

THE SPECIAL COURT FOR SIERRA LEONE

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

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

TUESDAY, 12 APRIL 2005
9.43 A.M.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Mr Matteo Crippa

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Peter Harrison
Ms Sharan Parmar
Mr Mark Walbridge (Case Manager)

For the Principal Defender:

No Appearances

For the accused Issa Sesay:

Mr Wayne Jordash
Ms Eleanor Hutchison

For the accused Morris Kallon:

Mr Shekou Touray
Mr Melron Nicol-Wilson
Ms Rachel Irua

For the accused Augustine Gbao:

Mr Andreas O'Shea
Mr John Cammegh

1 [HS120405A - SV]

2 Tuesday, 12 April 2005

3 [Open session]

4 [The accused Gbao not present]

09:33:39 5 [Upon commencing at 9.43 a.m.]

6 PRESIDING JUDGE: Learned counsel, good morning. We are resuming the
7 session. Yes, Mr Harrison.

8 MR HARRISON: I'm sorry for interrupting. The Prosecution would like
9 to ask for two minutes of the Court's time to try to seek some guidance
09:46:24 10 from the Court as to future conduct. I've discussed this matter already
11 with defence counsel this morning.

12 The situation is this: The Court will know that with respect to the
13 next witness on the Prosecution witness list, who is 361, counsel for the
14 first accused has an application before the Court with respect to certain
09:46:44 15 portions of the evidence that was made known to the Defence by disclosure
16 or supplemental witness statements. The Prosecution is wanting to ask the
17 Court if it can give any guidance to the Prosecution on two questions. One
18 is whether the Court can give any guidance whatsoever as to when it may be
19 possible to advise counsel on when the decisions will be made on that
09:47:18 20 application. And, secondly, whether or not the Court can give any guidance
21 on if it's the Court's view that Witness 361 ought to be stood down until
22 the application is resolved one way or the other, or if it would be
23 possible to deal with that witness.

24 The only information that I wanted to give to the Court in addition
09:47:39 25 was that 361 and the witness immediately after that, 360, are witnesses, in
26 the Prosecution's view, which would be most helpfully heard back to back by
27 the Court because they're quite similar. So we would actually be dropping
28 down the list quite a bit to bring in some back-up witnesses for this week.
29 I think Mr Jordash's view, which he can express, is that 361 ought not to

1 be dealt with until the application has been fully dealt with by the Court.
2 But each defence counsel, of course, can express their views.

3 JUDGE THOMPSON: Learned counsel, what's your position on this?

4 MR JORDASH: My learned friend expressed it correctly. The
09:48:33 5 application in relation to 361 by the first accused relates to 43 pages of
6 additional evidence; the bulk of the evidence, we would say, if only in
7 terms of pages. In my respectful submission it would be unwise to proceed
8 with this witness and then to try to seek to exclude that evidence if
9 indeed Your Honours granted us our motion. In other words, I think it
09:49:05 10 would be almost impossible to pick out the 43 pages of additional evidence
11 if Your Honours decided to exclude it. So my respectful submission would
12 be that this witness should be adjourned until the issue of the additional
13 43 pages is decided by Your Honours.

14 JUDGE THOMPSON: Because of the substantiality of the nature of the
09:49:27 15 evidence that is sought to be excluded.

16 MR JORDASH: Indeed. It might be impossible to unpick it afterwards.

17 JUDGE THOMPSON: Yes, Mr Cammegh.

18 MR CAMMEGH: Your Honour, this is the first I've heard about this
19 idea that has been mooted and the common sense of it to me seems quite
09:51:28 20 clear. I support the suggestion made by my learned friend Mr Jordash.

21 JUDGE THOMPSON: Yes. Mr O'Shea, do you have anything to --
22 Mr Touray, do you have anything to add to that?

23 MR NICOL-WILSON: We support the application made by counsel for the
24 first accused.

09:51:51 25 JUDGE THOMPSON: Yes. Well, the position clearly is that the motion
26 for the exclusion of additional witness statements in respect of 361 is
27 under deliberation and, much as the Bench would want to indicate how soon a
28 decision would be issued, we think it unwise to make any commitment at this
29 stage because of the substantiality of the application itself. In that

1 regard we would in fact suggest that the Prosecution move on to another
2 witness. And I would want to say that we are entirely in your hands here.
3 If 360 is your preference it's fine, or 362, whichever. But that's the
4 position of the Bench.

09:52:55 5 MR HARRISON: That was the only guidance I was seeking.

6 PRESIDING JUDGE: Since you say that the other two, 360 and 361, are
7 very --

8 MR HARRISON: But again that's something we'll review over the lunch
9 break and I'll report back to the chambers officer and also to defence
09:53:08 10 counsel and tell them who will be the next witnesses.

11 JUDGE THOMPSON: Yes, whether it's 360 or 362.

12 MR HARRISON: I'll do that over the lunch break. If I can just
13 clarify, I had already indicated that 363 will not be called in this
14 session.

09:53:29 15 JUDGE THOMPSON: Yes. Quite. So we're left with 360 and 362.

16 MR HARRISON: That's correct.

17 PRESIDING JUDGE: Right, Mr Jordash, before we rose yesterday you
18 were on your feet to make an application. We would be prepared to receive
19 this application now before we proceed.

09:53:54 20 MR JORDASH: It's simply to formally exhibit the front page of
21 TF1-263 and I think we're at Exhibit 23. I think this will be Exhibit 23.
22 I think the sheet was given to your learned legal officer yesterday.

23 JUDGE BOUTET: Mr Walker, you have that?

24 MR WALKER: I have it, yes.

09:54:36 25 MR HARRISON: I don't have a copy of that in front of me. The only
26 thing I'd ask is if there is a phone number or address on that, it can
27 certainly be an exhibit but if it could be become a sealed exhibit.

28 PRESIDING JUDGE: Can you look at it and make sure? Please,
29 Mr Walker, can you give that to Mr Harrison.

1 MR HARRISON: On this particular sheet there is no phone number or
2 address and there is no reason why that need be a sealed exhibit.
3 PRESIDING JUDGE: Okay.
4 JUDGE THOMPSON: Well, the document will be received in evidence and
09:56:13 5 marked Exhibit -- Court Management, will you give us the number?
6 MR WALKER: 23, Your Honour.
7 [Exhibit No. 23 was admitted]
8 JUDGE THOMPSON: Is that all, Mr Jordash?
9 MR JORDASH: Yes, thank you, Your Honour.
09:57:37 10 JUDGE THOMPSON: Prosecution, will you proceed with your
11 examination-in-chief.
12 MS PARMAR: Thank you, Your Honour. Can we have the witness appear
13 on the screen?
14 JUDGE THOMPSON: Did the experts hear that request from Ms Parmar?
09:58:49 15 PRESIDING JUDGE: Ms Parmar, you think you have about how much more
16 time until the close of your examination-in-chief?
17 MS PARMAR: Well, Your Honour that depends on how things proceed with
18 the witness.
19 PRESIDING JUDGE: I know you can't be exact but could you just
09:59:07 20 approximate. We will not hold you down to your approximation.
21 MS PARMAR: Certainly, Your Honour. At least two hours, Your Honour.
22 PRESIDING JUDGE: At least two hours. All right. Thank you.
23 WITNESS: TF1-141 [Continued]
24 EXAMINED BY MS PARMAR: [Continued]
09:59:22 25 Q. Good morning, Mr Witness?
26 A. Good morning.
27 Q. Yesterday you described travelling in a group from Guinea Highway to
28 Burkina. You mentioned that there were civilians and combatants in your
29 group.

1 PRESIDING JUDGE: Why don't you use the traditional name Kailahun,
2 instead of -- Burkina is -- I would like us to keep to identifiable
3 geographical features which were used to.

4 MS PARMAR: Certainly, Your Honour.

10:00:14 5 PRESIDING JUDGE: Although we know what Burkina is now from his
6 evidence.

7 MS PARMAR:

8 Q. Witness, who else was in your group that travelled to Kailahun?
9 A. Well, we had big commanders that were among us.

10:00:46 10 Q. Witness, I'm going to remind you again to speak slowly today when you
11 answer questions. What were the names of these big commanders?
12 A. We had Morris Kallon, and of course we had JPK, known as Johnny Paul
13 Koroma, together with his wife. His wife walked and her feet got swollen
14 and we had to put her in a hammock and walk with her. And there was so
10:01:24 15 many other commanders whose names I couldn't remember now.

16 THE INTERPRETER: My Lord, there is some noise coming from somewhere
17 that is disturbing us here in the interpreters' booth.

18 JUDGE THOMPSON: Will the experts investigate that?

19 MS PARMAR: Your Honour, should we wait until this gets resolved
10:01:52 20 before we continue because it's quite disturbing.

21 JUDGE THOMPSON: Quite. You can sit down, Ms Parmar. So what's your
22 finding, Mr Walker?
23 MR WALKER: At the moment, Your Honour, we're not quite sure where
24 the noise is coming from. The technicians would like to check the witness
10:02:51 25 room just in case there is some problem from that end.

26 JUDGE THOMPSON: Very well. So we continue to wait.

27 MR WALKER: I don't know whether the problem is solved yet, Your
28 Honour. It may be that we can --

29 JUDGE THOMPSON: Perhaps you want us to try.

1 MR WALKER: -- just try to go on and see what happens. I'm not quite
2 sure.

3 JUDGE THOMPSON: All right, we're so advised. Ms Parmar, let's try
4 again.

10:05:20 5 MS PARMAR: Thank you, Your Honour.

6 Q. Witness, you said that you saw -- that JPK was travelling in your
7 group who was also known as Johnny Paul Koroma. How did you know who was
8 Johnny Paul Koroma?

9 A. Well, we are walking in a group and those who knew him, even from his
10:06:08 10 security that he had -- he was an authority, he had his security, and he
11 was saying that's JPK and he showed him to me when we reached Koindu.
12 That's when I saw him and he was pointed out to me that he was JPK. And
13 this JPK that I saw and the picture that I saw was not different.

14 JUDGE BOUTET: Did you say, Mr Witness, that he looked different or
10:06:37 15 he was not different?

16 THE WITNESS: They are not different.

17 MS PARMAR:

18 Q. Witness, why was JPK travelling with your group to Kailahun?

19 MR JORDASH: Sorry to interrupt. I'm just slightly concerned. It is
10:07:09 20 an objection, Your Honours. I'm slightly concerned that the witness, and
21 he is a child witness, is being asked to speculate. Asked to speculate as
22 to why JPK might be going. He might know, he might have been told, but if
23 he wasn't told and didn't learn it from anyone telling him then he is being
24 asked to speculate and I'm concerned that we may just enter a realm of
10:07:36 25 speculation which is unsourced and unreliable.

26 JUDGE THOMPSON: May I have a response to that?

27 MR HARRISON: I think what we could do is ask the question, "What is
28 your understanding" and then say, "What is the basis of that
29 understanding".

1 JUDGE THOMPSON: Yes. It would seem to me that the question can be
2 put in a way designed to elicit a factual response rather than a speculated
3 response.

4 PRESIDING JUDGE: My worry is whether that question is even necessary
10:08:09 5 for this witness. That's my worry. Is it really necessary for this
6 witness to tell us why JPK was travelling with them? Anyway it's your
7 case, but that's my worry. JPK was in their company, he saw him, he said
8 what he thinks he -- I mean, what we expect he would know. But asking him
9 why, I wonder why you think it is really very necessary. But you may
10:08:49 10 proceed.

11 JUDGE THOMPSON: Are you trying to elicit a fact that he probably had
12 some knowledge?

13 MS PARMAR: That is correct, Your Honour.

14 JUDGE THOMPSON: Okay.

10:09:00 15 MS PARMAR:

16 Q. Witness, let me rephrase my question.

17 PRESIDING JUDGE: And the worries by the Defence here are that as a
18 child witness we are leading him to speculating, unless of course he had
19 been -- he has not used the word "school ed" as to what he had to say on
10:09:24 20 this. That's not the word Mr Jordash used but, reading between the lines,
21 I am sure that is what Mr Jordash means. But you may proceed.

22 MR JORDASH: I'm not suggesting any improper conduct on behalf of the
23 Prosecution. I just want to make that clear. My submission is that the
24 witness should be asked, "Do you know why" and then, "How do you know" and
10:09:58 25 that avoids the speculation which might arise if this witness just offers
26 an opinion which is unsourced and unverifiable.

27 PRESIDING JUDGE: Mr Jordash, that was my understanding on the way
28 you formulated your objection to this question; speculating and that he
29 wouldn't know unless he had been told about this.

1 MR JORDASH: Indeed, Your Honour, yes.

2 PRESIDING JUDGE: Right. That was my understanding.

3 MR NICOL-WILSON: Your Honour, it's just an observation that the
4 witness is not a child witness.

10:10:34 5 JUDGE BOUTET: You're quite right. He may have been a child at the
6 time but now he's not.

7 JUDGE THOMPSON: Quite right. My understanding really is that we're
8 on the borderline between what may be a factual answer or question and what
9 may be a speculated question and it's for the Prosecution to move away from
10:10:59 10 speculation because we really don't allow speculated questions.

11 MS PARMAR: Certainly, and neither is it helpful to the Prosecution's
12 case.

13 PRESIDING JUDGE: At the time the witness lived through these events.
14 I think the age here is what is relevant, you know. At the time that he
10:11:15 15 lived through these events what was his age? Was he a child or not? That's
16 the question. Please, may we proceed, please.

17 MS PARMAR: Yes, Your Honour.

18 Q. Witness, I'm going to rephrase my question to you. What was your
19 understanding as to why JPK was travelling in your group?

10:12:00 20 A. Well, in the first place the convoy that we were going with was a
21 heavy one which had heavy artillery. If they had stayed behind after the
22 convoy had gone they wouldn't have had any convoy that would have been so
23 equipped as that particular convoy. As far as I'm concerned, it was for
24 security reasons that he joined that particular convoy.

10:12:34 25 Q. Were you told that this was the reason that he was in your convoy?

26 A. Nobody told anybody that but that was my understanding. That's what
27 I've told you.

28 Q. Was this the first time you had seen Johnny Paul Koroma?

29 A. Yes, for me to have seen him facially.

1 Q. What happened when you were arrived at Baoma with the convoy?

2 A. Well, Baoma is crossed the Moa River. The first village that you
3 reach is Baoma. So before we could reach Baoma, the sooner we crossed the
4 river there was a check-in post in between the village and the river Moa.
10:14:20 5 So that check-in point was to make sure that the first government property
6 that we came with would be crossed over. And later they started searching
7 combatants for government property like diamond, money and foreign
8 currencies.

9 Q. Stop right there, Mr Witness. I want to remind you to go slowly when
10:14:45 10 you answer the questions and take your time. You say that when you reached
11 Baoma that that was the place to make sure that the government properties
12 were received. What happened to the government properties when you reached
13 Baoma?

14 A. Well, they proceeded with the government property to Buedu, but
10:15:48 15 before they did that all the combatants fell in to do a muster parade to
16 show how many combatants had come from Koidu Town, how many guns had come
17 from Koidu Town, how many civilians, then of course the government
18 property. And Sam Bockarie who was at the place, they were all given to
19 Sam Bockarie who had been there already.

10:16:28 20 Q. Witness, go slowly and describe exactly what happened when you met
21 Sam Bockarie at Baoma?

22 A. Well, when we met him they called a muster parade. All combatants
23 came and we were all counted, starting from the first man and we were
24 counting ourselves. The first man would start one up to the last person.
10:17:19 25 Then they counted how many guns we had that we had come with from Koidu
26 Town, how many civilians we came with. Then they did the handing over to
27 Sam Bockarie. We left the government properties at the muster parade.

28 PRESIDING JUDGE: Let him explain what he means by they did their
29 handing over to Bockarie. He has to be very precise, please. After this

1 muster parade where an inventory or a census of everything was taken.

2 MS PARMAR:

3 Q. Witness, describe for the Court how these government properties were
4 handed to Sam Bockarie?

10: 18: 20 5 PRESIDING JUDGE: Maybe what happened to the government property?
6 There was of a census of all this, an inventory of all that was brought.
7 What happened to the government property and everything that was brought?

8 THE WITNESS: Well, at the muster parade the senior officer is
9 usually always at the back and that's always Sam Bockarie. It was done in
10: 18: 57 10 a chain form. The sergeant major would hand over the parade to the RSM and
11 the RSM would hand over to the most senior commander who would then hand
12 over to Sam Bockarie. That was what was done. When the RSM was handing
13 the property over to Sam Bockarie this is what he was saying, he said, he
14 called the total amount, then he said, "They are ready for your briefing
10: 19: 27 15 and instruction with your kind permission to fall in". Then he fell in at
16 the back. Then Sam Bockarie took over. Then he advised, he talked to the
17 men and the parade was over. The government property were placed in a
18 Hilux, a jeep, and they took them to Buedu.

19 MS PARMAR:

10: 19: 52 20 Q. Witness, you have to talk slowly. I know you've seen a lot of things
21 and when you describe what you've seen you have to explain it piece by
22 piece so that everyone in court can follow you along?

