26 correct?

27 A.    It's not that far.

28 Q.    Also, Mafabu is not too far from Rosos?

29 A.    At all. It's around seven miles. It's not that far.



1 Q. And the same with Kamakwie?

2 A. Oh, it's far. Kamakwie is far from Mateboi.

3 PRESIDING JUDGE: Are you asking if it is far from Mateboi  
4 or from Rosos?

14:58:59 5 MR NICOL-WILSON: From Rosos.

6 THE WITNESS: Mateboi from Rosos is around 6 miles.

7 MR NICOL-WILSON:

8 Q. Now, the rebels who came to your village had a base at  
9 Rosos; is that correct?

14:59:30 10 A. They had a base there. That is where they were based.

11 Q. Even though you never saw the leaders, you heard the names  
12 of some of the leaders of the group based at Rosos?

13 A. Yes, of course, I heard about them. In fact, they took so  
14 long there. That was why we were able to know their names.

14:59:59 15 Q. And you were told that the leaders were people like SAJ  
16 Musa, Five-Five and Adama Cut Hand?

17 A. Of course, yes, that was what we heard.

18 MR NICOL-WILSON: That will be all for this witness.

19 PRESIDING JUDGE: Thank you. Counsel for the third  
15:00:31 20 accused. Yes, Mr O'Shea?

21 MR O'SHEA: We have no questions.

22 PRESIDING JUDGE: Thank you very much. Mr Prosecutor, do  
23 you have any re-examination?

24 MR WERNER: None, Your Honour.

15:00:44 25 PRESIDING JUDGE: Mr Witness, we thank you very much for  
26 having come to this Court --

27 THE WITNESS: Oh, yes.

28 PRESIDING JUDGE: -- to tell us about your story. Your  
29 evidence is completed now. We don't need to hear from you any



1 more. We wish you the best of luck in the future. We thank you  
2 very much for coming here.

3 THE WITNESS: Okay. Amen. Amen. Okay.

4 PRESIDING JUDGE: We need to close the curtains before you  
15:01:33 5 move.

6 THE WITNESS: Okay.

7 [The witness withdrew]

8 PRESIDING JUDGE: Are we ready to proceed with the next  
9 witness?

15:03:01 10 MS ALAGENDRA: Your Honour, for the record, the next  
11 witness is TF1-031. Your Honour, that will be the 64th witness  
12 for the trial session and the 63rd Prosecution witness.

13 PRESIDING JUDGE: The witness is available now?

14 MS ALAGENDRA: Yes, Your Honour.

15:03:23 15 PRESIDING JUDGE: Can he or she be brought in. I know we  
16 need to proceed to the -- but bring in the witness and right  
17 after that, we will proceed to swear in the new interpreters. I  
18 understand there are none for Madingo.

19 [Madingo interpreters sworn]

15:07:03 20 PRESIDING JUDGE: Thank you, you may proceed to your duty.

21 WITNESS: TF1-031 [Sworn]

22 [The witness answered through interpreter]

23 PRESIDING JUDGE: Madam Prosecutor, you're ready to  
24 proceed?

15:09:09 25 MS ALAGENDRA: Yes, Your Honour.

26 PRESIDING JUDGE: Please do so.

27 MS ALAGENDRA:

28 Q. Good afternoon, witness.

29 PRESIDING JUDGE: You had indicated this is TF1-031?





1 MS ALAGENDRA: Yes, Your Honour.  
2 THE WITNESS: How are you doing?  
3 JUDGE ITOE: You are testifying in what language again?  
4 PRESIDING JUDGE: Madingo.  
15:09:33 5 EXAMINED BY MS ALAGENDRA:  
6 Q. Good afternoon, witness.  
7 A. How are you doing today?  
8 Q. Witness, I'm going to ask you a few questions this  
9 afternoon.  
15:09:48 10 A. Okay, I'm listening.  
11 Q. I'm going to ask that when you answer, you try to answer  
12 slowly.  
13 A. Okay.  
14 Q. Because there are people in the Court who are trying to  
15:10:05 15 write down everything you are saying. Is that okay?  
16 A. Yes.  
17 Q. Witness, how old are you?  
18 A. 60 years.  
19 Q. Where were you born, witness?  
15:10:34 20 A. In the Bombali District.  
21 Q. Where in Bombali District, witness?  
22 A. Karina.  
23 Q. Witness, during the war, did anything happen to you in  
24 Karina?  
15:10:54 25 A. Yes.  
26 Q. What happened, witness?  
27 A. They burnt down my house, they stripped me naked and  
28 brought me outside. They tied me with a rope on my waist.  
29 Q. Witness, who did this to you? Who is "they"?



1 A. They told me that Foday Sankoh's people. That's what they  
2 told me.

3 Q. Witness, do you remember the date when this happened to  
4 you?

15:11:50 5 A. I know the day. It is on Thursday.

6 Q. Of what month, witness?

7 A. Jombente.

8 Q. Are you able to say what season this month was in?

9 PRESIDING JUDGE: What was the month?

15:12:19 10 THE WITNESS: It's the Islamic praying day.

11 MS ALAGENDRA: It is called Jombente.

12 Q. Witness, can you recall what season it was when this  
13 happened?

14 A. It's in the rainy season.

15:12:57 15 Q. Do you remember the year this happened, witness?

16 A. I do not know the year. I do not know the exact year, but  
17 it could be over eight years. It could have been over eight  
18 years now.

19 Q. Do you remember how old you were when this happened?

15:13:29 20 A. Fifty-two years.

21 Q. Witness, you told the Court that a group which described  
22 themselves as Foday Sankoh's group came to Karina.

23 A. That's what they told me.

24 PRESIDING JUDGE: Yes, Mr Nicol-Wilson.

15:14:04 25 MR NICOL-WILSON: Your Honour, I think that's a  
26 misstatement of the evidence. The witness did not say the group  
27 described themselves as the Foday Sankoh's group. She was  
28 basically informed. She was told.

29 PRESIDING JUDGE: She testified that they told me they were



1 Foday Sankoh's people.

2 JUDGE THOMPSON: Yes, but the group did not describe  
3 themselves as Foday Sankoh's group. Is that you're saying,  
4 counsel?

15:14:34 5 MR NICOL-WILSON: Yes.

6 JUDGE THOMPSON: But she was told that they were  
7 Foday Sankoh's people.

8 MR NICOL-WILSON: Yes, but not by the group.

9 PRESIDING JUDGE: That's not been clarified. The evidence  
15:14:43 10 is simply, "They told me." Who, they told me, we don't know.

11 MS ALAGENDRA: I will clarify that with the witness,  
12 Your Honour.

13 Q. Witness, you testified that you were told that the group  
14 that came to Karina was Foday Sankoh's group; is that correct?

15:15:09 15 A. That is what they told me. I did not know if they were  
16 Foday Sankoh's people or not, because I do not know the  
17 difference.

18 Q. Witness, who told you that the group was Foday Sankoh's?

19 A. The people who captured me, brought me out of my house and  
15:15:26 20 they burnt it down. They were the ones who told me.

21 Q. Witness, these people who attacked Karina, can you describe  
22 how they were dressed?

23 A. Those whom I saw I can describe.

24 Q. Please proceed, witness.

15:16:11 25 A. Some of them wore country cloths, some with combat, and  
26 some were wearing short trousers.

27 Q. Witness, the people in the group that attacked Karina, were  
28 they armed?

29 A. Yes.



1 Q. What were they armed with, witness?

2 A. Their guns that they had two mouths, and they had other  
3 ones that were the ones used by hunters.

4 Q. Witness, you told the Court that after you were captured,  
15:17:20 5 you were stripped.

6 A. Yes, they stripped me naked. They tied a rope around my  
7 waist.

8 Q. Witness, who stripped you naked and tied a rope around your  
9 waist?

15:17:36 10 A. I wouldn't know, because it was at night. But they told me  
11 before they could take me out of my house, they said they were  
12 Foday Sankoh's people.

13 Q. Witness, were you the only person from Karina who was made  
14 to strip naked?

15:18:00 15 A. No, we were many. In Karina -- it was not just Karina. We  
16 were many.

17 Q. Witness, what do you mean it was not just Karina? From  
18 where else were people stripped?

19 A. They brought some people from the other villages. I saw  
15:18:45 20 all of them naked and they all had ropes tied around their  
21 waists.

