



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 17 SEPTEMBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Teresa Doherty, Presiding
Justice Richard Lussick
Justice Julia Sebutinde
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr Simon Meisenberg
Ms Carolyn Buff
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Christopher Santora
Ms Ruth Hackler

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah
Mr Michael Walker

1 Wednesday, 17 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:11 5 PRESIDING JUDGE: Good morning. I see some changes of
6 appearance. Mr Santora?

7 MR SANTORA: Good morning, Madam President. Good morning,
8 your Honours. Good morning, counsel. For the Prosecution this
9 morning is Brenda Hollis, Ruth Mary Hackler and myself,
09:29:28 10 Christopher Santora.

11 PRESIDING JUDGE: Thank you, Mr Santora. Mr Griffiths?

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. For the Defence today are myself, Courtenay
14 Griffiths, my learned friends Mr Terry Munyard, Mr Morris Anyah
09:29:43 15 and yet another legal assistant from the production line. This
16 is Mr Michael Walker, a member of the Bar of England and Wales.

17 PRESIDING JUDGE: Thank you, Mr Griffiths, and we welcome
18 Mr Walker to the Court and hope his experience is of some
19 benefit. If there are no other matters, I will remind the
09:30:03 20 witness of his oath.

21 Mr Witness, I again remind you this morning as I've done on
22 other mornings that you have taken the oath to tell the truth,
23 that oath is binding upon you and you must answer questions
24 truthfully. Do you understand?

09:30:19 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: Please proceed, Mr Griffiths.

27 WITNESS: MOHAMED KABBAH [On former oath]

28 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

29 Q. Mr Kabbah, yesterday when we adjourned I was asking you

1 about diamonds and can I once again, please, invite your
2 attention to page 21 behind divider 1 in the bundle, please.
3 Now, let us just remind ourselves where we got to yesterday. We
4 were looking at the last two paragraphs on that page, which refer
09:31:18 5 to a visit by Eddie Kanneh accompanied by two white men. Now if
6 we take things up at the last paragraph it reads as follows,
7 doesn't it, "The other time Kabbah saw these two white guys they
8 were with Eddie Kanneh"? Now bearing in mind that you had
9 earlier said in the previous paragraph that you'd seen these men
09:31:44 10 once with Sam Bockarie in September/October 1999, I take it
11 they'd come back again at a later date. Is that right?
12 A. Yes, the two white men who came to Sam Bockarie, they came
13 back later.
14 Q. And they came back after Sam Bockarie had gone to Monrovia?
09:32:09 15 A. Yes.
16 Q. Because Issa Sesay was in charge by the time they returned?
17 A. Yes.
18 Q. And you say there:
19 "The other time Kabbah saw these two white guys they were
09:32:25 20 with Eddie Kanneh, Issa Sesay and Zigzag Marzah and that would
21 have been around March 2000. Kabbah saw them in 'Small Lebanon'
22 at Issa Sesay's house."
23 Pause there. Small Lebanon is in Koidu Town, isn't it?
24 A. Yes.
09:32:45 25 Q. "Kabbah saw a large number of diamonds, enough to fill a
26 large coffee cup, given by Issa Sesay to Eddie Kanneh. From
27 there Eddie Kanneh and the two white guys went back to Liberia."
28 Now this:
29 "Kabbah thinks the two white men went to France but they

1 were Lebanese or Lebanese-looking people who spoke Krio. Kabbah
2 says one was called 'Michel'. Kabbah heard that these guys were
3 in Freetown previously but after the AFRC coup they fled to
4 France."

09:33:26 5 So the Lebanese men spoke Krio, did they?

6 A. Yes.

7 Q. And it was quite clear to you that at some stage they must
8 have lived in Sierra Leone?

9 A. Yes.

09:33:43 10 Q. And indeed you heard that they were based in Freetown,
11 didn't you?

12 A. Yes.

13 Q. And had they not travelled from Freetown rather than from
14 Monrovia?

09:34:04 15 A. It was from Monrovia, because during that time the road was
16 blocked and people had not been coming towards that end.

17 Q. Which road was blocked?

18 A. The road from Freetown - the road from Freetown was not the
19 one that they used. They used the Liberian road and they came
09:34:25 20 through Kailahun, because when they came to the border they
21 called.

22 JUDGE SEBUTINDE: Yes, but which road was blocked?

23 THE WITNESS: The one that came from Freetown towards Kono.
24 It was a road that the civilians would not use. It was not the
09:34:43 25 route that they took.

26 MR GRIFFITHS:

27 Q. Can I just develop that a little further. So consequently
28 at this time in the year 2000 - no, let me start again. From
29 when had that road been blocked?

1 A. The road to come to Kono was a road which was - which was
2 not a free road which was accessible to transport vehicles. The
3 time that the road was blocked I cannot recall, but those ones
4 passed through Kailahun and they came to Kono. They did not come
09:35:36 5 from Freetown.

6 Q. Yes, but can you help me as to when it was blocked? You
7 can't?

8 A. I cannot help you with that now. I cannot help you.

9 Q. The reason I'm asking is this. If I were a Lebanese
09:35:57 10 diamond dealer based in Freetown at that time, if I wanted to get
11 to the diamond bearing region in Kono I would have to travel
12 through Liberia, wouldn't I?

13 A. Yes, you wouldn't travel to Liberia, but those men during
14 the AFRC coup what I understood was they said they ran away from
09:36:27 15 the country. They said they had already run away from Freetown.

16 Q. And do you know where they'd run to?

17 A. When they came they said that they were in France.

18 Q. But in any event for them to travel from France to Kono
19 logistically they'd have to travel through Liberia, wouldn't
09:36:57 20 they?

21 A. Yes, they came through Liberia because they came with
22 Zigzag Marzah and Eddie Kanneh who were in Monrovia. They were
23 not in Freetown.

24 Q. So just so that we're clear what we're saying, they may
09:37:16 25 have come through Liberia, but it doesn't mean that they came
26 from Liberia. Do you follow me?

27 A. Yes.

28 Q. And would that be a fair way of putting it?

29 A. What I knew was that they were not based in Liberia.

1 Q. Thank you. And you knew them to be diamond dealers, didn't
2 you?

3 A. What I knew about them was that they said that they were
4 friends of Sam Bockarie. That was the first time that they came.

09:38:05 5 When they came, they said that they were friends of Sam Bockarie.

6 Q. One final matter in relation to diamonds, and for this can
7 I invite your attention, please, to an interview conducted with
8 you on 17 and 18 June 2008 which you will find behind divider 4.
9 Can I invite your attention, please, to page 8 of that document.

09:38:48 10 MR SANTORA: Counsel, just to clarify, you said behind
11 divider 4, but the 17 and 18 June interview is behind divider 5.
12 I just want to make sure I'm on the right interview.

13 MR GRIFFITHS: Sorry, my fault. I saw the number 17 behind
14 divider 4 and was misled. It's behind divider 5. Thank you,

09:39:11 15 Mr Santora:

16 Q. And can we go to page 8 of that document, please, and I'm
17 looking at that second paragraph numbered 29. Now in this
18 interview conducted in June of this year you told Mr Alain
19 Werner, an attorney attached to the Office of the Prosecution,
09:39:37 20 this:

21 "The only time that the witness is sure that the civilians
22 were forced to mine was in 1998 when fighting was going on in
23 Kono District. The witness cannot say for sure whether civilians
24 were forced to mine in 1999. From 2000 onwards the civilians who
09:39:58 25 were mining the diamonds were doing it voluntarily because they
26 hoped somehow to get diamonds from the piles even though Peleto
27 used to take diamonds from them if the diamonds were seen by the
28 RUF in the piles of the civilians."

29 Is that true?

1 A. Yes.

2 Q. Because in that period after 2000 after Sam Bockarie left
3 when you moved to Kono, as you tell us, even you as a radio
4 operator were engaged in mining, weren't you?

09:40:40 5 A. Yes, my boys had been mining.

6 Q. When you say your boys, what do you mean?

7 A. I had civilians who were with me whom I had been feeding,
8 so they were the ones that I'm referring to.

9 Q. And did your fellow radio operators also have civilians
09:41:04 10 mining for them?

11 A. Everybody had somebody, you know, to mine for them.

12 Q. And during this period that we're talking about from about
13 2000 onwards, it would be fair to say, wouldn't it, that rather
14 than the RUF controlling the mining as such there was something
09:41:34 15 of a free for all in Kono, would you agree?

