

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

THURSDAY, 18 OCTOBER 2007
9.46 A.M.
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,

Bankole Thompson
Pierre Boutet

For Chambers:

Mr Matteo Crippa
Ms Sandra Brown

For the Registry:

Mr Thomas George

For the Prosecution:

Mr Charles Hardaway
Mr Vincent Wagona
Mr Reginald Fynn

For the accused Issa Sesay:

Mr Wayne Jordash

For the accused Morris Kallon:

Mr Shekou Touray
Mr Kennedy Ogeto

For the accused Augustine Gbao:

Mr John Cammegh

1 [RUF18OCT07A - JS]

2 Thursday, 18 October 2007

3 [The accused present]

4 [The witness entered court]

5 [Open session]

6 [Upon commencing at 9.46 a.m.]

7 PRESIDING JUDGE: Good morning, learned

8 counsel. We are resuming our proceedings, and Mr Cammegh, you

9 may proceed with your cross-examination of this witness.

09:51:06 10 MR CAMMEGH: May it please Your Honour.

11 WITNESS DIS-078: [Continued]

12 [The witness answered through
interpretation]

13 CROSS-EXAMINED BY MR CAMMEGH: [Continued]

14 Q. Good morning, Mr Witness.

09:51:21 15 A. Good morning, sir.

16 Q. The other day I said I was hoping to finish within about
an

17 hour and I still do so, so please bear with me for about
another

18 hour. I've got some more questions for you. Mr Witness, if
you

19 go back to the period of the war between approximately '96 and

09:51:56 20 '99, do you think somebody like Aruna Bondu would have been

21 forced during that time to eat?

22 THE INTERPRETER: Your Honours, can the learned counsel
23 take that question again?

24 MR CAMMEGH:

09:52:21 25 Q. During the period I've just mentioned, do you think
Aruna

26 Bondu would have mostly been eating just bush yam and banana
and
27 palm cabbage?

28 PRESIDING JUDGE: How does he answer that type of a
29 question?

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1 MR CAMMEGH: Because, Your Honour, he told the Court --
2 PRESIDING JUDGE: Yes, even if he told the Court -- I
mean,
3 was he staying with him all the time -- were they staying in
the
4 same place or because they were very good friends?

09:53:02 5 MR CAMMEGH: Exactly.

6 PRESIDING JUDGE: All right. Okay.

7 MR CAMMEGH: And something may have been related or
said.

8 PRESIDING JUDGE: Okay.

9 MR CAMMEGH:

09:53:09 10 Q. Can I put the question in a different way: Did Aruna
Bondu
11 ever tell you that all he was eating during that period was
bush
12 yam, banana and palm cabbage?

13 PRESIDING JUDGE: You said banana, bush cabbage and
what,
14 Mr Cammegh?

09:53:52 15 MR CAMMEGH: Bush yam, banana and palm cabbage. I'm not
16 hearing any translation at the moment. Nor is my learned
friend.

17 THE INTERPRETER: Your Honours, the witness is not
18 speaking.

19 MR CAMMEGH:

09:54:08 20 Q. Okay. I'll ask the question again: Mr Witness, are you

21 hearing me?

22 A. Yes, I'm hearing you very well.

23 Q. Okay. The question is this: Did Aruna Bondu ever tell
24 you, in the years '96 to '99, that all he was eating was bush
09:54:31 25 yam, banana and palm cabbage?

26 A. Yes. Those food were the ones we used to eat.

27 Q. What was the reason for the fact that those foods were
28 eaten so often?

29 A. The time we were in the bush, there was a shortage of
food.

1 Q. In your view, Mr Witness, what was the main reason for
that
2 shortage of food during that period?
3 A. Well, there was no rice at that time.
4 Q. Why was that; do you know the reason for that?
09:56:03 5 A. Well, at that time, that was the time of the heaviest
6 retreat. All of us were now in the bushes.
7 Q. And when you say "the heaviest retreat" which forces
were
8 in retreat?
9 A. At that time?
09:56:35 10 Q. Yes.
11 A. Whether you were a civilian or a rebel, all of us were
12 dispersed in the bushes.
13 Q. Was this a result of the fighting in the war?
14 A. I think so.
09:57:03 15 Q. Okay. Can I just ask you a question about brushing.
We've
16 heard a lot in this trial about the brushing of roads and
17 villages. Was brushing done in Kailahun District, in the
18 villages and on the roads of Kailahun District, before the
war?
19 A. Yes.
09:57:38 20 Q. Yes. And was it done by civilians?
21 A. Yes.

22 Q. Right. And did those civilians, and I'm talking about
23 before the war, did those civilians do the brushing
voluntarily?

24 A. Yes, that used to happen happily.

09:58:19 25 Q. Thank you. Mr Witness, what is the main purpose of
26 brushing, particularly in villages? Why is it so important?

27 A. Well, at that time, if the roads were bushy to the
28 villages, they would not allow that, for vehicles and even for
29 your own sake.

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the 1 Q. When you say "for your own sake" are you talking about
2 risk of disease?
3 A. Yes.
4 Q. I think it's right, isn't it, that the risk was that if
09:59:25 5 villages weren't brushed, the spread of disease, particularly
6 through mosquitos, was far more serious; is that right?
7 A. Yes, and even for risk of snakes.
8 Q. Yes. Did the voluntary brushing of roads and villages
9 within Kailahun District continue after the outbreak of war?
10:00:13 10 A. Well, there was a time you could not even imagine that.
11 Q. Can you explain what you mean by that answer, please?
12 A. Firstly, where you stay, you could not even think of
13 sweep -- of brushing a road. You would not be unhappy and
then
14 you think of that. You can see people were distressed. Can
you
10:01:05 15 tell that person to go and brush a road?
16 Q. Okay. And do I understand that they were distressed by
the
17 effects, the direct effects of the war?
18 A. Yes.
19 Q. Can I ask you this: In your experience, and from what
you
10:01:46 20 heard in Kailahun District during those years, did you ever
hear

21 of civilians being forced to brush by the RUF?

22 A. No.

23 Q. Thank you. I shall probably return to the notion of
forced

24 labour later, but can I just ask you some questions about the

10:02:23 25 pass system. Did the pass system relax or was it -- was the
pass

26 system less stringently imposed for a period after May 1997 in

27 Kailahun District?

28 A. Yes, that happened.

29 Q. Okay/ and during that period, Mr Witness, is it right
to

1 say that the civilians were, and I'm talking about the latter
2 half of 1997, into the early part of '98, that the civilians
3 during that time felt much safer in Kailahun District than
they
4 had for some time; would that be right?
10:03:40 5 A. Yes.
6 Q. Thank you. And from time to time, in fact, there was
some
7 jubilating, wasn't there, in some of the villages, regular
dances
8 or discos were held amongst the local population; was that
right?
9 A. Yes. It did not only stop at that. We even initiated
10:04:11 10 young men into the bondo bush.
initiated
11 THE INTERPRETER: Correction interpreter, we even
12 young girls into the bondo bush.
13 MR CAMMEGH: Thank you, Mr Interpreter.
14 Q. During that time was it necessary for a civilian to
receive
10:04:35 15 a pass in order to look for food for himself?
16 A. No, not at that time.
17 Q. Thank you. And is it right also that people were free
to
18 take their own food to, for example, the river crossing
trading
19 posts in order to barter with the Guineans; is that right?

10:05:29 20 A. Yes, that happened.

the 21 Q. Okay. Were they, in fact, free to do that throughout

22 war without a pass?

23 A. After the initiation in that bush, all of us were freed.

mean 24 Q. I'm sorry, Mr Witness, can you just explain what you

10:06:01 25 by that answer, please?

26 A. Well, we, the Mende people, when we initiate young women

the 27 into Bondu society, we do not think of anything bad. That is

initiation 28 last happiness in the Mende land, because after that

We 29 we used to go to the Guinean border to buy a lot of clothes.

turns. 1 were just going to the border -- to the Guinean border in

2 That is the reason --

let's 3 PRESIDING JUDGE: Look, let's get this translation --

of 4 get the interpretation right, please. There's lots and lots

10:07:10 5 interferences. Be sure of what you are translating, or what
you

6 interpreted, please. We are getting a lot of interruptions,

7 know, there, and let's be sure of what you are doing there,

8 Mr Interpreter.

used 9 THE INTERPRETER: Your Honours, the witness said they

10:07:28 10 to go there by turns. If somebody goes there today, the other
11 time the other group will go.

12 MR CAMMEGH: Can I briefly interrupt? Did I hear, and I

13 think Your Honour might have heard this as well in the

14 background, another interpreter suggesting the correct

10:07:42 15 interpretation was going to and fro?

said 16 PRESIDING JUDGE: Yes. This is what -- this is why I

17 that he should be sure of the --

18 MR CAMMEGH: It imparts a different meaning to "in turn"

19 which suggests that --

10:07:52 20 PRESIDING JUDGE: Ask him to take that over again.

21 MR CAMMEGH:

22 Q. If I can just ask you this, Mr Witness: Were the
civilians
23 travelling backwards and forwards at will to the trading posts
24 during that time?

10:08:15 25 A. Yes, that was the way it used to happen.

26 MR CAMMEGH: Okay. I think we can leave that question
27 there.

28 Q. It's not true, is it, that whenever a civilian went to
the
29 Moa River crossing points to trade, that he would always be

1 forced to carry a load?

2 A. Nobody could say that; that is not true.

3 Q. Thank you. I just want to ask you, please, a few
questions

4 about RUF farms and government farms. I appreciate this might
10:09:04 5 have been dealt with before, but one more time, Mr Witness,
would

6 you mind please explaining quickly the difference between an
RUF

7 farm and a government farm?

8 A. Well, you've done something for somebody. You've given
it

9 to him as his. For example, the way we used to farm, the
10:09:47 10 community farm was for the town people.

11 PRESIDING JUDGE: Mr Cammegh, please take the question
12 again. Was your question not a distinction between the RUF
and

13 the government farm also?

14 MR CAMMEGH: It was.

10:10:01 15 Q. Mr Witness, I'm very sorry to interrupt you; listen to
the

16 question. I just ask you to explain briefly the difference
17 between an RUF farm and the government farm?

18 JUDGE BOUTET: Did this witness testify as to a
government

19 farm? Did he use that language? Maybe so, but I have no such

10:10:28 20 recollection. He used the word "community" farm and this kind
of

21 language, but government farm?

22 MR CAMMEGH: Your Honour may well be right.

23 JUDGE BOUTET: And that may cause some kind of confusion
in

24 the answer.

10:10:40 25 MR CAMMEGH: I will deal with it in this way, if I may.

26 Q. Mr Witness, did you ever hear of a government farm in

27 Kailahun District?

28 A. Yes.

29 Q. Okay. Were government farms different to RUF farms?

1 A. We only know of RUF farm. There was no government farm.
2 Q. Was there a big farm in Giema?
3 THE INTERPRETER: Your Honours, the counsel is speaking
off
4 mic.
10:11:28 5 MR CAMMEGH: Sorry.
6 Q. Was there a big farm in Giema?
7 A. There were farms in Giema.
8 Q. Was there in particular a big farm in Kambama during one
9 year?
10:11:51 10 A. The only farm that was there was Mr Issa's farm.
11 Q. Let me approach this differently. Was this the position
in
12 Kailahun: That there was one farm which directed all its
produce
13 to the soldiers?
14 A. Yes; there was a farm like that.
10:12:28 15 Q. Okay. Where was that?
16 A. In Sembehun.
17 Q. Okay. I'm going to make a suggestion to you and I want
to
18 know if you agree with me: That in Kailahun District there
was
19 only one such farm that would direct all of its produce to the
10:12:57 20 soldiers; do you agree?
21 A. I am explaining to you today that that is true.

I 22 Q. Okay. Now, there were other farms, weren't there, which
23 suggest were called RUF farms. Can you describe how they
24 operated and where the produce went from those farms?
10:13:44 25 A. In those farms all the produce they were getting from
those
26 farms belonged to them, because whenever they harvested those
27 rice, the rice remained with them. At that time --
28 PRESIDING JUDGE: I am afraid I have to stop you. To
them,
29 to them, to who?

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I 1 MR CAMMEGH: I was about to ask that, Your Honour. Yes,
2 take Your Honour's point.

3 PRESIDING JUDGE: And to where.

4 MR CAMMEGH:

10:14:18 5 Q. When you say "them", Mr Witness, are you referring to
the 6 local civilians?

7 A. After the harvest of the rice, the rice was meant for
the 8 civilians.

9 Q. Yes. Did every village have such a farm?

10:14:48 10 A. Yes. This -- in every village, this rice was found in
11 every village.

12 Q. Right. Did you, during your time in Kailahun District,
13 ever come across a farm where workers --

14 PRESIDING JUDGE: Is he saying that there was an RUF
farm 15 in every village, an RUF farm of this description according to
16 him?

17 MR CAMMEGH: Do you want me to repeat that? That was my
18 understanding. I'll repeat it.

19 PRESIDING JUDGE: That is your understanding?

10:15:25 20 MR CAMMEGH: That is my understanding.

21 PRESIDING JUDGE: I was going to find out whether that
was

22 your understanding as well.

23 MR CAMMEGH: Unless you want me to clarify that one more
24 time, Your Honour?

10:15:32 25 PRESIDING JUDGE: Yes, yes.

26 MR CAMMEGH:

27 Q. Okay. The question once again, Witness, is this: Did
28 every village have such a farm where the produce was divided
29 between the local civilians?

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1 A. You asked me twice. I want to clarify it properly so
that
2 you can understand.

3 Q. Please do.

4 PRESIDING JUDGE: So that I too can understand.

10:16:07 5 MR CAMMEGH: Thank you, Your Honour.

6 THE WITNESS: That farm -- when you cultivated your own
7 farm, the other farm that was cultivated by all the town
people,
8 after the harvest of that farm, it will be for the town
people.

9 That harvest would be for the town people. Your own personal
10:16:48 10 farm, you alone will control that rice. The farm that we
11 cultivated for the RUF, they used to come and collect the rice
by
12 bit, and we used to give the rice to them in bits. That was
the
13 way the arrangement was.

14 PRESIDING JUDGE: Yes.

10:17:59 15 MR CAMMEGH:

16 Q. Much has been said in this trial of civilians being
forced
17 to make subscriptions of food. What do you have to say about
18 that?

19 A. I did not see that for myself. At that time -- at that
10:18:39 20 time, if you did not have a farm, you would come to
agriculture

21 and ask for rice and you will cultivate that farm for them.

have

22 Q. From the position that you held, would you expect to

23 known if any such forced subscriptions were taking place in

24 Kailahun District during the war?

10:19:23 25 A. To subscribe food by force, that happened many times in

26 1991.

27 Q. And if it had happened during the war from, say, 1996

told

28 onwards, from your position, would you expect to have been

29 about it?

1 A. That date you've mentioned, that did not happen.

2 Q. Okay. And did you ever witness or hear about farm
workers
3 being forced to operate at gunpoint in Kailahun District?

4 A. That did not happen at all.

10:20:35 5 Q. All right. Did you ever become aware of the IDU
commander,
6 Augustine Gbao, personally overseeing a farm in Giema?

7 A. I did not hear that and I did not see it.

8 Q. Okay. What was Morie Fekai's job during this period;
can
9 you help us?

10:21:28 10 A. Morie Fekai, at that time, he was working at G5. He
used
11 to work at G5.