22 Q. Witness, do you know from where the civilians were?

23 A. I wouldn't know. They brought them early in the morning.

24 Q. Do you know which villages they came from?

15:19:21 25 A. Yes.

26 Q. Can you tell the Court, witness, from which villages?

27 A. Well, if you ask me, I'll tell you.

28 Q. Please tell us, witness.

29 A. They burnt down Bornoya and brought some people -- killed





1 some people, stripped some women naked, brought them to Daraya.  
2 In Daraya they killed some people there, burnt houses there and  
3 they went to Mayombo. In Mayombo, they captured some people,  
4 burnt some houses, brought them to Karina and they stripped all  
15:20:00 5 of them naked. They started killing people from the Karina  
6 mosque up to my house. There were corpses, like chickens, all  
7 over the place.

8 Q. Witness, can you try to give your answers a bit slower,  
9 please.

15:20:18 10 PRESIDING JUDGE: Maybe you can take it back as to the  
11 question from where you were, because I don't think we were able  
12 to follow.

13 MS ALAGENDRA: Yes, Your Honour.

14 Q. Witness, I'm going to ask you to repeat your last answer.

15:20:41 15 A. Okay.

16 Q. I will ask you the question again, witness.

17 A. Okay.

18 Q. Witness, can you tell the Court from which villages the  
19 other civilians that you saw were from?

15:20:49 20 A. Yes.

21 Q. Please proceed, witness. Slowly, please.

22 A. Okay. They burnt down Bornoya, captured people, stripped  
23 them naked.

24 JUDGE ITOE: Slowly, slowly.

15:21:21 25 THE WITNESS: Can I repeat?

26 PRESIDING JUDGE: That's okay.

27 MS ALAGENDRA:

28 Q. You can continue, witness.

29 A. Can I repeat?



1 PRESIDING JUDGE: No. You said they captured the people --

2 JUDGE ITOE: They burnt houses, captured the people and  
3 stripped them naked.

4 PRESIDING JUDGE: And after that?

15:21:42 5 THE WITNESS: Then they went to Daraya. They went to  
6 Daraya. They captured people there too, killed people, burnt  
7 down houses and stripped people naked. From there, they went to  
8 Mayombo.

9 PRESIDING JUDGE: Yes.

15:22:22 10 THE WITNESS: They went to Mayombo. They killed people  
11 there too, burnt down houses and stripped people naked.

12 PRESIDING JUDGE: Yes.

13 THE WITNESS: They went to Karina. They started from the  
14 mosque. They killed people like chickens.

15:22:59 15 PRESIDING JUDGE: Yes.

16 THE WITNESS: They came to my house, opened my house.  
17 There were 15 people -- there were 16 people there, I beg your  
18 pardon. 17 people there.

19 PRESIDING JUDGE: Yes.

15:23:18 20 THE WITNESS: Those 17 people, only 15 people survived.  
21 They burnt down the house, the two people were not seen.

22 MS ALAGENDRA:

23 Q. Witness, you have told the Court that people were killed  
24 and houses were burnt down in Bornoya, Daraya and Mayombo?

15:24:01 25 A. Yes.

26 Q. And you said people were captured and stripped naked?

27 A. Yes.

28 Q. Who did these things, witness, do you know?

29 A. When they went to Karina, those who went into my house said



1 they were Sankoh's people. I wouldn't know what kind of people  
2 they were.

3 Q. Witness, you told the Court that you and other civilians  
4 were captured in Karina.

15:24:47 5 A. Yes.

6 Q. After you were captured, witness, where did you and the  
7 other civilians go?

8 A. After they had tied us up, they took us to the back, to the  
9 Lokos.

15:25:13 10 Q. Do you know the name of the place that you were taken to?

11 A. Yes.

12 Q. What is the name, witness?

13 A. When we left Karina, they took us to --

14 THE INTERPRETER: She called a village that is not very  
15:25:36 15 clear. Can she please repeat.

16 MS ALAGENDRA:

17 Q. Witness, can you repeat. From Karina, where were you taken  
18 to?

19 A. Mayayi.

15:25:55 20 Q. Did anything happen in Mayayi, witness?

21 A. They killed two people there and they amputated the hands  
22 of three people.

23 Q. Witness, the three people whose hands were amputated, who  
24 amputated their hands?

15:26:19 25 A. They had said that they are Foday Sankoh's people when they  
26 captured us. How would I know who amputated them? I was tied.  
27 I had a rope around my waist.

28 Q. And those three people whose hands were amputated, do you  
29 know who they were?



1 A. Yes.

2 Q. Who were they, witness?

3 A. They were Lokos. I know them facially, but I do not know

4 their names.

15:27:06 5 Q. Do you remember if they were men or women?

6 A. They killed two women and amputated the hands of three men.

7 Q. Witness, do you know why they amputated the hands of the

8 three men?

9 A. I didn't know, but they had said that they were rebels,

15:27:44 10 they were Foday Sankoh's people.

11 Q. Witness, the two women that were killed, did you see them

12 being killed?

13 A. Yes.

14 Q. How were they killed, witness?

15:28:09 15 A. The one was struck on the head and the other one had her

16 throat slit.

17 Q. Do you know why these two women were killed?

18 A. I wouldn't know. The way they captured me from out of my

19 house, I just thought that that was the reason why they did that

15:28:34 20 too. They said these were Foday Sankoh's people. I wouldn't

21 know why they killed her.

22 Q. Witness, where did you go to from Mayayi?

23 A. I went to Kambia.

24 Q. Where did you go to from Kambia?

15:29:04 25 JUDGE ITOE: How did she go to Kambia -- did she go there

26 alone and how did she go there to Kambia? Disconnect somewhere.

27 MS ALAGENDRA: I will ask the witness.

28 Q. Witness, from Mayayi, who went to Kambia?

29 A. We went to Kambia, together with the rebels.





1 Q. When you say "we," witness, who is "we"? Who went together  
2 with the rebels?  
3 A. The civilians whom they had tied up.  
4 Q. From Kambia, where did you go, witness?  
15:29:53 5 A. We went to Mambala.  
6 Q. Witness, can you tell the Court again who went to Mambala?  
7 A. They did not do anything in Mambala.  
8 Q. Witness, my question was who went to Mambala from Kambia?  
9 A. Yes. We went to Mambala, the rebels and the people whom  
15:30:36 10 they had tied up with those ropes. We went together.  
11 Q. From Mambala did the group go anywhere else?  
12 A. We went to Mandaha.  
13 Q. Witness, how long did you stay in Mandaha?  
14 A. I spent two weeks there.  
15:31:16 15 Q. Who did you go to Mandaha with?  
16 A. Those who captured us, those who had brought us out of the  
17 house, together with them, we went to Mandaha.  
18 Q. Are you able to tell the Court how many people were in  
19 Mandaha?  
15:31:45 20 A. The civilians who had been captured?  
21 Q. Yes, please.  
22 A. The civilians who had been captured, the women and  
23 children, they could be up to hundred.  
24 Q. Is it 100 in total in Mandaha, witness?  
15:32:12 25 A. No, there are people in groups. You would only know about  
26 the group that you were in. You wouldn't know about the other  
27 groups.  
28 Q. These 100 civilians, witness, were they in your group?  
29 A. Yes.



1 Q. Are you able to tell the Court how many groups there were  
2 in Mandaha?

3 A. I wouldn't know. You wouldn't know. You wouldn't start  
4 looking at people to determine the number. I wouldn't know.

15:33:01 5 Q. Witness, did anything happen to you when you were in  
6 Mandaha?