23 MS PARMAR: Would it assist the Court if we had the witness repeat
24 his answer? All right.

10: 20: 22 25 Q. Can you explain again how these government properties were handed to
26 Sam Bockarie?

27 A. Yes. From the outset when the RSM was doing the handing over, after
28 we had been counted --

29 PRESIDING JUDGE: RSM. Let us know who the RSM is, please. RSM, I

1 mean, we need some clarity in this.

2 JUDGE BOUTET: Regimental sergeant major.

3 MS PARMAR:

4 Q. Witness, do you know what is an RSM?

10:21:10 5 A. Well, yes. RSM means the regimental sergeant major.

6 Q. Thank you, Witness.

7 PRESIDING JUDGE: So it is the RSM who handed the property to

8 Bockarie?

9 MS PARMAR: No.

10:21:32 10 JUDGE BOUTET: RSM is in charge of the parade and he handed over the

11 parade to [overlapping speakers]

12 THE WITNESS: At the parade he handed them over to Sam Bockarie.

13 JUDGE BOUTET: So, Mr Witness, what you're describing is the muster

14 parade at that time.

10:22:06 15 THE WITNESS: Yes.

16 JUDGE BOUTET: But where is the government property then?

17 THE WITNESS: The government property were right in the centre of the

18 muster parade. The money, the television, with so many other things that

19 were all in a pile that I couldn't identify. They were all in front of us

10:22:30 20 at the muster parade.

21 JUDGE BOUTET: And the parade is taken over by Bockarie.

22 THE WITNESS: Yes.

23 JUDGE BOUTET: And then what happened?

24 THE WITNESS: Well, when he came and talked to us he asked -- first

10:22:50 25 he greeted us and we replied. Then he said, "Since we have come we should

26 calm down". He advised us and when he finished he fell in and the sergeant

27 major came in and he called the parade off. Then the government property

28 were put in a Hilux jeep and they took them to Buedu.

29 MS PARMAR:

1 Q. How did you know that this was Sam Bockarie at the muster parade?

2 A. Well, before we could fall in they told us that the master had come
3 and they were referring to Sam Bockarie and they said he had come and that
4 we all should fall in. When the sergeant major was talking to us, before
10:24:19 5 he could hand over the parade to the RSM --

6 Q. Please, slow down. Okay, continue with your answer?

7 A. It was the sergeant major who said Sam Bockarie was at the parade.
8 He told us that somebody like that was at the parade and it was through
9 that that I know that Sam Bockarie was at the parade. And since I saw him
10:24:56 10 that and the picture that I had seen of him, there was no difference.

11 Q. Who else did you see attend this muster parade?

12 A. Well, like what I said, we had some other commanders. Morris Kallon
13 of course was at the muster parade. The civilians were at the edge but
14 they didn't fall in with us. They were on the sides. They were in their
10:25:47 15 own line. They were standing in their own line.

16 Q. Who put the government properties into the Hilux trucks?

17 A. It was the civilians.

18 Q. How did you know that the government properties were being taken to
19 Buedu?

10:26:49 20 A. Well, Master, who was also called Sam Bockarie, Buedu was his base.
21 When he took them I just concluded that he was taking them to Buedu because
22 that was the defence headquarters, that's where he was based.

23 Q. Witness, I'm going to remind you to go slowly when you answer these
24 questions. After the civilians put the government properties on to the
10:27:38 25 trucks what happened to the civilians?

26 A. Well, we walked together with the civilians to Kailahun Town.

27 Q. Besides the civilians who did you walk with to Kailahun Town?

28 A. Most of us were combatants because some of the commanders had gone
29 with Sam Bockarie.

1 Q. Which commanders travelled with you to Kailahun Town?
2 A. The group where I was this time, because after the parade -- because
3 at that time everybody was free, nobody was asking anybody for anything, we
4 were all heading for Kailahun. The group where I was, there was just
10:29:25 5 combatants. There was no commander with us. Everybody was on his own, so
6 I do not actually know.
7 Q. Who did you meet when you reached Kailahun Town?
8 A. When we reached Kailahun, the first place -- the first place that we
9 went was H5 headquarters and the first person that was shown to us was
10:30:15 10 Colonel Gbao. They said he was a G5 commander.
11 PRESIDING JUDGE: The first place they went to was what?
12 MS PARMAR: Kailahun Town, Your Honour.
13 PRESIDING JUDGE: The place where they went to [inaudible].
14 MS PARMAR: From Baoma.
10:30:49 15 JUDGE THOMPSON: 85 headquarters.
16 MS PARMAR: I was about to ask what he meant by that.
17 JUDGE THOMPSON: Quite. That's what I got.
18 MS PARMAR:
19 Q. Witness, what does 85 headquarters mean?
10:31:09 20 A. I'm not talking about H5, I'm talking about G5. G5 is the man who is
21 in charge of civilians who made sure that he screened the civilians and he
22 took care of them. For instance, if the government had any work at hand,
23 he would go to the G5 commander and he would deploy some civilians to do
24 the job.
10:31:43 25 Q. Witness, we'll get to the G5 in a moment but you had mentioned coming
26 to H5 headquarters in Kailahun Town. I just want you to explain what that
27 means, H5 headquarters. What was that?
28 A. I'm talking about the G5.
29 PRESIDING JUDGE: He said G5. He rectified himself to G5.

1 JUDGE BOUTET: But where was G5?

2 THE WITNESS: G5 was right in Kailahun Town. They had a way of
3 calling the section but I don't know that. But when you come from Baoma,
4 the village, the first place the you would reach on the main road, that's
10:32:40 5 where the headquarters was. The house was on the right-hand side.

6 MS PARMAR:

7 Q. Who did this house belong to?

8 A. I didn't know who had the house. I only knew that it was the G5
9 headquarters. That's where they were conducting all their activities with
10:33:23 10 the civilians. That's where they did everything.

11 Q. Describe slowly what happened to the civilians when you reached the
12 G5 headquarters.

13 A. Well, they had what they called screening. They screened all the
14 civilians. During the screening, that's where they'd check whether a
10:34:26 15 Kamajor was amongst us. They would look at your bodies for any mark that
16 Kamajors carried and the marks that the Nigerians had and so many other
17 things that would show that you are an enemy. If you qualify to be on the
18 ground and you're a young man, they had a separate place where they put
19 you.

10:35:22 20 Q. What happened to these young men who were set aside?

21 A. Well, we were taken together at the base, the training base, with
22 them.

23 Q. What happened to the women civilians that were in your group?

24 A. Some of the young women were with us at the base. The old women and
10:36:26 25 old men were taken to Buedu. They were working on the government farm.

26 Q. When you say the young women were taken to the base do you mean the
27 training base?

28 A. Yes, the training base.

29 Q. You referred to government farm. What is government farm?

- 1 A. The government farm at the time was between Benduma and Buedu. It
2 was a farm owned by the RUF but it was the civilians who were working on
3 the farm and they did all the work. They were doing the all the work. The
4 civilians were doing all the work, like weeding.
- 10:38:25 5 Q. What else did the civilians do at the government farm?
6 MR O'SHEA: Did the civilians do anything else at the government
7 farm, with respect.
8 JUDGE THOMPSON: Sustained.
9 MS PARMAR:
- 10:38:43 10 Q. Witness, do you know of anything else that the civilians did at the
11 government farm besides weeding?
12 A. Well, yes. At first they would do the brushing and they would cut
13 down the sticks, the stumps, and all the practice that is involved in
14 farming they did.
- 10:39:28 15 Q. How do you know that these civilians were taken to the government
16 farm?
17 A. When we went, because we were going on business to Adowa ^ , because
18 we were doing business with the NPFL. When we were going to this place, we
19 passed through this place. So when we were coming from this place we would
10:40:01 20 see the civilians working on the farm and they were surrounded by
21 combatants and they were telling them to do what they wanted them to do and
22 they would beat them at times.
23 Q. Why were the civilians being beaten by the combatants at government
24 farm?
- 10:40:44 25 MR O'SHEA: A similar objection to Mr Jordash's earlier one. Perhaps
26 my learned friend could approach that in a different way.
27 MS PARMAR: I can proceed with a different question, Your Honours.
28 Q. How were the civilians being treated at government farm?
29 A. Well, sometimes -- every morning they would send some men to go and

1 look at the government farm. If they go there and they find out that there
2 is grass in the rice farm that they had weeded they would beat them. For
3 instance, if an animal comes and eats the rice -- I even went there and I
4 saw it and if an animal eats the rice and they find out they would beat the
10: 41: 42 5 civilians. So many other things happened on the farm that are not supposed
6 to happen and when they find that out they would beat them up.

7 Q. Where did the civilians stay at government farm?

8 A. Well, most of them were at Benduma. Most of them were at Benduma.
9 Then very early in the morning -- very early in the morning they would come
10: 42: 34 10 to the farm. Very early in the morning, around 5.00 to 6.00, they would be
11 at the farm there. But they would sleep at Benduma. Some would come to
12 Buedu to sleep there.

13 Q. From Benduma where the civilians stayed where were these government
14 farms that they travelled to?

10: 43: 27 15 PRESIDING JUDGE: Ms Parmar, what was the question again, please.

16 MR JORDASH: I beg your pardon, I do have an objection to the
17 question. We've gone from singular to plural and I would respectfully
18 submit that the question as put should not be repeated in front of this
19 witness. We've gone from a single -- I'm trying not to say too much in
10: 43: 50 20 case the witness is listening, but we have gone in relation to -- I think
21 it is accepted by the Prosecution that -- I don't know if I can leave it
22 there.

23 MS PARMAR: That's fine. I had been endeavouring to just refer to
24 government farm. My error. Thank you.

10: 44: 09 25 Q. Witness, where was the government farm that you say the civilians
26 travelled to from Benduma?

27 A. Well, the government farm was on the main highway, the main road
28 going to Liberia and it was not far from Liberia -- from Benduma. It was a
29 short distance that could be walked to.

1 Q. When you saw this government farm, do you remember the year when you
2 saw this government farm?

3 A. No, I don't know the year. I don't know this. At that time we had
4 no calendars. It was even difficult to have food to eat. I don't have
10:45:48 5 calendars. I didn't have calendars and I don't know years.

6 Q. Do you know who was in power in Sierra Leone when you saw this
7 government farm?

8 A. Well, yes. At that time I would believe that Tejan Kabbah -- because
9 at that time JPK had been flushed out, he was in the jungle with us.

10:46:45 10 Q. Can you say what season it was when you passed through government
11 farm?

12 A. It was the rainy season.

13 Q. When you passed through government farm how many combatants did you
14 see at government farm?

10:47:42 15 A. I didn't -- I didn't stand there to check, but the first ones you
16 could see there were two. They were always on the way. Some of us were in
17 the farm houses, the different farm houses that were in the farm, they were
18 sitting there. But I didn't go there to be checking individually.

19 Q. What would these combatants do that were staying at government farm?

10:48:33 20 A. Well, these men were there, they were the security of the farm. I
21 think that was the reason they were there.

22 Q. What was the job of the security?

23 A. The security would be there to make sure that the right thing -- like
24 to make a fence right round the farm, to do the weeding and the other
10:49:21 25 little things to make sure -- to ensure a better harvest. That was what
26 the securities were there to ensure.

27 Q. How would they make sure that these things were done?

28 A. Well, it was beating. If they said do this and you didn't do it, if
29 they come the following day they would just beat. The next day they come

1 they'll [inaudible] you had done it already because they would beat you if
2 you didn't do it.

3 Q. Witness, let's go back to when you were at Kailahun Town. You
4 mentioned that Augustine Gbao was the G5 commander.

10:51:04 5 MR CAMMEGH: No, he didn't, with respect. There was no reference to
6 a first name. I believe --

7 JUDGE THOMPSON: There was a reference to colonel.

8 MR CAMMEGH: Yes, it was rank only.

9 MR HARRISON: The rank was colonel and Mr Cammegh --

10:51:18 10 JUDGE THOMPSON: Colonel.

11 MR CAMMEGH: I'd ask my friend to be very, very careful because --

12 JUDGE THOMPSON: There wasn't any first name.

13 MR CAMMEGH: -- this is obviously very important.

14 MS PARMAR: I'll rephrase my question.

10:51:43 15 Q. Witness, you mentioned seeing Colonel Gbao at Kailahun Town?
16 A. Yes.

17 Q. Who was Colonel Gbao?
18 A. Well, Colonel Gbao, they told me he was a G5 commander.

19 [HS120405B 10.50 a.m. - EKD]

10:52:28 20 Q. Who told you that Colonel Gbao was the G5 commander?
21 A. Well, he himself, especially to us the boys when we were going
22 through where we were screened. For the women there were also -- there
23 were also women who were screening them. But besides that, he himself told
24 us that he was the G5 commander. The combatants told us that he was the G5
10:52:57 25 commander.

26 PRESIDING JUDGE: Is it the combatants or he himself? Let's get that
27 clear. Is it the combatants who told them or he himself or both? I mean,
28 let's be very clear.

29 THE WITNESS: Well, he himself, but before then the combatants had

1 told us. When we reached at that muster parade they handed over
2 everything. It was there that we were told that it was the G5 commander
3 that had to screen us. Then for us the men, he told us that, "I am Colonel
4 Gbao," and he told us that he was the G5 commander. So that means it was
10:53:51 5 there that I knew that he was the G5 commander.

6 MS PARMAR:

7 Q. Where were you when you first saw Colonel Gbao?

8 A. It was in Kailahun Town.

9 Q. You mentioned that "especially the boys." What did you mean when you
10:55:08 10 said that?

11 A. Well, like I said, we are doing the screening by sex. We have the
12 women. They will screen them to know whether they had no enemies among
13 them. Then for the men, they will be screened by men to know who were
14 enemies or not. And for us, the men, it was there that I saw Colonel Gbao,
10:55:39 15 and he said, "I am Colonel Gbao." He was talking to everybody because we
16 are so many. It was there that I came to know that that was Colonel Gbao
17 and he was the G5 commander.

18 PRESIDING JUDGE: Were any enemies detected?

19 THE WITNESS: Well, no, for the time that I was there no enemy was
10:56:21 20 detected.

21 MS PARMAR:

22 Q. Do you know the full name of Colonel Gbao?

23 A. Well, yes, Colonel Gbao was called Colonel A Gbao. Because that A, I
24 knew that it was Augustine, because that was the way I used to call him
10:56:55 25 most of the time: Colonel Augustine Gbao. A stood for Augustine.

26 Q. Where did you call Colonel Augustine Gbao?

27 PRESIDING JUDGE: Can we have that question again, please?

28 MS PARMAR:

29 Q. Witness, you said that you used to call him Colonel Augustine Gbao.

1 Where was it that you addressed Colonel Gbao?

2 A. Well, for the time that we were in Kailahun, as he was the chief
3 commander -- G5 commander, if you want to cross to anywhere he would give
4 you a pass. And on that pass there is his signature. And if you don't
10:58:37 5 have that pass, that you are not part of any of them, they will do anything
6 to you.

7 Q. How long did you stay in Kailahun Town?

8 A. Well, we took some days there, we took some time there.

9 Q. While you were there did you see Colonel Gbao again?

10:59:57 10 A. Well, yes. Apart from where we were, I could see him at the barri
11 passing by. I could see him in the town itself whilst I was in Kailahun
12 Town.

13 Q. Did you see anyone else with Colonel Gbao when you saw him in
14 Kailahun Town?

11:00:41 15 A. Well, yes, he had his security. Mostly when he would be walking
16 around he would be walking around with his security.

17 Q. How old were the security that you saw with Colonel Gbao?

18 A. Well, most -- the one that was close to him, he had two small boys,
19 then he had some other bigger men. They themselves were security to him.
11:01:35 20 Then I used to see two small boys by him, one on the left and the other one
21 by his right. Every morning they will be at the muster parade.

22 Q. What would these small boys do as security for Colonel Gbao?

23 MR O'SHEA: Again, we have to know if this witness has any knowledge
24 as to whether these small boys did anything at all.

11:02:21 25 MR HARRISON: With respect, that's a perfectly appropriate question
26 and that objection is not meritorious. That is a perfectly fair question.
27 That witness can answer that question.

28 JUDGE THOMPSON: What is the ground, counsel, for the objection?

29 MR O'SHEA: Just a moment, Your Honour. I will withdraw the

1 objection.

2 JUDGE THOMPSON: Thank you. Proceed, Ms Parmar.

3 MS PARMAR:

4 Q. Witness, what did you see these two boys do as security to
11:03:24 5 Colonel Gbao?

6 A. Well, I saw guns with them. I was not going to the place to know
7 what was going on, but I used to see them with guns, walking behind him.

8 Q. How old were these two boys that you saw with Colonel Gbao?

9 A. Well, I don't know their exact age, but I knew that they were older
11:04:20 10 than I was at that time.

11 Q. Can you say how much older they were than you?

12 A. Well, even from their volume, they were taller than I was and they
13 were more -- they had more volume than I had.

14 Q. Witness, where did you go after Kailahun Town?

11:05:39 15 A. Well, after Kailahun they had to take me to the training base.