12 Q. Did you ever hear of him passing orders to civilians, in
13 particular in respect of forced labour?

14 A. I did not hear that one.

10:22:02 15 Q. I just want to complete this small issue. Did you ever
with
16 hear that Augustine Gbao was passing orders to Morie Fekai
17 respect to forced labour?

18 A. I did not hear that happen.

19 Q. In fact, who, according to your understanding at the
time,
10:22:39 20 who would Morie Fekai have been taking his orders from?

21 A. He used to take orders from the overall G5.

22 Q. Was that Prince Taylor?

23 A. Yes, that was Prince Taylor.

24 Q. Just lastly on this particular topic, did you ever, at
any

10:23:11 25 time, hear of any connection or any description between Morie

26 Fekai and Augustine Gbao?

27 A. No.

28 Q. Right. Between 1996 and 1999, was Fatoma Aruna a chief
in

29 Giema?

1 PRESIDING JUDGE: In what year, Mister --

2 MR CAMMEGH: '96 to '99.

3 THE WITNESS: Yes.

4 MR CAMMEGH:

10:24:13 5 Q. Right. Did you know him well?

6 A. Yes, I knew him well.

7 PRESIDING JUDGE: In what location?

8 MR CAMMEGH: Giema.

9 Q. If anything bad had happened to him, or to anybody in
his

10:24:39 10 family, do you expect he would have told you about it
personally?

11 A. Well, if he was supposed to explain that to me, he would
do

12 so.

13 Q. Did you hear of any deaths in his family during the war
14 caused by RUF soldiers?

10:25:14 15 A. That did not happen.

16 Q. I think you told us the other day that you knew Aruna
Bondu
17 very well; is that correct?

18 A. He was a very good friend of mine, Aruna Bondu, because
he
19 promised me of giving me a wife.

10:25:47 20 Q. So if it was true that he was once beaten up by Morie
21 Fekai, don't you expect he would have told you about it?

explained 22 A. If Morie Fekai beat up Aruna Bondu, he would have
23 to me.
24 Q. And if Aruna Bondu had been beaten up by Jah Glory, do
you
10:26:30 25 expect Aruna Bondu would have told you about that?
26 A. Who is Jah Glory?
27 Q. I think that answers the question; if Your Honours are
28 content with that answer?
29 PRESIDING JUDGE: Yes. You asked him about a second

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1 person, he is asking you who the person, the second person is.

2 MR CAMMEGH: Yes.

Morie

3 PRESIDING JUDGE: He has provided an answer that if

4 Fekai beat Aruna Bondu, he would have [indiscernible] so you

10:27:11 5 asked him the second person --

beaten

6 MR CAMMEGH: Yes, if he'd heard that Jah Glory had

Who

7 up Aruna Bondu would he have known that, and the answer was:

8 is Jah Glory?

9 PRESIDING JUDGE: Yes, that's right. Who is Jah Glory?

10:27:24 10 MR CAMMEGH: Yes, that's right. I'm suggesting that's a

me

11 sufficient answer for my purposes. But if Your Honours want

12 to ground it home, I will. I will clear it up.

13 PRESIDING JUDGE: Is he saying that he doesn't know Jah

14 Glory?

10:27:37 15 MR CAMMEGH: I'll clear it up.

16 PRESIDING JUDGE: Let's get the record clear.

17 MR CAMMEGH:

it,

18 Q. The question is this, Mr Witness, I'm sorry to dwell on

19 but we have to get it completely right. Did Aruna Bondu ever

10:27:49 20 tell you that he had been beaten up by a man called Jah Glory?

21 You just have to say "yes" or "no"?

22 A. No.

23 Q. Right. I think it's correct, isn't it, that Chief Sellu
24 Ensa, according to your knowledge, had very good relations
with
10:28:16 25 the G5; is that right?

26 A. Yes.

27 Q. Did you ever feel it necessary, yourself, to consider
going
28 to Chief Sellu Ensa to ask him to try to help to improve
civilian
29 conditions?

even
it.

1 A. Sometimes we used to make arrangement about that, but
2 at that, it was already arranged. We only tried to buttress

10:29:26
about

3 Q. Okay. Did you ever feel it necessary to speak to Chief
4 Sellu Ensa about the fact that the RUF were damaging civilian
5 conditions and that you wanted him to try and do something
6 it?

7 A. Like, which damage?

10:29:54
the

8 Q. Well, was it ever your opinion that the RUF were harming
9 civilian conditions and that, therefore, it was necessary to
10 speak to Chief Ensa to try and sort it out, to try and stop
11 RUF damaging civilians' conditions, living conditions?

12 A. No.

will

13 Q. I'm sorry to jump back to the subject of trading. I

14 do this very quickly, I hope. Can you confirm that civilians

10:30:27
that

15 were at all times -- I'm talking about Kailahun District --

the

16 they were at all times allowed to keep certain foodstuffs for

17 themselves, like cacao and palm oil; do you accept that?

18 A. Yes.

to

19 Q. You'd already indicated that civilians were free to go

10:30:58 20 and fro to the crossing point. Can you just confirm that the
21 crossing points were chiefly at Gbele, Baona Waterside,
Yibema?

22 THE INTERPRETER: Your Honours, can the counsel take the
23 names again?

24 MR CAMMEGH: I'm not sure I'm pronouncing this
correctly,

10:31:28 25 if it's Gbele or Bele, Baona Waterside, Yibema and Kumalo --

26 A. Are you talking about Yibema?

27 Q. I believe so. Were those the chief crossing points, the
28 main crossing points?

29 A. Yes.

1 Q. Okay. I think in return for the items that they
personally
2 traded, did the civilians bring back, for example, rice, salt
and
3 Maggi; do you agree?
4 A. Yes, that used to happen.
10:32:33 5 Q. Would you agree that throughout Kailahun, particularly
6 between '96 and '99, civilians worked hand-in-hand with G5
7 soldiers when necessary?
8 A. Very well.
9 Q. To improve the civilians' living conditions?
10:33:04 10 A. Yes. In the place where people used to sell palm oil,
just
11 imagine that there was no problem there.
12 Q. Were civilian workers paid for the work that they did
13 during the war?
14 A. You will send somebody, your colleague, civilian, you
would
10:33:41 15 beg him; he will work for you.
16 Q. Is this right: That civilians were generally given food
in
17 exchange for work?
18 A. Sometimes, some amount of salt that we would give to
19 somebody, that person would be able to go and work for you.
10:34:11 20 Q. And did the G5 often take the responsibility for
dividing

21 food for the civilians who'd been working?

22 A. No.

23 Q. Who divided the food?

24 A. The civilians who were working used to divide the food.

10:34:45 25 Q. Okay. But was this right: That from time to time
26 soldiers, whether they are regular combatants or G5s, would
27 sometimes bring back food from the war front, such as
chickens,
28 for example?

29 A. Yes.

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1 Q. You mentioned agriculture earlier on; is it correct that
2 the agricultural unit distributed seedlings amongst the
villages
3 whenever it was possible to do so?

4 A. Yes, that used to happen very well.

10:35:47 5 Q. Was AA Vandri the head of the agricultural unit at that
6 time?

7 A. Yes.

8 Q. I think Saleem, was he head of the business section of
the
9 agricultural unit?

10:36:18 10 A. Yes.

11 Q. Mr Witness, is there any truth in the suggestion that
12 time to time chiefs, civilian, commanders, et cetera, would be
13 summoned to Kailahun Town to receive orders from RUF
commanders
14 as to how food from their farms should be distributed; did
that
10:37:17 15 ever happen?

16 A. No.

17 Q. Did the RUF ever do anything to obstruct the
organisation
18 of, for example, Mamba or Bondu ceremonies in Kailahun
District?

19 A. That did not happen. Even they themselves, their own

10:38:05 20 children were initiated. When the time for that initiation
came,
21 they would put aside their guns and all of us would
participate
22 in that initiation.
23 Q. Yes. In fact, what I'm suggesting is that the RUF did
24 everything they could to encourage and facilitate such
10:38:31 25 ceremonies; would you agree?
26 A. Very well indeed, yes. We used to dance. We used to
27 glorify their names in our singing and they used to glorify
our
28 names in their own songs. They used to give us money whilst
we
29 were dancing.

1 Q. Were most of the RUF soldiers who you met in Kailahun
2 District during the war directly related to civilians in
Kailahun
3 villages?

4 A. Yes.

10:39:27 5 Q. Mr Witness, can you just help me with this: Did you
have
6 any knowledge of the S4 section?

7 A. I've not understood that question.

8 Q. I was just asking you if you had any knowledge of an RUF
9 section referred to as S4 that was involved in food
distribution;

10:39:54 10 did you ever become aware of them?

11 A. I knew that very well.

12 Q. Okay. Would you like to explain what you understood
their
13 role to be?

14 A. Yes.

10:40:12 15 Q. Please do.

16 A. Like the farm we cultivated at Sembahun?

17 Q. Yes. What job did the S4 have, if you can -- if you
know,
18 then please explain?

19 A. For example, I knew later that they were the ones who
were

10:40:42 20 to give food to soldiers.

21 Q. Okay.

22 A. They would have food in their stores.

23 Q. According to your knowledge of the goings on in Kailahun
24 District, was there ever a time --

10:41:06 25 THE INTERPRETER: Your Honours, can the counsel take the
26 question again slowly?

27 MR CAMMEGH:

28 Q. Okay, sorry. Was there ever a time, to your knowledge,
29 when food or harvest would be gathered up and delivered to

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1 Augustine Gbao?

2 A. I did not hear that and I did not see it.

3 Q. In your position, Mr Witness, if that had been
happening,
4 do you expect you would have known about it?

10:41:46 5 A. I would have known it very well.

6 Q. Okay. I want to make a suggestion to you as to what
7 Mr Gbao's job actually was in connection with food. If you
can
8 help me with this, fine; if you don't know, then please say
so.

9 What I'm suggesting is this: Is that one of Augustine Gbao's
10:42:21 10 responsibilities during the height of the war was to maintain
11 records or inventories of foodstuffs contributed by civilians
to
12 the soldiers; would you agree with that?

13 A. I don't know that.

14 Q. Okay. Do you agree with this as a proposition, and
again,

10:43:05 15 I don't want you to speculate, but perhaps you can help.
16 Kailahun District was at war and food was hard to come by; do
you
17 agree?

18 A. Yes, food was hard to come by. There was a time there
was
19 a shortage of food.

10:43:33 20
distribution

Q. So would you agree that the fair and efficient

21 of food, not only amongst the soldiers but also amongst the
22 civilians, was of paramount importance; would you agree?

23 A. Yes.

24 Q. And would you agree that, therefore, it was important to
10:44:07 25 ensure the security of that food? For example, to prevent its
26 unfair distribution or even its theft; would you agree?

27 A. Yes.

28 MR CAMMEGH: Excuse me one moment, Your Honours. Excuse
29 me, I'm sorry. I'm terribly sorry. Would Your Honour assist

me

I've 1 by just reminding me what the last question and answer was?
2 lost my track.

3 PRESIDING JUDGE: Yes. You were asking the witness in
4 terms of security on the necessity of food and the necessity
for 5 the food to be secure, you know, to be secure from theft or
10:45:37 from 6 an unfair distribution. That is where you stopped.

7 MR CAMMEGH: I'm grateful.
8 Q. Would you agree with this proposition, Mr Witness, that
the 9 citizens and the soldiers in Kailahun District were, during
the 10 war, united against the enemy in a general war effort; would
10:46:05 you 11 agree?

12 A. Yes.
13 Q. Food was scarce, but, to your knowledge, from your
14 position, were you aware of anybody starving to death in
Kailahun 15 District during that time?

16 A. That happened many times.
17 Q. Were you aware of anybody --

18 PRESIDING JUDGE: What happened many times, that people
19 would die of starvation?

10:46:56 20 MR CAMMEGH: Yes.

21 THE WITNESS: At that time there was scarcity of food.

22 There was no food. The elderly people were starved to death.

23 JUDGE BOUTET: What period of time are you talking about

24 here?

10:47:16 25 MR CAMMEGH:

26 Q. During what period, Mr Witness, can you be clear?

27 A. Well, at that time, the heaviest -- at the time of the
28 heaviest retreat, because the way he has asked me, that is the
29 way I'm going to answer. There was scarcity of food. You

will

brought, 1 go and search for food and bring it. When the food was
the 2 there were gates, but the soldiers used to accompany you to
brought 3 bush to search for food. Sometimes they would go and organise
4 ambush two or three days before you could go. When you
10:48:25 5 the food, all of you, your names were on a list. They will
put 6 all the food together. When your name is called, if your name
is 7 Boke, they will put it on the ground. They would divide it
into 8 three parts. They will ask you to take your own choice; then
you 9 will choose. You will take two parts of it, then they would
take 10 the remaining one. Then all of you will disperse because at
10:49:13 11 that time you cannot go anywhere without meeting a soldier or a
12 Kamajor, because ULIMOs used to attack, for example, three
times 13 per day. That was the way it happened.
14 Q. Thank you, Mr Witness. It's been suggested in this
trial 15 that some people starved to death as a direct result of being
16 forced to work by the RUF; what do you have to say about that?
17 A. I would like to say that that person is a liar.
18 Q. Can I just, and I hope to be finished within 15 minutes,

time. 19 can I ask about medical care in Kailahun District at that
10:50:36 20 There is a large hospital in Kailahun Town, Mr Witness. I
think
21 it's right that that was built some time before the war; do
you
22 agree?
23 A. Yes.
24 Q. It is, in fact, quite a large hospital, isn't it?
10:51:08 25 A. Yes.
26 Q. Was that hospital operating as such during the war?
27 A. No.
28 Q. What was the reason for that; do you know?
29 A. There was nothing there and everything was destroyed
there.

care,

1 Q. Okay. Did the RUF do their best to provide medical
2 despite the fact that that hospital had been destroyed? I'm
3 sorry, he didn't say it had been destroyed, despite there was
4 nothing there. Your Honours get the point, I hope. I'm not
10:51:51 5 trying to take a dishonest point.

because

6 PRESIDING JUDGE: He said there was nothing there
7 everything had been destroyed.

8 MR CAMMEGH: Oh, he did say that.

9 PRESIDING JUDGE: Yes, he did.

10:52:01

10 THE WITNESS: There was nothing there.

11 MR CAMMEGH:

assist

12 Q. Okay. Did the RUF do their best, nevertheless, to
13 civilians in medical care?

14 A. Very well. Very well.

10:52:19
you

15 Q. I think you've been asked this question already: Did
16 hear of Dr Fabai?

17 A. Very well.

18 Q. Did you hear of Dr Kulag Vanda?

19 A. Very well.

10:52:39

20 Q. Briefly, Mr Witness, please, can you explain to your
21 knowledge how the RUF attempted to maintain medical care in

22 Kailahun District during the war?

23 A. Well, there was a time Mr Issa Sesay called those
doctors.

24 He made an arrangement with them so that there would be a
10:53:15 25 hospital. The very one I knew about was the one in Giema.
They

26 built it in a bush. I cannot tell you now how he managed to
27 furnish it with medicine, but he called all the civilians
28 together with soldiers and said, "Look at the medicine. We've
29 put the medicine there. It is better for everybody to be
coming

1 to the hospital." Please, he was asking everybody, and dance
was
2 everywhere in the bush. People used to go to that hospital.
3 Even wounded soldiers were there as well. They asked us to
make
4 beds for them in that place so that the wounded soldiers would
be
10:54:40 5 admitted on them. That did happen.