7 A. Yes.

8 Q. What happened to you, witness?

9 A. They burnt me. They put a fire on me and I was burnt  
15:33:21 10 partly.

11 Q. Who burnt you, witness.

12 PRESIDING JUDGE: For the record, the witness is showing  
13 her left leg.

14 THE WITNESS: They said if I come -- they said when I come,  
15:33:38 15 I should tell Tejan Kabbah.

16 THE INTERPRETER: Your Honour, the witness was not audible  
17 enough at the end.

18 PRESIDING JUDGE: Are you okay, Madam Witness? Can someone  
19 go and assist her.

15:33:50 20 THE WITNESS: They said --

21 JUDGE ITOE: Madam, wait, wait.

22 PRESIDING JUDGE: Maybe you should stay beside the witness  
23 whilst she gives evidence.

24 WITNESS PROTECTION OFFICER: Your Honours, the witness says  
15:34:26 25 she will proceed.

26 PRESIDING JUDGE: Thank you. Stay there. Yes, take it  
27 back. She was saying something about President Kabbah.

28 MS ALAGENDRA: Yes, Your Honour. Your Honour --

29 THE WITNESS: They burnt my foot, they burnt my hand. They



1 said I should go to Tejan Kabbah for him to give me a foot.  
2 MS ALAGENDRA:  
3 Q. Witness, who burnt you on your hand and your foot?  
4 A. They were disguised. I wouldn't determine who they were.  
15:35:20 5 Q. Witness, where exactly were you burnt?  
6 A. In Mandaha.  
7 Q. In which part of your body, witness?  
8 A. My foot and my hand. Look at my foot [indicates].  
9 PRESIDING JUDGE: For the record, again, the witness is  
15:35:51 10 showing her left leg and foot.  
11 MS ALAGENDRA: Your Honour, if I can ask the witness to  
12 perhaps show the parts which have been burnt.  
13 PRESIDING JUDGE: On her hand?  
14 MS ALAGENDRA: Yes, as in from where to where.  
15:36:05 15 THE WITNESS: Look at my hand.  
16 MS ALAGENDRA:  
17 Q. Witness, can you indicate using your other hand from where  
18 to where you were burnt? On your hand and then your foot.  
19 A. This is where they burnt me. Look at it, from here up to  
15:36:24 20 this point. From here up to this other point. It was burnt  
21 completely. Look at it.  
22 MS ALAGENDRA: Your Honour, for the record, the witness is  
23 pointing from --  
24 PRESIDING JUDGE: The knee?  
15:36:35 25 MS ALAGENDRA: From the knee right up to the toes.  
26 PRESIDING JUDGE: Yes, of her left leg.  
27 MS ALAGENDRA: Left leg and the hand is from her fingers  
28 midway up her left arm.  
29 PRESIDING JUDGE: Thank you. Thank you, Madam Witness.



1 MS ALAGENDRA:

2 Q. Witness, you can put your leg down.

3 PRESIDING JUDGE: Yes, please.

4 MS ALAGENDRA:

15:37:20 5 Q. Witness, during the time you were in Mandaha, do you know  
6 if anything happened to any of the other civilians who were  
7 there?

8 A. Yes, those whom I saw I can talk about.

9 Q. Tell the Court what you saw, witness.

15:37:35 10 A. My daughter, 10 years old, she was deflowered.

11 Q. Witness, what do you mean by deflowered?

12 A. The way -- the way the woman and the man meet, that's what  
13 they showed to my daughter, 10 years old.

14 Q. Who did that to your daughter, witness?

15:38:28 15 A. At that time my foot was burnt. I couldn't see -- in fact,  
16 I couldn't look at somebody was going to kill somebody else.

17 Q. Did your daughter tell you who did that to her?

18 A. She said they were the rebels. She said the rebels raped  
19 her and deflowered her, but I wouldn't know which particular

15:38:47 20 person did that to her.

21 Q. Do you know if anything else happened to any of the other  
22 civilians in Mandaha?

23 A. There was a man who they came with from Karina, he was  
24 called Baimba Kamara. He, too, was killed. I saw him tied down  
15:39:15 25 and he told me in Madingo they were taking him to be killed. So  
26 after that I didn't see him any more.

27 MS ALAGENDRA: Your Honour, if I can repeat the name for  
28 the Court record, the name of the person she saw. She said  
29 Baimba Kamara.





1 Q. Witness, do you know if anything happened to any of the  
2 other women civilians in Mandaha?

3 A. Yes. The group in which I was, they would take the younger  
4 girls. They were taking them along, but you wouldn't ask them,  
15:40:04 5 "Why are you taking these girls?"

6 Q. Who was taking the girls, witness?

7 A. The men, the rebels. The rebel men, they were the ones  
8 taking the younger girls. They were taking them in the bush. In  
9 the night you would hear them screaming, but you wouldn't know  
15:40:25 10 why they were screaming.

11 Q. Who did you hear screaming?

12 A. The girls were many. They were many in our group. There  
13 were many in our group. Even among those hundred people, the  
14 young girls were many.

15:40:40 15 Q. Was it the girls you heard screaming from the bush?

16 A. Yes.

17 Q. Witness, during the time you were in Mandaha, did you  
18 recognise any of the rebels that were there?

19 A. I know three people.

15:41:17 20 Q. Who are the three people, witness, that you know?

21 A. I saw Abu Bockarie.

22 Q. Who else did you see, witness?

23 A. I saw Woyoh.

24 Q. Who else did you see, witness?

15:41:48 25 A. I saw Five-Five.

26 Q. Witness, who is Five-Five?

27 A. They said Five-Five -- at first, they said he was a  
28 soldier, but I saw him in the bush.

29 Q. Witness, how long did you remain with the rebels from the



1 time you were abducted in Karina?

2 A. I spent 14 days with them.

3 Q. Thank you very much, witness.

4 MS ALAGENDRA: Your Honour, I have no further questions.

15:42:55 5 PRESIDING JUDGE: Thank you. Counsel for the first

6 accused, cross-examination?

7 CROSS-EXAMINED BY MS ASHRAPH:

8 Q. Good afternoon, witness.

9 A. How are you doing today?

15:44:13 10 Q. I have just a few questions for you.

11 A. Okay, I'm listening.

12 Q. Madam Witness, do you remember meeting the Prosecution in

13 2003?

14 A. What?

15:44:40 15 Q. Do you remember meeting with the Prosecution in 2003? I

16 will rephrase that. Do you remember meeting with some people in

17 Karina who were asking you questions?

18 A. Yes.

19 Q. Do you remember if the languages that they were using to

15:45:13 20 ask you questions in were Krio and Madingo?

21 A. They were asking me questions in Krio, but if you do not

22 understand all, you wouldn't understand everything, because I do

23 not understand Krio completely.

24 Q. Was there an interpreter there for you?

15:45:39 25 A. No, they wouldn't allow anybody to enter there.

26 Q. Do you remember an interpreter named Fanta Sheriff being

27 present?

28 A. . She is not an interpreter.

29 Q. Was Madingo used at all during that interview,



1 Madam Witness?

2 A. They were asking me in Krio. That which I could answer, I  
3 would answer. That which I can't, I wouldn't.

4 Q. When you spoke to the people who came to ask questions in  
15:47:06 5 Karina, did you give a full account of what happened to you at  
6 the time?

7 A. We spoke in Krio.

8 Q. Yes, Madam Witness. What I'm asking you, did you give a  
9 full account to the people who were asking you questions at that  
15:47:23 10 time?

11 A. That which I knew, I explained to them. Those which I  
12 forgot, I didn't talk about.

13 Q. You explained it to them truthfully, to the best that you  
14 knew?

15:47:47 15 A. Yes.

16 Q. When they had finished asking you questions, did they read  
17 back to you what -- well, did they write down what you were  
18 answering?

19 A. Yes, they were writing it down.

15:48:06 20 Q. When they'd finished asking you questions, did they read  
21 back to you what they'd written down?

22 A. Yes, they read some out to me.

23 Q. Did you confirm that that was what you had said?

24 A. That's what I said, yes.

15:48:33 25 Q. Do you remember coming to Freetown in April 2004?

26 A. I don't know the month. I don't know the month. I don't  
27 know the time I came.

28 Q. Do you remember coming to Freetown to have a meeting with  
29 two people?



1 A. In Freetown here?

2 Q. Yes.

3 A. Except for the workers here.

4 Q. That's who I'm speaking about, Madam Witness.

15:49:32 5 A. Oh, yes.

6 Q. Do you remember that being interpreted to you in Madingo?

7 A. Yes.

8 Q. During that meeting, did you add any details to the

9 statement you had made when you were in Karina?

15:50:05 10 A. Oh, I can't remember, but, you know, I was not writing it

11 down. If you were writing it down, you would remember

12 everything. But what I'm saying here is what I said.