16 Q. Who did you go with to the training base?

17 A. We were so many. We had small boys like myself, there were some who
18 were bigger than me, we had women, there were younger ones and older ones
19 as well. There were combatants who were with us. Some were in front of us
11:06:22 20 and some were behind us so nobody could escape.

21 Q. Did anyone send you to the training base?

22 A. Well, yes, because all of us that came from Koidu Town, we are forced
23 to go to the training base. They took all of us to go to the training
24 base. We were seriously threatened. We didn't just go like that. In
11:07:15 25 fact, we carried -- some who carried drums and some other things.

26 PRESIDING JUDGE: Who sent them to the training base?

27 MS PARMAR: I just wanted to allow the witness to finish his answer.

28 PRESIDING JUDGE: No, he should answer the first question first and
29 then we continue.

1 MS PARMAR:

2 Q. Witness, who forced you to go to the training base?

3 A. Well, it was the combatants in the morning, early in the morning. We
4 just see the combatants -- we just saw the combatants at our doors, taking
11:07:52 5 us one after the other. They said we should go to the training base. They
6 brought drums and they started beating people who wanted to resist. Said,
7 "You have to go to the training base because you have to be soldiers
8 yourselves." They were pushing us.

9 Q. Where was this training base?

11:08:32 10 A. At Bunumbu.

11 Q. What was the name of the training base?

12 A. Well, we are calling the place Camp Lion.

13 Q. How many of you were taken to Camp Lion?

14 A. Well, I don't know the exact amount but we are so many. And even
11:09:27 15 when we were there they were bringing some other people for training.

16 Q. When you reached Camp Lion who did you see?

17 A. Well, we met those PTIs. That is how they were called: PTIs. We
18 met them standing in line, they were in queue, waiting for us. It was from
19 that day that the training started.

11:10:13 20 Q. What does PTI stand for?

21 A. PTI means practical training instructors. They were with us when we
22 were doing those practical trainings, the PT, in the morning.

23 Q. What were the names of the PTIs?

24 A. Well, I can remember few. I can remember few. Like Michael Loleh.
11:11:18 25 Some of them had false names. Michael Loleh. I can't remember their names
26 anymore.

27 Q. Can you repeat that one name that you gave and please pronounce it as
28 clearly as you can?

29 A. Yeah, Michael Loleh, Michael Loleh. He was a black guy and tall and

1 he was very active. That was why everybody knew his name.

2 Q. You said that you did practical training. What did you do during
3 practical training? And go very slowly.

4 A. Well, first, we are trained how to dismantle a gun and how to couple
11:12:58 5 it up. Then later we are taken to a place that they were referring to as
6 alaka. At that place they will seriously beat us. People even died there,
7 more than three people even died there at alaka. Then there was another
8 called FFAP, that was the last one. When you complete that then you'll
9 graduate.

11:13:42 10 PRESIDING JUDGE: What is the third point?

11 MS PARMAR:

12 Q. Witness can you repeat --

13 PRESIDING JUDGE: The graduation point is called what?

14 THE WITNESS: FFAP.

11:14:13 15 MS PARMAR:

16 Q. Witness, you said that you were beaten at alaka. How were you
17 beaten?

18 A. Well, there was a place was built, it was a circle-like thing and had
19 a single exit and entrance. And at that entrance there was the practical
11:14:46 20 training instructors, all having canes in their hands. It was through that
21 place that you'll enter. They will beat you until you enter the alaka, and
22 when you reach there they will start beating you again. They had the
23 things that they'll tell us to do. When you do it then they'll beat you.
24 You'll lie and you'll crawl, they'll beat you again.

11:15:08 25 Q. You said that you would lie and crawl at alaka. Describe how you
26 would do this at alaka?

27 A. Well, if I can demonstrate, what they used to tell us before we could
28 crawl, before we go there would tell us alaka tabay they will all shout and
29 say, "Yeah". Then we cross our hands at our backs. Then you lie on the

1 ground, then you'll crawl on the ground with your shoulders and you will
2 drag it on the ground. They will be beating you whilst you were crawling.
3 They ask you to crawl faster. Your hands would be on the ground. They
4 will be beating you with their cane.

11:16:32 5 Q. You mentioned after alaka you went to FFAP. What is FFAP?

6 A. Well, FFAP meant firing from all positions.

7 Q. What did you do during FFAP?

8 A. It was during that time, because at first we'll be trained the
9 fighting positions. It was at that time that you'll demonstrate it.

11:18:07 10 Someone will be at your back with a gun having live bullets in it. Now
11 when you'll be going he'll say, "Firing from all positions." That is what
12 they would tell us, "Firing from all positions. Prepare to advance,
13 advance and steady doubling." Then they started shouting at us "dia dia"
14 [phon], they'll be running, slow, slow. Then they will say, "Enemies at

11:18:35 15 the right, enemies at the right, lie in position." That was to lie on the
16 floor -- on the ground. As they say "lie in position," then they will
17 start firing. If you had not reached there --

18 Q. Witness, I know that you have a lot to talk about and you have to
19 give your explanations slowly. What were you doing when all of these

11:19:32 20 things were being said?

21 A. Well, those are instructions given to us. When they say lie in
22 position we are supposed to lie on the ground. If they say sitting
23 position we'll sit. And as they will say sitting position you would have
24 even been seated then. If you take -- if you left two or three minutes
11:20:00 25 they will fire you, then you'd be killed.

26 Q. What did you see happen to the others that you trained with during
27 this time?

28 A. Well, most of them died. And some of them died at that monkey
29 bridge, because the barbed wire that was there, if you fall from that point

1 you'll die of the pain. If --

2 MR CAMMEGH: Sorry, I didn't catch that.

3 MS PARMAR: I will ask the witness to go back.

4 JUDGE BOUTET: I would like to know, as well, if this is part of the
11:21:22 5 same phase of training the FFAP. Presumably, but it is not clear.

6 MS PARMAR: He hasn't mentioned monkey bridge and perhaps we'll ask
7 him to place that in his narrative.

8 JUDGE BOUTET: That's right, but it may be a subsequent phase of the
9 same training.

11:21:40 10 MS PARMAR:

11 Q. Witness, I want us to go back to the beginning of your answer first.
12 You said that people died and then you mentioned monkey bridge. What was
13 the monkey bridge?

14 A. The monkey bridge -- well, you know, they used to put four sticks,
11:22:10 15 then they will cross some other sticks on top of them, that you'll walk on
16 top of it with your hands. Then you send one hand holding one stick and
17 send the other hand to hold the other stick. Then underneath they had
18 barbed wire. So if you fall from off that stick you'll fall on the barbed
19 wire. So if you fall you would fall on that barbed wire. Some of them,
11:22:39 20 they will fire live bullets. Some died of the pain when they fell on the
21 barbed wire.

22 Q. When did you do the monkey bridge? Was this before or after FFAP?

23 A. Well, the FFAP was the last training. When once you had gone through
24 it then you'll be graduated. After that you'll see drums being packed out.
11:23:35 25 Those are small trainings, practical trainings, but that FFAP was the last
26 training that you'll do.

27 Q. So you did the monkey bridge before FFAP?

28 A. Yes.

29 Q. How old were the people that you trained with?

1 A. Well, most of us were SBUs. Then we had the SGU, then we had the big
2 brothers and we had the big girls, the big women.

3 Q. What is an SBU?

4 A. SBU means Small Boy Unit.

11:24:58 5 Q. How old were the SBUs?

6 A. Well, I didn't know their exact age but I knew that whosoever was an
7 SBU was below 18.

8 Q. What was an SGU?

9 A. It was Small Girls Unit and they were also called Y's. At the
11:25:46 10 training base they were called Y's.

11 PRESIDING JUDGE: They were also called what?

12 MS PARMAR: Y's. He means the letter Y.

13 Q. Where did the SGUs come from?

14 A. Well, they came from different places, like those that we took from
11:26:31 15 Kono, with whom we all came, some were captured from some other angles.
16 They had girls among them and the SBUs were among them as well.

17 Q. Were you given anything at Camp Lion?

18 A. Yes, fine, that was the first thing that when we reached at Camp Lion
19 the first thing they gave to us was medicine and injection.

11:27:17 20 Q. What was this medicine that you were given?

21 A. Well, the medicine was in syringe in the form of a liquid. They
22 had -- they had a belt, we were in a line. Then they will tie your hands,
23 they will see one of your veins come out. It was that way that they will
24 inject and inject the medicine into it. Three days completely you'd be
11:28:13 25 sleeping after you had been given that injection.

26 Q. Who gave you this injection?

27 A. Well, it was the combat medics, the doctors. That's how they called
28 them: Combat medics.

29 Q. What did you understand this medicine to be?

1 A. Well, nobody told us what sort of medicine it was. But when they
2 gave us this medicine when you would have gained consciousness, you didn't
3 actually know what the medicine could be. You wouldn't -- you would know
4 actually what the medicine was.

11:29:47 5 MR TOURAY: Your Honour, the second accused would like to step out of
6 the room.

7 PRESIDING JUDGE: The Chamber will rise and when you're ready please
8 you'll call us in.

9 [Break taken at 11.29 a.m.]

11:53:50 10 [Upon resuming at 11.52 a.m.]

11 PRESIDING JUDGE: Learned counsel, we are resuming the session.
12 Ms Parmar, you may proceed, please.

13 MS PARMAR: Thank you, Your Honour.

14 Q. Witness, before we left for the break you were describing your
11:55:04 15 training at Camp Lion. What season was it when you were undergoing this
16 training?

17 PRESIDING JUDGE: Just one question, Ms Parmar. Are you through with
18 the medicine that was given to them and the fact that nobody told them what
19 it was? Are you through with that chapter?

11:55:28 20 MS PARMAR: Yes, Your Honour.

21 PRESIDING JUDGE: With that episode.

22 MS PARMAR: Yes.

23 PRESIDING JUDGE: You're through, okay, all right.

24 MS PARMAR:

11:55:36 25 Q. I will repeat my question, witness. What season was it when you were
26 doing training at Camp Lion?

27 A. Well, if I could remember, it was the rainy season because most of
28 the times it was raining.

29 Q. What else happened during your time at Camp Lion?

1 A. Well, apart from what I've already said, I don't think any other
2 thing happened, except that I probably might have forgotten.

3 Q. While you were staying at Camp Lion did anyone ever come to Camp
4 Lion?

11:57:06 5 A. Yes.

6 Q. Who came to Camp Lion?

7 A. Well, at first it was CO Vandt, then later we had Brown Monkey, then
8 we Povei --

9 PRESIDING JUDGE: Just a minute. CO Vandt?

11:57:44 10 THE WITNESS: Yes.

11 MS PARMAR:

12 Q. Other than CO Vandt can you repeat who came to visit Camp Lion?

13 A. Well, the first person that visited us was CO Vandt. Then later we
14 saw Povei and Monkey Brown. He was CO Vandt as well, but that's how we
11:58:11 15 called him.

16 Q. So you're saying CO Vandt and Monkey Brown were the same person?

17 A. No. CO Vandt, he had one Mende name attached to him called Vandt
18 Tangeya. Then there was CO Vandt called Colonel Denis, Monkey Brown.

19 JUDGE BOUTET: I would appreciate if you can have the witness to
11:58:51 20 repeat that very slowly, because I'm lost in the names now. So the first
21 one that visited you was CO Vandt and after that?

22 THE WITNESS: Yes.

23 MS PARMAR:

24 Q. Who came after CO Vandt?

11:59:11 25 A. Well, the first one was Monkey Brown, who was Colonel Denis, who was
26 the brigadier commander at Pendembu. Then Povei --

27 Q. Witness, stop right there. Please go slow.

28 PRESIDING JUDGE: He called Povei first after Vandt. Anyway, let's
29 get the order right, please.

1 JUDGE BOUTET: So after General Vandt --
2 PRESIDING JUDGE: After CO Vandt.
3 JUDGE BOUTET: After CO Vandt was Monkey Brown?
4 THE WITNESS: Monkey Brown, yes.
11:59:53 5 JUDGE BOUTET: And he had another name. What was his other name?
6 THE WITNESS: Colonel Denis.
7 JUDGE BOUTET: Yes. And after that?
8 THE WITNESS: Then Povei.
9 MS PARMAR:
12:00:30 10 Q. Who was Povei?
11 A. Well, that was CO Issa.
12 Q. What is the full name of CO Issa?
13 A. Issa Sesay.
14 Q. How did you know that this was CO Issa?
12:01:13 15 A. Well, like Povei, any other person that will come to talk to the
16 gathering would have to show his name, who he was, before he could ever
17 talk to us. So that was what something like that happened.
18 Q. Describe what you saw CO Issa do when he came to Camp Lion?
19 A. Well, after he had been introduced to us, he just kind of gave us
12:02:29 20 some morale booster. He spoke to us, he said he had security amongst us,
21 he had sent his boys there at the training base. Then whosoever had gone
22 there for training at the training base, whatever you were told to do, if
23 you leave there and go elsewhere, then you are asked to do the same thing
24 and you make any sort of blunder to do that, he said he -- he would execute
12:03:01 25 you.
26 Q. Witness, I want us to go over your answer slowly. When CO Issa
27 arrived at Camp Lion, what did you do at Camp Lion?
28 A. Well, when we saw him, when we are introduced to him, before he spoke
29 we gave him that morale. We started shouting, "How di CO look, all right."

1 Q. How were you all gathered when CO Issa came to the camp?

2 A. Well, we were in the bush. It was a big field that we brushed, we
3 were right round in a circle. He was in the middle of the circle. He was
4 talking to us himself, and the training commandants and the security that
12:04:36 5 he came with.

6 Q. You said that you were in a circle. Who was gathered in that circle?

7 A. Well, we the recruits that were undergoing training.

8 Q. How old were these recruits at that time who were gathered at the
9 meeting?

12:05:25 10 A. Well, there was small girls, bigger ones, small boys. Just ones that
11 were there for the training were present. We that were there for the
12 training were present.

13 Q. After you were gathered you said that you were given morale. What do
14 you mean by that?

12:06:22 15 A. Well, when we had been -- when they had introduced to us who are to
16 talk to us, who was Colonel Issa who was an authority, we had to give him
17 that morale. We shouted, "How di CO look, all right. How di CO look, all
18 right." Then he started talking to us.

19 Q. You also mentioned morale booster. What did you mean by morale
12:07:31 20 booster?

21 A. Well, we boosted his morale, meaning we gave him some respect, we
22 regarded his presence. Before he spoke we did that and even after he spoke
23 we did that, to kind of give him respect, to honour him.

24 Q. Please describe slowly what CO Issa said to you at this gathering.

12:08:23 25 A. Well, first he said that his security - that was the boys that he had
26 behind him - that they were capturing several civilians, sending some to
27 the training base, who were even among us. Then he also said that if at
28 all anyone had come to the training and he had gone through the training,
29 if you go to the frontline to the battlefield, whatever you were told to do

1 is what you will do. If you failed to do it, like, he himself, he will not
2 accept that. He even set an example, he said he would execute you if you
3 failed to do what you were told to do.

4 Q. You mentioned that CO Issa had security. How old were his security?

12:10:01 5 A. Well, the few that I saw with him were big brothers and big boys were
6 with him. Because the securities were mixed. There was Leather Boot and
7 others. They were mixed together.

8 Q. After this visit did you ever see CO Issa again?

9 A. Well, yes. But not at the training base.

12:11:07 10 Q. Where did you see CO Issa?

11 A. It was when we were at Baima 1st Battalion. He was given a rank, he
12 was honoured together with Mike Lamin.

13 PRESIDING JUDGE: This was where?

14 MS PARMAR: He said at Baima, B-A-I-M-A.

12:12:07 15 JUDGE BOUTET: And he mentioned something about 1st Battalion.

16 MS PARMAR:

17 Q. Witness, can you please explain in more detail what happened when you
18 saw CO Issa at Baima?

19 A. Yes. First in the morning it was Sam Bockarie who went and said we
12:12:44 20 should go and capture Daru. He left the ammunition and he went away to
21 Buedu. So as he went, Issa and Colonel Mike Lamin, they came with a morale
22 booster in one white Hilux vehicle. They came to our ground. But before
23 they could reach, they had drunk a lot of that particular rum that they had
24 brought. So they came there with lot of misbehaviour.

12:13:16 25 Q. Witness, explain what you mean when you said that Issa and Mike Lamin
26 brought morale booster. What is morale booster?

27 A. Well, morale booster was stuff like diamba. Then rum called
28 mamiyini, it was alcohol. Then cigarette. Then there was one hard
29 tobacco called tongoni for those who'd be in the ambush when the place will

1 be cold. Those are the things that he brought all those things put
2 together was what we referred to as morale booster. Because we had to
3 fight, we had to fight at Daru first thing in the morning.

4 Q. When Issa arrived with this morale booster, what happened to the
12: 15: 25 5 morale booster?

6 A. Well, for the alcohol that I'm talking about, there was one village
7 that was close to the battalion headquarters. It was called Tarwey [phon].
8 It was there that they reached, they stopped there and drank half of the
9 rum that they were to take to us, himself and Mike Lamin. When they
12: 15: 48 10 reached to us now at the battalion they were drunk, they were misbehaving,
11 pointing gun at officers, and the rum was scattered all about them, all on
12 them. Everybody ran away, leaving them there alone. And the battalion
13 commander called us.