6 Q. Thank you, Mr Witness. Is this true: That one of the
7 objectives of the RUF was this: That medication is not a
8 privilege for the wealthy, but the right of every Sierra
Leonean?

9 PRESIDING JUDGE: Did they get -- take an ideological
10:55:17 10 platform?

11 MR CAMMEGH: Your Honour, I'm simply asking --

12 PRESIDING JUDGE: We've remained within the precincts,
you
13 know, of the medicines being provided free of charge or so?

14 MR CAMMEGH: It's probably my fault, Your Honour.

10:55:38 15 PRESIDING JUDGE: It's [overlapping speakers]
submissions.

16 MR CAMMEGH: Can I ask the question in a more clear way.

17 Q. Did you ever hear it announced by the RUF that, "One of
our
18 objectives, one of our political objectives," if you like
"is,"
19 and I'm quoting, "Medication is not a privilege for the
wealthy,

10:56:03 20 but the right of every Sierra Leonean." Did you ever hear
that
21 said?
22 A. Yes, that medication was for everybody.
23 Q. I will leave that issue there. Was, to your knowledge,
one
24 of the main political objectives of the RUF to provide schools
10:56:35 25 free of charge amongst Kailahun District?
26 A. Yes.
27 Q. Is there anything you can tell us about that?
28 A. Well, I'm explaining about the time when I was in
Sembehun
29 at the time of the opening of the school, when they opened the

1 school the headmaster was Kylie. Pupils were in that school
up
2 to 200. Even myself, my children were there up to four. One
3 thing we were very happy about the school, when they performed
a
4 concert, for the first time I ever cried. I thought of our
old
10:58:08 5 days. There Mr Issa sent one football there. They used to
play
6 that ball in the evening. That was the way the school
business
7 was going on. Even up till now I have some of the results.
8 Q. I asked you the other day a question about -- well, I
asked
9 you whether Augustine Gbao was ever the head commander in
10:58:58 10 Kailahun Town and you said to your knowledge no. Can I ask
you
11 about two other individuals now. Did you become aware, some
time
12 after 1997, that the area -- the RUF area commander of
Kailahun
13 District was a man called Denis Lansana, based in Pendembu?
14 A. I know Denis Lansana. He was based at Pendembu.
10:59:41 15 Q. Thank you. And secondly this: Were you aware that his
Kosia?
16 deputy, the deputy area commander, was a man called Vand
17 A. No.
18 JUDGE BOUTET: Mr Cammegh, I'm not sure he answered your

19 first question. Maybe you're satisfied with the answer. You
11:00:08 20 asked him if he knew of Lansana and was aware of his position
at

21 all. He said that he is aware that he was based in Pendembu.

22 MR CAMMEGH: I agree, Your Honour, he didn't cover the
23 position.

24 JUDGE BOUTET: And then you asked for a deputy, so it is
11:00:21 25 causing me some confusion now.

26 MR CAMMEGH: Of course.

27 Q. Can I just get you to -- can we go back to Denis Lansana
28 because his Honour is absolutely right. We didn't completely
29 cover the question. I asked you if you knew whether Denis

1 Lansana was an RUF area commander based in Pendembu. You told
us
2 that you knew Denis Lansana, you knew that he was in Pendembu.
3 Did you know that he was an RUF area commander at the time?
4 A. That is what I'm confused about. I didn't know whether
he
11:01:03 5 was the one.
6 Q. Okay.
7 A. Whether he was an area commander.
8 Q. All right. And the next question was about a man called
9 Vandi Kosia. Did you ever know of a man called Vandi Kosia
who
11:01:24 10 I'm suggesting was Lansana's deputy?
11 A. That one I did not know very much, that particular one.
12 Q. Fair enough. Mr Witness, did, to your knowledge, Mr
Gbao
13 ever carry a gun?
14 A. I did not see him with gun.
11:01:55 15 Q. And just to give us an idea, please, how frequently did
you
16 see Mr Gbao during the war, let's say from 1996 to the end of
17 1998?
18 A. I used to see him from 1998 to 1999.
19 Q. Where was that?
11:02:26 20 A. I used to see him in Giema.
21 Q. Okay.

22 A. I used to see him at the riverside.

23 Q. How often would you see him?

24 A. Sometimes I will see him at the riverside. Sometimes I

11:02:48 25 would see him where the people used to drink palm wine.

26 Q. Did Mr Gbao ever have a farm in Giema, to your
knowledge?

27 A. No.

28 Q. Now, finally, and I hope to do this quite briefly, and

29 there was another witness, Your Honours, TF1-108. Mr Witness,

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G5 1 I've just got a few more questions for you; I'll try to be as
2 quick as I can. To your knowledge was Augustine Gbao ever a
3 commander?

4 A. No.

11:03:55 5 Q. Thank you. In 1996 were you aware of Mr Gbao ever
ordering
6 civilian commanders to go to Kailahun Town to discuss the
issue
7 of subscriptions?

8 A. No.

9 Q. To your knowledge, Mr Witness, did Augustine Gbao ever
11:04:30 10 order civilians to carry loads on their heads from Giema to
11 Kailahun Town?

12 A. No.

13 Q. Again, to the best of your knowledge, did Augustine Gbao
14 ever order farms to be cultivated?

11:04:58 15 A. No.

16 Q. To the best of your knowledge did the RUF ever steal
food
17 from those who were farming for themselves?

18 A. No.

19 Q. Again, to the best of your understanding of the RUF
code,

11:05:42 20 if I can use that word, what would you have expected to happen
to

21 any soldier who was apprehended stealing food from a civilian?

22 A. If that kind of person was caught, then we would report
to

23 the G5, and he would report to the office that this is what
has

24 happened. But that did not happen for me to see.

11:06:24 25 Q. Okay. Did you ever hear of Aruna Fatoma being put in a
knew
26 cell -- let me start again. I think you've told us that you

27 Aruna Fatoma very well; correct?

28 A. Yes.

29 Q. Okay. Did he ever tell you about an occasion when he
was

1 put in a cell in the MP office in Kailahun Town?

2 A. Not a day did he tell me that.

I

3 Q. Did he ever tell you about an occasion when his sibling,

4 assume his brother, but I use the word "his sibling," was shot

11:07:27
towards,

5 after he became tired carrying a load from Kailahun Town

6 I believe, Giema? Did he ever tell you that?

7 A. No.

cross

8 Q. Mr Witness, did you ever hear about this story: Four

9 people, four civilians, being caught by the RUF trying to

11:08:08
apprehended

10 to Guinea at Mafindor, in either '98 or '99, who were

in

11 by RUF, brought back to the Kailahun Town court barri and shot

Tom

12 the presence of Augustine Gbao, Martin George, Sam Koroma and

13 Sandy. Did you ever hear about that?

14 A. No.

11:08:57
taken

15 Q. And in your position at the time, '98, or '99, is that

16 event something you would have heard about if it had really

17 place?

bit

18 A. I would hear about it very well. Well, I am a little

you

19 confused. 1998, going to 1999, everybody was free. Wherever

11:09:32 20 wanted to go you would go. That's the type of questions
you're

21 asking me?

22 Q. It's probably fair to you that I explain, Mr Witness.
I'm

23 simply asking you to comment on something that somebody else
has

24 suggested to this Court on a prior occasion. Remind us,
please,

11:09:54 25 how far were you living from Kailahun Town in '98 and '99?
How

26 many miles away?

27 A. From Sembehun to Giema it's a mile-and-a-half. From
Giema

28 to Kailahun, seven miles.

29 Q. Okay. Sorry to jump back to the issue of trading again;
we

1 are almost finished. I'm going to suggest a system of trading
to
2 you and I'd like you to comment as to whether or not you think
3 this is accurate. The system, I suggest, is this: That there
4 was an organisation in place whereby civilians, who'd produced
a
11:11:00 5 harvest, would pass the harvest to paramount chiefs, or
civilian
6 commanders, who would then pass those goods to the AU -- I'm
7 sorry, who would pass those goods to the S4 -- who in turn
would
8 pass the goods to the AU, who would barter them in bulk at the
9 Guinea border, then bringing the bartered goods back to the S4
11:11:41 10 who would organise their distribution; does that system seem
11 familiar to you?
12 A. No. The first thing is nobody would take rice to the
13 Guinea waterside. They wouldn't buy it. They would buy rice
14 from there and bring it, but to take rice to Guinea waterside,
11:12:22 15 that did not happen.
usually
16 Q. First of all, I'm suggesting that what they would
17 take to the waterside would be palm oil or cacao. I'm not
18 suggesting they took rice.
19 A. We used to take palm oil, cacao, coffee, kola nut.
11:13:02 20 Q. I accept that. However, it's the system that I'm more
21 interested in. If I've got it wrong, perhaps, Mr Witness, you

aware 22 would like to tell me if there was a system that you were
23 of and how that organised system worked?
24 A. When we were preparing to take items to the waterside,
we
11:13:39 25 would obtain a pass from the G5. Then we would take the
items,
26 and when we took them we would sell them. Then we would buy
27 salt, Maggi, and tongoni and cigarette and shoes. We were not
28 taking rice from the waterside. We wouldn't take rice from
Giema
29 to the waterside, but there were times Mr Issa would provide

lot 1 money that would be taken to the waterside and we would buy a
2 of rice and we would bring it.

that 3 Q. Thank you. If Aruna Fatoma's wife had been raped, is
4 something you would expect to have heard about from Aruna
Fatoma?

11:15:16 5 A. I did not hear that; I did not see it.

heard 6 Q. Okay. I think you've already told us that you never
7 about a member of his family being killed, haven't you?

wife 8 PRESIDING JUDGE: The question is: If Aruna Fatoma's
9 was raped, would he have told the witness about it? That's
the 10 question. Can he limit himself to that question, please.
11:15:42 10

11 MR CAMMEGH: Yes.

wife 12 Q. That was the question, Mr Witness. If Aruna Fatoma's
13 had been raped, would you expect Aruna Fatoma to have told
you?

14 A. Probably he would have told me, but it did not happen.

11:15:59 15 Q. Okay.

16 A. And I did not hear about it.

17 Q. And just so there's no confusion, if his wife had been
18 killed, is that something you expect he would have told you?

19 A. Yes, but it did not happen.

11:16:27 20 Q. Did anybody ever say to you -- did anybody ever tell you
21 that his wife had either been raped or later killed?

22 A. That did not happen.

23 Q. Thank you. I just want to follow up a couple of matters
24 that you raised the other day, and then we can finish.

11:17:08 25 PRESIDING JUDGE: Don't worry, Mr Cammegh, you know,
keep

26 on, keep on going.

27 MR CAMMEGH: Two issues left. Very brief.

28 PRESIDING JUDGE: You don't need to. We are far beyond
29 the time [indiscernible] your case. No problem about that.

1 Continue. You keep reminding us and you are continuing. We
want
2 to see when you are finally finished.

3 MR CAMMEGH:

4 Q. You told the Court the other day that your son was sent
to
11:17:40 5 a base in Baima in 1995 for advanced training; do you remember
6 that?

7 THE INTERPRETER: Can learned counsel take the question
8 again?

9 MR CAMMEGH:

10 Q. You told us the other day that in 1995 your son was sent
to
11 the Baima base for advanced training; do you remember?

12 PRESIDING JUDGE: Did he say for advanced training or
for
13 training simpliciter? Did he say just training --

14 MR CAMMEGH: It may just have been training. That may
be
11:18:14 15 my mistake. Mr Jordash is nodding, yes.

16 PRESIDING JUDGE: Unless he was trained before, for him
to
17 now go for advanced training. I don't imagine he was, but --
18 from the evidence as we heard it on that day.

19 MR CAMMEGH:

11:18:26 20 Q. Let's just put it simply then, Mr Witness. Do you
recall

Baima 21 telling the Court the other day that your son was sent to
22 base in 1995?
23 A. It's not my son that I sent to the base. My son and a
24 soldier quarrelled, then he went to the base. They took him -
-
11:18:53 25 they caught him and took him to the base. Then I told Issa --
26 PRESIDING JUDGE: We heard that story, but, later on,
what
27 did you say happened to that child after Issa had intervened
and
28 the child was released?
29 THE WITNESS: He, himself, went to the base.

1 PRESIDING JUDGE: He still went back to the base, isn't
it?

2 THE WITNESS: Yes.

3 PRESIDING JUDGE: Were you the one who sent him to the
4 base? No?

11:19:23 5 THE WITNESS: Well, nobody forcefully took him there.

6 PRESIDING JUDGE: You said you were not the one who sent
7 him to the base.

8 THE WITNESS: No.

9 PRESIDING JUDGE: He went on his own.

11:19:30 10 THE WITNESS: He went himself, by his own. I did not
send

11 him there. I explained that.

12 MR CAMMEGH:

13 Q. All I want to suggest to you is this: Is that there was
an

14 argument which related to the fact that your son had been

11:19:54 15 impersonating a soldier; is that true?

16 A. Yes, that was the cause of the quarrel, that he
challenged

17 a soldier.

18 Q. And I think -- was he sent to Baima base as a punishment
to

19 do advanced training; is that correct?

11:20:19 20 A. No.

or 21 Q. All right. Well, is this the case: That impersonation,

22 impersonating a soldier was, in fact, a crime within the RUF
23 during the war?

24 PRESIDING JUDGE: Put it to him -- Mr Cammegh, ask him
11:20:39 25 whether his child ever impersonated. The witness is saying
that

26 he had a quarrel with a soldier and that was why he was
detained.

27 Let him tell us whether he was detained because he
impersonated

28 as a soldier.

29 MR CAMMEGH:

1 Q. Is it right, Mr Witness, that he was detained because he
2 impersonated a soldier?

3 A. He did not say he was a soldier. He quarrelled with a
4 soldier. They said he has challenged a soldier.

11:21:23
It's

5 Q. Okay. I need to finally to ask you about Pendembu.
6 right, isn't it, that Pendembu, in 1996, was a frontline town?

7 A. Yes.

not

8 Q. And as such, it's right, isn't it, that civilians were
9 allowed within a reasonable distance of Pendembu because it

was a

11:21:52 10 frontline town; do you agree?

11 A. Yes.

12 Q. And if civilians did trespass too close to a frontline
13 town, was it the normal duty of combatants, or the normal duty
of

Kailahun

14 combatants to round them up and take them back to within

11:22:50 15 District?

16 A. They did not go that way, the civilians.

17 Q. Well, would you agree with me that RUF combatants would
18 round up or capture, if you like, civilians who were straying
too

19 close to frontline towns?

11:22:56 20 A. There was a law that wherever rebels were and civilians,

21 there was a distance between them.

22 Q. Right.

23 A. You wouldn't go that way if nobody took you there.

24 Q. But if civilians got too close to the rebels, or to the

11:23:21 25 frontline towns, do you agree with me that they would be
captured

26 and taken back inside Kailahun District by RUF for their own

27 safety?

28 A. Well, I did not know whether they were going there. I

29 didn't know that. They would capture people at the front line

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1 and bring them -- and hand them over to the town chief. But
to

2 say people went there, I did not hear that.

3 Q. You told me just now that there was a distance between
4 civilians and rebels at the front line; yes?

11:24:23 5 A. Yes. Yes.

6 Q. Why was it important for Kailahun citizens to be distant
7 from the rebel soldiers at the front? Why was that important?

8 A. For safety.

9 Q. Okay. In fact, was one -- if you don't know the answer
to

11:24:57 10 this, please tell us, but was one of the duties of the IDU to

11 ensure that civilians didn't get too close to the rebels at
the

12 front line?