13 Q. When you met in Freetown a couple of years ago, were you

14 taken through the statement you had given before?

15:50:33 15 A. No.

16 Q. Do you remember being asked to make any additions to your

17 previous statement?

18 A. I wouldn't know, because I was not writing.

19 Q. No, Madam Witness, I know you weren't writing. Do you

15:51:02 20 remember having a meeting in 2004 in Freetown and the people you

21 were meeting with were writing down what you were saying?

22 A. Yes, they were writing.

23 PRESIDING JUDGE: Can I ask you what it is you're trying to

24 pursue so I know what you are attempting to do? Is it to attempt

15:51:32 25 to refresh the memory of the witness?

26 MS ASHRAPH: I'm following contradictions through the

27 statements, Your Honour.

28 PRESIDING JUDGE: Is it for the purpose to show

29 differences?





1 MS ASHRAPH: It is, yes, Your Honour.

2 PRESIDING JUDGE: Very well.

3 MS ASHRAPH:

4 Q. Madam Witness, I will repeat my last question. Were they  
15:52:07 5 writing down corrections or additions to your last statement?

6 A. Yes.

7 Q. Madam Witness, when you came to Freetown this year while  
8 you were waiting to come to Court --

9 A. [No interpretation]

15:52:41 10 Q. Madam Witness, while you were waiting to testify today and  
11 you were in Freetown, do you remember meeting with the  
12 Prosecution, some more people, on 21 February? That was about  
13 three weeks ago - between three and four weeks ago?

14 A. I do not know how to count the number of months. I'm not  
15:53:05 15 counting. I do not write. I'm illiterate. I don't know. What  
16 I know is what I have said. If you write another, well, what I  
17 know is what I did say.

18 Q. I appreciate that, Madam Witness. What I'm asking you is  
19 when you came to Freetown, do you remember three or four weeks  
15:53:22 20 ago, or some time ago, meeting with some people?

21 A. Yes.

22 Q. Did they write down what you were saying?

23 A. Yes.

24 Q. Did they have an interpreter present for you so they could  
15:53:46 25 speak to you?

26 A. Yes.

27 Q. Were you taken through your previous statements?

28 A. Yes. He asked me, but what I said -- you know, there was  
29 the interpreter there. What I said was what the interpreter told



1 him.

2 Q. Okay. Did you make any additions to your previous  
3 statements?

4 A. I didn't make additions, because I did not stay long. I  
15:54:22 5 spent two weeks. I wouldn't make additions about things I do not  
6 know about.

7 Q. Did you talk to them a bit more about the events that you'd  
8 spoken to them about before?

9 A. Maybe they wrote it. If I said so, well, I can't remember,  
15:54:48 10 because it's been a long time now.

11 Q. You met the people for the last time outside of this  
12 courtroom two days ago; is that right, Madam Witness?

13 A. Uh-huh. When we met two days, what I said is what I have  
14 said.

15:55:33 15 Q. Is it right it was only two days ago that you said that the  
16 rebels who attacked Karina belonged to the group of Foday Sankoh  
17 for the first time?

18 A. Yes.

19 Q. That you had not mentioned that in any previous statements  
15:56:11 20 to the people who had come to see you?

21 A. No, because they did not ask me what kind of people they  
22 were. They did not ask me. That's why I didn't say. These  
23 people asked me which kind of people they were. That's why I  
24 told them that.

15:56:32 25 Q. Madam Witness, you were taken from Karina?

26 A. Yes.

27 Q. By a group of rebels.

28 A. Yes.

29 JUDGE ITOE: Ms Ashraph, are you suggesting that the



1 Prosecution saw this witness two days ago?

2 MS ASHRAPH: Yes.

3 JUDGE ITOE: And that was the first time that she mentioned  
4 to them that those who attacked them were from Foday Sankoh's  
15:57:00 5 group.

6 MS ASHRAPH: That's correct, Your Honour.

7 JUDGE ITOE: Two days ago?

8 MS ASHRAPH: Two days ago, 15 March. And the witness has  
9 agreed with that, Your Honour.

15:57:11 10 THE WITNESS: No, you asked me what type of people did  
11 that. They told me that they were Foday Sankoh's people. I  
12 didn't know which people they were. That's what they told me,  
13 that they were Foday Sankoh's people.

14 MS ASHRAPH:

15:57:28 15 Q. Madam Witness, you were taken from Karina?

16 A. Yes.

17 Q. With a group of rebels?

18 A. Yes.

19 Q. You passed various villages?

15:57:49 20 A. Yes.

21 Q. And eventually you came to Mandaha?

22 A. Yes.

23 Q. There you met, is it right, Five-Five?

24 A. Yes.

15:58:03 25 Q. Woyoh?

26 A. Yes.

27 Q. I believe the third name was Abu Bockarie?

28 A. Yes, that's the name of the third one.

29 Q. You knew Five-Five to be a soldier?



1 A. That's the day I knew that.

2 Q. Did you know him to be a soldier before the war met you?

3 THE INTERPRETER: Can learned counsel please repeat the  
4 question?

15:58:33 5 MS ASHRAPH:

6 Q. Madam Witness, did you know Five-Five to be a soldier  
7 before the war met you?

8 A. I used to know him when he was a soldier. Later, I saw him  
9 in the bush, and the person who captured me and brought me out of  
15:58:54 10 my house and said, "These are Foday Sankoh's people." I do not  
11 know why he went into the bush.

12 Q. You were in Mandaha for two weeks; is that right?

13 A. Yes. I spent nine days in Mandaha. After nine days, we  
14 went to another town, but I did not know the name of the village,  
15:59:19 15 so I spent two weeks there.

16 Q. How often in those two weeks did you see Five-Five?

17 A. It was during those two weeks that I saw him in Mandaha.

18 Q. How often did you see him? Did you see him every day?

19 A. Yes, yes.

15:59:46 20 Q. What was he doing in Mandaha?

21 A. I wouldn't know. You wouldn't -- go ahead and look at  
22 somebody who was killing people. I wouldn't know what he was  
23 doing.

24 Q. Was he giving orders?

16:00:05 25 A. No, I wouldn't know. I wouldn't know what order is -- I  
26 don't know any of them. They are the three people I knew. I  
27 used to see them there. I didn't know what happened. Whether  
28 they were giving orders, I do not know. I do not know what an  
29 order is. This is what this person was doing. I don't know.





1 Because in fact he hated elderly people.

2 Q. That's fine, Madam Witness.

3 MS ASHRAPH: Thank you, Your Honour. I have no further  
4 questions for this witness.

16:00:56 5 PRESIDING JUDGE: Thank you. Counsel for the second  
6 accused?

7 MR NICOL-WILSON: A few questions, Your Honour.

8 PRESIDING JUDGE: Please proceed.

9 CROSS-EXAMINED BY MR NICOL-WILSON:

16:01:10 10 Q. Madam Witness, the first day the rebels went to your  
11 village, it was at night and it was very dark?

12 A. I think early in the morning, after we had gone to the  
13 mosque and some of us had gone to base.

14 Q. But it was still dark?

16:01:46 15 A. Yes, it was still dark.

16 Q. When it became a little bit clearer, you saw Five-Five;  
17 correct?

18 [RUF17MAR06E-RK]

19 A. Well, we -- the prayer we did across the river. I saw  
16:02:12 20 Five-Five in Mandaha.

21 PRESIDING JUDGE: I don't think -- her evidence was that  
22 she saw him in her village. It is later.

23 MR NICOL-WILSON: Yes, I'm basically asking her whether she  
24 saw Five-Five at her village and not at Mandaha.

16:02:34 25 PRESIDING JUDGE: I thought you were alluding to the fact  
26 that she had testified that he was there.

27 MR NICOL-WILSON: No, no.

28 PRESIDING JUDGE: Okay, fine, go ahead. You may repeat  
29 your question. I may have misinterpreted your question.



1 MR NICOL-WILSON:

2 Q. Madam Witness, you saw Five-Five at Mandaha; correct?

3 A. Yes, I saw him there. Had I not seen him, I am a woman who  
4 gives birth to children. If I tell lies somebody might do it to  
16:03:14 5 my own children.