14 Q. What happened to the rest of what you described as morale booster?

12: 16: 54 15 A. Well, later it was distributed amongst us by company, platoon. Later
16 on.

17 Q. Who did the distribution of the rest of the morale booster?

18 A. Well, it was the battalion commander. He came, took the things.
19 While we were assembled -- because at this time we had a mission. While we
12: 17: 58 20 were assembled he gave any patrol -- every patrol commander he will give
21 him his own share. Then he will in turn distribute it among his men. If
22 one company is about for 50 men, he will give the commander their own
23 share; then he will in turn distribute among his own men. The battalion
24 commander himself was there doing it.

12: 18: 24 25 Q. You mentioned a battalion commander. What was the name of this
26 battalion commander?

27 A. Well, the battalion commander for the 1st Battalion was Colonel War
28 Eagle.

29 Q. Do you know the full name of Colonel War Eagle?

1 A. Well, at times when he was signing those passes I did see S Kanu. I
2 can't remember the full name, but I used to see Kanu where he was signing.

3 Q. When you say passes, what do you mean? What were these passes?

4 A. Well, if you were at 1st Battalion headquarters and you would want to
12:20:21 5 go to brigade headquarter -- brigade battalion at Pendembu, they would have
6 to give you a pass if you were a soldier to show that you were a soldier
7 from 1st Battalion. And if you are coming from that 1st Battalion, the
8 battalion commander would know that you were coming from that command.

9 [HS120405C 12.20 p.m. - AD]

12:20:44 10 MR JORDASH: Sorry, do you mind going over that again, please.

11 MS PARMAR:

12 Q. Can you please repeat your answer?

13 A. Well, the pass that I am talking about, if you are coming from Baima,
14 where we were, but you will have to return, they write the pass saying that
12:21:06 15 you are coming from Baima and going to Bunumbu but you will have to return.
16 They write the pass saying that you are coming from Baima and going to
17 Pendembu and whatever you be carrying with you. If you are going with a
18 gun they will write it. How many hours you be taking there, they will also
19 write it down. The pass should not expire -- the time that you are to be
12:21:30 20 given. The paper should not expire -- the time. That is the pass. Any
21 checkpoints that you reach you have to present that pass. You will show
22 the pass to them and they read it. If you don't have a pass they will not
23 allow you; they will disarm you and send you to the front line.

24 JUDGE BOUTET: The witness is talking about Pendembu and brigade
12:22:10 25 headquarters. Presumably that is the same, but I would like that to be
26 clarified if you can.

27 MS PARMAR:

28 Q. Witness, I want to remind you to go as slowly as you can so that
29 everyone can follow what you are saying. Now, you mentioned a brigade

- 1 headquarters. Where was the brigade headquarters?
- 2 A. Pendembu was where the brigade headquarters was.
- 3 Q. Is that Pendembu?
- 4 A. Pendembu, yes.
- 12:22:56 5 Q. You also mentioned that you were at the battalion headquarters. Now
6 which town was the battalion headquarters in?
- 7 A. It was at Baima that the battalion headquarters was situated -- first
8 battalion.
- 9 Q. Now which district is Pendembu?
- 12:23:51 10 A. Kailahun district.
- 11 Q. And which district is Baima in?
- 12 A. Kailahun district.
- 13 Q. After your training at Camp Lion where did you first go?
- 14 A. After we had graduated we were distributed in platoons. The platoon
12:24:37 15 that I was sent to was sent to Baima.
- 16 Q. Did your platoon have a name?
- 17 A. The platoon in which I was was Ranger Squad. All of us were SBUs but
18 when we were sent to the platoon we are mixed up with big brothers because
19 then we had graduated.
- 12:25:25 20 Q. I want you to clarify, was the Ranger Squad only SBUs?
- 21 A. Well, when we were at the training base, yes. At the training base.
- 22 Q. But when you went to Baima, who was in the Ranger Squad?
- 23 A. Well, the Ranger Squad was dissolved at the training base. So then
24 they took us and put us among the bigger ones. We were separated and put
12:26:30 25 among the bigger ones and sent to the front line. That platoon was not
26 given a name anymore.
- 27 Q. Where were you when the squad was dissolved and distributed amongst
28 the other groups?
- 29 A. Well, I was in the parade because it was at the parade that the thing

1 was done. When we graduated we were picked out. I was part of the parade.

2 Q. What was the location of this parade?

3 A. The parade that I am talking about was at Camp Lion. Then we had
4 left the town going towards Nyandehun -- a town called Nyandehun. We
12:27:58 5 brushed a big field. That is where everything happened -- the one I am
6 referring to now.

7 Q. So this parade happened at Nyandehun?

8 A. Nyandehun is a little further from the place. It is between
9 Nyandehun and Bunumbu. It was there that we had the [inaudible] bush at
12:28:43 10 the muster parade ground.

11 MR CAMMEGH: I am sorry, I am a little bit lost. Is it the muster
12 parade ground at Nyandehun or near Nyandehun -- I didn't quite catch it?

13 MS PARMAR: That is what I was trying to clarify. I will ask the
14 witness to answer again.

12:29:05 15 Q. Witness, the muster parade where your squad was dissolved, was this
16 at a ground that was near Nyandehun?

17 A. It was far from Nyandehun. But, you know, from Bunumbu to Nyandehun
18 was a short distance. It was in between -- close to Bunumbu but far from
19 Nyandehun.

12:29:36 20 Q. Witness, can you give us the spelling of that "Nyandehun"?

21 A. Yes. N-Y-A-N-D-A-H-U-N.

22 Q. Now, when you left this location between Nyandehun and Bunumbu, where
23 did you go next?

24 A. It was where we were dissolved and sent to where we were supposed to
12:31:17 25 go. Like for me, I was sent to Baima 4th battalion.

26 Q. Now, at the time you reached Baima, who was in charge of the 1st
27 battalion at Baima?

28 A. It was War Eagle.

29 Q. How did you know War Eagle was the head of the battalion?

1 A. Well, when we reached we all had to fall in. He was called "BC". He
2 will come to talk to you. We had to fall in and then he came and talked to
3 us. He showed us his name. It was then that I know he was the battalion
4 commander.

12:33:00 5 Q. What does "BC" stand for?

6 A. "BC" was battalion commander. They could also use it for brigade
7 commander.

8 Q. You said when you arrived at Baima you had to fall in. What do you
9 mean by the expression "fall in"?

12:33:51 10 A. Well, that was in the form of a parade. We, the younger boys, were
11 at the front in a line and the elder ones were at the back. They too were
12 in a line, in a straight line. That is how we were.

13 Q. How old were these younger boys that you were lined up with?

14 A. Well, I do not know their exact ages. There were younger boys. Some
12:34:33 15 were older than I was. There was another young one that I was older than.

16 INTERPRETER: My Lords, I did the not get his exact name, the name of
17 the other boy.

18 MS PARMAR:

19 Q. Can you repeat the name of the boy who was younger than you?

12:34:54 20 A. Yes; his name was "Go Easy".

21 Q. Can you say how many of those boys were your age?

22 PRESIDING JUDGE: Did he have another name? Did Go Easy have another
23 name?

24 THE WITNESS: That was the name everybody knew from the very day he
12:35:33 25 was taken to the base. If he had another name, I did not know about that
26 name.

27 MR JORDASH: The witness has said that he did not know the exact ages
28 of the boys. Some were older, one was younger. He hasn't said anything
29 about them being his own age. I am just pre-empting the repeat of the

1 question by my learned friend. I know it is a fine point, but it is an
2 important point in relation to the indictment.

3 JUDGE THOMPSON: Counsel.

4 MS PARMAR: The Prosecution will rephrase that question.

12:36:45 5 Q. Were there any boys present that you were lined up with who were your
6 age?

7 A. Well, I did not know the exact ages of the boys at that time. But
8 there were some with whom we had the same height, the same stature. Some
9 were taller than myself. There were two of them whom I said, "These are
12:37:30 10 older than myself." But the exact age, I couldn't tell. There were others
11 who had the same height like One-Forty, who was also called Malika [phon].
12 Of course, the two of us had the same height and the same stature.

13 Q. From Baima, where did you go?

14 A. The day we reached Baima, we were sent to Benduma. That was the
12:38:20 15 combat camp.

16 Q. With whom were you sent to Benduma?

17 A. Almost all of us who came, all of us who were sent from the base --
18 the recruits. We were all in Benduma.

19 Q. What did you do in Benduma?

12:39:08 20 A. Well, us, the SBUs, we did not go into any ambush. We were there as
21 security guards. We were going right around the camp. There were things
22 we did that were security measures. And we would say, "We seen you! We
23 seen you!" And we say, "An enemy is coming!", and they would know it was
24 true. So we were just around carrying guns. We would look right around
12:39:35 25 for enemies.

26 Q. How many SBUs were present at Benduma?

27 A. The ones whom we met there, they had SBUs in the combat. But I do
28 not know the exact number because I kept no account.

29 Q. Would the SBUs receive instructions from anyone at the camp?

1 A. Yes.

2 Q. Who was in charge of the SBUs?

3 A. At that place we are all active combatants. All of us received
4 instructions from the platoon commander who was stationed there. All of us
12: 41: 17 5 received our instructions from him.

6 Q. What was the name of the platoon commander at Pendembu?

7 A. He was called Lieutenant Swallow.

8 Q. Would the SBUs do anything else, other than provide security?

9 A. Well, yes. For instance, in the evening when it is time to cook food
12: 42: 25 10 for those who had been laying in ambush -- we were not the cooks, but we
11 made sure we bring some of the other things like water. The elder ones
12 would cook and they would share it and send it to the ambush and share it
13 as well with those who were in town.

14 Mr O'SHEA: That last answer, could that last answer just be
12: 43: 07 15 repeated?

16 MS PARMAR:

17 Q. Can you repeat the last part of your answer, what you just said?

18 A. Yes. I said we, the SBUs, sometimes, apart from security that we
19 provided, we had to fetch water, wood, and we would bring them to the S4,
12: 43: 46 20 where they prepared food. They would do the cooking and send some to those
21 who were in the ambush and they would eat and they would share it among the
22 convoys. Each convoy would take its own, and S4 would take its own ration.

23 Q. You mentioned taking the food from the S4. What was the S4?

24 A. S4 were responsible for keeping the logistics like the cooking
12: 44: 31 25 utensils, the cooking materials, and they did the cooking. Everything that
26 concerned food, they did.

27 Q. When you and the SBUs were providing security, was that security for
28 the camp or for a particular person?

29 A. Well, it was for the camp.

1 Q. Were there any other activities that you saw being done by the SBUs?
2 A. Well, no; except that we took an active part at the battlefields.
3 That was what I saw.
4 Q. How long did you stay at Bunumbu?
12:46:23 5 A. Pendembu? We are talking about Bunumbu. I was at Bunumbu for a long
6 time anyway.
7 Q. Where did you go after you stayed at - excuse me, Your Honour - at
8 Bunumbu?
9 PRESIDING JUDGE: It is Bunumbu?
12:46:56 10 MS PARMAR: I will ask the witness for the spelling.
11 Q. Can you spell the town?
12 A. Bunumbu, yes. B-U-N-U-M-B-U.
13 JUDGE BOUTET: It is "B" like bravo.
14 THE WITNESS: Yes.
12:47:21 15 PRESIDING JUDGE: Bunumbu.
16 MS PARMAR:
17 Q. After your stay at Bunumbu, where did you go next?
18 A. Well, we went on the offensive at Daru; we went to attack Daru.
19 Q. Who did you go with to attack Daru?
12:48:19 20 A. All the combatants who were at the combat camp at Benduma, together
21 with the reinforcements that had come from Baima Town, which was the
22 headquarters. So we all joined together to attack the town.
23 Q. Do you know why you had been sent to attack the town?
24 A. All I knew was that it was meant to capture the town. They didn't
12:49:06 25 tell me why they wanted us to capture the town.
26 Q. Who told you to capture the town?
27 A. Well, it was Sam Bockarie, Skinny. He went to us at logistics, arms
28 and ammunition and rations, which included bags of rice. They left them.
29 They talked to the battalion commander, and later the battalion commander

1 spoke to us. At that time Skinny had returned - after he had left the arms
2 and ammunition. Skinny is also known as Sam Bockarie.

3 PRESIDING JUDGE: Okay. He was Master, he was Sam Bockarie, and now
4 Skinny. Mr Witness, do you know where that name came from?

12:50:40 5 THE WITNESS: Well, from what they told us it was because of his
6 stature; he was a slim person.

7 MS PARMAR:

8 Q. Tell the Court what happened when you went to capture Daru.

9 A. Well, when we have been moved to Benduma, as we approached Daru,
12:51:33 10 there was one last coy and we were distributed according to platoons, we
11 were distributed according to companies. We had A coy, called A company.
12 So we were distributed alpha, bravo, del ta. We were shared into four
13 companies.

14 PRESIDING JUDGE: Alpha, bravo, del ta?

12:52:03 15 THE WITNESS: Alpha, bravo, charlie, del ta.

16 MS PARMAR:

17 Q. Now, go slowly, witness, and explain what you did after you were
18 divided into these four companies.

19 A. Each company had a communications set and a signaller, who had the
12:52:52 20 communications -- each company. The company where I was was the A company,
21 alpha. The commander, who was War Eagle, also had a communications set and
22 he gave the instructions.

23 Q. What were these instructions?

24 A. Okay. Now, he had the communications set. He would tell us when to
12:53:40 25 shoot, for example. For instance, if it was Charlie Company that was to
26 shoot, he was to say, "Charlie, cease fire. Alpha, open fire", and
27 something like that. So, all the signallers were monitoring what he was
28 saying -- "Charlie, cease fire. Alpha, open fire."

29 Q. Who were you fighting at Daru?

1 A. We were fighting against the ECOMOG and Kamajors.

2 Q. What did you, yourself, do during the fighting?

3 A. Well, at first, we were shooting to capture the town. When we
4 captured the town, we divided the town and the barracks. We were capturing
12:55:03 5 civilians, you know.

6 Q. Witness, I want you to describe to the Court what you, yourself, did
7 during the fighting. Just let's talk about you first.

8 A. Okay. When we left Benduma, at first we captured an old man. He was
9 starving because we had cut off their supply line; they were all starving
12:55:43 10 in the town. We captured the old man and we asked him and he gave us the
11 information whereabouts ECOMOG was. They said we shouldn't let the old man
12 go, that we should execute him. They gave him to two of us -- myself and
13 one boy called Malika.

14 Q. What did you do?

12:56:15 15 A. I called the old man and said to him, "Come along. I was going to
16 kill you." And the other boy took his bayonet, he removed it from the
17 muzzle of the gun and he stabbed the old man in his chest. He wouldn't
18 shoot him because we were close to the enemy. So he stabbed him in his
19 chest and I, too, stabbed him with a long knife that I had. He was lying
12:56:44 20 down breathing loudly and he was really in anguish, fighting to die.

21 Q. During the attack on Daru against ECOMOG, what did you do yourself
22 during this attack?

23 A. Well, there was one club. I knew that it was a club, the way it was
24 structured. That was the first place that I torch fired to. Everything
12:58:05 25 was in the house and that was the first house that we torched on fire.

26 PRESIDING JUDGE: Fire in what sense -- gunfire, ordinary fire? What
27 was it?

28 THE WITNESS: Ordinary fire. We took all the things outside and we
29 packed them until they reached the [audible]. We put kerosene on it and we

1 set it on fire. The house was on fire as well.

2 MS PARMAR:

3 Q. Now, Witness, did you set this house on fire before you were fighting
4 ECOMOG or after?

12:59:29 5 A. It was after we had pushed them and we sent them out of the town. We
6 are in the barracks. We were just separated by the river. It was at that
7 time that people looted and they could not take it along; we were just in
8 the barracks. We were killing stealthily.

9 Q. Who were you killing stealthily?

13:00:19 10 A. Well, you just go around and you see a corpse lying down there. You
11 wouldn't know who had killed them, but they were civilians. That stealthy
12 killing was happening to civilians.

13 Q. Were you, yourself, participating in these killings?

14 A. Well, actually, no.

13:00:52 15 Q. During the fighting with ECOMOG, at the fighting time, what did you
16 do in Daru during that time?

17 PRESIDING JUDGE: Ms Parmar, it is 1.00 p.m. Are you closing this
18 episode or don't you think you can revisit what he was doing during the
19 ECOMOG attack in the afternoon?

13:01:44 20 MS PARMAR: Your Honours, I am just looking for the witness to answer
21 this particular area of questioning, and then we can leave Daru. If the
22 Court pleases, we can carry on after lunch.

23 PRESIDING JUDGE: Because it is 1.00 and I don't know how long it
24 will take before you leave Daru.

13:02:05 25 MS PARMAR: We can pick it up after lunch.

26 PRESIDING JUDGE: That is right, yes. The Chamber will recess for
27 lunch. We will be resuming the session at 2.30 p.m. We will rise, please.