13 A. Very well, indeed.

14 Q. Right. And, in fact, was -- this is my last question --

11:25:23 15 was one of the senior men amongst the IDU in the Pendembu area
a

16 man called Francis Musa?

17 A. He was an IDU commander.

18 Q. Was he in Pendembu at that time?

19 A. Yes.

11:26:03 20 Q. Right. I don't think you've entirely answered my
question.

21 I just want to be sure. Was one of his duties to ensure that

22 civilians didn't get --

23 PRESIDING JUDGE: That is another -- that is another
24 question in addition to the first one.

11:26:23 25 MR CAMMEGH: Well, no, Your Honour. With respect --

26 PRESIDING JUDGE: You can ask it, you can ask it -- no,
no,

27 no, no. We don't really need to get into an argument. You
know

28 that it is another question. It's not the last. You can

29 continue. We will give you the latitude to. You can ask him
the

1 question.

2 MR CAMMEGH:

3 Q. What I asked you, Mr Witness, was: Was Francis Musa --
was

4 one of the duties of Francis Musa to ensure that the civilians

11:26:50 5 didn't get too close to the front line?

6 A. Very well. That was his work.

7 MR CAMMEGH: Since your Honours are offering me
latitude,

8 can I just ask --

9 PRESIDING JUDGE: Yes, you can proceed. You can
proceed.

11:27:18 10 MR CAMMEGH:

11 Q. Mr Witness, have you met anybody in the Gbao Defence
team

12 before?

13 A. Mr Gbao? His lawyers?

14 Q. Yes.

11:27:39 15 A. No.

16 Q. Thank you. That's all.

17 PRESIDING JUDGE: Yes, Mr Fynn. I know we have just
five

18 minutes to break time, but you may start with your
preliminaries.

19 MR FYNN: Thank you very much, My Lord.

11:28:34 20 CROSS-EXAMINED BY MR FYNN:

to

21 Q. Mr Witness, I will now ask you some questions and if you
22 would, like you've been doing thus far, answer slowly and try
23 be as precise as the question is.

24 A. Okay.

11:29:09 25 Q. Now, you did say the war came to your village where you
26 were in 1991; am I correct?

27 A. Yes.

28 Q. And you said that the Gios came to your village?

29 A. Yes.

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1 Q. Would I also be correct that the Gios came into Sierra
2 Leone together with Sierra Leoneans?

3 A. Yes.

4 Q. And that these Gios and those Sierra Leoneans were, in
11:29:56 5 fact, part of the same group?

6 A. That question that you've asked me, if Gios and
7 Sierra Leoneans came together to this country, I have not
8 understood. We saw Gios. At that time I had not seen
9 Sierra Leoneans where we were caught.

11:30:28 10 Q. So you did not see any Sierra Leoneans with the Gios; is
11 that what you're saying?

12 A. When they came initially?

13 Q. Yes.

14 A. Yes.

11:30:41 15 Q. How long after the Gios had come did you see
16 Sierra Leoneans with them?

17 A. It was up to three -- it was after three to four months.

18 Q. It was after three to four months. Did you get the
19 impression, after you saw Sierra Leoneans with the Gios, that
the

11:31:13 20 Gios and the Sierra Leoneans were, in fact, in the same group?

21 A. At that time I didn't know. I only saw one person. I
22 didn't know whether they came together.

23 PRESIDING JUDGE: Did he say they came after about four

24 months, three or four months? Let's get that clear. The
11:31:46 25 Sierra Leoneans came after about three or four months,
26 Mr Witness?
27 THE WITNESS: I said, when we saw the Gios, three or
four 28 months afterwards I saw one Sierra Leonean at that time.
29 MR FYNN:

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1 Q. Is it your evidence that it was only that single Sierra
2 Leonean who was with the Gios?

3 A. He alone was the one I saw when they came at that time.

4 Q. Did you at that time know about the group, the RUF?

11:32:57 5 A. No. At that time the war has caught us. We did not
know

6 what the RUF was.

7 Q. Would you agree with me that you complained to Mr Sankoh
8 about the conduct of the Gios because you knew that they were

a

9 part of his group?

11:33:33 10 A. Yes. I reported to him.

11 Q. And you reported to him and not to anybody else because
12 you knew that the Gios were, in fact, part of his group?

13 A. Yes.

14 Q. And would I be correct to say that you reported to him
more

11:34:18 15 than once?

16 A. Yes.

17 Q. And I would also be correct that it was after several of
18 such reports that Mr Sankoh promised you and the other leaders
19 that he would do something about the Gios; am I correct?

11:34:56 20 A. Yes.

21 Q. Mr Witness, you've told us what your position was. Am I

22 correct that it was the RUF who gave you that position?

23 A. They started, but they were not the ones who ended it.

24 Q. When you say "they were not the ones who ended it," what
do

11:35:45 25 you mean?

26 A. They gave me that position. Later, they told Mr Sankoh,

27 when they said, "Whatever you're doing, this is not the time.

28 That position that they've given you, this is not the time."
At

29 that time we did not even know what commander was. It was
after

1 that he said, "That position which you had been talking about,
2 return to the people and discuss it." But we did not know --
all
3 of us didn't know at that time. Later we were called up. It
was
4 Mr Tengbeh who called us. Then two people stood. Then they
gave
11:36:55 5 that position to one man. Then Mr Sankoh prepared a document
and
6 gave it, but there was no appointment on the document. He
said,
7 "You people are not chiefs." He said, "After the war there
would
8 be proper organisation." That was how that happened.

9 Q. Now, Mr Witness, would I not be correct to say that had
the
11:37:44 10 RUF not approved that you assume the position you assumed, you
11 would not have had that position?

12 A. Not in the least.

13 Q. And would it also be true that all the people in your
14 position had to be approved of by the RUF?

11:38:29 15 A. Yes.

16 PRESIDING JUDGE: We will stop there. Well, learned
17 counsel, we will recess for the tea break. The Court will
rise,
18 please.

19 [Break taken at 11.35 a.m.]

12:19:25 20

[RUF18OCT07B - MD]

21

[Upon resuming at 12.15 p.m.]

22

PRESIDING JUDGE: Yes, Fynn.

23

MR FYNN: Thank you, My Lord.

24

Q. Mr Witness, you have agreed with me that persons in your

12:20:29 25
RUF?

position would ordinarily have had to be approved of by the

26

A. Yes.

27

Q. You'd also agree that your position was an important one

to

28

the RUF?

29

A. Yes.

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now a 1 Q. And that because you occupied that position, you were
2 big man in your chiefdom; a person of influence?

3 A. Yes.

position 4 Q. You would also agree that because you were in that
12:21:20 5 you enjoyed certain privileges from the RUF?

6 A. They didn't do -- extend all privileges to me.

enjoyed 7 Q. They didn't extend all privileges to you, but you
8 privileges which were not extended necessarily to everybody?

9 A. No.

12:21:57 10 Q. You will agree with me that you were protected from
11 harassment by RUF fighters?

us; 12 A. That did not happen. The Gios were really tormenting
13 there was problem.

Gio 14 Q. Mr Witness, we are not necessarily speaking about the
12:22:24 15 period here. I am asking you about the nature of your
position

16 and the fruits of that office throughout the period when you
17 served in that position. I'm suggesting to you that you were
18 protected from harassment by RUF fighters?

not 19 A. They were protecting everybody. Everybody. They were
12:22:57 20 discriminating.

21 Q. Did you -- I believe you testified that you were given a
22 card when you were appointed to your position; correct?

23 A. Yes.

24 Q. Would you agree that that card gave you access to places
12:23:28 25 which ordinary civilians would not have gone to?

26 A. That did not happen.

27 Q. Now, in your position, it was part of --

28 PRESIDING JUDGE: "That did not happen," what does that
29 mean? What does that mean?

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1 MR FYNN:

2 Q. Now, when you said, "That did not happen" --

3 A. Wherever I went, civilians too could go there.

4 PRESIDING JUDGE: Yes, that's clearer.

12:24:23 5 MR FYNN:

6 Q. Was it part of your duty, in your position, to assist in
7 ensuring that civilians made contributions of food to the RUF?

8 A. No.

9 Q. But it is correct that civilians did, in fact, make
12:24:45 10 contributions to feed the RUF?

11 A. That happened in '91.

12 Q. When you say, "That happened in '91," are you suggesting
13 that after '91 civilians did not make contributions to feed
the
14 RUF?

12:25:20 15 A. Not in the least. There was a law that nobody should
feed
16 soldiers.

17 Q. Did civilians, however, make contributions to feed
chiefdom
18 commanders, master farmers and other RUF personnel, not
19 necessarily soldiers?

12:25:59 20 A. That did not happen.

21 Q. Is it your evidence, then, that, in fact, civilians were
22 not making any food contributions towards the RUF at all?

23 A. After we got that document, that did not happen.

24 Q. After you got what document?

12:26:46 25 A. When Mr Sankoh said never should feeding a soldier be
26 anyone's responsibility; the document is there.

27 Q. Is it then your evidence that -- are you suggesting that
28 you were contributing up to a point and then you stopped; that

is

29 civilians, I mean?

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1 A. Yes.

2 Q. Would you recall when you stopped contributing?

3 A. I'm thinking about '91 up to '92, towards the end or
mid.

4 Q. Mr Witness, I would suggest to you that throughout the
war

12:28:14 5 period civilians were contributing food to the RUF?

6 A. That did not happen. It reached a point where it
stopped.

7 PRESIDING JUDGE: You have limited the time when it
8 stopped. You said it happened only between 1991 up to the end
of

9 1992; that is your evidence.

12:28:49 10 THE WITNESS: It stopped at that time. Apart from that
11 time, up to the end, no civilian contributed food for
soldiers.

12 MR FYNN:

13 Q. But did you continue to contribute to feed the council?

14 A. Never did that happen.

12:29:26 15 Q. Mr Witness, I will suggest to you that civilians did
make

16 contributions towards feeding councillors, chiefdom commanders
17 and town mothers?

18 A. I'm telling you that never did that happen.

19 MR FYNN: With your leave, My Lord, I would wish to draw
12:30:12 20 the Court's attention, and the witness's attention, to Court

21 Management Exhibit 246.

one

22 PRESIDING JUDGE: Was that one -- that must have been

23 of the exhibits that was tendered by Mr Jordash?

24 MR FYNN: That's correct, My Lord.

12:31:27 25 PRESIDING JUDGE: Yes. That would be on page what of

26 the --

27 MR FYNN: It would be page 30771 is the cover page, My

28 Lord.

the

29 PRESIDING JUDGE: 30771. Has the exhibit been shown to

1 witness?

2 MR GEORGE: Yes, Your Honour.

3 THE WITNESS: I've received the exhibit.

4 MR FYNN:

12:32:23
which

5 Q. Mr Witness, if you would kindly look at that exhibit

6 you tendered, and if you would just read the subject line?

7 A. I've seen it.

8 Q. You would wish to agree with me that, in fact,

9 contributions were demanded from civilians to feed the

12:32:49

10 councillors, chiefdom commanders and town mothers?

11 A. It did not happen. I can explain something to you about

12 this document.

13 PRESIDING JUDGE: Yes, explain.

14 THE WITNESS: The councillors met in a meeting, and they

12:33:20
were

15 said it was proper for us to be feeding them, because they

16 there to advocate for us in the council. When they returned

the

17 after the meeting, they said it to the chiefs and assembled

then

18 town, and they told us about it. And we told them there and

to

19 that there was no way that could happen. That they were there

12:34:08
whole

20 speak on our behalf, and I think in Kailahun District, the

21 of Kailahun District, all those who've gone to the council, no
22 one of them would say that we gave him a cup of rice. They
said
23 it, but it did not happen.

24 MR FYNN:

12:35:04 25 Q. Now, Mr Witness, we would suggest to you that, in fact,
you
26 complied with the instructions in that exhibit, and you made
27 contributions to feeding the council and the other people
28 mentioned. What is your comment?

29 A. That did not happen; that's what I can tell you. That
it

1 did not happen.

2 Q. Was it part of your duty, in your position, to identify
3 civilians to work on the RUF farms?

4 A. RUF farms, I know about one RUF farm. The other farms
were

12:36:15 5 owned by the townspeople. They themselves organised to
cultivate

6 their farms.

7 PRESIDING JUDGE: Mr Fynn, put the question to the
witness

8 again. He's diverting.

9 MR FYNN: Yes, My Lord.

12:36:35 10 Q. Now, the question was whether it was part of your job,
in

11 your position you held, to identify people to work on the RUF
12 farms?

13 A. That's what I said. I said no. There was only one RUF
14 farm that we told people to work on. The other farms were
owned

12:37:13 15 by townspeople. Then we used to call it ordinary farms.

16 Townspeople.

17 Q. Okay, Mr Witness. If we could concentrate at this point
on

18 the RUF farms, not the ordinary farms. You have said you knew
19 about one RUF farm; am I correct?

12:37:40 20 A. Yes, that happened and I know about it.

21 Q. And my question to you was: Whether, in fact, you had a
22 duty to help get people to work on those farms, on that farm,
23 because you only knew about one?

24 A. That was my job. I did it once.

12:38:18 25 Q. Now, this RUF farm which you say you only knew about,
where

26 was it?

27 A. It was in Sembehun.

28 Q. In Sembehun. And you say it was -- you agree with me
that

29 it was your job to help get people to work on the farm but
then

1 you are saying you only did that job once?

2 A. Concerning that farm?

3 Q. Yes, and getting people to go and work on it.

4 A. I was not taking people to go and work there. I
consulted

12:39:01 5 the people. That was the way everybody knew. The G5s who
would

6 bring people. They would go and work on that day.

7 Q. Now, the G5 --

8 PRESIDING JUDGE: You consulted who?

9 THE WITNESS: The G5s.

12:39:44 10 MR FYNN:

11 Q. Would I be correct to say that the people who were
brought

12 by the G5 to work on the farm could not refuse to work?

13 A. They could not refuse; they were happy. They were very
14 happy.

12:40:14 15 Q. Let me make myself clear: If they'd preferred not to
work

16 on the farm, they would be forced to work; am I correct?

17 A. No, that did not happen. I would like to explain to you
18 that --

19 PRESIDING JUDGE: No, wait. Let's get you right first.
If

12:40:49 20 they refused to work nothing ever happened to them but you
have

21 added that they never refused to work.

have

22 THE WITNESS: Even if they had refused, nothing would

23 happened to them. Before the farming, we all accepted that we

24 were going to do it happily. And we used to eat there.

12:41:53

25 MR FYNN:

26 Q. Is it correct that certain RUF commanders had farms of

27 their own?

28 A. Yes, that happened.

29 Q. And you have also testified that Mr Sesay had a farm?

1 A. Yes.

2 Q. Would it be correct that, in fact, he had two farms; he
had
3 swamp farm and another farm?

4 A. Yes.

12:42:36 5 Q. And you would agree with me that civilians worked on
both
6 of these farms?

7 A. Yes.

8 Q. I would also be correct if I suggested that Mr Sesay did
9 not pay the civilians who worked on these farms?

12:43:07 10 A. He did not pay them; he used to send them. Happily.
They
11 were very happy.

12 Q. Mr Sesay had armed bodyguards; am I correct?

13 A. They had guns.

14 Q. And apart from his bodyguards, there were other fighters
in
12:43:50 15 the area who were under his control; am I correct?