16 A. I wouldn't agree with that, because the mining it was a
17 controlled mining. Any area wherein mining was going on there
18 was a mining commander that was in charge, who was an RUF
19 representative, who would make sure that any gravel that was
09:42:12 20 extracted there it must be shared for those that had been working
21 and the one for the RUF. So I had not seen an area in which
22 people had been mining freely, that when you wanted to mine you
23 would just mine, because you had sections wherein every commander
24 was asked to oversee.

09:42:38 25 Q. But would it be fair to say that during that period anyone
26 who wanted to engage in mining could do so even though it was
27 supervised in some way by the RUF?

28 A. Yes, whosoever wanted to mine. Whosoever wanted to mine
29 could mine.

1 Q. Thank you. Now let's move on to another topic, please, and
2 it's the peace process in Abidjan. Would you agree with me,
3 Mr Kabbah, that two things destroyed the prospect for peace in
4 1996. Firstly the decision to hold elections before peace, would
09:43:27 5 you agree with that?

6 A. Did you say the decision that we took, which the RUF took,
7 to say that peace before election or election before peace? Ask
8 that question again.

9 Q. Yes, the reason why the peace process came - the decision
09:43:58 10 by the RUF, was it not, was that there needed to be peace before
11 there could be elections?

12 A. Yes, the time that we went that was on negotiation. It was
13 not even the time that we --

14 THE INTERPRETER: Your Honours, would the witness be asked
09:44:26 15 to go slow.

16 PRESIDING JUDGE: Mr Witness, please pause. The
17 interpreter finds that you're speaking too quickly and you must
18 remember the interpreters and that people are writing your
19 answers. Please pick up your answer where you said, "It was not
09:44:39 20 even the time that we --" and continue from there and speak a
21 little slower, please.

22 THE WITNESS: It was not the time that we went to the first
23 negotiation. That was the negotiation that we went to, to
24 negotiate for peace. The peace talks, it was Pa Sankoh that went
09:45:04 25 there. When we went the option that he gave us was that he said
26 we were to say peace before elections and, when they did not
27 accept that, so he said we were to come back.

28 MR GRIFFITHS:

29 Q. Now the reason why the RUF's position was peace before the

1 elections was very simple, wasn't it? At that time the RUF was
2 holed up in the bush and had no prospects of being able to
3 campaign effectively in an election, would you agree?

09:45:49 4 A. At that time I wouldn't agree with that because you
5 wouldn't say that. We were in the bush, but we still had been
6 defending ourselves.

7 Q. Yes, but what I mean is you needed to have access to the
8 whole country as a political party if you were to engage in
9 elections, didn't you?

09:46:10 10 A. Yes.

11 Q. And in order for you to participate throughout the nation
12 of Sierra Leone there would need to be peace first, wouldn't
13 there?

14 A. Yes.

09:46:24 15 Q. Which is why Sankoh said "Peace before elections"?

16 A. Yes.

17 Q. And the second reason why the prospect of peace in Abidjan
18 was destroyed was because of Kamajor attacks upon RUF positions.
19 That's right, isn't it?

09:46:48 20 A. Yes.

21 Q. And if we look behind divider 1, please, at page 11, if we
22 look at the second paragraph on that page in February 2007 you
23 told the investigators this:

24 "While Foday Sankoh was in Abidjan for the talks which led
09:47:21 25 to the signing of the Abidjan Peace Accord in November 1996, the
26 Kamajors launched an attack on Camp Zogoda, which was the then
27 RUF headquarters, and other areas under RUF control. Kabbah says
28 it was the Kamajor attacks which occurred up to the AFRC coup,
29 which destroyed the chance for peace at that time."

1 Is that true?

2 A. Yes.

3 Q. Because whilst the RUF were in Abidjan trying to agree a
4 peace deal the Kamajors effectively took the RUF by surprise,

09:48:07 5 didn't they?

6 A. Yes.

7 Q. And they scored a devastating victory against the RUF,
8 particularly at Camp Zogoda, didn't they?

9 A. Yes.

09:48:23 10 Q. Many RUF fighters were killed?

11 A. Yes.

12 Q. And it came as a shock to the RUF, didn't it?

13 A. Yes.

14 Q. Now, please look behind divider 2. This is what you say at
09:48:56 15 paragraph 16 on page 5:

16 "CO Mohamed Tarawalli was the senior man in charge at that
17 time" - you're talking about at the time of the Abidjan peace
18 talks - "that Foday Sankoh went to Abidjan. The witness thinks
19 that the agreement might have been signed when Zogoda was put in
09:49:33 20 disarray. Foday Sankoh had heard that Zogoda was going to be hit
21 and relayed a message to Tarawalli with this information.
22 Tarawalli was slow to react and the Kamajors won a major victory.
23 Many RUF soldiers died and very few reached Kailahun. Mohamed
24 Tarawalli later went missing and that was serious for the RUF."

09:49:59 25 Again, do you recall saying that to the investigators?

26 A. Yes.

27 Q. And that was the truth, wasn't it?

28 A. Yes.

29 Q. So in summary, Mr Kabbah, would it be fair to say that in

1 1996 the RUF genuinely wanted peace?

2 A. Yes.

3 Q. And the prospects for peace were destroyed by the actions
4 of people on the other side?

09:50:41 5 A. Repeat that question.

6 Q. The prospects for peace were destroyed by, one, the
7 activities of the Kamajors and, two, the decision to hold
8 elections before peace, would you agree?

9 A. That particular year, yes.

09:51:03 10 Q. Thank you. Let's move on to another topic now, shall we?
11 I want to ask you about the civilians you saw killed in Kailahun.
12 Which year was it?

13 A. That was after the retreat.

14 Q. So it was in 1998 some time after February?

09:51:35 15 A. Yes.

16 Q. How long after February of that year?

17 A. When we lost Freetown as far as Daru, because when we lost
18 Daru that was the final retreat. We only came and made a
19 defensive in our own positions.

09:51:59 20 Q. Now I am not seeking to justify the killing of those
21 individuals, but I want to seek to find out the background to it.
22 A moment ago we were talking about an attack by the Kamajors on
23 Zogoda and other RUF positions in 1996, do you remember?

24 A. Yes.

09:52:24 25 Q. And the RUF were under constant attacks from the Kamajors
26 up to the AFRC coup, weren't they?

27 A. Yes.

28 Q. As a result, there was a great deal of suspicion within the
29 ranks of the RUF about anyone thought to be a Kamajor?

1 A. Yes.

2 Q. And the Kamajors were quite distinctive because many of
3 them had these body markings?

4 A. Yes, I had said that. Yes.

09:53:06 5 Q. Now during the course of that retreat, did the RUF come
6 under attack from any Kamajors?

7 A. Yes, from - let me say from ECOMOG attack. Kamajor and the
8 ECOMOGs were the ones that had been attacking RUF.

9 Q. In fact you'd been constantly under attack from them,
09:53:34 10 hadn't you?

11 A. Yes.

12 Q. And as a result there was a great deal of suspicion within
13 the ranks of the RUF about anyone suspected of being a Kamajor.
14 Would you agree?

09:53:53 15 A. Yes.

16 Q. And there was a suspicion at that time - bearing in mind
17 that the RUF and the AFRC were retreating from Freetown in
18 disarray, there was a concern that their ranks may have been
19 infiltrated by Kamajors, wasn't there?

09:54:16 20 A. Yes.

21 Q. Now those 60 civilians - and again I stress, Mr Kabbah, I
22 am not seeking to justify anything - they were suspected of being
23 Kamajors, weren't they?

24 A. Yes, they were suspected of being Kamajors.

09:54:43 25 Q. Now, whose decision was it to kill them?

26 A. It was Sam Bockarie.

27 Q. Did anybody order Sam Bockarie to do it?

28 A. No, it was because he was vexed. You see, when he was
29 tired, at that time there were raids and he was so tired and so

1 when he came he sat down.

2 Q. Because Sam Bockarie could at times be quite an impetuous
3 and angry man, couldn't he?

09:55:33

4 A. He wouldn't be angry easily - get angry easily, but when he
5 was pushed to the corner he would become angry.

6 Q. And often times he would take decisions in anger, wouldn't
7 he?

8 A. Yes.

09:55:54

9 Q. And often times those decisions could be totally
10 irrational?

11 A. Yes.

12 Q. One final matter on this topic. Why is it that you didn't
13 mention this heinous event until September of this year?

09:56:11

14 A. Which events? Are you talking about the attack that they
15 had been attacking our positions?

16 Q. No, I'm talking about the killing of 60 unarmed civilians.
17 Why did you not mention it until 6 September of this year?