6 Q. And you also saw Woyoh, who you know to be a member of the  
7 Sierra Leone Army?

8 A. I do not know Woyoh as a soldier. I only knew him in  
9 Mandaha. I do not know him as a soldier, I do not know him as a  
16:03:34 10 rebel, but I saw him in Mandaha.

11 Q. When you saw him in Mandaha he was with Five-Five and he  
12 was putting on a military fatigue?

13 A. No. I did not see them with any military uniform in  
14 Mandaha.

16:04:00 15 JUDGE ITOE: Them, you mean Five-Five and Woyoh?

16 THE WITNESS: Yes.

17 JUDGE ITOE: Not wearing any military uniform, madam?

18 THE WITNESS: In Mandaha.

19 JUDGE ITOE: Okay.

16:04:18 20 MR NICOL-WILSON:

21 Q. Did you ever see them with military uniforms when they were  
22 going through the other villages?

23 A. I do not know a soldier uniform. Up to the time I left I  
24 did not see one. I did not see a military uniform up to the time  
16:04:40 25 I left.

26 Q. And you do not know what a military uniform looks like?

27 A. I know a military uniform, but I did not see it.

28 Q. Now, did you make a statement to the Prosecution on 19th  
29 January 2003?



1 A. Where? Here?

2 Q. No, at Karina. The first time you spoke to the  
3 Prosecution?

4 A. Yes, they went and asked me, but I did not see military  
16:05:35 5 uniform. I told them that I did not see military uniform. I saw  
6 khaki and T-shirts. Those are the attires that I saw.

7 Q. Thank you. Now, when you spoke to members of the  
8 Prosecution, you told them that ECOMOG jets attacked Mandaha  
9 while you were at Mandaha; is that correct?

16:06:03 10 A. I did not see it. I did not see ECOMOG. I did not see  
11 anything they said. They said the Kamajors had come. That is  
12 what I heard. I did not see them, but Kamajor did not burn me  
13 down. It was the rebels who touched me on fire. I did not see  
14 any. What I know is what I have said.

16:06:26 15 Q. But while you were at Mandaha, ECOMOG jets were dropping  
16 bombs on the village?

17 A. I did not see that. At that time I was suffering. At that  
18 time I was suffering, I wouldn't know. They burnt my foot up to  
19 my bones.

16:06:53 20 Q. Madam Witness, I'm putting to you that you told the  
21 Prosecution that --

22 A. Yes.

23 Q. -- your burns were caused by the ECOMOG jets?

24 A. That's what they said, but I did not say it.

16:07:26 25 Q. Who said so, Madam Witness?

26 A. It's people with whom we were. Because there were so many  
27 civilians they would say, because at that time I was suffering,  
28 they had burnt my foot and I think I was unconscious and I didn't  
29 know what was really happening around me. If I said anything



1 about that I would have told lies because I was not aware of what  
2 was happening around me.

3 Q. In fact, most of what you said in court today you were told  
4 by other people?

16:08:09 5 A. What I said in court today is what I know. What you're  
6 asking me about I do not know.

7 MR NICOL-WILSON: No further questions, Your Honour.

8 PRESIDING JUDGE: Thank you. Mr O'Shea, any  
9 cross-examination?

16:08:31 10 THE WITNESS: I'm not asking questions. What has happened  
11 to me is okay.

12 CROSS-EXAMINED BY MR O'SHEA:

13 Q. Madam, my name is Andreas O'Shea and I'm not going to keep  
14 you long at all.

16:08:51 15 A. Okay.

16 Q. I know that you have suffered.

17 A. Thank you.

18 Q. Now, you say that they told you -- are you all right? They  
19 told you that it was Foday Sankoh's people?

16:09:17 20 A. That is what they said, those who captured me and brought  
21 me out of my house.

22 Q. Do you remember which particular person said that?

23 A. Father, it was dark, I wouldn't know. It was dark, I  
24 wouldn't know.

16:09:39 25 Q. When that was being said were the people who captured you  
26 the only people around? Were there other people around at the  
27 time?

28 A. If they say a killer has come, people would be running  
29 away. Those who couldn't run they stayed. Those of us who had





1 family members -- who had a large crowd, we would not run. They  
2 said killers have come, everybody was running for survival.  
3 Would you know that person?

4 Q. But you were told this after you were captured; right?

16:10:18 5 A. When they were saying that to me, they had captured me,  
6 they were spraying my house and they told me that they had burnt  
7 down my house. That was the time they told me it was  
8 Foday Sankoh's rebels.

9 Q. At that time you weren't the only person captured; correct?

16:10:42 10 A. No. Where they told me I was the only person there. When  
11 they brought me out of my house, I was the only person there.

12 Q. You said it was dark. Do you really know what people were  
13 there at the time?

14 A. It was dark. I wouldn't know. The names that they told me  
16:11:10 15 those are the names that I have named. The name the working name  
16 that he had, I have told you about.

17 Q. You wouldn't know who was standing around you at the time,  
18 would you?

19 A. No. I wouldn't know them because it was dark. I wouldn't  
16:11:30 20 seeing people's faces. They had captured you and there was a  
21 rope tied around your waist, would you know anybody? You don't  
22 know anything about anything and somebody comes and captures you  
23 like that, would you look at that person's face?

24 Q. So you also can't be sure if there weren't other captives  
16:11:51 25 standing around at the at the same time, can you?

26 A. After they had tied me with that rope, I saw some other  
27 people whom they had tied on the rope. So we were the ones who  
28 went together.

29 Q. Would it be right that since you cannot say who spoke to



1 you about Foday Sankoh's people, it could have been anyone who  
2 said that to you? It was a long time ago; right?  
3 A. I wouldn't know. I wouldn't know. I don't want to tell  
4 lies.

16:12:31 5 Q. Is it also correct that you never actually ever saw a girl  
6 being raped?  
7 A. No, it was dark.  
8 Q. Okay.

9 MR O'SHEA: Your Honour, those are all my questions.

16:12:51 10 PRESIDING JUDGE: Thank you. Any re-examination?  
11 MS ALAGENDRA: No questions, Your Honour.  
12 PRESIDING JUDGE: Thank you, Madam Witness. Madam Witness.  
13 THE WITNESS: Yes.  
14 PRESIDING JUDGE: We have no more questions for you. We  
16:13:12 15 thank you for having come here to tell us what happened to you.  
16 THE WITNESS: Okay. I am thanking you, too.  
17 PRESIDING JUDGE: And we wish you good luck. Thank you  
18 very much. You have another witness after this?  
19 MR BANGURA: Yes, Your Honour.

16:13:37 20 PRESIDING JUDGE: Can this witness be assisted out of the  
21 courtroom?  
22 [The witness withdrew]

23 PRESIDING JUDGE: Mr Prosecution, may I ask you in the  
24 meantime who is your next witness and the language spoken by your  
16:15:13 25 next witness.  
26 MR BANGURA: Your Honour, the next witness is TF1-028.  
27 PRESIDING JUDGE: 028?  
28 MR BANGURA: Yes, Your Honour. This witness is the 65th  
29 witness in the trial for the Prosecution. 65th in the trial and



1 64th called by the Prosecution.  
2 PRESIDING JUDGE: This witness will testify in which  
3 language?  
4 MR BANGURA: In Krio, Your Honour.  
16:15:44 5 PRESIDING JUDGE: Krio, thank you.  
6 MR BANGURA: And she is Muslim.  
7 PRESIDING JUDGE: Thank you, very much.  
8 WITNESS: TF1-028 [Sworn]  
9 [The witness answered through interpreter]  
16:17:52 10 THE INTERPRETER: Your Honours, the witness seems to be  
11 speaking Madingo and not Krio. The witness is speaking Madingo  
12 and I don't know what is said is Krio.  
13 PRESIDING JUDGE: Mr Prosecutor, can you clarify the issue?  
14 MR BANGURA: Your Honour, the witness is a Madingo speaker  
16:18:15 15 as well but she opted to testify in Krio. It may be for purposes  
16 of taking the oath or perhaps the practice when she prays is in  
17 her language.  
18 PRESIDING JUDGE: Would you ensure and clarify that with  
19 the witness and make sure this is the language she wants to use.  
16:18:33 20 MR BANGURA: I will.  
21 EXAMINED BY MR BANGURA:  
22 Q. Madam Witness --  
23 A. Sir.  
24 Q. -- before you came to court you indicated that you would  
16:18:44 25 testify in Krio; is that correct?  
26 A. Yes, there is a lady by me who speaks Krio because I can't  
27 get you properly.  
28 Q. Madam Witness --  
29 A. Sir.