16 A. Except for soldiers, but others, I cannot tell because
he
17 was in charge of the soldiers.

18 JUDGE BOUTET: Can you ask the witness to clarify that?

19 MR FYNN:

12:44:17 20 Q. When you say "soldiers," would I be correct to assume
that

21 you mean RUF soldiers or fighters?

22 A. Yes.

23 Q. Now armed men --

24 PRESIDING JUDGE: What was your question?

12:44:44 25 MR FYNN: My question, My Lord, was that apart from his
26 armed bodyguards whom the witness has agreed Mr Sesay had --

27 PRESIDING JUDGE: Yes.

28 MR FYNN: -- my question was that Mr Sesay also had in
that

29 same locality armed men, fighters, RUF fighters, who were also

1 under his control.

2 JUDGE BOUTET: We didn't hear the answer to that. Or at
3 least he did not appear to be answering your question.

4 MR FYNN: I will put it again to the witness.

12:45:17 5 Q. Now, you have said that Mr Sesay had armed bodyguards.
6 Now, apart from the armed bodyguards, would I be correct to
say
7 that there were also other armed men, RUF men, who were in
that
8 area under Mr Sesay's control?

9 A. Mr Sesay had bodyguards. All the soldiers used to go to
12:45:53 10 him and went -- and go back. To say that the soldiers were
for
11 me? No, I did not see that, but all the soldiers were under
his
12 control.

13 PRESIDING JUDGE: Is he -- let's get it clear: Is he
14 saying that, in addition to the armed bodyguards, that Mr
Sesay
15 also had other soldiers under his control?

16 THE WITNESS: There was no soldier under Mr Sesay's
17 control, meaning that they were for him. We only knew that he
18 was the commander of all the soldiers. Whenever you paid a
visit
19 to him, you would meet him together with all his bodyguards at
12:47:17 20 home.

21 MR FYNN:

the 22 Q. So your evidence is that Mr Sesay was the commander in

23 area; am I correct?

24 PRESIDING JUDGE: Of all the soldiers?

12:47:37 25 MR FYNN: Yes, My Lord, I was going to add that.

26 PRESIDING JUDGE: Yes.

27 MR FYNN:

28 Q. He was the commander of all the soldiers in the area?

29 A. He was the area commander.

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it 1 Q. Now, you would agree with me that in those circumstances
2 would be difficult for anybody to disobey Mr Sesay?

3 A. No.

4 Q. Were there armed men on Mr Sesay's farms?

12:48:26 5 A. No.

go 6 Q. I would suggest to you, Mr Witness, that armed men did
7 to Mr Sesay's farms?

8 A. As for me, I did not hear that. Nor did I see it.

farms, 9 Q. Would you agree that the other commanders, who had

12:49:15 10 also had civilians working on those farms? You said other
11 commanders had farms; would you agree that they also had
12 civilians working on those farms?

13 A. The commanders who had those farms, they used to send
14 civilians. If they ever accepted, then they would do the farm
12:49:44 15 work, but it doesn't mean that they were living with him at
home,
16 but he used to send them. If they accepted it, they would do
it.

17 THE INTERPRETER: Your Honours, can the witness take the
18 last bit of his statement?

19 MR FYNN: I apologise My Lord, I thought the witness was
12:50:44 20 going to repeat his last statement.

21 Q. Now, you said that other commanders had --

22 MR JORDASH: Sorry to interject, but I don't think the
23 witness knows that he's expected to repeat the answer until
24 someone tells him. We get the message in English, but the
12:51:01 25 witness hasn't had the message, so someone has to say to him,
26 "Please, can you repeat the last part of your answer," as per
the
27 translator's request.

28 PRESIDING JUDGE: Mr Fynn, can you ask your witness. In
29 these circumstances he is your witness.

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1 MR FYNN: Yes, My Lord. I thank My Lord for that
logistic
2 guidance. I thought the witness had.
3 Q. Now, my question was that, in fact, you had testified
that
4 other commanders had farms, and I wanted to know if civilians
12:51:38 5 worked on those farms just as they did on Mr Sesay's farm?
6 A. They used to go to that farm, but they were not on the
7 farm. That's what I'm saying, that the civilians were on that
--
8 PRESIDING JUDGE: But nobody asked you whether they were
on
9 the farm. They used to go there to work. That's the
question.
12:52:02 10 Put it to him again.
11 MR FYNN:
12 Q. Did they work on the farm, the civilians? They worked
on
13 all the farms --
14 PRESIDING JUDGE: There is no suggestion they were
staying
12:52:08 15 in the farm.
16 THE WITNESS: Okay. Okay. People used to go to that
farm
17 to work.
18 PRESIDING JUDGE: And he added that it is only if they
19 accepted to work that they went there. Those civilians who
went

12:52:26 20 there, went there only if they accepted.

21 THE WITNESS: Yes.

22 MR FYNN:

23 Q. And you would agree with me that they were not paid
either?

24 A. No. Sometimes they would do some, just gestures to them
in

12:52:51 25 Mende custom. They would give them palm wine to drink there,
and

26 they would dance a very heavy dance in that farm.

27 Q. Now, the produce from those farms were all for the

28 commanders; would I be correct? The produce from Mr Sesay's
farm

29 was for Mr Sesay and the same with the other commanders; would
I

1 be correct?

2 A. Yes.

3 Q. Would it also be true that the produce from community

4 farms, you testified there were community farms as well, would
it

12:53:55 5 be true that the produce from those farms were also for the
RUF?

6 A. They did not give it to the RUF.

7 Q. Now, Mr Witness, you testified that there was a free
poor

8 primary school in the Sembehun area; am I correct?

9 A. Yes.

12:54:53 10 Q. You said your children attended the school; am I
correct?

11 A. Yes.

12 Q. Mr Witness, how many children do you have?

13 A. Now?

14 Q. Well, then.

12:55:14 15 A. Four.

16 Q. Would I be correct that all your children were attending
17 the free poor primary school?

18 A. Yes.

19 Q. If I may, how old were your children?

12:55:45 20 A. Well, some of them were young. Except I take the
farming

21 calendar to estimate their age. All of them were in Class 1.

22 Q. And it was one of those children that had the
23 confrontation, the challenge, with the soldier?

24 A. No. He was the elder son. He was staying with me but
he
12:56:34 25 was not my -- my biological child.

26 Q. Was he also attending the free poor primary school?

27 A. No.

28 Q. Was he attending school at all?

29 A. He was not -- he was not attending.

two
1 Q. Your testimony is that you saw Mr -- that Mr Sesay had
2 children of his own; am I correct?

were
3 A. I've told you, there were two children with him. They
4 not his biological children, but that's what I saw; two
children
12:57:47 5 were staying with him.

children
6 Q. Would I be correct that there were more than two
7 in Mr Sesay's compound when you visited?

8 A. Yes. I saw children there but the one I knew very well,
9 there were two of them because those two, any time you paid a
12:58:16 10 visit, you would meet them there always. The others, there
were
11 times when you paid a visit there, you would not meet them
there.

12 But those two children, they were always there at that house.

away
13 Q. Mr Witness, have you met -- did you ever meet Mr Sesay
14 from his home?

12:58:46 15 A. Yes.

children
16 Q. I would suggest to you that when you did, he had
17 with him?

18 A. I did not see any child with him, except his bodyguards,
19 when they used to go on patrol.

12:59:18 20 Q. I would suggest to you that among his bodyguards there
were

21 small boys?

22 A. I cannot assure you of that statement.

23 PRESIDING JUDGE: What does that mean: "I cannot assure
24 you of that statement?" Let him answer.

12:59:45 25 MR FYNN:

26 Q. Why can you not assure me?

27 A. Well, it did not happen at all. I did not see that at
all.

28 Q. Did you hear about him having children among his
29 bodyguards; small boys?

1 A. No.

2 Q. Mr Witness, I would suggest to you there were small boys
3 with guns with Mr Sesay?

4 A. You have told me that but I did not see that.

13:01:00 5 Q. Mr Witness, you spoke about mining at Giema; am I
correct?

6 A. Yes.

7 Q. Did you yourself visit the mining area?

8 A. Yes.

9 Q. Now, did you not see armed men at the mining site?

13:01:43 10 A. No.

11 Q. Did RUF personnel participate in the mining?

12 A. Well, the work was carried on where they were staying
13 the mining, to say that they were mining --

14 Q. My question is whether in fact you saw personnel
15 participating in the mining; that is the question.

16 A. Yes, the other day, they did it.

17 Q. So I would be correct to say there were RUF soldiers at
18 the mine site?

19 A. They were at the site, but I did not see any person with
20 a gun.

21 Q. So your evidence is that the soldiers were there but

22 without their guns?

23 A. No. They too were working there.

24 Q. Now, Mr Witness, would I be correct to say that
civilians

13:03:50 25 were expected to stay in a particular place within the
Kailahun

26 District? The RUF expected civilians to be in a particular
27 location?

28 A. Yes.

29 Q. Would I also be correct to say that if a civilian left
the

would 1 location where he was expected to be, and he was caught, he
2 be brought back, forcibly?

3 A. You would be brought back, but you would not be
4 disciplined. You would be advised.

13:05:06 5 PRESIDING JUDGE: I think that would be a convenient
point 6 for us to rise for the lunch break. Mr Fynn?

7 MR FYNN: Thank you very much, My Lord.

8 PRESIDING JUDGE: You will continue when the Chamber
9 resumes sitting at 2.30. The Court will rise, please.

13:05:52 10 [Luncheon recess taken at 1.03 p.m.]

11 [RUF18OCT07C - JS]

12 [Upon resuming at 2.50 p.m.]

will 13 PRESIDING JUDGE: Good afternoon, learned counsel. We
14 resume our proceedings. Yes, Mr Fynn, you may continue with

your 15 cross-examination --

16 MR FYNN: Thank you, My Lord.

17 PRESIDING JUDGE: -- of this witness.

18 MR FYNN:

19 Q. Good afternoon, Mr Witness.

14:55:14 20 A. Good afternoon, sir.

trading 21 Q. Mr Witness, you would recall that you testified to

22 at the border?

23 A. Yes.

24 Q. Would I be correct to suggest that the trade at the
border

14:55:39 25 was being supervised by the RUF?

26 A. Yes.

27 Q. And that the goods which were being traded from Kailahun

28 were being traded for and by the RUF?

29 A. That question, I would like you to take that question

1 again.

2 Q. I apologise. Now, Mr Witness, it was the RUF who was
3 trading things at the border?

4 A. They were trading on our behalf. At that time, when we
14:57:04 5 took the goods to the riverside, you would not just sell the
6 goods the way you wanted to sell. You would give the goods to
7 the contractor to buy. That was the way we used to do.

8 Q. Would I be correct to say that the people you referred
to
9 as contractors were really RUF personnel?

14:57:46 10 A. Yes. They were civilians as well.

11 Q. When you say "civilians as well", is that civilians who
12 were members of the RUF; is that what you mean?

13 A. Yes.

14 Q. Am I correct also that it was civilians who carried the
14:58:26 15 goods to the border for the RUF?

16 A. They used to take the goods to the border for them, for
the
17 civilians, because even if you could not take it there, nobody
18 would ask you. That means you were taking it for yourself.

19 PRESIDING JUDGE: I don't understand that question.

14:59:00 20 THE WITNESS: But you would not sell it for you.

21 MR FYNN:

22 Q. Mr Witness, I think you may not have understood me.
Now,

that 23 trade was going on at the border, and you've agreed with me

24 it was the RUF who was supervising and the goods were being
14:59:20 25 brought there for the RUF. My question was whether, in fact,
26 these goods were brought to the border by civilians, civilians
27 actually carried the goods?

28 A. Yes, civilians were taking them to the border.

29 Q. And you'd also agree with me that, during the

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1 transportation of the goods, those civilians would be
accompanied

2 or would have with them armed RUF personnel?

3 A. The gunmen were at the riverside. Those who were going,
4 you would not be accompanied by guns.

15:00:44 5 Q. Now, Mr Witness, if we could move away from that area
for a

6 moment. You have mentioned that you know one Aruna Fatoma?

7 A. Yes, I knew him very well.

8 Q. Now, Mr Witness, you have told us what your position is;
I

9 don't want to repeat that. But would you agree with me that a

15:01:22 10 person in your position would know about the happenings in his

11 locality better than somebody else in a similar position who
is

12 in another locality?

13 A. Yes.

14 Q. You've suggested that Fatoma was a proud man. Would I
be

15:02:12 15 correct to suggest to you that he was a person who preferred
not

16 to take orders from anybody?

17 A. He used to take orders from other people. He was not
18 taking orders from everybody, but there were some he was
taking

19 orders from. He did not respect people very much.

15:02:59 20 Q. Now, Mr Witness, if I may bring you back to that. The

21 question is not whether he actually took orders. From your
22 knowledge of him, even though he took those orders, do you
think
23 by his disposition he would have preferred not to take orders
24 from anybody?

15:03:32 25 A. He used to take orders from his immediate boss, because
26 there was a time all the civilians, all the things concerning
27 civilians were handled by chiefs.

28 Q. Mr Witness, I will try a final time. Would you agree
with
29 me that if Mr Fatoma had his way, he would not take orders
from

1 that superior you said he took orders from?

2 A. He would like to take orders from somebody, but he does
not
3 know how to talk to somebody. That is the only way. Because
he,
4 himself, had a -- his immediate superior.

15:04:51 5 Q. Mr Witness, in your position, would I be right to say
you
6 enjoyed the confidence of the RUF?

7 A. Yes.

8 Q. And would I be correct to suggest that other persons in
a
9 similar position to yours also enjoyed that confidence?

15:05:32 10 A. I believe so.

11 Q. You would agree with me, therefore, that a person in
your
12 position would not wisely at that time openly oppose the RUF?

13 A. I have not understood the word "oppose."

14 Q. A person in a position similar to yours, or exactly the
15 same as yours, would not openly go against the RUF or show
16 that
17 he is against the RUF?

18 A. If you did not like it, you would say it at that point,
or,
19 "I am not going to do it." But whosoever that had his
immediate

boss, you would take orders from him.

15:07:05 20
person's

Q. Mr Witness, the question is a little larger than a

21 immediate boss.

clarify

22 JUDGE BOUTET: But could you also, Mr Prosecutor,

his

23 what the witness means by taking orders in his scenario from

24 boss? I would appreciate it.

15:07:24 25

MR FYNN: As My Lord pleases.

take

26 Q. Mr Witness, you mentioned that a person would have to

do

27 orders from his immediate boss. When you say "orders," what

28 you mean by "orders"?

29 A. Any type of orders. For example, for example, here is a

called
wouldn't
of
15:08:22
that
15:08:57
of
for
15:09:36
that
agree
to

1 chief who has called you for some arrangement and you are
2 to that arrangement. You would do it grumbling but you
3 do that in his presence. You can't grumble in his presence.
4 Q. So you are suggesting that you would not have the option
5 refusing to carry out an order?
6 A. The orders you cannot take, you would tell the chief
7 this particular order I cannot take.
8 Q. Mr Witness, if I could take you back to my original
9 question. Now, the RUF had come to Kailahun. I am asking you
10 whether a person in your position, who did not like the fact
11 the RUF being there in Kailahun and being in charge, would a
12 person in your position act wisely to openly show his dislike
13 the RUF?
14 A. No.
15 Q. Considering the confidence which you've agreed with me
16 the RUF had, in persons of your rank and station, you would
17 with me that a person who disliked the RUF will not be advised
18 confide in you in that regard?

the 19 A. Nobody would disturb you at the end now. But the time
15:10:31 20 Gios were here --
21 PRESIDING JUDGE: Don't concentrate on the Gios;
22 concentrate on the question. Concentrate on the question,
23 please.
24 THE WITNESS: Yes.
15:10:41 25 PRESIDING JUDGE: No, I don't know what his answer to
26 that -- put the question to him please.
27 MR FYNN:
RUF 28 Q. Would you agree with me that a person who disliked the
29 would be advised not to confide in you?