18 A. It would be in my statement. It is in my statement. Ask
19 me about that. Ask me about that now.

09:56:37

20 Q. I know it's in your statement, but what I'm asking you is
21 given that you had given several statements to the investigators
22 over the years why did you wait until 6 September of this year, a
23 couple of weeks ago, to mention it to the investigators for the
24 first time?

09:57:07

25 A. It was not everything that happened in the RUF that I said.
26 I myself my mind had not been keeping everything, but if at all
27 I like those documents that they brought, or the questions that you
28 asked me, I had already forgotten about them. So if somebody
29 were there, you know, to think about some other person else then

1 he would think about him, but to say that I would be able to
2 recall everything that happened in the war it would not be easy.

3 Q. Look behind divider 6. We see a record of a short
4 interview with you and this was the occasion when - and we see
09:57:55 5 the date 6 September 2008. This was the occasion when you
6 mentioned this for the first time. Mr Kabbah, let me ask you
7 this. Did you fail to mention it earlier because you felt
8 ashamed?

9 A. Ashamed of what?

09:58:21 10 Q. Ashamed that you were associated with Sam Bockarie who
11 committed an act like that.

12 A. That man, he was the one that did this act. It was not I
13 that did it. That would not reflect on me. It will reflect on
14 him, so I was not ashamed. Some of these things which had been
09:58:50 15 happening it was not everything I would be able to recall, but
16 when this question was posed to me I straightaway - I
17 straightaway told them that I was with him. In fact I would have
18 said, "I was not there when this thing happened", if I did not
19 want to give an answer to that, but when they asked, "Were you
09:59:15 20 aware of that?", I said, "Yes". Then I said - I explained what
21 happened. You see, I did not say that I was ashamed because I
22 with him, no. You see, he did what he wanted to and it was not I
23 that did it.

24 Q. So who do you blame for that act in Kailahun by the
09:59:35 25 roundabout?

26 A. The killing?

27 Q. Yes.

28 A. Sam Bockarie.

29 Q. Let's move on to another topic, shall we? Turn behind

1 divider 1. Behind divider 1, page 4. I want to look at the
2 second to last paragraph on that page:

3 "Kabbah recalls General Dpoe Menkarzon bringing 13
4 Beretta rifles to Pendembu in 1991. Kabbah says that the RUF
10:00:53 5 used to capture enough arms from the government forces that
6 eventually they did not need to get arms from Liberia or
7 elsewhere. However Kabbah is aware of ammunition coming in from
8 Liberia on many occasions. Kabbah says Foday Sankoh used to go
9 to Monrovia and come back with ammunition and food. Sam Bockarie
10:01:24 10 also used to go and bring ammunition back from Liberia."

11 Pause there. Is that the truth?

12 A. Yes.

13 Q. And let's go now to page 20, please, the second paragraph
14 on that page:

10:02:09 15 "During that period of 1998 and 1999, Kabbah says that he
16 never saw arms being shipped from Liberia. Kabbah says by that
17 time the RUF had enough weapons. For example, Kabbah recalls
18 numerous AK-47 rifles captured by the RUF after the big offensive
19 of late 1998 and early 1999 from Guinean troops who were
10:02:51 20 stationed in Kambia. The RUF stored these rifles in Kailahun and
21 did not use them until they fought the Donso in late 2000 near
22 the Guinea border."

23 Is that true?

24 A. Yes.

10:03:15 25 Q. So between 1998 and 1999 no arms were shipped from Liberia?

26 A. No arms came, but we used to get ammunitions there. Arms
27 are different from ammunition.

28 Q. I will come to the ammunition in a moment, but in 1998 to
29 1999 no arms from Liberia. That's your evidence, is it?

1 A. Yes.

2 Q. And it's the truth, is it?

3 A. Yes.

4 Q. You can state that fact quite confidently, can you?

10:04:04 5 A. Yes.

6 Q. The reason why I want you to be sure about this is we
7 appreciate of course, don't we, that one of the most gruesome
8 events of the Sierra Leonean civil war was what happened on 6
9 January 1999, so within the period you're telling us about now no
10 arms came from Liberia. That's right, isn't it?

10:04:29

11 A. Correct. We did not get any arms from Liberia.

12 Q. The second point is this. The attack on Kambia, who
13 mounted that attack?

14 A. The Kambia attack, it was Superman and the SLA that were
15 there in the north.

10:04:55

16 Q. And can you give me a date for that? It was some time
17 towards the back end of 1998, wasn't it?

18 A. That event took place during the same attack that I have
19 been talking about when the ECOMOG were based and the capture of
20 Kono and subsequently they went to all the other areas.

10:05:31

21 Q. And the position is this, isn't it? A huge amount of arms
22 and ammunition were captured in Kambia, weren't they?

23 A. Yes.

24 Q. Were Gullit and SAJ Musa also involved in that attack on
25 Kambia?

10:05:52

26 A. All of them were there. That was the time that all of them
27 were in the north.

28 Q. And it was after that attack on Kambia when that large
29 amount of arms were captured - it was after that that that same

1 group launched the attack on Freetown, wasn't it?

2 A. Yes.

3 Q. Using the arms they had captured in Kambia?

10:06:36

4 A. That area, you see, I will talk a little about it. The
5 arms that were captured in Kambia, they took arms to Kailahun
6 which were captured from Kambia. I do not know whether all of
7 them were sent because I was not there, so just the captured
8 arms, the ones that they would send, they were the ones that we
9 would see.

10:06:53

10 Q. I know about that and let's just digress for a moment and
11 deal with the point that you make. Let's go behind divider 2,
12 shall we? At page 5, paragraph 19:

10:07:50

13 "The witness advised that the AK-47s captured by the RUF
14 during the late 1998 offensive, were stored in his home in
15 Yandowahun, two miles from Kailahun. The weapons were all brand
16 new."

17 Is that true?

18 A. Yes.

10:08:06

19 Q. And the weapons, those were the weapons captured at Kambia,
20 weren't they?

21 A. Yes.

22 Q. And so many had been captured that some were actually put
23 into storage because they were not needed?

10:08:29

24 A. That was what they said in Kailahun, the ones that they
25 took and stored in my own village. You see, where I was based,
26 if they had any others --

27 THE INTERPRETER: Your Honours, would the witness be
28 instructed to repeat the last segment of his testimony.

29 PRESIDING JUDGE: Mr Witness, the interpreter asks that you

1 repeat the last part of your answer. Please pick up where you
2 said, "You see, where I was based, if they had any others --" and
3 continue from there.

10:09:06 4 THE WITNESS: If they had any other arms that were left
5 with them in Kambia, well, I was not aware of that. The ones
6 that were sent to Kailahun, those were the ones that they took to
7 Yandowahun village.

8 MR GRIFFITHS: Do I need to have a spelling for the name of
9 the village, Madam President?

10:09:31 10 PRESIDING JUDGE: I don't recall hearing it before and it's
11 in the bundle so perhaps it could be spelt in, Mr Griffiths,
12 please.

13 MR GRIFFITHS: It's spelt from the interview notes as
14 Y-A-N-D-O-W-A-H-U-N:

10:09:57 15 Q. Now, I'm still talking about the capture of these arms from
16 the Guineans in Kambia. The situation is this, isn't it,
17 Mr Kabbah? That so many arms and ammunition were captured that
18 SAJ Musa decided to blow up some of them because they couldn't be
19 carried?

10:10:26 20 A. It could be true, because I did not see that and that
21 operation to which they went they did not ask for ammunition from
22 anybody. They went to that operation after that mission and so
23 it might be true, but I wouldn't clearly say that that was what
24 happened because I was not in the scene.

10:10:45 25 Q. "They went to that operation ...", which operation?

26 A. The Freetown attack. That's what I'm talking about.

27 Q. So they went on the Freetown attack after the attack on
28 Kambia. That's right, isn't it?

29 A. Yes.

1 Q. And you're aware, aren't you, that it was when SAJ Musa was
2 blowing up the arms that they couldn't carry that unknown to him
3 there were some 188 millimetre mortars amongst the weapons and
4 the explosion was larger than he thought and he died as a result
10:11:26 5 of that explosion? You know that, don't you?

6 A. No. The story that I knew about SAJ Musa's death was that
7 they said when they captured Benguema he was by a house, the
8 house was launched upon and it was in there that he died because
9 they said it was an arm - ammunition dump. It was not in Kambia,
10:12:05 10 the capture that they captured Kambia that he died. They said it
11 was in that ammunition dump that he died.