1 Q. -- before you came to court, you had indicated that you  
2 would testify in Krio; is that correct?

3 A. Yes, sir.

4 Q. Just now you were sworn on the Koran and you were heard  
16:19:24 5 taking the oath in Madingo, a language which is different from  
6 Krio; is that correct?

7 A. Yes, sir.

8 Q. Why is that?

9 A. Well, that was why I said somebody should be close by me  
16:19:47 10 who speaks Krio, because your own Krio is not very clear. You  
11 mix it up with English and I can't get it very clearly.

12 Q. Madam Witness, there is an interpreter in court. I'm sure  
13 you can hear the interpreter through the headphones. His job is  
14 to interpret faithfully what you say as well as what is said in  
16:20:16 15 court generally. Do you understand?

16 A. Yes, sir.

17 Q. And I take it that you are comfortable with that  
18 arrangement.

19 JUDGE ITOE: Let her confirm the language option. Does she  
16:20:34 20 want to testify in Madingo or Krio?

21 MR BANGURA:

22 Q. Madam Witness, may I ask you do you wish to continue with  
23 the preference you made to testify in Krio?

24 A. Yes, sir.

16:20:56 25 PRESIDING JUDGE: It may have been a problem of the wrong  
26 channel. Anyhow, we'll see from now. Madam Witness, you prefer  
27 to give your evidence in Krio, not in Madingo?

28 THE WITNESS: I can testify in Krio.

29 PRESIDING JUDGE: Very well. Thank you. You may proceed.





1 So the witness has been sworn now.

2 MR BANGURA:

3 Q. Madam Witness --

4 A. Sir.

16:21:29 5 PRESIDING JUDGE: Mr Prosecutor, I just want to make  
6 sure -- because you are the one who suggested that she has been  
7 sworn in Madingo. I just want to make sure she has been properly  
8 sworn. I don't mind if it's Krio or Madingo.

9 MR BANGURA: Your Honour, we only need to find out whether  
16:21:51 10 she believed what she took, what she said amounted to an oath on  
11 the Koran. My view is that it has to do whether she believed in  
12 what she said to be an oath.

13 PRESIDING JUDGE: Madam Witness, the oath you have taken --

14 THE WITNESS: Sir.

16:22:13 15 PRESIDING JUDGE: When a few moments ago you were asked to  
16 take the oath that you were to tell the truth and the whole  
17 truth, is it what you have said in Madingo at the time and while  
18 you had your hands on the Koran?

19 THE WITNESS: Yes, sir. When I came here I did not come  
16:22:35 20 here to lie. I'm coming to explain exactly what happened to me.

21 PRESIDING JUDGE: Very well. You may proceed.

22 MR BANGURA: Thank you, Your Honour.

23 Q. Madam Witness, I'm going to ask you questions this  
24 afternoon.

16:22:49 25 A. Sir.

26 Q. Which you are expected to give answers.

27 A. Yes, sir.

28 Q. I will ask you to try not to speak too fast when you give  
29 your answers because whatever you say is being recorded.



1 A. Yes, sir.

2 Q. Madam Witness, I will ask you questions about yourself  
3 briefly first. How old are you, Madam Witness?

4 A. I'm 42 years old.

16:23:25 5 Q. Where were you born?

6 A. I was born in Makeni, Bombali District.

7 Q. Madam Witness, what do you do for a living presently?

8 A. Well, I do farm work and I do petty trading.

9 Q. Do you have any formal education, Madam Witness?

16:24:06 10 A. No, sir. I just learnt to read Arabic so as to enable me  
11 to pray.

12 Q. Madam Witness, I would like to take your mind to events  
13 that happened in this country not so long ago.

14 A. Okay, sir.

16:24:36 15 THE INTERPRETER: Your Honour, will the witness be  
16 instructed to wait for the interpretation.

17 PRESIDING JUDGE: Madam Witness, even if you do understand  
18 the question that is asked of you in English, please wait for the  
19 interpretation and the translation to be made to you before you  
16:24:53 20 answer, because we will not be able to understand and hear what  
21 you say and we need to hear that.

22 MR BANGURA:

23 Q. Is that all right, Madam Witness?

24 A. Yes, sir.

16:25:12 25 Q. Madam Witness, do you recall the time when President Kabbah  
26 was overthrown from office?

27 A. Yes, sir. I can remember the time that our people left  
28 here and went to the provinces. They went to the provinces, the  
29 family. That was the time that I knew that Tejan Kabbah was



1     overthrown.

2     Q.     Madam Witness, do you also recall the time that  
3     Tejan Kabbah, President Kabbah, was brought back to power when he  
4     was reinstated in office?

16:26:06 5     A.     Yes, sir. I can remember the time. It is called  
6     intervention. That was the time that the soldiers left Freetown  
7     here and went to the provinces.

8     Q.     Where were you living at this time, Madam Witness?

9     A.     I was in my village.

16:26:28 10    Q.     Where is that?

11    A.     In Karina.

12    Q.     Madam Witness, at this time that you've just referred to,  
13    the intervention time, did anything happen in your village in  
14    Karina that you remember?

16:26:51 15    A.     Yes, sir. I can recall.

16    Q.     Would you like to tell this Court what you remember about  
17    this time?

18    A.     Yes, sir. The time when they intervene, when the soldiers  
19    came to the provinces, they went to the village and start --

16:27:20 20           THE INTERPRETER: Your Honours, would the witness --

21           JUDGE ITOE: You better take control of your witness.

22           MR BANGURA:

23    Q.     Madam Witness, I advised you earlier to try not to speak  
24    too fast when you give your answers. So try and not be too fast  
16:27:29 25    as you speak.

26    A.     Okay, sir.

27    Q.     What you say is being recorded. Okay?

28    A.     Yes, sir.

29           JUDGE ITOE: Something happened in Karina at that time.



1 MR BANGURA: Yes.

2 Q. You were trying to tell the Court about what happened in  
3 Karina during this period of intervention?

4 A. Yes, sir. When they intervened in Freetown, when the  
16:28:08 5 soldiers went to Karina, they went and they took people's  
6 property.

7 Q. Madam Witness, did you yourself -- were you yourself  
8 affected by this act?

9 A. Yes, sir. The first day they went. The second day they  
16:28:37 10 went and took all my property from me.

11 Q. Now, you just mentioned that they went the first day and  
12 then the second day. How many times did they come to your town  
13 at this time?

14 A. They went there the third time.

16:29:02 15 Q. What happened on the first time that they came there?

16 A. When they first came, they took people's things, they beat  
17 people.

18 Q. And on the second occasion, what happened?

19 A. The second time we were put under gunpoint and they took  
16:29:29 20 all our property.

21 Q. What happened on the third time that they came?

22 A. The third time, one man came who was called Jabbi, he came  
23 with his family and he went up to us and he said we were to give  
24 him a place.

16:29:51 25 Q. Was he given a place?

26 A. No. They themselves went and found a place where  
27 Dr Sheriff opened a clinic.

28 Q. Madam Witness, how long did Jabbi stay in this place where  
29 he accommodated himself?





1 A. He took seven days. The seventh day he left. He took six  
2 days. The seventh day he left.

3 Q. Madam Witness, after this period, this incident in which  
4 people came to your town three times in a row, after that did any  
16:30:43 5 other persons come to your town later on?

6 A. Yes, sir. They came to the town when Jabbi had gone and  
7 other people came and they came and captured our people.

8 Q. Do you remember when this other incident happened, when the  
9 other set of people now came after Jabbi had left?

16:31:15 10 A. Yes.

11 THE INTERPRETER: Your Honours, would the witness go a  
12 little bit slower.

13 PRESIDING JUDGE: Madam Witness, could you repeat your last  
14 answer, please, and go a bit slower. You are talking too fast,  
16:31:31 15 we are not able to follow you.

16 THE WITNESS: Okay, sir.

17 PRESIDING JUDGE: So repeat your last answer, please.

18 THE WITNESS: Yes, sir.

19 MR BANGURA:

16:31:45 20 Q. Madam Witness, you were telling the Court how long it took  
21 after Jabbi left before these other people came. You want to  
22 repeat your answer?