1 A. You can't be with them.

2 Q. You can't be with who, Mr Witness?

3 A. You can't be with the RUF.

4 Q. Mr Witness, I seem to have lost you there, or you I.

Let

15:11:31 5 me go over that again, please. Now, my suggestion to you is
that

6 since you've agreed with me that in your position you enjoyed
the

7 confidence of the RUF, I am suggesting that, if a person, an
8 ordinary civilian, did not like the RUF, was against the RUF,
9 that civilian would not confide in you. He will not come and

15:12:00 10 tell you that, "I don't like the RUF."

11 A. Nobody would confide that in me, but that one would be
in

12 his mind.

13 Q. Thank you very much, Mr Witness. Mr Witness, you have
14 mentioned that you knew Augustine Gbao. Now, am I correct
that

15:12:51 15 Mr Gbao was the head of the IDU?

16 A. Yes.

17 Q. And I mean the head of the IDU meaning in the whole of
the

18 RUF?

19 A. Yes.

15:13:18 20 Q. And you have also said you knew one Morie Fekai, and I
will

21 suggest to you that Morie Fekai was a junior to Mr Gbao in the
22 RUF structure?

23 A. Yes, but he was not under his unit.

24 Q. They were in different units. One was in G5 and the
other

15:14:04 25 one was in IDU; am I correct?

26 A. Yes.

27 Q. But, nonetheless, Mr Gbao was a senior to Mr Fekai?

28 A. Yes.

29 Q. In view of that junior/senior relationship, would I be

1 correct to suggest that Mr Fekai would have obliged Mr Gbao a
2 request if he made one?

3 A. Yes.

4 Q. Mr Witness, if I may take you back to the school
concert.

15:15:20 5 You testified that during that concert you cried; am I
correct?

6 A. Yes.

7 Q. I would suggest to you that at the time of this concert
8 things were very difficult for civilians in Kailahun?

9 A. Ask that question again.

15:15:55 10 Q. My suggestion to you, Mr Witness, is around the period
when

11 you went to this concert, around that time frame, things were
12 difficult for civilians in the Kailahun District?

13 A. Things were not difficult.

14 Q. Would I be correct to suggest that the concert reminded
you

15:16:33 15 of the days before the war?

16 A. Yes.

17 Q. And that it was the memory of those days which I dare
18 suggest were better days than the ones you were living in that
19 caused you to cry?

15:17:12 20 A. Yes, that is true.

21 Q. I would thank you very much, Mr Witness, for your

22 cooperation.

23 MR FYNN: I thank you for your attention, My Lord. That
24 would be all.

15:17:28 25 PRESIDING JUDGE: Thank you, Mr Fynn.

26 Yes, Mr Jordash, any re-examination?

27 MR JORDASH: No, thank you.

28 PRESIDING JUDGE: All right. Mr Witness, the Chamber
29 thanks you for coming to assist it with your testimony, and

it's

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your 1 over now and we are releasing you so that you can go back to
2 village and resume your activities. So we wish you a safe
3 journey. Thank you for coming to assist us.

- 4 Can we have the witness -- Mr Jordash, I hope we have -
15:19:40 5 can you help him out, please? Mr Jordash, it's okay, let them
6 take the witness out.

7 [The witness withdrew]

veil 8 PRESIDING JUDGE: Mr Jordash, I'm just waiting for the
9 to be lifted.

15:20:57 10 MR JORDASH: Can I indicate that the next witness is
11 DIS-178, and the witness after that will be DIS-069, and DIS-
178 12 is our tenth witness, and will be our last Kailahun civilian
13 witness for some time, I think.

14 JUDGE BOUTET: Is this the one for which you filed a
15:21:46 15 supplemental a few days ago?

16 MR JORDASH: I'm sure we did, Your Honour, yes.

have 17 JUDGE BOUTET: I know I've looked at some -- I don't
18 it with me but --

Honour. 19 MR JORDASH: Yes, I'm confident we did, yes, Your

15:22:00 20 JUDGE BOUTET: Some 35 something paragraphs in that

21 supplemental; is that the one?

22 MR JORDASH: That was for 069.

23 JUDGE BOUTET: 069.

24 MR JORDASH: Was the last supplemental.

15:22:13 25 JUDGE BOUTET: Okay. With 35 paragraphs is for 069, is
it?

26 The next -- not this witness, the one after?

27 MR JORDASH: Not this witness. I'm sure this witness,
28 there was about five paragraphs.

29 JUDGE BOUTET: Okay. Thank you.

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1 [The witness entered court]

2 WITNESS: DIS-178 [Sworn]

3 [The witness answered through interpreter]

4 PRESIDING JUDGE: So this witness is DIS-178?

15:22:52 5 MR JORDASH: Your Honour, yes.

6 EXAMINED BY MR JORDASH:

7 Q. Mr Witness, remember we're in an open session, so be
8 careful about saying anything to reveal your identity. Can I
ask
9 you how old you are, please?

15:24:21 10 A. I am 25 years. I am 35 years.

11 Q. And what languages do you speak?

12 A. I speak Mende, I speak Krio, I can speak English.

13 Q. Can you write English, Mr Witness?

14 A. Yes, I am going to school.

15:24:49 15 Q. Perhaps I can ask you to write down what it is you do as
a
16 job now and where you do the job and where you go to school
and
17 what you're studying.

18 MR JORDASH: Could I ask Mr George to assist, please.

19 Q. Do you follow what I'm asking you to do? Just to write
15:25:17 20 down what it is you do, studying or job-wise or both, so that
it
21 remains confidential.

22 A. My job now?

23 Q. Yes, write down your job now. And can you write down,
24 while you're doing that, the name of the place where you work,
so
15:26:36 25 not just what you do, but the name of the place where you
work.
26 Can I confirm that you have also written down where you study,
if
27 you study?
28 A. Yes, I have written the name of the college I'm
attending;
29 then the year I enter is just what I've written.

can 1 Q. May I see that, please? Just so I can save some time,
2 you write down what job you did before you studied, please?
3 Thank you. Thank you.

4 MR JORDASH: May I tender that as an exhibit, please?

15:34:16 5 PRESIDING JUDGE: Yes, Mr Fynn, any objection to that,
or 6 Mr Wagona, is this your case?

7 MR WAGONA: Yes, My Lord. No objection.

8 PRESIDING JUDGE: It is admitted confidentially and
marked 9 as exhibit -- what is it?

15:34:52 10 MR GEORGE: 253, Your Honour.

11 PRESIDING JUDGE: 253.

12 [Exhibit No. 253 was admitted]

13 MR JORDASH:

Court 14 Q. Mr Witness, I want to ask you first to just talk the
15:35:05 15 through where you were during the war so we get a brief
16 chronology. So am I right -- well, where were you in 1993,
17 Mr Witness?

18 A. I was in Kailahun.

19 Q. And where was it you were when the war first came?

15:35:42 20 A. I've told you; I said Kailahun. Then I came to Giehun,
21 Luawa Chiefdom in 1993.

22 Q. And how long did you stay there?

23 A. In Giehun?

24 Q. Yes; did there come a time when you left?

15:36:28 25 A. Yes.

26 Q. Where did you go?

27 A. Well, I -- I went into the hiding.

28 Q. Where did you go?

29 A. When the war came, first, I went to Guinea, but I came

back

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1 in 1993.

2 Q. So in 1993, as you've told us, you were in Giehun. Did
you
3 stay in Giehun or did you go somewhere else?

4 A. Yes.

15:36:52 5 Q. Where did you go?

6 A. I went to Sandiaru.

7 Q. Do you know which year it was when you went to Sandiaru?

8 A. Yes.

9 Q. Which year?

15:37:15 10 A. That was the very year I left to go to Sandiaru.

11 Q. It was in 1993 then. How long did you stay in Sandiaru?

12 A. Well, I cannot say the amount of months I spent there,
but
13 I spent some months there.

14 Q. And then you went to where?

15:37:51 15 A. Well, I went to Dodokotuma.

16 Q. And how long did you stay in Dodokotuma?

17 A. Well, I spent two weeks in Dodokotuma; then I left
there.

18 Q. And you went to where?

19 A. Well, because of my job, the type of job I was doing,
they

15:38:24 20 asked me to work at Dambaru.

21 Q. Could you say the name again, please, of the place where

22 you worked?

23 A. Dambaru.

24 Q. D-A-M-B-A-R-U, I think. And we will come to what you
were

15:38:53 25 doing in a moment, but how long did you stay in Dambaru
working?

26 A. Well, I used to work at Dambaru until --

27 Q. Well, when, sir?

28 A. Until the end of 1993.

29 Q. And at the end of 1993 did you go somewhere?

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In

1 A. Yes.

2 Q. Where did you go?

3 A. Well, we were there until the time they told us that.

4 Giema Town, the people were there, so we came there.

15:39:56 5 Q. And do you know what year that was?

6 A. In what year what happened?

7 Q. Do you know what year it was that you went to Giema?

8 A. Yes.

9 Q. Would you tell the Court, please?

15:40:34 10 A. Yes. I went there from 1993, the end of 1993 to 1994.

11 Q. And how long did you stay in Giema?

12 A. Well, I was in Giema in 1994, 1995, 1996 and 1997.

13 Q. And in 1997 did you go somewhere?

14 A. Yes.

15:41:15 15 Q. Where did you go?

16 A. Well, I went to Buedu.

17 Q. How long did you stay in Buedu?

18 A. I was there for some months, but I cannot tell you the
19 amount of months that I spent there.

15:41:43 20 Q. Okay. Did you, after some months, go somewhere else?

21 A. Yes.

22 Q. Where did you go?

23 A. I went to -- I came to Kailahun Town.

24 Q. And how long did you stay there?

15:42:14 25 A. Well, I was in Kailahun until the end of the war, up
'til

26 now.

27 Q. Up 'til now, okay. Thank you. Now, can I ask you,
please,

28 what job you were doing in Giehun in 1993?

29 A. I used to do medical work.

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do 1 Q. When you say you used to do medical work, exactly what
2 you mean by that?

the 3 A. Well, what I mean by that, if somebody was sick, that
4 person is now sick, he would come to me and I will give the
15:43:27 5 person treatment. If somebody is wounded, I will dress the
place
6 and I'd stitch it. Whatever concerning any medical work, the
one
7 I was able to do, I will do it.

8 Q. Okay. Thank you. When and where, if any place, did you
9 train to be able to do that job in 1993?

15:43:59 10 A. Well, before that I was in Kenema. I was in school in
11 Kenema. After the 0-level --

12 THE INTERPRETER: Your Honours, can the witness speak
13 slowly and may I take that part of his statement?

14 MR JORDASH:

15:44:20 15 Q. Could you repeat that again? The translator didn't
quite
16 get you.

17 A. Before I could do this work, that time I was in Kenema
18 attending school.

were 19 Q. Okay. And were there any armed men in Giehun when you
15:44:35 20 there in 1993?

21 A. Yes.

Giehun? 22 Q. And where were they from, the armed men, in 1993 in

23 A. Those that I met there, at that time they were our

24 siblings. They were Sierra Leoneans with guns.

15:45:08 25 Q. Did they have a name, the Sierra Leonean siblings with

26 guns?

27 A. They used to call them junior commandos.

Giehun? 28 Q. Was there any offices for the junior commandos in

29 A. Yes.

1 Q. Can you recall what they were called?
2 THE INTERPRETER: Your Honours, can the counsel take
that
3 question again?
4 MR JORDASH:
15:45:53 5 Q. Can you recall the names of the offices, Mr Witness?
office
6 A. Well, there was an office called MP office, and G5
7 and IDU office.
8 Q. Thank you. And was there any laws in Giehun in 1993,
that
9 you became aware of?
15:46:37 10 A. The laws from where?
11 Q. Well, were there any rules of how people should behave
12 which were operating in Giehun?
13 A. Yes.
14 Q. What were they?
15:47:05 15 A. Well, the first law, that nobody should steal; no rape;
it
16 whatever problem you encounter as a civilian, you would take
the
17 to G5 or IDU. If you are hurt by any soldier, you would take
18 complaint to the G5. They would know what to do next.
19 Q. And did you see civilians taking problems to G5 or IDU?
15:47:59 20 A. Yes.
21 Q. And before we move to your job, how did the junior

22 commandos behave, as you observed them, in Giehun?

23 A. Well, I used to observe them moving up and down saying
they

24 were going to the front line and coming back.

15:48:35 25 Q. Okay. And where in Giehun did you work; was there a
place?

26 A. At the hospital.

27 Q. How many workers besides yourself was at the hospital?

28 A. Well, there were up to four.

29 Q. And who did you treat at the hospital?

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1 A. We used to treat anybody.

2 Q. And from where did the people come that you were
treating?

3 A. Some were in that town. Others were coming from the
4 surroundings villages, villages around Giema.

15:49:43 5 Q. Is that Giema or Giehun?

6 A. Giehun.

7 Q. Do you know where the drugs and the medicines came from?

8 A. Well, the person who was our boss at the hospital, when
the
9 medicine was finished --

15:50:15 10 THE INTERPRETER: Your Honours, can the witness take
that
11 last bit of his statement?

12 MR JORDASH:

13 Q. Can you repeat the last bit of your --

14 A. Our bosses at the hospital used to go to Pendembu,
collect
15:50:32 15 the medicines from our bosses and brought them to the
hospitals
16 to us.

17 Q. So the bosses used to go to Pendembu and bring the
18 medicines?

19 A. Yes.

15:50:48 20 Q. Now, you've told us that you left there and went to
21 Sandiaru in 1993. Was there a reason why you left there, left

22 Giehun?

23 A. Well, there was one morning we saw a jet passing. Then
we

24 saw our siblings, those soldiers, the junior commandos; they
were

15:51:46 25 in large numbers. Then their bosses told us that all those
who

26 are civilians in this town, you are to leave this town. Then
we

27 asked them why. Then they said they were chased by the
soldiers,

28 so that if we are to fight in this town, you will be caught in

29 the crossfiring. So we went, and, even myself, I went to my

1 village, Sandiaru.

2 Q. And did all the civilians leave Giehun?

3 A. Yes.

4 Q. And where did they go, do you know?

15:52:40 5 A. Well, there are villages, Giema, Giehun, the environs,
6 Yama.

7 Q. And when you left and went to Sandiaru, did you continue
8 working?

9 A. Yes.

15:53:07 10 Q. Did you continue with the same job?

11 A. Yes.

12 Q. Do you know or did you know a man called Sam Jinnah?

13 A. Sam Jinnah? Yes, I know a person called Sam.

14 Q. Do you know a man called Sam Jinnah, Jinnah?

15:53:55 15 A. The only person I knew was Sam Joe, he was ahead of us.

16 Q. Okay, Sam Joe. And did you see him at that time when
you
17 were in Sandiaru?

18 A. Well, he was not there. He was staying at Dodo.

19 Q. Did he give you any instructions?

15:54:22 20 A. Yes.

21 Q. What were they?

22 A. Well, he told us that now that all of us are now
scattered

23 about, go to work --

24 THE INTERPRETER: Your Honours, can the witness take
that

15:54:46 25 last bit of his statement and talk slowly?