28 [Luncheon break taken at 1.00 p.m.]

29 [On resuming at 2.40 p.m.]

1 PRESIDING JUDGE: Good afternoon, learned counsel. We are resuming
2 the session. Learned counsel, you may proceed.

3 MS PARMAR:

4 Q. Witness, before we continue, I want to explain to you the importance
14:44:12 5 of going slowly when you answer the questions. There is someone who is
6 translating your answers for everyone in the Court. So when you give your
7 answer, try to only say two sentences and stop to allow the translator to
8 translate what you have been saying. Stop for just a moment and then try
9 to continue.

14:45:02 10 A. Yes.

11 Q. So, let's try to proceed in that way. All right?

12 A. Okay.

13 Q. Before we left for the break, you were describing an attack on ECOMOG
14 at Daru. Please tell the Court what you, yourself, did during the time of
14:45:51 15 fighting with ECOMOG.

16 A. Like I said, the first thing that I did, the first instructions that
17 was given to the two of us was at a gathering where all the commanders, all
18 the combatants were -- two of us. That was the first one, and the house.

19 Q. After you carried out this first instruction at the gathering, what
14:46:41 20 was the next thing that you did?

21 PRESIDING JUDGE: Would this be the instructions about the man and
22 the burning of the house?

23 MS PARMAR: The first instruction concerned the man -- the old man --

24 PRESIDING JUDGE: The old man, yes.

14:46:54 25 MS PARMAR: -- the witness had described before the break.

26 PRESIDING JUDGE: Yes, and the burning of the house. Would that be?

27 MS PARMAR:

28 Q. Witness, the first instruction that you were given concerned the
29 killing of the old man. Is that correct?

- 1 A. Yes.
- 2 Q. When were you given the instruction for the burning of the house in
3 Daru?
- 4 A. That was after we had captured the town. We ourselves were walking
14:47:40 5 in the town in groups and we decided that we should put that house on fire.
- 6 Q. Now, I want you to go to the time before you managed to capture the
7 town, when the group you were with were fighting ECOMOG at Daru. During
8 the time of fighting, where were you?
- 9 A. I was among the group; I was among the group; I was among them.
- 14:48:37 10 JUDGE BOUTET: You mean the group of combatants?
- 11 THE WITNESS: Yes.
- 12 MS PARMAR:
- 13 Q. What did you do when you were among this group of combatants?
- 14 A. I was taking the part of any active combatant -- shooting and taking
14:49:17 15 positions -- until we captured the town.
- 16 Q. What did you use to shoot?
- 17 A. I used a gun -- a ULIMO-AK.
- 18 Q. Where did you receive this gun?
- 19 A. Well, from the first day that we reached the fourth battalion, when
14:50:17 20 they said we were combatants, that is when they assigned that gun to me.
- 21 Q. Who assigned you this gun?
- 22 A. Well, it was given to us at the muster parade. It was brought at the
23 muster parade ground by the armourers, and it was the same armourers who
24 did the distribution. They gave us the ammunition as well.
- 14:51:11 25 Q. How old were those who were given arms and ammunition?
- 26 A. Well, we had elderly ones and younger boys.
- 27 Q. Did you know how old these younger boys were?
- 28 A. Well, I did not know their exact ages. I was of the same height as
29 them and some were taller than I was.

- 1 Q. You described burning a house in Daru after you had captured the
2 town. What else did you do in Daru?
- 3 A. Well, apart from that, apart from houses that we burnt, there was no
4 other thing that we did.
- 14:53:15 5 Q. How many houses were burnt in Daru?
- 6 A. Those that I knew about are the ones I have spoken about, but I could
7 not tell the exact amount. But when I reached there I saw the houses on
8 fire, but I would not tell the exact number.
- 9 Q. Can you make an estimate of how many houses that you saw on fire?
- 14:54:11 10 A. Well, I didn't count, but I did see smoke from far away. I did see
11 fire blazing, but I didn't stand counting that this is one and this is two,
12 no.
- 13 Q. After the attack on Daru, where did you go next?
- 14 A. Well, we returned to Benduma.
- 14:55:01 15 Q. What happen when you reached Benduma?
- 16 A. When we reached Benduma the combatants who were in the battalion went
17 back and they left us who were in the combat camp and we continued
18 performing our normal duties.
- 19 Q. Where did you go next from Benduma?
- 14:55:48 20 A. From Benduma I went first to Baima Town.
- 21 Q. Where did you go from Baima Town?
- 22 A. We were at Baima for some time and later on we were assigned to a
23 mission to capture Segbwema.
- 24 Q. Can you please spell Segbwema?
- 14:56:44 25 A. Yes. It is spelt as S-E-G-B-W-E-M-A.
- 26 PRESIDING JUDGE: What?
- 27 THE WITNESS: S-E-G-B-W-E-M-A.
- 28 Q. Describe the mission to Segbwema.
- 29 A. It was CO Colonel Eagle who was given that mission to capture

1 Segbwema. He took the mission and handed it to Colonel Gassimu.
2 PRESIDING JUDGE: What was the first name -- Ego?
3 A. The first name was Colonel Eagle.
4 Q. What happened when Colonel Gassimu was given the mission?
14:58:41 5 PRESIDING JUDGE: That is Colonel who?
6 MS PARMAR: Gassimu.
7 THE WITNESS: Yes.
8 MS PARMAR:
9 Q. So what happened after the mission was handed to Colonel Gassimu?
14:59:15 10 A. Well, War Eagle sent a radio message to the company commanders.
11 Every company and platoon sent manpower to go and capture Segbwema.
12 Q. What is manpower?
13 A. We are talking about combatants here.
14 Q. So what happened next?
15:00:10 15 A. So, there was a company which was far away from the battalion. So
16 they showed us the village where they should meet up. The village was
17 called Lah. It was a crossing point.
18 Q. Can you please spell Lah?
19 A. Well, I never saw a signboard, so I don't know.
15:00:45 20 Q. What happened after you reached Lah?
21 A. When we reached there, they divided us into three groups. There was
22 the advance team, the bulldoze team and a rear team.
23 Q. Which team did you belong to?
24 A. It was the bulldoze team; I was in the centre.
15:01:41 25 Q. What did you do in the bulldoze team on this mission?
26 A. Well, there was a big river called Moa. We had to go across it to
27 capture the first town called Manowa. So we put all the ammunition --
28 commando mortar, RPG, GPMG, many weapons --
29 PRESIDING JUDGE: You had to cross the river to capture?

1 MS PARMAR:

2 Q. What was the name of the village?

3 A. Yes. We went across river Moa to capture Manowa.

4 Q. Please continue.

15:03:08 5 A. After we had put the arms and ammunition in the canoe, then we
6 boarded the canoe. The enemies -- the Kamajors and the ECOMOG -- were down
7 there, and because we were going on an offensive we went with the canoe
8 right down there. From there we started launching on the Kamajors. At
9 that time we were able to overcome them, so we alighted from the canoe and
10 started taking positions.

11 [HS120405D 3.00 p.m. - SV.]

12 Q. What did you do when you were in the canoe?

13 A. This particular attack, it was the support unit that was firing.
14 When the bulldozing team, we only came down -- we only started taking
15:04:28 15 positions when we came down from the canoe, and that's when we captured
16 Manowa. When we were in the canoe we were just using artillery and mortar,
17 RPG.

18 Q. Witness, describe what you yourself did once you got out of the
19 canoe?

15:05:36 20 A. The canoe reached the dry land. That's when we started disembarking.
21 You had to swim, so if you were unable to swim then you would be drowned
22 because the water was full. So we started holding on to sticks, coming out
23 of the water, shooting and lying down at the same time. Till we captured
24 the town, that's all we were doing. You would shoot and you would observe.

15:06:23 25 Q. Who were you shooting at?

26 A. Well, it was the Kamajors and the ECOMOG.

27 Q. What happened to the Kamajors and ECOMOG during the attack on
28 Segbwema?

29 A. The first town that we captured, we killed so many ECOMOG and

1 Kamajors. Even amongst us so many people lost their lives. Some were
2 wounded.

3 Q. What was the name of this first town that you captured?

4 A. It was called Manowa.

15:07:42 5 Q. What happened once you took Manowa?

6 A. The sooner we captured Manowa, that's when we had added zeal. The
7 commanders had zeal for us to go ahead. Once we had captured one of the
8 strongest bases, some men stayed while the advance team forged ahead.

9 Q. Where did you go from Manowa?

15:08:54 10 A. We passed through the smaller villages but the big towns that I could
11 remember were Jukibo [phon], Bunumbu Teachers College -- there were many
12 villages that we went through but I couldn't remember their names now.

13 JUDGE BOUTET: But you are on your way to Segbwema?

14 THE WITNESS: Yes.

15:09:33 15 JUDGE BOUTET: From Manowa.

16 THE WITNESS: From Manowa, yes.

17 MS PARMAR:

18 Q. What happened at Segbwema?

19 A. When we had walked that long distance, when we reached, we left late
15:10:12 20 in the evening, we were fighting all night and we reached Segbwema towards
21 daylight. The commanders like Papay Francis -- Colonel Francis, Colonel
22 Ghadafi and the other commanders, they were trying to plan how we should
23 capture the town. That was close to the town.

24 Q. Please continue, witness.

15:11:01 25 A. We were close to the town. It was a swamp that separated us. So
26 they divided us and they gave one group --

27 THE INTERPRETER: My Lords, the witness is very, very fast. I
28 wouldn't interpret accurately.

29 MS PARMAR: Witness, we're trying to work together so that everyone

1 can get your evidence. Where you are you can't see the judges writing down
2 what you're saying. But I can. So when I want you to stop I'm going to
3 hold up my hand. And just stop speaking and hold your thought and when I
4 want you to continue I'll nod my head.

15: 13: 07 5 THE WITNESS: Yes.

6 MS PARMAR:

7 Q. Let's start again. Describe what happened from when your group was
8 outside of Segbwema by the swamp. What happened next and go slowly?

9 A. When we were divided they showed us the way, the way the SBUs could
15: 13: 47 10 have used. That was the road on the right-hand side. That was the road
11 the SBUs could have used and the elderly ones showed the route that they
12 were going to use.

13 Q. Continue, witness.

14 A. The road that we, the SBUs, used there was a stick grenade that was
15: 14: 57 15 planted on the road. There was land mines on the road as well. As we were
16 going the first man that was in front of us, the small boy, he went into
17 this land mine and it exploded.

18 Q. Witness, you said that the SBUs went down a certain road. How many
19 SBUs were there on this mission?

15: 15: 37 20 A. Well, we were many. We were many.

21 Q. What happened after the land mine exploded?

22 A. As it exploded the enemies suspected that we were around. Then there
23 was some serious shooting. There was an exchange of firing. It was only
24 after we had captured the town that we came back to look for the boy.

15: 16: 59 25 Q. You said that there was serious shooting. Who was shooting?

26 A. It was the ECOMOG and Kamajors exchanging firing with us.

27 Q. Explain slowly what happened in Segbwema after you captured the town?

28 A. When we crossed -- when we went across the swamp we were in the town,
29 we continued exchanging firing until we captured the whole of Segbwema.

- 1 The sooner we captured Segbwema --
- 2 Q. Please continue?
- 3 A. As soon as we captured the town we started looting. The first place
- 4 that we looted was the hospital which was at Segbwema. I think it is
- 15: 18: 57 5 called Dixon Hospital or so.
- 6 Q. Where is this hospital?
- 7 A. This hospital is along the road from Manowa to Bunumbu. It was
- 8 located at the main road, just on the right-hand side to Bunumbu from
- 9 Manowa.
- 15: 19: 57 10 Q. Who was looting in the hospital?
- 11 A. We were looting.
- 12 Q. Who were you with at this time?
- 13 A. With the combatants.
- 14 Q. What was looted from the hospital?
- 15: 20: 47 15 A. Medicines.
- 16 Q. What else happened in Segbwema after it was captured?
- 17 A. Most of the time Kamajors and ECOMOG were coming from Daru through
- 18 Mende Kaima [phon] to come and attack because we had cut off -- they were
- 19 coming to attack to capture Mende Kaima.
- 15: 21: 27 20 Q. So what happened then in Segbwema? What were you doing in Segbwema?
- 21 A. We were defending the town. We were defending the town.
- 22 Q. Other than looting at the hospital was anything else happening in
- 23 Segbwema after it had been captured?
- 24 A. Well, yes. Apart from the hospital we were looting in some of the
- 15: 22: 19 25 houses. We were burning houses. For instance, the time that I'm talking
- 26 about when Kamajors --
- 27 Q. Let's just go back, Witness. You say that you were looting from the
- 28 houses. What were you looting in those houses?
- 29 A. Well, we looted so many things like clothing. Well, of course, food.

1 From the shops -- so many other things.

2 Q. You also mentioned that you were burning houses. Where were these
3 houses?

4 A. In Segbwema Town.

15:23:45 5 Q. How many houses were burned?

6 A. The houses were many. They were so many that I wouldn't know their
7 numbers. We burnt a lot of houses in Segbwema.

8 Q. Were you given any instructions when you had captured Segbwema?

9 A. Well, that particular burning, we did it as a result of the pressure
15:24:34 10 that was exerted on us by the enemies who were coming to attack. When they
11 did that and they went away it would take a long time before they came
12 back. And it was during that battle that the commanders like Colonel
13 Ghadafi, they were giving us instructions that we should burn the houses.

14 JUDGE THOMPSON: Do you want to go over that again.

15:25:01 15 MS PARMAR: Yes.

16 JUDGE THOMPSON: It's a little entangled.

17 MS PARMAR: Yes.

18 Q. Witness, can you explain again who gave you the order to burn to
19 houses?

15:25:27 20 A. The mission commander and his deputy. The mission commander was
21 Colonel Gassimu --

22 THE INTERPRETER: The last name is not clear.

23 THE WITNESS: The deputy commander was Passaway. And when we had
24 pushed them away, that is the enemies, they would give us instruction that
15:25:51 25 we should set fire to the houses and they would be in Daru and they would
26 see the houses on fire.

27 MS PARMAR:

28 Q. Witness, just stop. Just try to answer just the question that I'm
29 asking you. I was just asking you who had given you the order. We'll talk

1 about the order itself -- just a moment.
2 A. It was given by the mission commander and his deputy.
3 JUDGE BOUTET: At that time the mission commander was Colonel
4 Gassimu, is it?
15:26:46 5 THE WITNESS: Yes.
6 JUDGE BOUTET: And his deputy is Passaway?
7 THE WITNESS: Yes.
8 PRESIDING JUDGE: His deputy, can you spell that?
9 THE WITNESS: Passaway. P-A-S-S-A-W-A-Y.
15:27:11 10 JUDGE BOUTET: What was his rank?
11 THE WITNESS: He was staff captain. It was because of that mission
12 that he was given the major.
13 MS PARMAR:
14 Q. You explained why this instruction to burn was given. Can you say
15:27:50 15 that again and go very clearly and slowly?
16 A. When we had captured Segbwema, after we had cut off the supply line
17 to ECOMOG and the Kamajors who were in Daru -- when they start they would
18 come on the offensive to come and look for food.
19 Q. Who would come on the offensive to look for food?
15:28:44 20 A. Well, most of the time it was the Kamajors and sometimes even the
21 ECOMOGs would come.
22 JUDGE BOUTET: So ECOMOG and the Kamajors at that time are in Daru.
23 THE WITNESS: Yes.
24 JUDGE BOUTET: And you are in Segbwema, you have captured Segbwema
15:29:24 25 then.
26 THE WITNESS: Yes.
27 JUDGE BOUTET: And you're saying they are coming from Daru on the
28 offensive to look for food and they're coming to the offensive to Segbwema.
29 THE WITNESS: Yes.

1 MS PARMAR:

2 Q. Please continue your explanation.

3 A. Sometimes after we had cut off their supply line and they were not
4 having food from Kenema and even from Freetown to go to Daru -- that was
15:30:03 5 how they wanted to remove us from the road so that a vehicle could ply the
6 route. So they were coming on the offensive. The last time they came they
7 did so with ECOMOG. That was the time we heard that gun that had four
8 barrel.

9 Q. So what happened once you heard the four barrel gun?

10 A. When they came they came from the Daru end. They had one place which
11 was a combat camp from Segbwema to Daru, the last place between us and the
12 Kamajors. They called that place Mende Kaima.

13 JUDGE THOMPSON: Is this all part of the explanation why the
14 instructions were given?

15 MS PARMAR: I believe so, Your Honour. He'll be coming to that.

16 JUDGE THOMPSON: Okay, I just wanted to know the context.

17 MS PARMAR:

18 Q. So what did you do in Segbwema once ECOMOG and the Kamajors started
19 advancing?

20 A. Whenever they advanced, after we had put the situation under control,
21 after we had repelled them, the commanders would always give us instruction
22 that we should set fire and sometimes we would be under attack and we would
23 start setting fire to the houses.