12 Q. But it was as a result of an explosion that he died, wasn't
13 it?

14 A. Yes, it was an explosion. They said it was a rocket that
10:12:20 15 exploded which killed him.

16 Q. And it was after SAJ Musa died that Gullit took over the
17 invasion of Freetown. That's right, isn't it?

18 A. Yes, it's correct.

19 Q. I'll come back to the invasion of Freetown in a moment. So
10:12:39 20 the bottom line is that group who invaded Freetown, led initially
21 by SAJ Musa and later by Gullit, had captured a large quantity of
22 arms in Kambia and later they captured further arms in Benguema,
23 didn't they?

24 A. Yes, they used to capture ammunitions.

10:13:08 25 Q. And it was then after they had captured those two
26 quantities of ammunition that they went on to attack Freetown?

27 A. Yes.

28 JUDGE SEBUTINDE: Mr Griffiths, I think you and the witness
29 are mixing the words "ammunition" and "arms".

1 MR GRIFFITHS: All right:

2 Q. It was after they had captured a large quantity of arms and
3 ammunition in Kambia and again captured a further quantity in
4 Benguema that they launched the attack on Freetown. That's
10:13:48 5 right, isn't it?

6 A. You would be correct, because if somebody had ammunition it
7 was meant to fight with it.

8 Q. I now want to remind you, please, of something you told us
9 - let me find the reference first - on Friday last week. What
10:14:12 10 you told us was this. It's page 16149 of the transcript for the
11 assistance of my learned friends. You told us this:

12 "The struggle had reached a point when these bits and
13 pieces of ammunition that we were getting from Liberia was
14 dwindling because the area of the struggle had become large and,
10:14:43 15 you know, it is ammunition that fights war. So when Sam Bockarie
16 returned it was at that time that he spoke about that, that he
17 had discussed that with Charles Taylor that we should try and get
18 Kono and when we would have taken Kono we would get ammunition
19 because when we get Kono we will get diamonds and it will help us
10:15:07 20 to get ammunition. That was the discussion, the retaking of Kono
21 so that we can mine and get enough ammunition, because the bits
22 and pieces that he's been giving us used to help us."

23 And then again at page 151 at line 14 you were asked to
24 clarify "because the bits and pieces that he's been giving us
10:15:39 25 used to help us", and you went on to say that it was from
26 Charles Taylor.

27 Now let's put to one side for the minute the reference to
28 Bockarie coming back and saying that he'd had a discussion with
29 Charles Taylor about taking Kono, because you will recall that

1 yesterday we dealt with what you said about that in February
2 2007. What I want you to concentrate on is that reference to
3 bits and pieces, okay? Do you follow me?

4 A. Yes.

10:16:18 5 Q. Now, what did you mean when you used that phrase "bits and
6 pieces"?

7 A. The bits and pieces that I was referring to, before we
8 attacked Kono - that was a long time ago - we used to have enemy
9 attacks, and so Jungle when he was coming from Monrovia at times
10:16:42 10 he would come with two or three boxes. At that time he came he
11 would come with that. That is what I meant by bits and pieces.

12 Q. So what you're saying is - no, let me start again. Would
13 it be fair to say that between about 1992 and 1998 for the most
14 part the RUF were surviving on bits and pieces of ammunition, as
10:17:20 15 you describe it?

16 A. 1992? I am not referring to that. At that time - at that
17 time RUF had been cut off. After the retreat from Freetown, when
18 ECOMOG had driven AFRC junta from power when we came to Buedu
19 that's what I'm referring to. From that time up to when Sam
10:17:48 20 Bockarie went and came with that ammunition which was captured in
21 Kono from Monrovia, before he went and came with that ammunition
22 we used to have two or three boxes from Liberia. That is what I
23 am still referring to.

24 Q. So we're talking about then - let's put this together,
10:18:09 25 because this is a point of some significance. From 1992 up until
26 about 1997, would you agree the RUF were cut off from Liberia
27 because of the activities of ULIMO?

28 A. Yes, I had said that long ago.

29 Q. I'm just putting things sequentially. Once the border

1 opened up until about late 1998 - so from about '97 to '98 - the
2 RUF were surviving on these bits and pieces, two or three boxes,
3 is that right?

10:19:02

4 A. Yes, that was what we used to take to defend our positions
5 until when we were able to go to that mission.

6 Q. And just so that we understand the context of these bits
7 and pieces, somebody like Jungle would arrive in Buedu with a
8 pick-up truck with two or three boxes of AK-47 ammunition in the
9 back, is that right?

10:19:27

10 A. Yes.

11 Q. Apart from Jungle, did anybody else come with two or three
12 boxes in the back of a jeep or a pick-up?

13 A. I was aware of Jungle when he used to come.

14 Q. You were aware of nobody else?

10:19:45

15 A. Not at all.

16 Q. Does the name Varmuyan Sherif mean anything to you?

17 A. Varmuyan Sherif I used to hear about that, but I did not
18 know him.

19 Q. He was a ULIMO general, wasn't he?

10:20:12

20 A. Yes, it's possible. I used to hear about the name, but I
21 never knew him.

22 Q. Did you ever see him in Buedu?

23 A. I did not see him. The person that was a ULIMO that I knew
24 was Keita.

10:20:27

25 Q. Now, let's go back to these two or three boxes on the back
26 of a pick-up. Throughout that period that was the kind of
27 supplies you were getting, wasn't it? Two or three boxes, bits
28 and pieces?

29 A. Yes.

1 Q. Often times you had to clean some of the ammunition with
2 diesel, didn't you?

3 A. The one that Jungle used to bring?

4 Q. Yes.

10:21:03 5 A. No, because they were in boxes when he used to come with
6 them.

7 Q. During that period, did you ever receive ammunition which
8 you had to clean with diesel before you could use it?

9 A. Yes, that was - it was during the time that ULIMO was at
10:21:28 10 the border when we used to go to the Koindu border. That was the
11 time.

12 Q. Exactly, because during that time you would buy ammunition
13 from ULIMO which had been buried by them during the disarmament
14 process in Liberia and before you could use that ammunition,

10:21:50 15 because it had been in the ground, you had to clean it with
16 diesel, didn't you?

17 A. Yes, we used to clean it.

18 Q. And there was quite a trade going on between ULIMO and the
19 RUF in bits and pieces of ammunition, wasn't there?

10:22:11 20 A. Yes.

21 Q. And there was also such a trade going on with Guinea for
22 ammunition, wasn't there?

23 A. Yes, at that time when we had been talking about the Guinea
24 ULIMO business, that was the time when the junta had not yet
10:22:33 25 taken power. That was in the '96. At that time ULIMO was on the
26 border.

27 Q. And so that we can put this in context could I invite your
28 attention behind divider 2 to page 8, paragraph 37, please:

29 "The witness also learned of events or happenings from

1 conversation heard while in the presence of either Sam Bockarie
2 or Issa Sesay. There was nothing hidden in conversations
3 relating to weapons or ammunition being delivered for the RUF
4 coming from different countries."

10:23:40 5 Which different countries, plural note?

6 PRESIDING JUDGE: Mr Witness, did you understand the
7 question?

8 THE WITNESS: I don't understand the question.

9 PRESIDING JUDGE: Please put the question again.

10:24:27 10 MR GRIFFITHS:

11 Q. From which countries, plural, were the RUF receiving arms
12 and ammunition?

13 A. RUF had not been getting arms and ammunition from any other
14 country except from Liberia and the ones that we had been buying
10:24:49 15 from the Guinea border, but to say that the RUF went and bought
16 ammunition from another country I did not see that with my own
17 eyes.

18 Q. So help me, please. Why in this interview in October of
19 2007 were you saying countries plural? Why?

10:25:15 20 A. Liberia and Guinea, are they not countries?

21 Q. So those were the two countries you were talking about?

22 A. Yes, they are the two countries.

23 Q. What about Burkina Faso?

24 A. Even if to my own knowledge ammunition came from Burkina
10:25:42 25 Faso, except if it landed in Liberia, but to say that I saw with
26 my own eye ammunition coming from Burkina Faso straight to Sierra
27 Leone to the RUF, from the oath that I have taken I had never
28 seen that with my own naked eyes except if it came and landed
29 in Liberia and they went for it, but to say that I saw that with

1 my own eyes, no.

2 Q. So if I understand what you're saying, arms did come from
3 Burkina Faso but they came through Liberia. Is that what you're
4 saying?

10:26:23 5 MR SANTORA: Objection.

6 THE WITNESS: No.

7 MR GRIFFITHS: What is the objection?

8 PRESIDING JUDGE: Mr Santora?

9 MR SANTORA: I believe counsel was characterising what the
10 witness said and I believe he mischaracterised what the witness
11 just said in terms of arms coming; hypothetically if they had
12 come from Burkina Faso and how they would have come. Counsel
13 said, "I believe what you are saying ..."