26 MR JORDASH:

27 Q. Mr Witness, take it slowly and repeat your answer,
please.

28 A. He told me to go to Dambaru. He said there were large

29 number of people there, let me go and work there. So I went

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1 there.

2 Q. And who did you treat there, please?

3 A. I treated a lot of people. A large crowd was there;
4 civilians, children, elderly. I used to treat even children.

15:55:40 5 Q. Did people pay for treatment?

6 A. They were not giving us anything. They asked us not to
7 take money from them.

8 Q. And how many other people were working with you there?

9 A. Dambaru?

15:56:15 10 Q. Dambaru, yes.

11 A. There were only two of us who were working there.

12 Q. And where were the civilians living at that point, the
ones
13 you were treating?

14 A. Well, they were in the villages. Some were in the
bushes,

15:56:33 15 because the village was too small.

16 Q. Where were your family living?

17 A. We were all staying together. They gave me one house
where

18 I used to work; that was the place we used to stay.

19 Q. And what were the junior commandos doing with the
15:56:54 20 civilians?

21 A. Well, at that time we were now scattered about. They
used

22 to bring messages to us that this the way things had happened;
23 that was the way we used to get information.

24 Q. And what was the relationship like between the junior
15:57:19 25 commandos and the civilians around you?

26 A. Well, I did not see problem among them that.

27 Q. Did the junior commandos have family members amongst the
28 civilians?

29 A. Yes. Their mothers were there, their parents, their
wives,

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people 1 their children, a big crowd, but only their people, their
2 were there.

Did 3 Q. Thank you. Let me take you now, if I can, to Giema.
4 you work there?

15:58:16 5 A. Yes.

6 Q. Do you know when you arrived there who was the area
7 commander?

8 A. Yes.

9 Q. Who was it?

15:58:39 10 A. Peter Vandí.

11 Q. And where were you working specifically?

bush, 12 A. Well, we used to work -- we prepared a place in the
13 that was the place we used to work.

far 14 Q. And this bush was where in relation to Giema Town; how
15:59:07 15 from Giema Town?

16 A. Well, it was up to a mile.

17 Q. And were you with other civilians?

18 A. Yes.

workers? 19 Q. And were you -- sorry, were you with other medical

15:59:34 20 A. Yes.

21 Q. Do you know how many you were working with?

22 A. There were many.

23 Q. Who were you treating in the bushes?

24 A. Everybody.

15:59:59 25 Q. Where did you get your medicines and treatments from,
26 please? Bless you.

27 A. We used to get medicines from, as I've told you --

28 THE INTERPRETER: Your Honours, the witness is speaking
29 very fast. Can he take back his last statement?

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1 MR JORDASH:

2 Q. Repeat your answer slowly, Mr Witness, please.

3 A. We used to tell our bosses that the medicine has got
4 finished. Then they would go to the commanders and told them

so

16:00:41 5 that they will give them medicine to bring it to us.

6 Q. And who were your bosses, please?

7 A. At that time?

8 Q. Yes.

9 A. There was a man called Dr Jinnah.

16:01:00 10 Q. Now, you were working in the bushes in Giema. Did you
11 travel during your work at that time? Did you move about?

12 A. Yes.

13 Q. Where did you travel to; can you give us some examples

of

14 the places you went in the course of your duties?

16:01:23 15 A. Yes. We used to go to the bushes because there are
towns.

16 Some people were not staying in the town; they were staying in

17 the bushes around that town. For example, Bandajuma, Talia,

18 Sandia, they were in the bushes there. We used to go and

visit

19 them there. Sembehun.

16:01:56 20 Q. And when you visited them in the bushes there, were you

21 working or was it social visits?

be 22 A. We used to pay visit to them. If there was treatment to

23 carried out, we would treat them.

the 24 Q. Was there any restriction on your movement imposed by

16:02:20 25 junior commandos?

that 26 THE INTERPRETER: Your Honours, can the counsel take

27 question again?

28 MR JORDASH:

where 29 Q. Did the junior commandos ever impose a restriction on

not

1 you went to do your work, Mr Witness?

2 A. No. They used to give us freedom to go and work because
3 they themselves, their parents were there, their wives were
4 well, their children were not well as well.

16:02:57 5 Q. Thank you. Did there come a time when you met or heard
6 about Issa Sesay?

7 A. At that time?

8 Q. When you were in the bushes in Giema, did you hear about
9 Mr Issa Sesay?

16:03:36 10 A. Yes, I heard about him.

11 Q. And did you hear that he lived in Giema?

12 A. Yes.

13 Q. And did you hear that at some stage he was in command
14 there?

16:04:01 15 A. Yes.

16 Q. And when he was in command there, were you working doing
17 your job?

18 A. Yes.

19 Q. And when he was in command there, was there a school?

16:04:24 20 A. Yes.

21 Q. Do you know a man called Yellow Man?

22 A. Yes.

23 Q. What did Yellow Man do around that time?

24 A. Well, Yellow Man and others, they used to sing the Mende
16:04:52 25 songs. They used to beat -- they used to play band. They
used
26 to do that at night. We used to dance, so that they would be
27 able to encourage us.
28 Q. And where did this take place?
29 A. They used to do it at night in Giema Town.

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1 Q. And who went to these dances and music occasions in
Giema
2 Town?
3 A. Well, that time, everybody; be you a civilian, soldier,
all
4 of us were going there to witness.
16:05:40 5 Q. Thank you. And did you observe anybody farming at that
6 time when Issa Sesay was in command?
7 A. Yes.
8 Q. Did you observe any civilians farming for themselves?
9 A. Yes.
16:06:17 10 Q. How were your family living at this time? On what were
11 they living?
12 A. At that time we used to get bananas from our siblings
who
13 were fighting the war; like bananas, bush yams.
14 Q. And in 1995 and 1996 -- well, let's focus on 1996. Were
16:06:55 15 civilians farming in 1996?
16 A. Yes.
17 Q. And you were there, you've told us, in Giema, until
1997;
18 were civilians farming in 1997?
19 A. Yes.
16:07:18 20 Q. What happened to the civilians' harvest in 1996 and
1997,
21 from what you observed?

22 A. Well, if you farm, you will get the rice.

23 Q. Do you have any -- did you have any children in 1997,

24 Mr Witness?

16:07:55 25 A. Yes.

26 Q. And in 1997 how many children did you have?

27 A. Three children. I had three children.

28 Q. What were they doing in 1996 and 1997 while you were in

29 Giema, Mr Witness?

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1 A. What I was doing?

2 Q. No, what your children were doing?

3 A. Well, my first child was in class 1.

4 Q. Where? Which school, please?

16:08:54 5 A. The time they said that they had opened a school.

6 Q. Whereabouts?

7 A. At Giema Town.

8 Q. Thank you. And just briefly, did Issa Sesay have a farm
9 around this time, 1996, or thereabouts?

16:09:09 10 A. Yes.

11 Q. Do you know who worked on the farm?

12 A. Yes.

13 Q. Who worked on the farm?

14 A. Civilians used to work on that farm, as well as his
16:09:34 15 bodyguards.

16 Q. Did the civilians receive any compensation for working
on
17 the farm?

18 A. He did not pay them in my presence.

19 Q. Did they receive anything when they worked on the farm?

16:10:02 20 A. Well, I did not go together with them on the farm to
work
21 there.

22 Q. Now, let's travel to Kailahun. You've told us you went
to

23 Kailahun in 1997; is that right?

24 A. Yes.

16:10:25 25 Q. Did you work there?

26 A. Yes.

27 Q. Where did you work?

28 A. I was doing medical work; under five.

29 Q. Medical work -- sorry, finish that again, please. Would

SCSL - TRIAL CHAMBER I

1 you repeat your answer, please, Mr Witness, for me?

2 A. I was working at under five.

3 Q. You mean under five year old patients, you mean?

4 A. The patients whose ages are up to five, 10, 20, all of
them

16:11:24 5 were attending there.

6 Q. Where were they attending?

7 A. Under five, under five clinic. That was the place
8 everybody was working.

9 Q. At the clinic?

16:11:42 10 A. Yes. It is a clinic. We used to call it "clinic."

11 PRESIDING JUDGE: Mr Cammegh may have visited that
clinic.

12 Mr Cammegh, you may have stayed at the under five clinic.

13 MR CAMMEGH: When I was under five. That's probably
right,

14 but it was in England.

16:12:10 15 PRESIDING JUDGE: No, it was not in England. It was in
the

16 new found land in Kailahun.

17 MR CAMMEGH: Maybe the witness can enlighten us. I'm
not

18 sure if we're talking about the same place.

19 PRESIDING JUDGE: Well, anyway.

16:12:23 20 MR JORDASH: It's a long time ago. He's probably

21 forgotten, I think.

22 PRESIDING JUDGE: Forgotten, yes.

23 MR JORDASH:

24 Q. Can you name some other people who were working at the
16:12:32 25 clinic, Mr Witness?

26 A. Yes. Alex Sambana.

27 Q. Alex Sambana, S-A-M-B-A-N-A. Who else?

28 A. Hawa Mendegla.

29 Q. M-E-N-D-E-G-L-A. Who else?

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1 A. Sally Francis.

2 Q. Was there a Mr Kallon?

3 A. Mr Kallon, Pa Kallon.

4 Q. And --

16:13:40 5 A. Morrison Brima.

6 Q. And were they --

7 A. Pa Salia.

8 Q. And can you just explain to the Court why these people
were

9 working; how did they end up working as medical personnel in

16:14:08 10 1997?

11 A. Well, at that time we heard that the AFRC have
overthrown.

12 They've joined the RUF. So all of us left the bush. All of
us

13 were now in Kailahun Town. There also was a very big town, so
we

14 decided that we should come and work there, so wherever there
was

16:14:47 15 crowd, we would be able to go and treat people there.

16 Q. Who decided that you should work and treat people?

17 A. Well, we were not doing things on our own. If we were
to

18 work anywhere, it was the commanders who should direct us that

19 that particular place was safe; come and work there.

16:15:20 20 Q. All right. And once they'd said it was safe, who
decided

21 who went to work at the clinic?

22 A. Those who were the leaders of the war; the commanders.

23 Q. And how did you feel about working at the clinic,

24 Mr Witness?

16:15:54 25 A. Well, at that time, we used to work without problem.
There

26 was no other problem.

27 Q. And who came to the clinic besides under fives?

28 PRESIDING JUDGE: Besides what, Mr Jordash?

29 MR JORDASH: Under fives.

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1 PRESIDING JUDGE: Let's get this name clear. Was the
2 clinic for under fives or it was a clinic for everybody?

3 MR JORDASH: That's what I'm --

4 PRESIDING JUDGE: I don't know.

16:16:33 5 THE WITNESS: The clinic, everybody was going there. It
6 was a clinic but you know the time when there was no war they
7 used to call it --

8 THE INTERPRETER: Your Honours, can the witness speak
9 slowly and take that last bit of his testimony?

16:16:50 10 PRESIDING JUDGE: Not just the last bit, everything that
he 11 said.

12 MR JORDASH:

13 Q. Mr Witness, I know, and the rest of the Court doesn't
know 14 that you're keen to get away tomorrow back to your college
16:17:05 15 course, but you still have to speak at a certain pace; okay?

16 A. Okay.

17 Q. I'm going to be as quick as I can with you. So the
clinic 18 you've described, was it for a particular age group or was it
for 19 everyone?

16:17:39 20 A. Everybody. Everyone.

21 Q. Thank you. Now you've spoken about knowing Hawa
Mendegla;

22 yes? Mr Witness, you know Hawa Mendegla?

23 A. Yes.

24 Q. And when did you first come to know Hawa Mendegla?

16:18:14 25 A. Well, I knew Hawa Mendegla in 1993.

26 Q. Did you know her when you were staying in Giema?

27 A. Well, she used to stay in Giema there; then she also
stayed

28 in Bunumbu.

29 Q. And how long were you working with her in the clinic
you've

SCSL - TRIAL CHAMBER I

1 told us about?

2 A. We did not work together in Giehun; we worked in
Kailahun.

3 Q. Right. And in Kailahun how long did you work with her?

4 A. We were there up 'til '97, until the time the peace
came.

16:19:32 5 Q. Did Hawa Mendegla have a son?

6 A. Yes.

7 Q. Did Hawa Mendegla have a son who died during the war?

8 A. Yes.

9 Q. Do you know how her son died during the war?

16:20:01 10 A. Well, we heard that he lost his life at war front.

11 Q. And do you know how old he was when he lost his life at
the

12 war front, approximately?

13 A. I cannot give the exact date, but it was not more than
20

14 years.

16:20:27 15 Q. And do you know how it was he came to be at the front
line?

16 A. That one, I cannot know it now. We used to move about.

17 Q. Did you ever speak to Hawa Mendegla about the death of
her

18 son at the front line, or did she ever speak to you about it?

19 A. Yes.

16:21:08 20 Q. And what did she say or what was her view about it?

came
had
21 A. Well, when we were working, there was a time he[sic]
22 and told us that her son had lost his life and so he -- she
23 got that problem and the COs had not done anything about it.

24 THE INTERPRETER: Correction, interpreter; CO. Your
16:21:52 25 Honours, can the witness take that again?

26 MR JORDASH:

27 Q. You mentioned something about the CO not doing anything
28 about it. What was Hawa Mendegla's view about the CO?

29 A. Well, even myself, I was confused about it.

1 Q. In what sense?

2 A. Because that was a burial. She had come, and if
somebody
3 lost his life, we were seeing people performing burial
4 ceremonies. But later, there was some that may occur -- even
16:22:48 5 food to eat, there was none, so she used to grumble.

6 Q. Let me try to clarify it because it's not coming across
so
7 clearly to me. Hawa Mendegla used to grumble. What did she
8 grumble about in relation to the death of her son?

9 A. The grumble was when we come to work, even every day --
16:23:17 10 THE INTERPRETER: Your Honours, the witness is speaking
11 very fast. Can you take that all over again?

12 MR JORDASH:

13 Q. Sorry, Mr Witness, speak slowly. Take that last answer
14 again.

16:23:30 15 A. When we come to work, there were times she would grumble
16 about what to eat that day. Well, myself, I used to tell her
17 that we have to be patient. So she was grumbling about food.
18 She used to grumble about that particular one.

19 Q. Did she grumble about her son?

16:24:05 20 PRESIDING JUDGE: She grumbled about what, about food?

21 THE WITNESS: First she grumbled that she had lost her
son
22 at the front line.

23 MR JORDASH:

24 Q. Second, she grumbled about what?

16:24:24 25 A. When we come to work, she will say what even to eat, she
26 hadn't got it.

27 Q. She hadn't got enough to eat. Did she grumble about
being

28 forced to work or was she working -- no, let me ask the
question:

29 Did she grumble about being forced to work?

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1 A. No. Nobody was forcing anybody.

2 Q. If you hadn't come to work and if she hadn't come to
work,
3 would anything have happened to you?

4 A. You would only be asked why you did not go to work for
16:25:09 5 today. Then you would tell them that, well, even food to eat,
I
6 hadn't got today.

7 Q. So if you decided not to come to work but decided to get
8 food, that would be okay?

9 A. No.

16:25:32 10 Q. No what, Mr Witness, what do you mean?

11 A. No.

12 Q. Sorry, can you explain what you mean by "no"? I think
we
13 might be at cross-purposes.

14 A. When he asked if you did not go to work, if you did not
go
16:25:51 15 to work, you would not be -- what did they do with you. That
was
16 the reason I said they could not do anything to you.