23 A. Yes, sir. When Jabbi left Karina, about one week the other  
24 people entered Karina.

16:32:22 25 Q. Do you remember what time of the day that these people  
26 entered Karina?

27 A. Yes, sir. That took place on Friday, April, 6th April.  
28 They entered at 5 o'clock -- 4 o'clock.

29 Q. Madam Witness, 4 o'clock what time of the day? Was it four



1 in the morning or four in the afternoon?

2 A. It was in the morning.

3 Q. What were you doing at this time when these people arrived?

4 A. I was bringing water to take into the house. When I  
16:33:35 5 watched at the other village, I saw fire. So after that, when I  
6 entered, I saw -- I met -- I found out that my child had opened  
7 the window and that he said, "Mother, look at the population that  
8 is passing." So I watched at the population.

9 Q. Madam Witness, try not to speak too fast. I need to remind  
16:34:01 10 you again.

11 A. Okay, sir. Okay, sir.

12 Q. You were at a point where you said you entered and your  
13 child said to you, "Look at the population passing." Did you see  
14 anyone?

16:34:23 15 A. Yes, sir. I saw some people passing. They wore combat and  
16 some wore civilians clothes.

17 Q. Did you notice anything about them?

18 A. Yes, sir. Some people were naked, some -- blood was oozing  
19 from some of them.

16:35:03 20 Q. Madam Witness, did you do anything after seeing these  
21 people passing by?

22 A. Yes, sir. I gathered my family and we ran into the bush.

23 Q. Madam Witness, did you have cause to come back to your  
24 house after having run away into the bush?

16:35:44 25 A. Yes, sir. My sister's two children were there sleeping, so  
26 that is what made me to return.

27 MR BANGURA: Your Honour, I have just been reminded about  
28 the time for the afternoon break.

29 PRESIDING JUDGE: Thank you very much. Indeed, this is the



1 time that we normally recess. We will recess now. Thank you.

2 [Break taken at 4.36 p.m.]

3 [Upon resuming at 5.01 p.m.]

4 PRESIDING JUDGE: Mr Prosecutor, you may resume your  
17:02:36 5 examination.

6 MR BANGURA: Thank you.

7 PRESIDING JUDGE: Madam Witness, are you okay?

8 THE WITNESS: Yes, sir.

9 MR BANGURA:

17:02:52 10 Q. Madam Witness, just before the break --

11 A. Yes, sir.

12 Q. -- you were at a point where you had come back from the  
13 bush to your house; is that correct?

14 A. Yes, sir.

17:03:12 15 Q. Why did you return to your house?

16 JUDGE ITOE: Because her sister's two children were left  
17 there.

18 PRESIDING JUDGE: Sleeping.

19 MR BANGURA:

17:03:31 20 Q. Madam Witness, would you like to tell us what happened  
21 then? You came back to the house because your nephews were  
22 there. What happened after that?

23 A. I found out that my sister's two children were sleeping and  
24 I took one of them and carried him on my back.

17:04:09 25 Q. Did you go anywhere from there?

26 A. Yes, sir. I went back to the place where I came from.

27 Q. Did anything happen while you were going to this place  
28 where you had gone to hide?

29 JUDGE ITOE: You carried one child on your back. What



1 happened to the other one?

2 THE WITNESS: The one hid.

3 MR BANGURA:

4 Q. Yes, Madam Witness, did anything happen on the way as you  
17:05:05 5 were going to this place where you had gone to hide?

6 A. Yes, sir.

7 Q. What happened?

8 A. When I went near the bush, that was the time that -- that  
9 was --

17:05:27 10 Q. Madam Witness, I need --

11 THE INTERPRETER: Your Honours, would the witness please  
12 speak clearly and go a little bit slower?

13 MR BANGURA:

14 Q. I will remind you again, Madam Witness, about your speed.  
17:05:42 15 Try not to speak --

16 JUDGE ITOE: The microphone is not directly in front of  
17 her.

18 MR BANGURA: Can she be assisted?

19 PRESIDING JUDGE: Again, Madam Witness, when you speak, go  
17:06:05 20 slowly so we can hear what you say.

21 MR BANGURA:

22 Q. Yes, Madam Witness, you were trying to explain something?

23 A. Yes, sir.

24 Q. When you got nearest to this place where you were hiding,  
17:06:23 25 did anything happen there?

26 A. Yes, sir.

27 Q. Please tell the Court.

28 A. When I reached at the place, that was the time that one man  
29 in combat came and put me under gunpoint.





1 Q. Did he say anything to you?  
2 A. Yes, sir.  
3 Q. What did he say?  
4 A. He told me that I was to offload and that I should pull  
17:07:08 5 down the child.  
6 Q. Did you put the child down?  
7 A. Yes, sir.  
8 JUDGE ITOE: Offload, offload. It is strange to me.  
9 MR BANGURA: I'm coming to that, Your Honour.  
17:07:25 10 Q. Madam Witness, you said the person who pointed a gun at you  
11 told you to put the child down and said to offload. That is two  
12 distinct statements. What did he mean by offload? Did you  
13 understand him when he said offload?  
14 A. Yes, sir. I asked.  
17:08:00 15 Q. You asked what?  
16 A. When I asked him what was meant by offload, by the time I  
17 could recall, he stabbed me on my chest.  
18 Q. Madam Witness, when you asked what was offload, did you get  
19 an answer back?  
17:08:26 20 A. By the time I could receive an answer he stabbed me on my  
21 chest and tore my dress.  
22 Q. Madam Witness, did you sustain an injury from this stab?  
23 A. No.  
24 Q. What exactly happened then, if you say he stabbed you but  
17:09:16 25 you did not sustain an injury? What happened?  
26 A. So he only tore my dress from the dress right up to the  
27 trousers that I was wearing, using the knife.  
28 Q. Thank you.  
29 A. Yes, sir.



1 Q. Did anything happen after that?  
2 A. Yes, sir.  
3 Q. Please tell the Court.  
4 A. When he tore the dress that I was wearing, he called one  
17:10:07 5 man to come and chop me.  
6 Q. Did this person come?  
7 A. Yes, sir.  
8 Q. Did he do as he was told, to chop you?  
9 A. When he raised the knife, there were some combat men under  
17:10:42 10 a stick. They were the ones that stopped him not to stab me.  
11 Q. Madam Witness, when you say "some combat men", what do you  
12 mean?  
13 A. There were many.  
14 Q. Yes, but saying "combat men", what did you mean? What did  
17:11:03 15 you mean to say?  
16 A. Well, they were mixed up. They wore civilian's clothes.  
17 Q. Are you trying to describe the way these men were dressed?  
18 A. Yes, sir.  
19 Q. Did anything happen after that?  
17:11:50 20 A. Yes, sir.  
21 Q. Please tell the Court.  
22 A. The one that was --  
23 THE INTERPRETER: Your Honours, would the witness please go  
24 a little bit slow for us to catch up with her?  
17:12:15 25 MR BANGURA:  
26 Q. Madam Witness, your testimony is being recorded, I just  
27 remind you. So, please, take it a bit slower.  
28 A. Okay, sir.  
29 Q. Yes. You were trying to explain what happened after your



1 clothes had been torn. You were at a point where some men had  
2 come out from somewhere and they stopped another person from  
3 chopping you. What happened after that?  
4 A. When the man pleaded with them that he should not chop me,  
17:13:03 5 they said we were to go back.  
6 Q. To go back where?  
7 A. To go into the town.  
8 PRESIDING JUDGE: Who said that? You said, "They said we  
9 were to go back."  
17:13:34 10 THE WITNESS: It was the man who put me under gunpoint.  
11 MR BANGURA:  
12 Q. Did you go back?  
13 A. Yes, sir.  
14 Q. Did you do so alone?  
17:14:05 15 A. At that time I was the only individual that was tied whom  
16 they took along with them.  
17 Q. Madam Witness, you just mentioned that they tied you.  
18 First of all, can you tell the Court who tied you?  
19 A. Yes, sir.  
17:14:41 20 Q. Please tell the Court.  
21 A. It was the other man whom they called to chop me was the  
22 individual who tied my hands.  
23 Q. How did he tie your hands?  
24 A. He tied my two hands in twine.  
17:15:18 25 Q. Madam Witness, at this time, in what state were you?  
26 A. I was naked.  
27 Q. Did you go anywhere from there?  
28 A. Yes, sir.  
29 Q. Just for completeness sake, Madam Witness, what happened to



1 the child whom you were carrying, your nephew?