24 THE INTERPRETER: My Lords, it is not easy for us in the
15:32:24 25 interpreters' booth, we are not hearing anything.

26 PRESIDING JUDGE: Are you hearing anything now [inaudible] the
27 interpreter's cabin.

28 THE INTERPRETER: We can hear but sometimes it gets so noisy that we
29 can't hear the last bit of the witness's testimony.

1 PRESIDING JUDGE: But you are hearing something now, aren't you?
2 THE INTERPRETER: Some, some.
3 PRESIDING JUDGE: Can we proceed and see how far we go.
4 THE INTERPRETER: Yes, we can.
15:33:18 5 JUDGE THOMPSON: Is it because of the intervention of the rain?
6 THE INTERPRETER: Yes, it is.
7 MR HARRISON: I wonder if the audiovisual people could give some
8 guidance, if it's just a question of turning up the volume that's being
9 emitted from the witness in the separate room that he's in.
15:33:34 10 JUDGE THOMPSON: We will leave that to the technicians; if they can
11 advise us whether the intervention of the rain could be minimised by their
12 technology.
13 PRESIDING JUDGE: Is the cabin all right now?
14 THE INTERPRETER: The same. When you remove the earphones it's not
15:34:10 15 as noisy as it is when the earphones are not on.
16 PRESIDING JUDGE: Why don't you put the earphone on one ear and see
17 how far you can proceed.
18 THE INTERPRETER: We'll try.
19 PRESIDING JUDGE: On one ear.
15:34:23 20 THE INTERPRETER: We'll try but it's not easy.
21 PRESIDING JUDGE: I know. We know it's not easy. If you find it
22 increasingly difficult then we may have to pause there.
23 THE INTERPRETER: Yes, My Lords. Thank you.
24 PRESIDING JUDGE: Can we proceed?
15:34:37 25 THE INTERPRETER: Yes, we can.
26 PRESIDING JUDGE: Okay. Yes, Ms Parmar, please. Let's see how we
27 go. If it becomes impossible we'll hear nothing at all.
28 JUDGE THOMPSON: I think you were at the point where after ECOMOG and
29 Kamajors advanced, after you had repelled them --

1 PRESIDING JUDGE: The commanders gave orders for them to burn houses.
2 What was behind this burning of houses? He gave us an explanation. Can he
3 give us that explanation again at this stage.

4 MS PARMAR:

15:35:30 5 Q. Witness, what was your understanding as to why you were given the
6 order at this time to burn down all of the houses in Segbwema, and please
7 go slowly?

8 A. Well, sometimes when they come it's in the night and sometimes it's
9 the day time and most of the times it's in the night. And when we were
15:36:08 10 burning houses in the night it provides us lights. It enables us to see
11 clear. We call it war candle and they will tell us to go and put the war
12 candle on. Yes, if it's at daytime --

13 THE INTERPRETER: I didn't get that last bit. If it's the daytime, I
14 didn't get the last bit.

15:36:30 15 MS PARMAR:

16 Q. Witness, remember you have to go slowly. Can you repeat the last
17 sentence that you said?

18 A. If it's the daytime, if it's during the exchange of firing the ECOMOG
19 would be using heavy artillery and sometimes we use the same thing. We
15:37:00 20 would direct the bomb but sometimes, where it lands, it will burn houses.

21 Q. You also mentioned something called war candle. Explain what is war
22 candle?

23 A. Well, this was used mostly in the night and when the enemies would
24 attack and the place is too dark and we couldn't identify our foes from our
15:37:56 25 friends -- so the commanders would give an instruction that we should put
26 the war candle on. At that time we would place all the property in the
27 houses in the parlour and we'll set fire. As soon as the fire starts up
28 and we see the flame, and by so doing we would be able to see the enemies.

29 Q. Which commanders gave the order for war candle?

1 A. Well, it was the mission commanders who were the ground commanders
2 like Colonel Ghadafi, Passaway, Lamin Saliar [phon].
3 Q. Who would instruct the mission commanders?
4 A. Well, I never witnessed -- I never witnessed that. I do not know how
15:40:08 5 the mission commander got his instructions. All I knew was that he was
6 getting his instruction from the first headquarters where Sam Bockarie was.
7 MS PARMAR: Did Your Honours hear the last answer?
8 PRESIDING JUDGE: Yes, I heard it. He didn't know where the
9 instructions were coming from because he had a direct commander. But he
15:40:40 10 would imagine, as you would imagine, that they must have been receiving
11 instructions from headquarters where Master was.
12 JUDGE BOUTET: I thought he had said that he didn't know who but he
13 knew where it came from.
14 PRESIDING JUDGE: Yes, that's precisely what --
15:41:04 15 MS PARMAR:
16 Q. You referred to a headquarters. Where was this headquarters?
17 PRESIDING JUDGE: But he had said so. Headquarters was somewhere in
18 Koidu or so, wasn't it?
19 MS PARMAR: That was in an earlier part.
15:41:21 20 PRESIDING JUDGE: That is where Sam Bockarie's headquarters was.
21 He's mentioned it in the earlier evidence.
22 MS PARMAR: That's correct.
23 PRESIDING JUDGE: In his earlier testimony, I'm sorry.
24 MS PARMAR:
15:41:44 25 Q. Witness, were there any other missions that you participated in in
26 Kailahun District?
27 A. Well, yes.
28 Q. Can you name one of these missions?
29 A. Well, like Operation Born Naked which was conducted at Joru Nyiama in

1 the Kenema District. But in Kailahun District it was --

2 PRESIDING JUDGE: Operation Born Naked was conducted where?

3 THE WITNESS: That was Nyiama Joru.

4 MS PARMAR:

15:42:42 5 Q. How do you spell Nyiama?

6 A. Nyiama. Well, N-Y-I-A-M-A.

7 Q. And how do you spell Joru?

8 A. Joru is J-O-R-U.

9 PRESIDING JUDGE: Learned counsel, if I may ask, this Operation Born
15:43:20 10 Naked, what was it? What was it? Let the witness explain. We are coming
11 by this a second time. We'd like to have some clarification on this. This
12 Operation Born Naked is featuring for the second time.

13 MS PARMAR:

14 Q. Witness, please go slowly and explain what was Operation Born Naked
15:43:47 15 at Nyiama Joru?

16 A. Well, Operation Born Naked was conducted with Morris Kallon. It was
17 he himself that named the operation Born Naked. He named it this way when
18 we had approached --

19 PRESIDING JUDGE: Wait. Wait. You say it was he himself who named
15:44:41 20 it that way, yes. Let him continue.

21 THE WITNESS: Yes. He named it this way when we had approached the
22 place where we were going to launch the attack. He removed his clothes --

23 PRESIDING JUDGE: Wait. He removed his clothes?

24 THE WITNESS: Then he turned to us and said, "This is Operation Born
15:45:54 25 Naked".

26 MS PARMAR:

27 Q. What did you do on this particular Operation Born Naked?

28 A. During this particular mission, when he removed his clothes and he
29 had told us, he turned to us and he said he wanted to see everybody just

1 I like he was. So all of us removed our clothes. We only had our trousers
2 on.

3 Q. So what did you do next?

4 A. When we removed our clothes that was the password. So we moved to go
15:47:08 5 on the offensive, to launch an attack on the town itself. As we were
6 going, even before we could reach the town there was an alarm that they had
7 suspected that we were on our way. On our way on the highway, the main
8 highway --

9 Q. What happened on the main highway?

10 A. We met an ECOMOG war tanker and it had eight barrels.

11 Q. What happened when you met this tanker?

12 A. Well, it was not easy because they had a ground force that was close
13 to the tanker. So we had a very serious exchange of firing. So we were
14 pressuring the war tank. But we had one artillery man, Forty Barrel --

15:48:34 15 THE INTERPRETER: My Lords, I didn't get this last bit of the
16 witness's answer. It's so horrible.

17 JUDGE BOUTET: Mr Witness, please repeat your last answer.

18 THE WITNESS: I am talking about the weapons that we met with.

19 JUDGE BOUTET: [Microphone not activated] what did you say after
15:49:01 20 that?

21 THE WITNESS: The ammo car had a ground force. It had soldiers that
22 were by eights. So we started exchanging firing with them. So many people
23 died amongst us. So many men were wounded.

24 MS PARMAR:

15:49:45 25 Q. During the fighting where was Morris Kallon?

26 A. As he was the mission commander he was not stagnant. He was all over
27 the place where we were deployed. You would see him with us across the
28 street on the right-hand side, he would be on the left-hand side, you know.
29 He too was taking active part. He had his gun. He too was taking active

1 part.

2 Q. Were you successful on this particular Operation Born Naked?

3 A. Well, yes.

4 Q. What season was it when you were participating in this particular
15:51:17 5 Operation Born Naked?

6 A. I wouldn't remember.

7 Q. Once you captured Nyiama Joru what happened?

8 A. Well, the eight barrel, the Forty Barrel, one of the artilleries
9 combatants which used flame thrower, which is like an RPG bomb, it launched
15:52:37 10 on the eight barrel and it was beaten. So all of the ECOMOG dispersed and
11 we captured it. But there was nobody to operate the gun. One SLA who was
12 a senior person was the only person who could work that gun and as soon as
13 he jumped into the vehicle to operate the gun he was shot from his feet to
14 his waist. He was just lying in the ammo car. Yes, that's how we saw him.
15:52:37 15 So we abandoned the ammo car. The ECOMOG returned with some serious firing
16 this time accompanied by jets.

17 JUDGE BOUTET: Before we move on with that aspect I do have a few
18 questions for clarification, if I may. On this Operation Born Naked, why
19 have we moved to that because it's in a different district? Is it because
15:53:17 20 it's taking place at the same time or -- I'm just trying to figure out in
21 the time frame, are we just back in time at the time when the witness was
22 describing Operation Born Naked earlier in his evidence and it's just now
23 an addition to that? Can you clarify my understanding or lack of
24 understanding?

15:53:57 25 MS PARMAR: Your Honour, the Prosecution hadn't intended to go into
26 this particular Operation Born Naked but --

27 JUDGE BOUTET: Yes, I know but the witness was talking of Nyiama Joru
28 but Nyiama Joru is an operation that was conducted at the same time as
29 another operation.

1 MS PARMAR: That's correct.

2 JUDGE BOUTET: And from there he said -- but one of my questions is
3 Operation Born Naked, Mr Witness, do I understand that this is a code word
4 for an attack and not necessarily an operation per se?

15:54:15 5 JUDGE THOMPSON: The first part of your question, I thought that the
6 Prosecution did ask whether this witness participated in any other
7 operations and in Kailahun.

8 JUDGE BOUTET: In Kailahun, yes, and then we moved --

9 JUDGE THOMPSON: And this witness volunteered, as one of those
15:54:33 10 operations, the Operation Born Naked. That was how it came to feature.

11 MR HARRISON: That's exactly right but he said Kenema and then
12 Mr Justice Itoe said well, I've heard of Operation Born Naked, let's cover
13 this off now. That's how we ended up going in that direction.

14 JUDGE THOMPSON: Yes, because that question came from the Prosecution
15:54:59 15 and then the witness volunteered that. Our learned presiding brother
16 wanted some amplification.

17 JUDGE BOUTET: Okay, that answers my question. I also wanted
18 amplification on Operation Born Naked but my last question on Operation
19 Born Naked is: Is this just a code word for an attack, as the witness has
15:55:37 20 said, in all cases?

21 PRESIDING JUDGE: Yes.

22 JUDGE BOUTET: Or it was one operation that was called by that
23 specific name? Do you understand my question, Madam Prosecutor?

24 PRESIDING JUDGE: And, if I may add, why was it necessary for them to
15:55:37 25 be naked in combat? I mean, if he can explain. The question is not for
26 the Prosecution.

27 MS PARMAR: Yes, of course.

28 PRESIDING JUDGE: Can the witness volunteer an answer.

29 MS PARMAR: We can try to put this particular operation into context.

1 Q. Witness, was the word Operation Born Naked used for just this
2 particular mission or for other missions?

3 A. Well, by Born Naked, other commanders use it apart from the others.
4 But when we were operating during that particular operation, just as when
15:56:57 5 we [inaudible] before we captured the town, that is what we did first. We
6 made sure that everybody was naked. As the name implies, Born Naked, they
7 had no clothes on and if you had a long trouser they would cut it to a
8 short --

9 Q. So the term Operation Born Naked, was that like an instruction that
15:56:57 10 you were to remove your clothes before the mission?

11 A. Yes. That is one thing.

12 PRESIDING JUDGE: And the other thing is what?

13 THE WITNESS: The other thing was what we would do during the
14 operation.

15:57:30 15 MS PARMAR:

16 Q. When you were told Operation Born Naked what did that mean that you
17 were supposed to do during the operation?

18 PRESIDING JUDGE: He has told us what they normally did during the
19 operation. What is the significance of that?

15:58:17 20 MS PARMAR: I think he meant before the operation they removed their
21 clothes and my understanding of his response to Your Honour's question was
22 that there was a second part during the operation.

23 PRESIDING JUDGE: Yes, yes. Okay. There was a second part, yes.

24 MS PARMAR: And that's what we're asking.

15:58:17 25 Q. Was there a second part when you were told Operation Born Naked?

26 A. Well, like, the Born Naked -- when they say this is Operation Born
27 Naked nobody needs to tell you that when we get closer to the place you
28 should remove your clothes. So that was known by everybody. The only
29 thing that they told you was that when we have captured the town, as long

1 as it is Burn Naked, we should make that we burn all the houses. Dog,
2 sheep, everything you see shouldn't live to tell the story. That
3 instruction we all had before we left for the mission.

4 JUDGE THOMPSON: So there's a twist here. The Operation Born Naked,
15:59:01 5 the word there is B-O-R-N, but the second part suggests B-U-R-N which
6 sounds like a pun.

7 MS PARMAR: It appears that way which is perhaps what the witness
8 referred to when he said in the first part --

9 JUDGE THOMPSON: Yes.

15:59:45 10 MS PARMAR:

11 Q. Witness, you said that you participated in this particular Operation
12 Born Naked in Kenema. Was this after your missions that you've described
13 already that took place in Kailahun District?

14 A. Operation Born Naked was in Kenema District because Joru Nyiama is
16:00:21 15 part of Kenema District. By the time that we were captured I didn't know
16 Kailahun District. I do not know Kailahun District. The route that we
17 used, all the villages that we used were in Kailahun District. So we just
18 appeared suddenly in that place. So I still understood that place as
19 Kailahun District.

16:00:46 20 Q. So this happened while you were operating in Kailahun District?

21 A. Yes.

22 Q. Let's return to Kailahun District. Did you participate in any other
23 operations in Kailahun District?

24 A. Well, like the operation that I have spoken about in Segbwema, it is
16:01:46 25 part of Kailahun District.

26 Q. Witness, actually I had one more question about this particular
27 Operation Born Naked that you had described earlier. You said that there
28 was a second part to Operation Born Naked where you were -- it was
29 understood that you would burn down the town. Once you had captured Nyiama

1 Joru what did you do in Nyiama Joru?

2 A. Well, because of the casualties that we had, including so many other
3 people wounded, we were not able to cause any atrocities there till we were
4 repelled. It was when we were returning that we caused atrocities in the
16:02:56 5 places we came across. We killed civilians, burnt houses in the villages
6 and the other smaller villages.

7 [HS120405E 4.00 p.m. - EKD]

8 Q. Were any of these things that you describe done in Nyiama Joru?

9 A. Well, yes, we burnt houses there and so many civilians died there
16:04:00 10 also. But the serious ones that died were on our way when we were
11 retreating from where we were repelled, from Nyiama Joru, all the way
12 coming to Mendekaima. All other villages as we came along, we did --

13 Q. When you were retreating from Nyiama Joru where were you retreating
14 to and which direction did you take?

16:04:52 15 A. Well, when we were retreating -- they were in the town, the back
16 facing the town to Joru. You can stand from the town. When you turn your
17 face from the east part, we use the back part. We did not use the main
18 road. We used the bush road -- bush path. We went -- I don't know much of
19 that area. So we went through the paths until we came through villages and
16:05:22 20 crossed the streams, through cocoa gardens, we went through cocoa gardens.

21 Q. Do you remember the names of any of the villages that you passed
22 through on your retreat?

23 A. Yeah, I can't remember. Like, one area we reach they said by the
24 Manowa -- it was Manowa's village. I don't know the name of the village.
16:05:59 25 They called the name of the village but I have forgotten.

26 Q. Who was Manowa?

27 A. Manowa was the commander of the 2nd Battalion [inaudible].

28 Q. Who led your group during this retreat from Nyiama Joru?

29 A. Well, we had the commanders with us. We had them and many -- and

1 those of us who went were the same people that returned. Some died, some
2 were wounded. We had them with us and that is the reason why we did not
3 use the main road, so that the jet will not see -- or enemies will not
4 attack us while we had the wounded soldiers with us.

16:07:21 5 Q. What were the names of these commanders who were with you on the
6 retreat?

7 A. Apart from Morris Kallon we had Tolo Michael, who was an SLA, they
8 called him Major Tolo. Then we had Colonel Maada. Then with other
9 commanders who were lieutenant captains, but I cannot remember their names.

16:08:07 10 Q. What did Morris Kallon do that you saw when you were on this retreat?