17 Q. Thank you, Mr Witness. Did you get any extra privileges
or
18 compensation for working from the junior commandos?

19 A. Well, they were not the very people got, but their
bosses,

16:26:26 20 those who were the leaders of the war, there were times when
they

21 got food they would bring us some.

22 Q. Right. Let me just ask this, Mr Witness: What was your

23 motive for working? What was the reason you chose to work as
a

24 medical worker during the war?

16:26:57 25 A. Well, as for me, I used to treat people, and when the
war

26 came, instead of sitting down doing nothing, I came to treat

27 people so that I would be able to help my siblings than to sit

28 there until I forgot all what I have learnt.

29 Q. Thank you for that answer, Mr Witness. Let me just

1 complete with details of Hawa Mendegla. Did you ever hear
about
2 any other members of her family; for example, any siblings
being
3 killed during the war?

4 A. Well, if ever that happened, I did not know that because
16:27:59 5 everybody had dependants, a lot, but I did not see any of her
6 other dependants.

7 Q. And she never discussed any other people, relatives,
being
8 killed during the war; am I summarising you correctly?

9 A. No; to my knowledge.

16:28:28 10 Q. Thank you. Now, in Kailahun were there any religious
11 services going on while you were there?

12 A. Yes.

13 Q. Were there any MPs or IDUs or G5 there?

14 A. Yes.

16:29:04 15 Q. Are you aware of the time when Johnny Paul Koroma was
16 thrown out of Freetown?

17 A. Yes.

18 Q. Did you ever see Issa Sesay in Kailahun after that time?

19 A. Yes.

16:29:38 20 Q. Did he have anything to do with you and your job?

21 A. No.

22 Q. Did you have any interaction with him?

23 A. Yes.

24 Q. What was it, please?

16:30:04 25 A. Well, all those who were working, we know them. We used
to

26 come, we used to greet each other. We would crack joke.

27 Sometimes he used to visit us too. Sometimes we would go to
the

28 hospital and talk. He would greet us. He would greet the

29 patients too and then pass [indiscernible] and then went away.

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and 1 Apart from that, there was no other relationship between he

2 I.

3 Q. In 1998 and 1999 --

4 PRESIDING JUDGE: Court Management?

16:31:04 5 MR GEORGE: Yes, Your Honour.

6 [Trial Chamber and court attendant
conferred]

7 PRESIDING JUDGE: Yes, Mr Jordash, you may go on.

8 MR JORDASH:

9 Q. Mr Witness, did you ever, after the time of Johnny Paul
16:31:36 10 Koroma being thrown out of Freetown, did you ever hear about
the

11 construction of an airfield in Buedu?

12 A. Yes.

13 Q. Do you know who worked on the airfield?

14 A. Yes.

16:32:01 15 Q. Who?

16 A. Civilians used to work there.

17 Q. Did you know anyone who worked there?

18 A. Yes.

19 Q. And do you know why the people worked there that you
knew;

16:32:30 20 did they ever tell you?

21 A. Well, we used to stay together moving about. We used to

22 ask them where they were going. They said they were going to
23 the -- to prepare the field.

24 Q. Who said this?

16:32:55 25 A. The civilians. The civilians. We were asking when they
26 were coming to us for treatment.

27 Q. And did they go on their own to the airfield or were
they

28 escorted or what was the situation?

29 A. As for me sitting down here, I did not see anybody

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1 escorting them. They were going there on their own.

those 2 Q. You've talked about people coming for treatment; did
3 people coming to you --

4 A. Yes.

16:33:43 5 Q. -- have anything to do with the work at the airfield?

they 6 A. They were going to work there, so when they -- so when
7 were leaving their working place, they used to come to us for
8 treatment.

9 Q. What, before or after work or at any time? What is it
16:34:14 10 you're saying, Mr Witness?

11 A. When they left the airfield there were times they would
12 come. Sometimes --

13 THE INTERPRETER: Your Honours, the witness is speaking
14 very fast. Can he take that --

16:34:28 15 MR JORDASH:

16 Q. Try again with that answer, Mr Witness.

they 17 A. When they left the airfield, there were some evenings
18 would come to us for treatment. Some mornings there were some
19 people who could not go to work who would stay with us at the
16:34:51 20 clinic.

21 Q. Who would stay with you at the clinic; is that what you
22 just said?

23 A. They would go to us at the clinic for treatment.

24 Q. And would they then go to work or they would stay with
you;

16:35:11 25 what is it you're saying?

26 A. After treatment they would go to their houses.

27 Q. And so they wouldn't go to work; is that what you're
28 saying?

29 A. Yes.

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1 PRESIDING JUDGE: Mr Jordash, may we take a break? The
2 Court will recess for a few minutes and resume thereafter.
The
3 Court will rise, please.
4 [Break taken at 4.32 p.m.]
17:10:02 5 [RUF18OCT07D - MD]
6 [Upon resuming at 5.05 p.m.]
7 PRESIDING JUDGE: Yes, Mr Jordash, you may proceed,
please.
8 MR JORDASH: Thank you.
9 Q. I've got just a few more questions, Mr Witness. I want
to
17:10:51 10 return to Kailahun, when you were there. The civilians who
came
11 to the clinic, did they, as a routine or in any way
frequently,
12 complain about any treatment by the junior commandos. Can you
13 explain to the Court if that was the case or not? The
14 microphone, please. Did you get my question, Mr Witness?
17:12:04 15 A. Take that question again.
16 Q. I want you to think back to the civilians who came to be
17 treated at the clinic and whether any of them, as a routine or
18 frequently, complained about treatment at the hands of the
junior
19 commandos. Was that the case or not?
17:12:43 20 A. Well, the only complaints they used to bring to us was

21 sometimes, when they came, they would say they will -- the
22 treatment was not fast because there were a crowd. So if
there
23 was any complaint about any junior commando, they will only
take
24 those complaints to the offices, because we were busy always.

17:13:34 25 Q. Okay. So the complaints you received were complaints of
a

26 medical nature?

27 A. Yes.

28 Q. And the complaints you received of a medical nature, did
29 they, as a general rule, have anything to do with the junior

1 commandos?

2 A. No, I did not receive complaint.

end

3 Q. Okay. Thank you. And did you work every day until the
4 of the war, or not?

17:14:43 5 A. Well, sometimes I used to rest.

1999;

6 Q. Was there any trade going on in Kailahun in 1988 and
7 Kailahun Town?

8 A. Yes. Trade was going on there.

on

17:15:20 10 now, present day?

11 A. Yes.

12 Q. "Yes" the same or "yes" different?

13 A. Like what?

14 Q. I'm asking you the question whether the trade that was
17:15:46 15 going on in Kailahun Town in 1998 and 1999 was the same or
16 different to the trade which is going on now?

17 A. Well, the same things they used to buy is the same thing
18 they are still buying up to now.

19 Q. Was there a football team in Kailahun Town during that
17:16:24 20 time?

21 A. Yes.

22 Q. Were there other sports taking place?

23 A. Yes.

24 Q. Anybody at that time going to the Guinea border?

17:16:53 25 A. Yes.

26 Q. What for?

27 A. Sometimes they used to go and do trading, and then came

28 back.

29 Q. Who did? Who did the trading?

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1 A. The civilians.

2 Q. Have you ever heard of Operation Spare No Soul, Mr
Witness,
3 during that time?

4 A. That one I cannot explain much about that because I did
not
17:17:51 5 see that.

6 Q. Thank you. Did you hear about any other operations such
as
7 Spare No Soul or No Living Thing; did you hear about these at
all
8 as a civilian?

9 A. That one, even if that happened, I cannot explain that
to
17:18:20 10 you now, that that happened.

11 Q. Because you never heard of it; is that right?

12 A. As for me, no.

13 Q. Thank you. I've got no other questions for you,
14 Mr Witness. Thank you. If you'd wait there, there will be
some
17:18:43 15 questions from other lawyers. Thank you.

16 MR JORDASH: That's finished, Your Honour.

17 PRESIDING JUDGE: Thank you, Mr Jordash.

18 Yes, is it Mr Ogeto or Mr Touray?

19 MR TOURAY: Touray, Your Honour.

17:19:31 20 PRESIDING JUDGE: Touray.

21 CROSS-EXAMINED BY MR TOURAY:

22 Q. Mr Witness, now, throughout the war period, you remained
23 and stayed in the Kailahun District?

24 A. Yes.

17:20:06 25 Q. And you performed your work as a medic?

26 A. Yes, sir.

27 Q. Now, in 1996, you were in Giema?

28 A. Yes.

29 Q. Did you hear about the Abidjan Peace Accord that year?

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1 A. Yes.

Foday 2 Q. Now, do you know where, or have you heard of the name

3 Sankoh, did you, by any chance?

4 A. Yes.

17:21:02 5 Q. Was he in Giema around the time you heard about the

6 Abidjan Peace Accord?

ready 7 A. Well, they told us that he was in Abidjan and he was

8 to come and talk to us about the peace.

9 Q. Did he come at all?

17:21:37 10 A. Yes.

11 Q. That same year, in 1996?

12 A. Yes.

13 Q. Now, it's true, is it not, that he spoke to you people

14 about the peace?

17:21:56 15 A. Yes.

16 Q. Now, there were several other RUF personnel you may have

17 heard of, apart from the ones you mentioned here, junior

18 commandos and Issa Sesay?

19 A. Yes.

17:22:28 20 Q. Now, I'll ask you: In 1996, did you see a man called

21 Morris Kallon in Giema?

22 A. I did not see him.

23 Q. And you never heard about him in Giema in 1996?

24 A. In 1996, when Mr Sankoh came to talk to us, there were

17:23:21 25 Mende commanders, but at that time there were big crowd. I
used

26 to hear about --

27 THE INTERPRETER: Your Honours, the witness is speaking

28 faster. Can he take --

29 MR TOURAY:

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1 Q. Can you take it bit-by-bit slowly, so that we can get an
2 interpretation of what you say?

3 A. The time Mr Sankoh came to talk to us, concerning that
4 peace, many commanders came to Giema. There were a lot of
5 people. I used to hear about Morris Kallon during that war.

17:24:13
I

6 did not see him. Even if he was there, I did not see him.

7 Q. Thank you. And in 1997, up to the time you were asked
8 to leave the bushes for the town, when there was the overthrow,
9 you did not also see Morris Kallon in Giema?

10 A. This has taken a long time, but people -- there were a
11 lot of people. At that time you would not be able to -- I cannot
12 tell you that I saw him there.

13 Q. Thank you. And, in fact, it is true to say, is it not,
14 that throughout your stay in the Kailahun District, from 1996,
15 up to the end of the war, you never came across Morris Kallon, in
16 Kailahun District?

17 A. No. I have told you that I saw him, but the time you
18 are talking about the peace, that Mr Sankoh came to talk about the
19 during peace, that is the time I'm talking about, but I saw him

17:26:34 20 the war.

21 Q. When did you see him during the war?

22 A. I cannot tell you the year, but I saw him more than two,
23 three or four times.

24 Q. Where did you see him during those two, three or four
17:26:53 25 times?

26 A. I saw him in Kailahun.

27 Q. Where else did you see him?

28 A. There was a time I saw him in Giema.

29 Q. Where else did you see him?

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1 A. We used to hear about Morris Kallon, but to tell you now
2 that I saw him in a particular place, I cannot tell you now.

3 Q. Will you say that he was not based in the Kailahun
4 District?

17:27:59 5 THE INTERPRETER: Your Honours, can the counsel take the
6 question again?

7 MR TOURAY:

8 Q. You will say that he was not based in the Kailahun
District
9 between 1996 and 2000?

17:28:13 10 A. No.

11 MR TOURAY: Thank you. That will be all.

12 PRESIDING JUDGE: So from 1996 to 2000, you say?

13 MR TOURAY: That is so.

14 PRESIDING JUDGE: Thank you.

17:28:45 15 Yes, Mr Cammegh.

16 CROSS-EXAMINED BY MR CAMMEGH:

17 Q. Good afternoon, Mr Witness. Can you confirm for the
Court,
18 please, that Hawa Mendegla's son was Mohamed Tarawallie's
19 bodyguard during the war; that's right, isn't it?

17:29:12 20 A. Yes, they were one of his -- he was one of his
bodyguards.

21 Q. As you've told us, Hawa Mendegla's son was unfortunately
22 killed; correct?

23 A. Yes. That was what I heard.

24 Q. And can you confirm that her son died before Mohamed

17:29:44 25 Tarawallie died?

26 A. Yes.

27 Q. And according to what you know, is it right that Mohamed

28 Tarawallie died towards the latter part of 1996?

29 A. Well, Mohamed Tarawallie, the death of Mohamed
Tarawallie,

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Mohamed
are
1 we used to understand that some people will tell us that
2 Tarawallie was not dead. Some would say he was dead. So we
3 now confused that, until the end of this war, we have not seen
4 him.

17:30:45 5 Q. But isn't it right that as far as Hawa Mendegla was
6 concerned, she was resentful about the fact that Mohamed
7 Tarawallie hadn't done enough for her, following her son's
death;
8 do you agree?

9 A. Well, he used to grumble, yes.

17:31:18 10 THE INTERPRETER: Sorry, correction, interpreter. Yes,
she
11 used to grumble.

12 MR CAMMEGH:

13 Q. Let's JUST get it clear, if we can. Is it right that
she
14 grumbled about the fact that Mohamed Tarawallie didn't do
enough
17:31:36 15 for her following her son's death?

16 A. She told me that.

17 Q. And is it, in fact, correct that Hawa Mendegla bore a
18 grudge against the RUF after her son's death?

19 A. Well, I cannot explain what was going on in her mind.

17:32:14 20 Q. Would it be fair for me to suggest that she was not in

21 favour of the RUF after her son died?

22 A. If I can tell you that?

23 Q. Are you telling me that? I just want to get you clear.

24 A. Yes.

17:32:53 25 PRESIDING JUDGE: What is "yes"?

26 THE WITNESS: No, no. I would like to know, when I say

27 "Yes" I would like to know if -- I would like him to clarify
that

28 question.

29 MR CAMMEGH:

1 Q. The question is simply this: After her son's death, did
2 you think that Hawa Mendegla lost all respect for the RUF?

3 A. Well, I cannot explain that she lost all respect for RUF
4 because she used to come to work. Whenever she came, she used

to

17:33:56
she

5 grumble and to tell you now that she had respect for RUF or
6 did not have respect for RUF, I cannot tell you that.

7 Q. Let me ask you this, then: Was she grumbling before her
8 son died?

9 A. To me, she was not grumbling to me.

17:34:36
please?

10 MR CAMMEGH: Would Your Honours give me one second,

11 That will be all. Thank you very much, Mr Witness.

counsel,

12 PRESIDING JUDGE: Thank you, Mr Cammegh. Learned

tomorrow

13 I think it's 5.30. We will adjourn the proceedings to

14 at 9.30.

17:36:00

15 The Court will rise, please.

p.m.,

16 [Whereupon the hearing adjourned at 5.30

17 to be reconvened on Friday, the 19th day of

18 October 2007 at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 253

60

WITNESSES FOR THE DEFENCE:

WITNESS DIS-078

2

CROSS-EXAMINED BY MR CAMMEGH

2

CROSS-EXAMINED BY MR FYNN

34

WITNESS: DIS-178

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EXAMINED BY MR JORDASH

59

CROSS-EXAMINED BY MR TOURAY

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CROSS-EXAMINED BY MR CAMMEGH

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