2 A. The child was crying to follow me. Then the next man said  
3 the child should be chopped.

4 Q. Did they do anything to him?

17:16:17 5 A. No, sir. The other one said they should leave him alone to  
6 go.

7 Q. And when you left that place, did you leave with the child,  
8 Madam Witness?

9 A. The child went into the bush. I was captured and taken  
17:16:55 10 into the town.

11 Q. From that point, Madam Witness, where did you go?

12 A. We went to a house.

13 Q. Did anything happen at this house that you went to?

14 A. Yes, sir.

17:17:21 15 Q. What happened there?

16 A. They met a woman setting fire, so they held the lady on her  
17 dress.

18 Q. Did anything happen when they held her by her dress or on  
19 her dress?

17:17:46 20 A. Yes, sir. The woman pushed the man and went back to the  
21 house.

22 Q. Who actually held this woman, Madam Witness, by her dress?

23 A. One man who was in a civilian clothes.

24 Q. After this woman went into the house, did anything happen?

17:18:41 25 A. Yes, sir.

26 Q. Please tell the Court.

27 A. They came with my elder brother 's wife, sir.

28 Q. Madam Witness, when you say "they," who are they? Who came  
29 with your elder brother's wife, you say?





1 A. The combat men.

2 Q. Madam Witness, for the benefit of the Court, can you  
3 explain again who you are referring to when you say "the combat  
4 men"?

17:19:35 5 A. Yes, sir. Those were the men that dress in full combat.  
6 They were the one that came with her.

7 Q. Do you know the name of this -- you said your brother's  
8 wife, was it? Do you know the name of this person who was  
9 brought?

17:20:05 10 A. Yes, sir.

11 Q. What is her name?

12 A. XXXXXXXXXX.

13 Q. Madam Witness, in what state was she brought to you?

14 A. She was stripped naked.

17:20:52 15 Q. Did they do anything to her when they brought her over to  
16 you?

17 A. Yes, sir.

18 Q. What was done to her?

19 A. They tied her hands together with mine.

17:21:22 20 Q. And did anything happen after this?

21 A. Yes, sir.

22 Q. What happened?

23 A. We went to the next house.

24 Q. Did anything happen at the next house?

17:21:45 25 A. Yes, sir.

26 Q. What happened there?

27 A. We met a suckling woman taking care of her child.

28 Q. Did anything happen at that point?

29 A. Yes, sir.



1 Q. What happened?

2 A. They took the suckling mother's child and handed the child

3 to an old woman.

4 Q. And then did anything else happen?

17:22:45 5 A. Yes, sir.

6 Q. Please tell the Court.

7 A. They stripped that woman naked.

8 Q. Did they do anything else to her?

9 A. Yes, sir.

17:23:13 10 Q. What did they do?

11 A. They tied her hands together with ours, three of us. We

12 were three in number, all together.

13 Q. Did anything happen after this, Madam Witness?

14 A. Yes, sir.

17:23:51 15 Q. What happened?

16 A. We went by the mosque.

17 Q. Madam Witness, if I may ask, about what time was it during

18 this period? About what time of the day was it?

19 A. That day was clear enough, morning.

17:24:26 20 Q. What was the situation in the town about this time?

21 A. Houses were on fire. People were going, crying.

22 Q. Madam Witness, you said you went to the mosque. Now,

23 without naming any particular person's name, did you notice

24 anything by the mosque?

17:25:09 25 A. Yes, sir.

26 Q. What did you notice at the mosque?

27 A. I met they've chopped my uncle and he lay dead.

28 Q. Was he the only one you saw?

29 A. No, sir.



1 Q. Who else did you see?  
2 A. I met my other uncle struggling to die.  
3 Q. Did you observe what had happened to him?  
4 A. Yes, sir.  
17:26:05 5 Q. What did you observe about him?  
6 A. I observed he was chopped on his shoulder.  
7 Q. Madam Witness, did you move from that point to go anywhere?  
8 A. Yes, sir.  
9 Q. Where did you go?  
17:26:38 10 A. We went by --  
11 JUDGE ITOE: It is like she was going to an excursion now?  
12 How was it -- in what condition was she going? Is she the one  
13 who was going to all these places?  
14 MR BANGURA: No, Your Honour. I will get the witness to  
17:26:53 15 say it, but I believe the evidence has been, up to the mosque,  
16 that she was tied along with two other people and they had people  
17 with them who more or less --  
18 JUDGE ITOE: I'm not aware that they had people who were  
19 more or less.  
17:27:10 20 MR BANGURA: I will make it much more clear.  
21 Q. Madam Witness, at this point --  
22 A. Yes, sir.  
23 Q. At this point can you describe who you were with as you  
24 moved on from the mosque, even before you got to the mosque? Can  
17:27:34 25 you describe who you were with?  
26 A. Yes, sir.  
27 Q. Who were you with as you were moving along?  
28 A. We were with a man in combat, sir. And one was in a  
29 civilian dress.



1 Q. You mentioned before that you had two other women who had  
2 been tied with you, their hands had been tied with your hands.  
3 Where were they?  
4 A. We were three, plus the two other people. We were five all  
17:28:22 5 together.  
6 Q. Madam Witness, you mentioned previously that at the point  
7 where somebody pointed a gun at you and told you to offload, you  
8 said a number of men - you called them combat men - came out and  
9 they prevented another person chopping you. What happened to  
17:28:47 10 these men that came out, the combat men; where were they?  
11 A. They were under an orange stick.  
12 Q. Did they come with you at all?  
13 A. They did not go with us far away.  
14 Q. Madam Witness, as you now moved away from the mosque area,  
17:29:24 15 did you go any where?  
16 A. Yes, sir.  
17 Q. Where did you go?  
18 A. We went by a storey building.  
19 Q. Did you observe anything when you got to the storey  
17:29:47 20 building?  
21 A. Yes, sir.  
22 Q. Again, Madam Witness, without naming names, can you say  
23 what your observations there were?  
24 A. Yes, sir.  
17:30:04 25 Q. Please go on.  
26 A. I met my elder brother lying, struggling to die.  
27 Q. Was he the only one you saw?  
28 A. No, sir.  
29 Q. Who else did you see?





1 A. I saw my elder brother alighting down the steps and he was  
2 struck on his forehead.

3 Q. Madam Witness, you have just mentioned your elder brother  
4 twice.

17:30:56 5 PRESIDING JUDGE: Mr Prosecutor, I can see that the witness  
6 is having some difficulties and we do understand. It is 5.30 and  
7 it is normally the time that we break anyhow. I can just ask the  
8 witness service unit to assist the witness now and we will  
9 adjourn to Monday morning at 9.30 and hopefully it will help the  
17:31:23 10 witness to regain her composure.

11 MR HARRISON: Can I just advise the Court that this witness  
12 we anticipate completing sometime on Monday.

13 PRESIDING JUDGE: Indeed, yes.

14 MR HARRISON: The next witness would be TF1-174.

17:31:38 15 PRESIDING JUDGE: 174, yes.

16 MR HARRISON: We're hoping that TF1-288 will indeed arrive  
17 Monday night.

18 PRESIDING JUDGE: This is the -- yes, okay.

19 MR HARRISON: Assuming the person does arrive, it may well  
17:31:57 20 be that the timing would be such that they could either start  
21 Tuesday afternoon and if it is simply more convenient for  
22 everyone to start Wednesday morning, it would be Wednesday  
23 morning. I don't know how long 174 will take.

24 PRESIDING JUDGE: Okay. To your knowledge, 174 is not the  
17:32:17 25 same category of witness as this or the previous witness?

26 MR HARRISON: No.

27 PRESIDING JUDGE: No. Okay. That is fine. Thank you.  
28 The Court is adjourned to Monday, 9.30.

29 [Whereupon the hearing adjourned at 5.32 p.m.]



1 to be reconvened on Monday, the 20th day of  
2 March, 2006, at 9.30 a.m.]

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