14 MR GRIFFITHS: "If I understand what you are saying ..."
10:26:49 15 Look at the transcript.

16 PRESIDING JUDGE: It says, "Arms did come from Burkina
17 Faso", and the witness has said, "Even if to my knowledge ..."

18 MR SANTORA: Right. The witness was presenting a
19 hypothetical.

10:27:05 20 PRESIDING JUDGE: There's a subtlety in it, Mr Griffiths.
21 You are entitled to put the question, but he did put it in a - he
22 did say "if to my knowledge".

23 MR GRIFFITHS: So let me to appease those opposite ask it
24 differently:

10:27:21 25 Q. Are you aware of arms coming from Burkina Faso through
26 Liberia?

27 A. No, no.

28 Q. Are you aware of any connection between the RUF and Burkina
29 Faso for the obtaining of arms in 1998?

1 A. I said no, no.

2 Q. Very well. We will come back to that in a moment, but
3 before we come back to that let me ask you this. Those bits and
4 pieces of arms and those arms that the RUF were purchasing from
10:28:13 5 ULIMO and the Guinea border, would it be fair to say that they
6 may have come from Liberia but you can't say that they came from
7 Charles Taylor?

8 A. The ones that we used to buy from - in Guinea were from the
9 Guinean troops. The one that we bought from ULIMO were from the
10:28:46 10 ULIMO troops. The one that Jungle used to come with was from
11 Charles Taylor.

12 Q. But that is the same Jungle who had effectively become a
13 member of the RUF, yes?

14 A. It was the same Jungle.

10:29:06 15 Q. So we're talking about that hybrid individual of Liberian
16 origin but RUF member who consequently could move freely between
17 the two countries, yes?

18 A. Jungle was not an RUF member. He stayed with the RUF. He
19 was not an RUF member. He was not trained by the RUF. He was
10:29:35 20 trained by the NPFL. Although he stayed with the RUF, but he was
21 not an RUF. Even for us in the RUF like the SLA when they joined
22 us never did we call them RUF. We called them SLAs.

23 Q. You miss my point and so I'll come to it directly. How do
24 you know that Jungle wasn't purchasing those arms in Liberia
10:30:04 25 independent of Charles Taylor and bringing them to the RUF
26 because of his affiliations to the RUF? How do you know that
27 wasn't the case?

28 A. I will take my time. Jungle, after the border was opened
29 up and he had been with the RUF, it was he and Sam Bockarie who

1 used to travel to go to Charles Taylor. This was not something
2 which the RUF and the NPFL - it wasn't a secret to them. They
3 were both brothers and sisters. And the ammunition that I'm
4 still emphasising on, I don't think there was an arms store in
10:31:21 5 Liberia where arms were sold in Liberia. There was no ammunition
6 dump there. And always when Jungle came he said he came from
7 Charles Taylor from the mansion and when Mosquito sent him he
8 would send him to Charles Taylor. I don't think up to this time
9 if there is an arms store in Liberia wherein arms are sold.

10:31:49 10 Q. But there were groups in Liberia like ULIMO, and indeed the
11 NPFL, from whom arms could be bought. That's the truth, isn't
12 it?

13 A. Well if you say he used to buy them from them that's your
14 own opinion, but to what I know he said it was from
10:32:22 15 Charles Taylor and when he came that was the salute report he
16 gave and he told us that he went to Charles Taylor.

17 Q. Were you aware that - this period that you're talking about
18 when Jungle is going backwards and forwards to Liberia, are you
19 aware it was the period of disarmament in Liberia and not all
10:32:49 20 arms were handed over to ECOMOG and so there were arms going free
21 for purchase? Do you follow me?

22 A. I am understanding what you are saying.

23 Q. Because bear in mind the period of disarmament in Liberia
24 is 1997 to 1998 and this is precisely the period when Jungle is
10:33:21 25 going backwards and forwards bringing back bits and pieces, two
26 or three boxes at a time. So I'm asking you again how do you
27 know Jungle wasn't purchasing them from NPFL soldiers who would
28 rather make a profit than hand the arms and ammunition over to
29 ECOMOG? How do you know?

1 A. What I know, and the conversation that used to take place
2 between Sam Bockarie and Jungle when he came, he was not sending
3 him to ULIMO, to ECOMOG. He sent him to Charles Taylor. This
4 was not in my absence. It happened in my presence not once, or
10:34:21 5 twice. At any time we bought arms from ULIMO I have stated so.
6 From Guinea I have also said so. If I had said something that we
7 were doing differently in a different way in which Charles Taylor
8 was not involved, I wouldn't come and say here something
9 different that this person came from Liberia. I wouldn't say
10:34:51 10 that at all.

11 PRESIDING JUDGE: Mr Griffiths, just to go back a step
12 before I lose it, when the witness was answering a previous
13 question he said that, "He gave us that. That's what he said in
14 his salute report". There had been a reference to two
10:35:11 15 individuals and I don't know who gave the salute report. Let me
16 get it for you before it disappears.

17 MR MUNYARD: Page 31, line 6.

18 PRESIDING JUDGE: Yes, that's correct. No, it's earlier
19 than that. It's at page 31 in my font, line 3, "... but to what
10:35:44 20 I know he said it was from Charles Taylor and when he came back
21 there was a salute report he gave." In the preceding questions
22 two individuals are named, one is Mosquito and the other is
23 Jungle, and so it's not clear to me who gave this salute report
24 and who it was given to.

10:36:02 25 MR GRIFFITHS:

26 Q. Now you mentioned earlier, witness, that a matter was
27 mentioned in a salute report. Who mentioned that matter in the
28 salute report?

29 A. I said that when Jungle used to come, when he gave - he

1 used to give salute report to Sam Bockarie after he came from
2 Monrovia from the mansion.

3 PRESIDING JUDGE: Thank you for that clarification. As I
4 was forming a different impression, I'm grateful for it.

10:36:38 5 MR GRIFFITHS: Are there any further clarifications, Madam
6 President?

7 PRESIDING JUDGE: No, I would have intervened earlier, but
8 you had already started your question.

9 MR GRIFFITHS: Not at all. Not at all:

10:36:48 10 Q. So would those salute reports be in writing, or would they
11 be presented orally?

12 A. When he came he will present the salute report orally. He
13 will say, "This was what the Pa said".

14 Q. That's your account, very well. Now during that period in
10:37:21 15 late 1998, you say before the attack on Kono, you saw the biggest
16 consignment of ammunition, food and used clothing which the RUF
17 had ever received. Is that right?

18 A. Yes.

19 Q. And you tell us that it came in a ten tyre truck?

10:37:53 20 A. Correct.

21 Q. And you'd never seen such a large quantity of ammunition
22 before?

23 A. Yes, we never had any hundred boxes of ammunition at a
24 stretch.

10:38:13 25 Q. And you never saw such a large consignment again?

26 A. No, no, no.

27 Q. Can you help me, please, with a date in late 1998 when you
28 saw that large consignment?

29 A. I wouldn't be able to help you with that because I cannot

1 recall but, with regard that ammunition, that was the ammunition
2 that the RUF used to attack Kono, as far as Makeni and other
3 areas.

4 Q. We're talking about some time in October, November or
10:38:56 5 December 1998, aren't we?

6 A. I said I wouldn't say the particular time. I would make
7 reference to the event that occurred.

8 Q. Nonetheless, it was before the attack on Kono?

9 A. Yes.

10:39:17 10 Q. Would you agree that it was before December 1998?

11 A. I'm still saying that the real time we attacked Kono I
12 cannot say. I cannot recall.

13 Q. Very well. Do you recall Sam Bockarie making a trip to
14 Burkina Faso in November 1998?

10:39:55 15 A. Not a day. Never did Sam Bockarie tell me that he was
16 travelling out. At any time he informed me that he was going to
17 Liberia. If he made a trip to Burkina Faso, I was not aware. He
18 only used to tell me that he would go to Liberia. Maybe he had -
19 when he reached Liberia he may go, that would be a secret for
10:40:21 20 him, but I don't know.

21 Q. Do you not recall that Sam Bockarie in November 1998,
22 accompanied by Ibrahim Bah and Eddie Kanneh, made a trip to
23 Burkina Faso?

24 A. No.

10:40:43 25 Q. You do know who Ibrahim Bah is though, don't you?

26 A. Yes, I know Ibrahim Bah.

27 Q. Look behind divider 1, please, and let's look at page 13.
28 Could I have a moment, please?

29 PRESIDING JUDGE: Yes, please do.

1 MR GRIFFITHS:

2 Q. Can we look behind divider 1, please, and look at page 13.
3 In this interview conducted with you in February 2007 you were
4 asked about a number of individuals and your knowledge of them,
10:41:56 5 weren't you?