11 A. Everybody was really bloody. Anybody -- apart from Morris Kallon we
12 had other commanders. They were much more active and refused Morris
13 Kallon's orders. They were at the back, we were in front, and the
14 commanders like Tolo, Major Tolo, before we held a [inaudible] and they
16:08:41 15 would ask us to execute, he would be executed.

16 Q. Witness, your last answer wasn't very clear. What were Morris
17 Kallon's orders that were being refused?

18 A. Well, he was at the back as we were retreating. He was at the back.
19 So as we went along the commanders -- before we retreated we and the
16:09:18 20 commanders had a meeting. The commanders whom I called, some I don't know
21 their names. So we talk to them.

22 Q. Please continue, witness.

23 A. Well, after that meeting was held, when we were retreating, as we are
24 going, we had like Major Tolo, he was in front in the advance team where
16:10:01 25 all of us were. By the time we held a civilian, we never delayed and the
26 master said that's what we should do. But really Morris Kallon did not
27 really stand before -- did not tell us that any civilian that was held to
28 be killed. But Major Tolo, who was also a senior, he used to give those
29 commands. Dogs were to be killed, sheep and anything that had life.

1 JUDGE BOUTET: So his orders - that is Major Tolo - was to kill any
2 civilians you would see on your retreat?

3 THE WITNESS: He used to say, "Master said" -- some he did not do but
4 he will say, "Master said execute." He would give the command as if he was
16: 11: 20 5 a master. And when he said "Master" we always refer to Morris Kallon as
6 the master. So it was like he was passing Morris Kallon's orders. I was
7 not there when they give him their instructions.

8 JUDGE BOUTET: But the orders that were passed was to kill civilians,
9 in other words anything that was living?

16: 11: 42 10 THE WITNESS: Yes, to kill civilians, anything that had life.

11 MS PARMAR:

12 Q. Mr Witness, just to clarify, on this particular mission you
13 understood master to refer to Morris Kallon?

14 A. Yes.

16: 12: 31 15 Q. When you were operating in Kailahun District did you know of any
16 other operations?

17 A. Only incorporating the one at Koidu Town.

18 Q. After the Segbwema mission where did you go next?

19 A. Well, we came to -- there is one big town where we first settled,
16: 13: 52 20 because by then Kamajors had already captured Bunumbu. The other towns
21 leading to Koindu Geiya to Tongo, so we came from Segbwema and --

22 Q. What was the name of the big town you came to?

23 A. I cannot remember the name of the big town, but where the first
24 facing was at the Bunumbu Teachers College.

16: 14: 31 25 Q. From that town where did you go next?

26 A. Well, we went --

27 JUDGE THOMPSON: This big town, how did it relate in position to the
28 Bunumbu Teachers College? Is that what he is trying to give?

29 MS PARMAR: I heard him say it was by --

1 JUDGE THOMPSON: By the Bunumbu Teachers College.
2 MS PARMAR: We can ask him to clarify that.
3 Q. Witness, how far was this big town that you can't remember the name
4 -- how far was it from the Bunumbu Teachers College?
16:15:06 5 A. It is really far a little bit, but it's a walking distance. You can
6 go and you can get -- do the rounds, the trip twice.
7 Q. From that town where did you travel next?
8 A. Well, we went first to Bunumbu and captured Bunumbu, and that was in
9 the evening. From Bunumbu we went -- we can't remember the villages until
16:15:49 10 we reached Koindu Geiya and that was the last time we captured. That time
11 [inaudible] we are coming from Kono. There is a junction there where Koindu
12 Town/Tongo around Segbwema Road.
13 Q. Let's go back, Mr Witness. Can you spell Koindu Geiya?
14 A. I can't spell Geiya, I don't know how to spell Geiya.
16:16:34 15 Q. Okay. Now, go slowly and take breaks in between your sentences.
16 Where did you go from Koindu Geiya?
17 A. From Koindu Geiya we came back through Bunumbu Road to Pendembu. We
18 cross and went to Kailahun and to Buedu.
19 Q. What happened when you were at Buedu?
16:17:26 20 A. Well, when we went across the water and went to Bundabu, then we were
21 told four of us, who was CO Issa, he has gone through with one senior
22 officer, which he came with him from Bunumbu, the crossing point from
23 Bumaru, he has taken him to Buedu. We heard that he was caught in Liberia.
24 MR JORDASH: Can we, please, go through that all again, please.
16:18:09 25 JUDGE THOMPSON: Learned counsel, will you oblige.
26 MS PARMAR: Certainly, Your Honour. I was intending to go back to
27 the beginning and go step by step just to let the witness get it out first.
28 Q. Witness, you said that you heard that Colonel Issa had one senior man
29 with him. Can you explain what you mean by that?

1 A. Well, yes. The senior man I'm talking about, his name was Colonel
2 Fonti Kanu, he was an SLA. He was one of the Sierra Leone Army's -- one of
3 the Sierra Leone soldiers.

4 Q. What was the full name of this particular Colonel Issa?

16:19:35 5 A. He was Issa Sesay whom we used to call Popei [sic] -- Povei.

6 Q. Now, you say that Colonel Issa had Fonti Kanu. Explain what you
7 meant by that?

8 A. Well, this time I'm talking about, we were passing to go to Buedu.
9 We are only told and when I reach Buedu that was the time I knew much. The
16:20:27 10 pass when he was passing, he caught him on the Liberian border, he was
11 about to escape.

12 PRESIDING JUDGE: Who caught him?

13 THE WITNESS: It was NPFL rebels.

14 MS PARMAR:

16:20:51 15 Q. Who were the NPFL rebels?

16 A. Well, they were Charlie Boy's boys who were on the border. Sometimes
17 they cross over to us and we cross over to them.

18 Q. Who was Charlie Boy?

19 A. I called Charles Taylor so.

16:21:26 20 Q. And who had the NPFL caught on the Liberian side of the border?

21 THE INTERPRETER: Can the lawyer please take the question again,
22 please?

23 MS PARMAR: Certainly.

24 Q. Who had the NPFL caught on the Liberia side of the border?

16:21:53 25 A. It was Colonel Fonti Kanu.

26 Q. Why was Fonti Kanu caught by the NPFL rebels?

27 A. Well, I want to believe that the message -- because if you're going
28 through the border and you didn't present a pass, and no sooner you say
29 that you were an RUF, anywhere you'd be going, as you go through -- across

1 a border there are securities attached there, you would go to do business
2 in the border. He tried to escape.

3 Q. Where did the NPFL bring Fonti Kanu?

4 A. Well, they brought him -- according to what they said because I was
16:36:29 5 not there, they brought him as far as Folima. That is in Liberia. From
6 there Povei and his men collected him, tied him, put him in the vehicle.
7 He was there until they reach Buedu.

8 Q. Witness, did you see Fonti Kanu when you were in Buedu?

9 A. Well, yes.

16:36:30 10 Q. Where did you see him in Buedu?

11 A. Well, Fonti Kanu -- it was the day when Povei was to execute him.

12 Q. Can you remind the Court who was Povei?

13 A. It was colonel, when he was the general, Issa Sesay.

14 Q. What happened when you saw Fonti Kanu in Buedu?

16:36:30 15 A. Well, I think when he was brought -- when they brought Fonti Kanu,
16 the Master, who was Sam Bockarie who was not there, it was Povei who was in
17 charge. So he did this. He brought Fonti Kanu at the muster parade --

18 Q. Who was present at this particular muster parade?

19 A. All were combatants, the RUF combatants.

16:36:30 20 Q. Was anyone else at this muster parade?

21 A. Well, yes. Only the combatants with MPs, the SBUs and the officers.

22 Q. You mentioned the MPs. What does MP stand for?

23 A. I'm talking about the military police.

24 Q. Who addressed everyone gathered at this muster parade?

16:36:30 25 A. Well, it was Povei, Issa Sesay.

26 Q. What did you hear Issa Sesay say?

27 A. Well, they had jungle -- the jungle charges which had been read
28 against him, one of which I could remember, they call it DI.

29 JUDGE THOMPSON: When he says they, did you ask Issa Sesay? Could

1 you be a specific?

2 MS PARMAR: Yes.

3 Q. Witness, who read the jungle charges?

4 A. Well, it was read off they were not read from a piece of paper, I am
16:36:31 5 talking about Issa Sesay. He stood --

6 Q. Before you continue, Witness, what are jungle charges?

7 A. When we were at the base, when we were trained they told us that the
8 movement, which is RUF, have rules and regulations. Then they had aims and
9 objectives. So those were the rules and objectives, we the RUF movement
16:36:32 10 had. It was from there that the charges were developed.

11 Q. So, to clarify your answer, if you didn't follow the rules and
12 regulations you would get jungle charges?

13 A. Well, yes.

14 PRESIDING JUDGE: He said Issa Sesay read these charges off hand to
16:36:32 15 him and there were many but that he retained one. It was a DI, was it?
16 DI, is it? Let him explain, please.

17 MS PARMAR: Yes.

18 Q. Witness, you also referred to one of the charges as being a DI. What
19 is a DI?

16:36:33 20 A. Well, DI means different intention.

21 PRESIDING JUDGE: [Overlapping speakers] DI?

22 THE WITNESS: DI.

23 MS PARMAR:

24 Q. Can you repeat that answer, please?

16:36:33 25 A. It means different intentions.

26 Q. Please continue and explain very slowly what happened at the muster
27 parade when the jungle charges were being read.

28 A. He was also charged what he called FFI.

29 PRESIDING JUDGE: FFI.

1 MS PARMAR:
2 Q. What is FFI?
3 A. Well, FFI means failing to follow instructions.
4 Q. Please continue.
16:36:34 5 A. After reading the charges, then he said, "Now, Fonti Kanu, these are
6 the crimes you've committed and anybody amongst you all standing here, when
7 you do the same thing that this man has done, Fonti Kanu, that is the way
8 he will end up". Then he turned, he gave him two shots. He gave two shots
9 to Fonti Kanu.
16:36:34 10 Q. What happened to Fonti Kanu after Issa Sesay fired these two shots?
11 A. Well, he fell down and he was struggling to die. They were two
12 there, the one was a doctor who was charged for embezzlement for drugs. He
13 too was executed at the muster parade.
14 Q. What finally happened to Fonti Kanu?
16:36:34 15 A. Fonti Kanu died at the muster parade. He died.
16 PRESIDING JUDGE: He talked of the doctor. Who was he? -
17 JUDGE THOMPSON: He too was executed.
18 PRESIDING JUDGE: The doctor who was charged for embezzling drugs.
19 JUDGE THOMPSON: For embezzling drugs and was executed at the muster
16:36:34 20 parade.
21 PRESIDING JUDGE: Was executed by who?
22 MS PARMAR:
23 Q. Who executed the second man, the doctor, that you mentioned who was
24 present at the muster parade?
16:36:35 25 A. It was Povei who executed him.
26 MS PARMAR: Your Honours, this is a convenient time for a short break
27 if the Court so pleases. There doesn't remain very much.
28 PRESIDING JUDGE: You see when we are so concentrated we do not like
29 to be reminded of breaks. We would like to determine when we go on our

1 breaks, please.

2 MS PARMAR: Certainly, I was just assisting the Court.

3 PRESIDING JUDGE: In any event, we will but when we are very focused
4 we would like to follow these episodes, because when we rise it disturbs
16:36:55 5 the work. So we would rise and -- yes, Mr Jordash, please.

6 MR JORDASH: Only that when I'm focused I like to be disturbed for a
7 break.

8 PRESIDING JUDGE: Right. Okay. The Chamber will recess, please.

9 [Break taken at 4.35 p.m.]

17:07:05 10 [Upon resuming at 5.05 p.m.]

11 PRESIDING JUDGE: We are resuming the session. Mr Witness, are you
12 all right?

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: You're not tired, are you? You look very strong.

17:08:59 15 THE WITNESS: Yes.

16 PRESIDING JUDGE: Right, okay. Okay, please carry on.

17 MS PARMAR: Thank you, Your Honour.

18 Q. Witness, when you stayed in Buedu what else happened in Buedu while
19 you were there?

17:09:30 20 A. Well, just like I said, the master with whom we were there, Sam
21 Bockarie, when he was were not there Povei was in charge. Then it took
22 time after this thing that happened - Fonti Kanu is dead -- he took time
23 and I saw green vehicles, big, big trucks came from Liberia, from the
24 Liberian border.

17:10:11 25 Q. Let's take one step back, Witness. You said that when the master was
26 away Povei was in charge. How did you know that Povei was in charge at
27 Buedu?

28 A. Well, from the time that I was in Buedu, when we came to Buedu,
29 before he executed Fonti Kanu, the master who was Sam Bockarie was not

1 around. He did not attend muster parade. That was the area we used to see
2 him in the morning. Then even his house when we used to watch him, we did
3 not see him there.

4 PRESIDING JUDGE: Let him take that again, please.

17: 11: 14 5 MS PARMAR: Yes.

6 Q. Witness, you said that the time that you were in Buedu -- who was it
7 who was not there?

8 A. Talking about Sam Bockarie.

9 PRESIDING JUDGE: And that in the absence of Master it was Povei who
17: 11: 56 10 was in charge. Yes, up to that point we've got him on record.

11 MS PARMAR:

12 Q. Now, you said that after some time Sam Bockarie returned to Buedu.

13 PRESIDING JUDGE: He said after some time we saw big, big vehicles
14 which came from the Liberian border.

17: 12: 28 15 JUDGE BOUTET: Yes, big green trucks. He didn't say the master was
16 there.

17 PRESIDING JUDGE: Yes.

18 JUDGE THOMPSON: And after that you put the question, "how do you
19 know that Povei was in charge". Are you making a link with anything that
17: 12: 41 20 is going to come?

21 MS PARMAR: No, Your Honour, we just wanted to establish the basis of
22 knowledge of that statement by the witness and he had said that he had
23 addressed them at the muster parade.

24 JUDGE THOMPSON: Thanks.

17: 12: 56 25 MS PARMAR: We'll leave it at that.

26 MR JORDASH: My learned friend has just said that somebody addressed
27 them at the muster parade. I didn't get that from the evidence. Maybe I'm
28 missing something.

29 JUDGE BOUTET: It was the muster parade where Kanu was [overlapping

1 speakers]

2 PRESIDING JUDGE: Where Kanu is alleged to have been executed, maybe
3 with the medical doctor who was charged with having embezzled drugs. Is
4 that the muster parade?

17:13:21 5 JUDGE THOMPSON: He said that it was Issa Sesay who addressed that
6 parade and that followed by the alleged reading of the so-called jungle
7 charges. That was the sequence of the evidence. The addressing of the
8 gathering --

9 JUDGE BOUTET: That's the muster parade we're talking about, it's not
17:13:40 10 any other.

11 JUDGE THOMPSON: Yes.

12 MR JORDASH: But we didn't get an answer to the question how we knew
13 Povei was --

14 JUDGE THOMPSON: No, that wasn't asked.

17:13:48 15 MR JORDASH: Okay. Sorry.

16 MS PARMAR: He simply reiterated what he had said earlier before the
17 break.

18 Q. Witness, can you go back and describe again what happened after the
19 execution of Fonti Kanu?

17:14:08 20 A. Well, after the execution of Fonti Kanu I saw big trucks coming from
21 the Liberian direction.

22 Q. How many trucks did you see?

23 A. I did not count them but they were many.

24 Q. Did these vehicles have a name?

17:15:05 25 A. Yes.

26 Q. What was that name?

27 A. They call them Darakula, Darakula vehicles.

28 Q. Where did these trucks go in Buedu?

29 A. Well, when they came from Liberia they went to the master's house,

1 Sam Bockarie's house. That was the place they stopped.

2 Q. Who was in charge of Buedu at this time?

3 A. The master himself was there, who is Sam Bockarie.

4 PRESIDING JUDGE: He said who was in charge. Let him answer -- who
17:16:14 5 was in charge of -- is he saying Sam Bockarie was in charge, still in
6 charge?

7 THE WITNESS: Sam Bockarie was in charge.

8 MS PARMAR:

9 Q. What happened after you saw the vehicles go to Sam Bockarie's house?

10 A. When the vehicles parked, everybody was concerned to know what was
11 happening. They were green, big vehicles. So we went there to see. Then
12 I, I was at the junction, the road from Kailahun, Koindu, Liberia, we're at
13 the junction. Then I saw somebody fair in complexion with black overall
14 on.

17:17:13 15 Q. Where was Sam Bockarie's house in Buedu?

16 A. When you come from Kailahun you get to the junction. The road went
17 to Koindu, the one to Liberia which goes through Buedu, it was the same
18 road going to the river. The house was on the right-hand side of the road.

19 Q. Was the house in the middle of town or towards the end of town on
17:18:18 20 this road?

21 A. Well, Buedu is a big town but it was destroyed. So that area I would
22 say it was the edge of the town. But long ago it was in the middle of the
23 town.

24 Q. You said that you saw a man with fair complexion in black overalls.
17:19:08 25 Where did you see this man?

26 A. I saw the man climbing the stairs in front of the master's house.
27 Climbing the steps. First he climbed the steps, then he turned around,
28 then he waved. That time there were so many combatants around. He turned
29 and then he waved, then he entered the house.