6 A. Repeat the question.

7 Q. In the first interview conducted with you by Chuck and
8 Chris you were asked whether you knew and had seen a number of
9 individuals, weren't you?

10:42:21 10 A. Yes.

11 Q. One of the individuals about whom you were asked was
12 Ibrahim Bah. Look at page 13, about a third of the way down the
13 page, "Ibrahim Bah" - put this on one side. Yes, perhaps we
14 ought to flip back.

10:42:42 15 A. I have not seen the area yet.

16 Q. It is a third of the way down the page. Do you see it?

17 A. Yes.

18 Q. "Kabbah heard of him and knows him as 'General Bah'.

19 Kabbah believes he was a Gambian who was a close associate of
10:43:08 20 Charles Taylor but Kabbah never saw him."

21 Pause there. Was that the truth?

22 A. Yes.

23 Q. Was it true that you had never seen Ibrahim Bah?

24 A. Ibrahim Bah, I saw him once when he came to Buedu. Once.

10:43:39 25 Q. Can you understand the difference between "I never saw him"
26 and "I saw him once"? Do you understand the difference between
27 those two things?

28 A. Yes.

29 Q. Both of them can't be true, can they?

1 A. Both can't be true.

2 Q. So, help us. Why did you say there that you'd never seen
3 him?

4 A. It escaped me.

10:44:22 5 Q. But you had seen him, hadn't you?

6 A. Yes, I saw him once in Buedu. The time we had already
7 retreated to Buedu he came there once. There was a Pa with us,
8 Pa Francis. He came and said, "Your brother has come", and Pa
9 Francis was my friend and he was a Gambian and he said, "My

10:44:55 10 brother had come, Ibrahim Bah", and I don't know how he came to
11 know him.

12 Q. Now, what I'm going to suggest is that you saw Ibrahim Bah
13 in 1998 when he came to Buedu and met with Sam Bockarie. That is
14 right, isn't it?

10:45:17 15 A. Yes, it's correct. He came there. With regard the year I
16 cannot say, '98 or '99 I cannot say, but he came to Buedu.

17 Q. Repeat that for me, please. You can't say whether it's '98
18 or '99?

19 A. I said I cannot be too specific that it was in 1998 or '99,
10:45:50 20 but he came there while we were in Buedu when Sam Bockarie was
21 there.

22 Q. Why is it that you can't be specific?

23 A. Fine. The years that those things had happened have
24 lapsed. It had occurred about five or six years. If it were a
10:46:18 25 book that you were reading every day you can recall things in
26 there. If you had left reading that book so many years ago you
27 could not recall everything. There were certain things I have
28 read from books. These are things I cannot recall any more.

29 Q. Help me. Why are you so uncertain now, yet in June of this

1 year you were certain? Look behind divider 5 at page 3,
2 paragraph 11, three lines into the paragraph. Well, let's start
3 at the beginning:

4 "As the witness previously stated Ibrahim Bah was a
10:47:22 5 Gambian and a close associate of Charles Taylor. Bah had fought
6 with the NPFL from the early days and he was a big man. Unlike
7 what the witness stated in a previous statement, the witness
8 remembers seeing Ibrahim Bah in Buedu once in 1998."

9 Not maybe '98 or 1999, but in 1998. Why were you certain
10:47:50 10 then, but so uncertain now?

11 A. What made me to explain events in this way, I have observed
12 that from the time I started testifying some of the dates that I
13 used to give may lead to confusion. It may not be the exact time
14 the event took place, but if I base my explanation on an event I
10:48:24 15 think that could help and so now I explain issues relating to
16 events.

17 Q. Very well. In any event, we've now got to the position
18 when we know that in June of this year you recall that you had
19 met Ibrahim Bah in 1998. Now when in October of 2007 you met
10:48:51 20 with the investigators for the second time, do you recall them
21 showing you a number of documents?

22 A. They showed to me some pictures, not documents.

23 Q. Very well. Behind divider 2, please, interview of 8, 9 and
24 10 October. Let's go to page 9, bottom paragraph, "The witness
10:49:46 25 was shown two photographs and documents as attached." Over the
26 page, one of the documents shown to you bearing the ERN number
27 00015487:

28 "Minutes of a forum RUF defence headquarters dated 2
29 December '98. The witness is familiar with the facts of the

1 report. He did not attend the meeting but he was on the ground
2 there at the time. The meeting was held at the Waterworks on the
3 Dawa Road leading to Foya. A delegation had gone to" - note what
4 you say here - "Monrovia and were returning to tell the
10:50:43 5 instructions they had been given. The meeting talked about the
6 future structure and deployment of the RUF/AFRC forces."

7 Now, do you remember being shown that document?

8 A. I said I was aware of the pictures. They gave me a picture
9 of Issa Sesay and Abu Keita. They presented to me a picture.

10:51:18 10 Q. You see, I've got a solemn declaration here from an
11 investigator who says that he showed you that document and you
12 told them that you were aware of the contents of it. Are you
13 denying now that you were shown that document?

14 A. I deny. I am denying that. They showed a picture to me.
10:51:53 15 I saw pictures.

16 Q. I would like this put up on the - you do remember Chris,
17 your investigator, don't you?

18 A. Yes, I can still remember him.

19 Q. Can we put up the first page of that on the screen, first
10:52:14 20 of all, please. What does that say? Does it say "Solemn
21 Declaration"? Does it say "Solemn Declaration"?

22 A. Yes.

23 Q. Is it a solemn declaration being given by one Chris Morris?

24 A. That is what is written there.

10:52:56 25 Q. Have a look, please, first of all at the date. What date
26 does it say on that?

27 A. October 16, 2007.

28 Q. And the Chris Morris there is the Chris you'd been meeting
29 since February 2007, is that right?

1 A. Yes.

2 Q. And did you know this Chris to be a liar?

3 A. I met him and he was an investigator. I don't know whether
4 he was lying or not, but what I'm saying I saw pictures. I did
10:53:42 5 not see documents.

6 Q. Can we put the second page of that on the screen, please.
7 At the top of that page does it say in effect that he showed you
8 ERN 00015487? Does it say that?

9 A. Where?

10:54:12 10 Q. Do you see a number in that first paragraph 00015487? Do
11 you see it?

12 A. Yes, I have seen that.

13 Q. And you appreciate that in this solemn declaration Chris
14 Morris is saying he showed you that document. Are you still
10:54:41 15 denying that you were shown it?

16 A. I said I saw the pictures. I did not see that particular
17 document. I saw the picture. That was the time when Chris and
18 Chuck Kolot initially met with me. I met --

19 THE INTERPRETER: The interpreter is sorry. Can the
10:55:12 20 witness come again at the tail end of his testimony.

21 PRESIDING JUDGE: Mr Witness, the interpreter needs you to
22 repeat the last part of your answer. Please repeat the last
23 part.

24 THE WITNESS: I said it was only pictures that were shown
10:55:31 25 to me and the pictures, the ones that I was able to identify
26 there, were Issa and on the other picture I saw they asked me to
27 identify the person on the picture and I said "Issa" and on Abu
28 Keita they placed an "X" there. Those were the pictures I was
29 aware of.

1 MR GRIFFITHS:

2 Q. So did you ever say to Chris that you were familiar with
3 the facts of the report and you knew what that report was talking
4 about? Did you ever say that to Chris?

10:56:20 5 A. This is what I'm saying. I was not aware of any document
6 that I told Chris that I knew what was in the document. From the
7 statement that I've been - I gave I was aware of the two
8 pictures, but the document, no. I was aware of the two pictures.

9 Q. So Chris Morris is a liar then, is he?

10:56:47 10 A. Maybe he was a liar because he is human, but I wouldn't
11 say. What I did I will accept, but what I didn't do I wouldn't
12 accept that I did it.

13 Q. Well if you didn't say that you knew about this document,
14 Chris Morris must have lied about you, mustn't he?

10:57:11 15 A. Ah, yes.

16 Q. So you're saying he's a liar, aren't you?

17 A. With regards that document, yes. I only knew of a picture.

18 Q. Can I have the document back, please. What I suggest,
19 Mr Kabbah, is this. I suggest - and it's not often that I'm
10:57:57 20 taking up for investigators - that you're the liar, not Chris
21 Morris. Do you follow me?

22 A. I heard what you've said.

23 Q. Because I suggest that you did see that document and, you
24 know what, I'm going to show it to you again. Could we have,
10:58:21 25 please, the first exhibit in the bundle for this week which
26 should be headed, "Revolutionary United Front of Sierra Leone
27 Defence Headquarters Forum with the External Delegates led by the
28 Chief Defence Staff" dated 2 December 1998 and bearing that same
29 ERN number 00015487. This is a document served on us by the

1 Prosecution in conjunction with this witness. Do you have it?
2 Do your Honours have it?

3 PRESIDING JUDGE: I don't have it. Justice Sebutinde? I'm
4 not sure. No, none of us have it.

10:59:18 5 MR GRIFFITHS: Well, it was served on us with this witness.

6 PRESIDING JUDGE: It is possible the bundles came to us and
7 for some reason we don't --

8 MR GRIFFITHS: I wonder if I could hand up the document
9 just to see whether your Honours are familiar with it?

10:59:37 10 PRESIDING JUDGE: I've just been clarified that there were
11 no bundles. I am grateful to my learned sister.

12 MR GRIFFITHS: Well, it was served on us with the witness
13 and one can understand why given the contents of the statement
14 which I've just shown him.

10:59:49 15 PRESIDING JUDGE: I have no doubt, Mr Griffiths, we will
16 get it sorted out. I am sure it is simply an administrative
17 matter and we can get copies.

18 MR SANTORA: I think P-63 was the document. It was
19 actually a previous Prosecution exhibit.

11:00:02 20 MR GRIFFITHS: Very well. Well, if it's a previous
21 Prosecution exhibit, is that exhibit available please?

22 MS IRURA: Your Honour, I can locate it in a moment,
23 because I had no prior warning.

24 MR GRIFFITHS: I'm sorry, it's my fault. I take full
11:00:19 25 responsibility for the delay. I had assumed, Madam President,
26 that as was normal practice a bundle of exhibits was served with
27 the particular witness.

28 MR SANTORA: Just to clarify, this was not listed as a
29 potential exhibit for this witness, I think that may be the

1 confusing point, and so it was not distributed.

2 PRESIDING JUDGE: Thank you, Mr Santora. That clarifies it
3 and I understand our Legal Officer is going to try and help us
4 get - access a copy.

11:01:33 5 MR GRIFFITHS: Yes. Can we first of all, please, put the
6 first page of this exhibit - and it's exhibit, can I be reminded
7 please, Mr Santora?

8 MR SANTORA: P-63.

9 MR GRIFFITHS: P-63. I'm most grateful to my learned
11:01:49 10 friend:

11 Q. Now this is the document which Mr Morris, the liar, claims
12 that he showed to you. You will see it is dated 2 December 1998.
13 Do you see that?

14 A. Yes.

11:02:15 15 Q. Now that I've shown it to you, do you recall being shown it
16 in October 2007?

17 A. I am saying that I have never seen this particular document
18 which is before me. I did not see this document. If I saw it
19 before this time I would have said it. Nothing wrong with that.

11:02:42 20 Q. But according to Morris he showed it you and you said you
21 knew about this meeting and, even though you weren't present, it
22 was a meeting that took place at the Waterworks. So, let me take
23 you through some of the details and you will appreciate why I'm
24 asking you about this document in this context. Can we look at
11:03:06 25 the second page, please, 17 lines from the bottom of the page:

26 "The mission extended to Burkina Faso where they
27 (delegates) were warmly received and attended to. All
28 discussions with the Burkinabe authorities were highly fruitful.
29 There was however a diplomatic test on the CDS ..."

1 Who is the CDS?

2 A. It was Sam Bockarie. He was the one we used to call CDS.

3 Q. "... a diplomatic test on the CDS to prove his ability and
4 seriousness as commander on the ground. The CDS behaved
11:04:14 5 excellently and maturedly to the admiration of His Excellency
6 Compaoré."

7 Who is he?

8 A. Who?

9 Q. Who is Compaoré?

11:04:34 10 A. President Compaoré, I am aware that he is the President of
11 Burkina Faso.

12 Q. Let's continue:

13 "The brigadier has done a very historic job for the RUF/SL
14 movement. He has signed a rich contract for us and with our
11:04:56 15 support given to him and the movement we shall do everything
16 possible to promote this struggle".

17 Go over the page - no, before we go over the page, if we go
18 back to the first page for a moment we will see at the beginning
19 of the large paragraph at the bottom that that bit that I've just
11:05:23 20 read out is part of a report being given at that meeting by
21 Mr SYB Rogers who also attended this mission to Burkina Faso.

22 Let's now go, please, to the third page. Now, we see at
23 the top of the first page, "Next to speak was Colonel Eddie
24 Kanneh." Now remember me asking you if Bockarie went to Burkina
11:06:07 25 Faso with Ibrahim Bah and Eddie Kanneh - and now we know SYB
26 Rogers was also there - and you, a radio operator who had access
27 to the net, told us you didn't, listen what he's saying, third
28 line, "All the trip was very successful." Remember this is 2
29 December 1998.

1 Now let's go a bit further down the page. 14 lines from
2 the bottom of the page, please:

3 "In the first place the CDS told us that they were not
4 financially strong to make the trip as successful as it turned
11:06:59 5 out to be."

6 Bottom line, "According to the CDS he took along Major
7 Lawrence Womandia because he can speak French." Do you know
8 Major Lawrence Womandia?

9 A. Yes.

11:07:19 10 Q. Who is he?

11 A. Lawrence was a Sierra Leonean.

12 Q. And does he speak French?

13 A. Yes, he used to speak French.

14 Q. What language do they speak in Burkina Faso?

11:07:35 15 A. I did not go to Burkina Faso yet. I have never been there.

16 Q. In any event, let's go back:

17 "He took along Major Lawrence Womandia because he can speak
18 French and it was the delegates' intention" - over the page
19 please - "to visit France, countries and even Libya."

11:08:10 20 Miss a couple of lines: "Pa Rogers and Colonel Eddie and
21 we made the trip together."

22 Miss a line:

23 "The brigadier told the forum that he was able to formally
24 hand over our struggle and petition about our leader to the
11:08:31 25 President of Burkina Faso who is the current chairman of the OAU
26 so that as OAU chairman he will step in and mediate peace between
27 us and the SLPP government. He warned that now is the time to
28 work together to secure the release of our leader and to avoid
29 funny things like gossip that will lead to disunity amongst us."

1 Last paragraph , "Colonel Mike Lamin" - now you know him,
2 don't you?

3 A. Yes.

4 Q. "... thanked the CDS and the delegates who went with him
11:09:15 5 on the mission. 'We as RUF/SL must consider this gesture as a
6 brilliant challenge and we must do something impressingly in
7 return of the challenge'. He warned that we must not talk on how
8 the material was channeled to our base for security reasons."

9 Over the page, handwritten just before the end of this
11:09:52 10 note: "Major E Collins stated that the CDS has killed two birds
11 with one stone, i.e. political and military problems."

12 Now having read that out to you, do you remember that
13 meeting following a trip by Bockarie to Burkina Faso with SYB
14 Rogers, Eddie Kanneh, Lawrence Womandia and Ibrahim Bah? Do you
11:10:29 15 remember it?

16 A. No, no.

17 Q. Do you remember them coming back and saying something to
18 the effect that they'd managed to secure a deal for a large
19 shipment of ammunition?

11:10:52 20 A. I cannot recall this particular meeting you're referring
21 to. I was not present where this particular meeting occurred.

22 Q. Because what I'm suggesting is, you see, you know full well
23 that Bockarie went to Burkina Faso with those other individuals
24 and that's where the large shipment of arms came from in late
11:11:26 25 1998. I'm suggesting you know that, which is why on their return
26 they held this meeting on 2 December 1998 and you knew about this
27 meeting and told the investigator that in October 2007. That is
28 the truth, isn't it?

29 A. That is not the truth. The meeting that we held at the

1 Waterworks where I was present, that was the one I have explained
2 about. For this meeting I wasn't in Buedu where they held this
3 meeting, and Sam Bockarie and others, as it is stated that they
4 went to Burkina Faso, when they went there and came with
11:12:17 5 ammunition how would a vehicle leave Burkina Faso and come to
6 Buedu?

7 Q. Because what I'm suggesting is - and I asked you this
8 before and you were having difficulty - it may have come through
9 Liberia, but it doesn't mean it came from Charles Taylor. Do you
11:12:37 10 follow me now?

11 A. Yes, I do follow what you are saying, but what I can say is
12 it was from Liberia where Mosquito got those particular
13 materials. At any time he left us, he would say he would go to
14 Liberia. Not a day he had explained to us that he was going to
11:13:01 15 that country. He said he was going to Monrovia. Those were big
16 people. Maybe they made contract there, but I was not aware.