1 Q. Who was this man?
2 PRESIDING JUDGE: Please wait, please wait. Yes.
3 MS PARMAR:
4 Q. Who was this man?
17:20:41 5 A. Well, I came to know this man when we reached the master's house,
6 wherein the securities were all around, when they were all in the Darakula.
7 They came down. So we went near one and he spoke in Liberian English. He
8 said, "Who are you?" He saw the red -- we saw red writing on them, NPFL,
9 at the back. We asked them who they were and then they spoke in Liberian
17:21:12 10 language.
11 PRESIDING JUDGE: Please, let him take it -- let him start, let him
12 start.
13 MS PARMAR:
14 Q. Witness, can you just repeat that answer, please, and go very clearly
17:21:36 15 and slowly?
16 A. Well, when I saw this man, this fair complexion man, he had entered
17 the house, we were still walking towards the place. When we got to the --
18 in front of Sam Bockarie's house we saw securities. They had blue/black
19 overalls on and red ink written at the back NPFL -- written on the back.
17:22:19 20 The overalls was a long sleeve. Then we ask them, say, "Where are you
21 from?" The boy who was speaking - he was a young man - he spoke in
22 Liberian English.
23 Q. How did you come to know who the man in the fair complexion was?
24 PRESIDING JUDGE: No, no, listen, listen, listen.
17:23:19 25 JUDGE THOMPSON: He's not even said that yet.
26 PRESIDING JUDGE: He has not said that yet.
27 JUDGE THOMPSON: That is a big leap. We're still waiting for --
28 [Overlapping speakers]
29 PRESIDING JUDGE: He said he was talking to a young man who was

1 speaking in Liberian English; that is it.

2 JUDGE THOMPSON: He interjected with the security personnel, but the
3 question remains hanging in the air, who was this man, fair complexioned
4 man?

17:23:45 5 MS PARMAR:

6 Q. Witness, what did these securities say to you?

7 A. When we asked the securities he told us in Liberian language that,
8 "We came with Papay." Then the man with whom I was talking then he asked,
9 he said who was Papay?

17:24:48 10 PRESIDING JUDGE: The man asked who is Papay?

11 MS PARMAR:

12 Q. Please continue.

13 A. When he asked who was Papay, then he said it was Charlie Boy. He was
14 speaking in Liberian English. He said, "You just hang on, you'll see him,"
17:25:06 15 something like. So he said, "Let us stand here now, we'll see him come
16 out." So we stood there for long.

17 PRESIDING JUDGE: Said he was Charlie Boy?

18 MS PARMAR: That's correct, Your Honour.

19 Q. What was said after you were told that this was Charlie Boy?

17:26:05 20 A. He said we should stood there and we'll see him come out. We stood
21 there for long and we sat on the wall opposite the house where the signal
22 office was. We sat there for long and they rung a bell, and the bell, each
23 time it rung, it meant --

24 Q. What happened after the bell was rung?

17:27:15 25 PRESIDING JUDGE: He said each time the bell rung it meant --

26 MS PARMAR:

27 Q. Please continue, witness, with how you were explaining what the bell
28 meant.

29 A. Each time the bell is rung from the offices, it was a signal that a

1 jet was up. It was not in Buedu, but will be around Buedu or other areas
2 far off. They will be sending messages to all the RUF areas.

3 Q. Which jets were these?

4 A. The jets which we used to call Alpha air jet. It was a jet that
17:28:26 5 ECOMOG use all the time to attack our positions.

6 Q. So when the bell was rung at this particular time, what happened
7 next?

8 A. Well, when they rung the bell, we knew that it was something they
9 sent, something like that. And each time they rung a bell everybody
17:29:09 10 started running, the securities were [inaudible]. So they went to their
11 vehicles and took positions. The Liberians -- those from Liberia stood by
12 their vehicles.

13 Q. Witness, can you clarify whether this is what you said: That each
14 time you heard the bell you knew it was something recent?

17:29:43 15 [HS120405F 5.30 p.m. - AD]

16 A. There were two different types of bell. One was for the muster
17 parade, but the sound, by the way the bell was sounded, the one which was a
18 signal they would ring it faster, they would ring it faster. The one for
19 the muster parade was rung once heavily and it would take time.

17:30:29 20 Q. What happened at Sam Bockarie's house when the bell was rung at this
21 time?

22 A. Well, when we knew that it for a jet we all dispersed and we went
23 different ways, and it took time. Then we saw the drivers. The drivers,
24 they moved the vehicles under the mangoes and they were now ready to go to
17:31:31 25 Liberia.

26 Q. Witness, I am going to remind you to talk slowly when you answer a
27 question. Try to take some space in between your sentences. What happened
28 after you saw the drivers running to the mango trees?

29 A. Well, they parked their vehicles under the mango trees and we sat

1 there. But we did not see anybody come out. Then we said, "Let us go
2 out." By the time the stranger was going I did not see him again. I only
3 heard the sound of the vehicles.

4 PRESIDING JUDGE: He did not see who again?

17:33:34 5 MS PARMAR:

6 Q. Who did you not see again?

7 A. This fair complexioned man whom the security said we should wait to
8 see his face. When he was coming out, by the time we heard the sound of
9 vehicles, already the vehicles had started moving.

17:34:12 10 Q. Did you ever come to know who was Charlie Boy?

11 A. Well, Charlie Boy -- that is the way we called him -- his real name
12 is Charles Taylor.

13 Q. How did you learn that his real name was Charles Taylor?

14 A. Well, a group with which he came, even though I was small, but I went
17:35:09 15 to school, I saw NPFL written at the back of each combatant. NPFL was
16 written at their backs. And when we asked they said it was just Charlie
17 Boy. That was Charles Taylor's name. And it was true that is the way I
18 came to know him.

19 Q. What later happened when you were in Buedu?

17:36:00 20 A. Well, after these vehicles had left, we used to have our original
21 parade, we saw Sam Bockarie and other officers -- Colonel Akisto, who was
22 the MP commander, Leather Boot --

23 Q. Please continue Witness.

24 A. Well, it took some time. Master was not there. Povei -- I don't
17:36:45 25 know when Povei --

26 INTERPRETER: Please, let him go over the last bit.

27 MS PARMAR:

28 Q. Witness, can you please repeat your answer, but try to go as slow as
29 you can?

1 A. Well, it took some time. After those vehicles had left, we used to
2 go for muster parade. We used to see Sam Bockarie, but I did not see
3 Povei. One morning when we went to the parade, we met Povei.
4 PRESIDING JUDGE: Wait, wait. After the vehicles had left he was not
17:37:42 5 seeing whom -- Povei or Sam Bockarie?
6 Mr HARRISON: The answer is that he had not seen Povei.
7 THE WITNESS: We took time when Sam Bockarie -- I did not know where
8 he went to, but Povei took charge. He was in charge in Buedu.
9 JUDGE BOUTET: I think there is confusion here.
17:38:17 10 PRESIDING JUDGE: Let us get the record clear.
11 JUDGE BOUTET: I think the witness said that Master -- that is, Sam
12 Bockarie -- was there for a while at the muster parade.
13 MS PARMAR: Yes.
14 JUDGE BOUTET: And during that time Povei was not there.
17:38:26 15 MS PARMAR: That is correct, Your Honour.
16 JUDGE BOUTET: And then Master disappeared and he saw Povei.
17 MS PARMAR: That is correct.
18 JUDGE BOUTET: Is it right, Mr Witness?
19 THE WITNESS: Yes.
17:38:49 20 PRESIDING JUDGE: Take that again, Mr Witness.
21 THE WITNESS: Well --
22 PRESIDING JUDGE: After the vehicles left.
23 THE WITNESS: After the vehicles had left, the Master, who is Sam
24 Bockarie, every morning when we went to the muster parade I used to see
17:39:17 25 him. He would talk to us, but it took time when he disappeared and I
26 didn't know where he went to.
27 PRESIDING JUDGE: Okay. He did not know where he went to. Yes.
28 THE WITNESS: Yes. Then that morning when we went for the muster
29 parade we saw Povei at the muster parade. So, like the MP commander, the

1 signal message, all the messages to all the other areas that he was in
2 charge --

3 JUDGE BOUTET: On this last part of the evidence, Povei was at the
4 muster parade at that morning, Mr Witness.

17:41:14 5 THE WITNESS: Yes.

6 JUDGE BOUTET: And it was at that parade that he said the message had
7 been sent. You just referred to a message that he was in charge. Did he
8 say so, or how did that come about?

9 THE WITNESS: Well, the message, it was a guarantee. Sam Bockarie
17:41:40 10 left a message that Povei should take charge. He was sending the message
11 to all the battalions and all the brigade commanders for them to know.

12 MS PARMAR: Witness, please, you have to speak slowly.

13 JUDGE BOUTET: But how do you know that Sam Bockarie sent that
14 message?

17:42:29 15 JUDGE THOMPSON: I am not even clear who was the author of the
16 message; that is not even clear.

17 MS PARMAR:

18 Q. Witness, can you explain? Where did this message come from?

19 A. Well, yes. Like, for instance, by the time we were in Baima, when
17:42:56 20 Sam Bockarie was going to the front lines -- that is, to the
21 battlefields -- when Povei remained, before leaving he would send a radio
22 message saying that this is the man --

23 Q. Finish telling us what the message said.

24 A. He would send a message saying Povei will come to take charge. So
17:43:31 25 any message should be directed to him.

26 Q. So, going back to the particular muster parade that you were speaking
27 about in Buedu, who received this message?

28 A. It was the signaller who held the paper in his hand.

29 PRESIDING JUDGE: When he says "the paper" he means the paper

1 containing a message. Just for the purposes of the record -- the paper
2 containing the message.

3 MS PARMAR:

4 Q. Witness, can you tell us what was on this paper that the signaller
17:45:13 5 had?

6 A. It was a bit of paper that had the message.

7 Q. What did the signaller do with this message?

8 A. Well, it was a copy of what the commander sent to the writer. The MP
9 commander sent to invite him.

10 PRESIDING JUDGE: "MP" meaning the muster parade commander or
11 military police commander?

12 THE WITNESS: Military police, yes.

13 JUDGE BOUTET: Can we get the last part clear? There was confusion
14 in the interpretation or translation of that and I have some confusion
17:46:21 15 about the answer given.

16 MS PARMAR:

17 Q. Witness, can you please repeat your answer, we didn't get it clearly.

18 A. I am talking about the MP commander. He sent to call the signaller
19 to come and clarify, saying Sam Bockarie was not there and Povei was in
17:46:47 20 charge. That was the message he wrote to send it to all the areas and
21 commanders.

22 JUDGE BOUTET: I am still unclear. I understand what the witness is
23 saying is that the MP commander sent for the signaller to come. I heard
24 him to say before that at the parade the signalman had the paper in his
17:47:26 25 hand. I am trying to combine the two to understand what it is.

26 JUDGE THOMPSON: What I have clear is that a message had come
27 indicating that Povei was now in charge in the absence of the Master. But
28 how the message came and whether it was retained, because it was paper --
29 we need to know the circumstances. That is the only thing that is clear

1 now, that a message did come saying that Povei was in charge.

2 MS PARMAR: Thank you, Your Honours.

3 Q. Witness, we have to go step by step, very clearly and slowly, and I
4 want you to go back to the beginning and explain to the Court, first, who
17:48:36 5 first received this message in Buedu. Just answer that question: Who
6 first received this message?

7 PRESIDING JUDGE: Let us start from somewhere. Who was the author of
8 that message?

9 THE WITNESS: It was Sam Bockarie.

10 PRESIDING JUDGE: You may proceed from there.

11 MS PARMAR:

12 Q. Who first received this message from Sam Bockarie?

13 A. Well, the message was from the signaller. That was not from
14 [inaudible]; it was for the entire RUF, but that was a statement --

15 PRESIDING JUDGE: We know it was for the entire RUF. Follow counsel,
16 please. Because we have to get the chain in place -- the chain of
17 events -- as far as that message is concerned. Written by Sam Bockarie and
18 then he gave it to who?

19 MS PARMAR:

20 Q. Witness, who first in Buedu received this message?

21 PRESIDING JUDGE: From Bockarie.

22 THE WITNESS: It was the signaller.

23 PRESIDING JUDGE: Let him proceed.

24 MS PARMAR:

25 Q. When the signaller received this message from Bockarie, what did he
26 do with the message?

27 A. Well, he sent the message; he sent it to all the radio stations
28 within the RUF zone -- monitored by the RUF.

29 Q. Where were you when you heard this message?

- 1 A. This message, I heard it from the muster parade. Just as I said,
2 that morning I saw Povei --
- 3 Q. Who read this message at the muster parade?
- 4 A. It was the signaller that read it.
- 17:52:40 5 Q. Where was signaller based?
- 6 A. Buedu.
- 7 Q. Now, just to clarify what you have told the Court, this signaller who
8 read the message at the muster parade, where you were, received the message
9 from another signaller.
- 17:53:18 10 PRESIDING JUDGE: What?
- 11 MS PARMAR:
- 12 Q. Just to clarify, Witness, what you have said. The signaller who read
13 the message at the muster parade, he received this message from another
14 signaller.
- 17:53:43 15 A. They wrote the message directly to him.
- 16 JUDGE BOUTET: This was the signaller that was at the communication
17 place or centre, or whatever it was.
- 18 PRESIDING JUDGE: There is evidence that there are two signallers.
- 19 JUDGE THOMPSON: There is one signaller.
- 17:54:12 20 PRESIDING JUDGE: There is one.
- 21 MS PARMAR: I was trying to clarify whether there was one or two.
- 22 PRESIDING JUDGE: There is only one, we have that on record.
- 23 MS PARMAR:
- 24 Q. Witness, who else was present at the muster parade when this message
17:54:30 25 was read?
- 26 A. All combatants were there.
- 27 Q. After this message was read, who addressed the muster parade?
- 28 A. Well, it was Povei.
- 29 Q. What did Povei say?

1 A. Like how we used to get the usual parade when [inaudible] made the
2 handover to RSM. He hands over to the signal officer. They handed over
3 the parade to him.

4 INTERPRETER: Excuse me, he was going too fast, My Lord. Let him go
17:55:32 5 over the last bit.

6 MS PARMAR:

7 Q. Witness, please try to speak slowly. I know you have had a long day.
8 What happened or what was said after the muster parade was handed over to
9 Povei?

10 A. Povei said, "This is like, let us say as if Sam Bockarie is here and
11 nothing has happened. Anybody who goes ahead to do anything bad will not
12 fit in at all." He gave threatening remarks that he intended not to have
13 bad things when the report goes to Povei.

14 MS PARMAR: Your Honours, there appears to have been a problem with
17:56:57 15 the translation of the last response and I would like to ask the witness to
16 repeat his last answer.

17 Q. Witness, we did not get your response clear. Could you please say it
18 again and try to talk slowly so the interpreters can do their job?

19 A. Well, it was like the muster parade which was held in the past. The
17:57:31 20 moment they said, "Good morning", and they say, "Fall in", and it was not a
21 constant matter, but it was a kind of discipline. Then they are assembled
22 and fall in and then they begin to talk to us, "Gentlemen --

23 JUDGE BOUTET: But, Mr Witness, we want to take you to when Povei
24 addressed the parade. What did he say at that time? That is the portion
17:58:04 25 we would like you to repeat, please.

26 THE WITNESS: While he was addressing the parade, he said, "Anybody
27 who did something when Sam Bockarie was here which he did not do, it is
28 just because he is not there, he said he would not do it. Myself, Issa, I
29 will treat you the way I killed Fonti Kanu and the doctor."

1 MS PARMAR:

2 Q. Witness, please continue.

3 A. After he had threatened, then the company commanders spoke to us.

4 They were all threatening us and then the MP commander talked to us that he

17:59:52 5 was ready to enforce --

6 PRESIDING JUDGE: He was ready to enforce what?

7 MS PARMAR:

8 Q. What did the MP commander say?

9 A. That he was ready to enforce Povei as commander. Anything that he

18:00:30 10 asked him to do, he would do it.

11 PRESIDING JUDGE: You mean enforcing the orders of Povei as a
12 commander -- enforcing the orders?

13 THE WITNESS: Yes.

14 MS PARMAR: Your Honours, I notice that it is six o'clock.

18:01:04 15 PRESIDING JUDGE: Yes, I was going to remind you that it is six
16 o'clock. Is this a convenient point in your examination for us to stop?

17 MS PARMAR: It is. We have one additional situation in Buedu. We
18 can continue and cover that or carry on tomorrow morning.

19 PRESIDING JUDGE: The Chamber will rise and resume the session
18:02:36 20 tomorrow at 9.30, knowing full well, of course, that we are only sitting up
21 to one o'clock. I don't want to ask for timeframes from the Prosecution,
22 but we will see how we evolve tomorrow. We will rise, please.

23 [Whereupon the hearing adjourned at 6.00 p.m., to be reconvened on
24 Wednesday, the 13th day of April 2005, at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 23 5

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-141 5

EXAMINED BY MS PARMAR 5