17 Q. Let's go on then to the Freetown invasion bearing in mind
18 all we've discussed on the last topic, in particular its timing.
19 Now, so before we go on to this topic let us bear in mind in late
11:13:34 20 1998 Bockarie, SYB Rogers and others went to Burkina Faso, and
21 also in late 1998 SAJ Musa and a group led by him had success at
22 Kambia and Benguema in capturing a large quantity of arms. Let
23 us now come on, please, about a month after that meeting to 6
24 January when forces enter Freetown. Where were you on 6 January
11:14:15 25 1999?

26 A. 6 January 1999 I was in Buedu.

27 Q. Where was Sam Bockarie?

28 A. Sam Bockarie was in Buedu. He wasn't anywhere. He was in
29 Buedu.

1 Q. Where was SAJ Musa and Gullit?

2 A. SAJ Musa had died and Gullit was in Freetown in January
3 6th.

4 Q. What was the name of the radio operator with Gullit in
11:14:51 5 Freetown?

6 A. It was King Perry and CO Alfred. They went with the group
7 that went to Freetown.

8 Q. Were they both RUF members?

9 A. Yes.

11:15:11 10 Q. Who was in charge of that group?

11 A. Do you mean the fighting group, or the radio?

12 Q. Thank you, the fighting group.

13 A. It was Gullit who was in charge when they entered Freetown.

14 Q. Prior to Gullit taking charge, who had been in command of
11:15:35 15 that group?

16 A. It was SAJ Musa who was in command.

17 Q. Have you ever come across the name Red Lion battalion?

18 A. No.

19 Q. You've never heard of that?

11:15:57 20 A. No. No, we never heard that red battalion group, except
21 they adopted the name when they entered.

22 Q. Were they not linked with Senegalese and Abu Keita?

23 A. Senegalese, Abu Keita and others, they came for the Guinea
24 mission. I was never present in a situation wherein a name was
11:16:31 25 given to the group. I don't know.

26 Q. Very well, that's a small point. I'll move on. Sam
27 Bockarie had been informed by Gullit that Gullit and his battle
28 group intended to attack Freetown and Sam Bockarie told him not
29 to do it, didn't he?

1 A. Yes, Sam Bockarie said he should wait until they put some
2 manpower together. That was the period of SAJ Musa and Gullit,
3 but it was Gullit who gave out the information.

4 Q. But - and I want a simple answer - Sam Bockarie told Gullit
11:17:19 5 not to enter Freetown, didn't he?

6 A. Yes.

7 Q. But SAJ Musa and Gullit decided to disobey that order?

8 A. Yes.

9 Q. And what SAJ Musa did, because he knew that he was acting
11:17:46 10 contrary to Bockarie's orders, he prevented King Perry, the radio
11 operator, from contacting Bockarie to tell them what - to tell
12 Bockarie what they were doing. That's right, isn't it?

13 A. Yes.

14 Q. So Perry was prevented by SAJ Musa from maintaining radio
11:18:15 15 contact with Bockarie?

16 A. Yes.

17 Q. Because Musa knew that the battle group he was leading were
18 acting contrary to Bockarie's orders?

19 A. Not at all.

11:18:36 20 Q. What do you mean?

21 PRESIDING JUDGE: Mr Interpreter, I don't know what "not at
22 all" means.

23 THE WITNESS: My Lords, he was not in line with Bockarie's
24 orders. That was what I meant.

11:18:57 25 MR GRIFFITHS:

26 Q. Now that group led following the death of SAJ Musa by
27 Gullit, they were mainly made up of former SLA soldiers, weren't
28 they?

29 A. Yes.

1 Q. And there was also some STF members amongst them, weren't
2 there?

3 A. Yes.

11:19:27

4 Q. And those STF members were former ULIMO fighters, weren't
5 they?

6 A. Yes.

7 Q. And remember us talking about, I think it was Monday, how
8 these former SLA soldiers wanted to get back to Freetown. You
9 remember us discussing that?

11:19:44

10 A. Yes.

11 Q. Now, it was only after that group entered Freetown that Sam
12 Bockarie - well, let me put it differently. Let me start again.

13 It was only after that group had entered Freetown and reached
14 State House that they contacted the radio station in Buedu, is

11:20:15

15 that right?

16 A. It is correct.

17 Q. In fact you radio operators and RUF members in Buedu, the
18 first time you knew that Gullit was in Freetown was when you
19 heard it over the BBC. That's right, isn't it?

11:20:38

20 A. Yes.

21 Q. And when you heard it over the BBC it came as a complete
22 surprise to you, didn't it?

23 A. Yes.

24 Q. And it was totally unexpected?

11:20:58

25 A. We were expecting that, because we used to get from the BBC
26 - when they even attacked Waterloo we got the information and we
27 knew that they were trying to advance to Freetown, even though
28 Sam Bockarie had warned them to wait. We knew that since they
29 never accepted the orders and that they were heading for

1 Freetown, so it wasn't a surprise to us because that was their
2 own mission.

3 Q. Their own mission, thank you. But it was unplanned so far
4 as Sam Bockarie was concerned, wasn't it?

11:21:45 5 A. Yes, it was not planned.

6 Q. Now once you heard the news on the BBC you radio operators
7 in Buedu started calling desperately the other radio stations to
8 find out precisely what was going on, didn't you?

9 A. Yes, we found out especially Superman's station who were
11:22:11 10 closer to the other men.

11 Q. And that was the only way you were able to get any
12 information about what was going on on the ground?

13 A. Yes, later Perry came on the air --

14 Q. I am coming to Perry. Believe me, I'm coming to him now.
11:22:35 15 Then suddenly Perry called on the radio, didn't he?

16 A. Yes.

17 Q. And at what time was that, a time of day?

18 A. I wouldn't be able to say the exact time, but he called.
19 He called us. He was the one who first called us.

11:23:01 20 Q. And he called because Gullit's group had run into trouble,
21 hadn't they?

22 A. Yes.

23 Q. They were being suppressed, to borrow a word you used.
24 That's right, isn't it?

11:23:21 25 A. Correct.

26 Q. And they desperately needed reinforcement?

27 A. You are correct.

28 Q. And that's when they called?

29 A. Yes.

1 Q. And Perry explained to you when he called out of the blue,
2 "Look, the only reason why I haven't contacted you before is
3 because SAJ Musa stopped me from doing it". That's right, isn't
4 it?

11:23:54 5 A. Yes.

6 Q. Can we go, please, quickly behind divider 3. Behind
7 divider 3, page 1, paragraph 5:

8 "Witness states that initial communication that went on at
9 that time was a request for reinforcement by Gullit to Bockarie.

11:24:37 10 There was also communication between Sam Bockarie and Gullit
11 directly about the release of prisoners from Pademba Road Prison.
12 Sam Bockarie gave specific instruction to Gullit which he carried
13 out."

14 So the first call you received was a request for
11:25:00 15 reinforcements?

16 A. Yes.

17 Q. Now when Gullit came on to the radio to speak to Sam
18 Bockarie, there was an argument between them, wasn't there?

19 A. Yes.

11:25:13 20 Q. In effect Bockarie saying, "You disobeyed my orders. Why
21 are you calling me now just because you've run into trouble?"
22 That's right, isn't it?

23 A. Correct.

24 Q. Now despite the argument between the two of them, Sam
11:25:35 25 Bockarie did try to send reinforcements, didn't he?

26 A. Yes.

27 Q. But those reinforcements only got as far as Waterloo?

28 A. Yes, they were unable to reach.

29 Q. The bottom line is this, Mr Kabbah. That invasion was

1 carried out by a group composed of primarily former SLA soldiers
2 who did not want Bockarie to know what they were doing and they
3 only got in touch with Bockarie when their mission failed.

4 That's right, isn't it?

11:26:19 5 A. Yes, the initial contact.

6 Q. What I'm going to suggest to you is that throughout that
7 episode you had no contact - when I say "you" I mean you as a
8 radio operator - or Sam Bockarie had no contact with
9 Charles Taylor, do you follow me?

11:26:45 10 A. We, the operators, had no contact at all.

11 Q. I'm not going to go over the business about when Bockarie
12 had the satellite phone now, but what I'm suggesting is you did
13 not hear any conversation between Bockarie and Charles Taylor on
14 a satellite phone. Do you follow me? I suggest that's a lie.

11:27:08 15 A. To say Charles Taylor and Sam Bockarie did not discuss
16 about that issue, the attack on Freetown, you mean?

17 Q. Yes.

18 A. They discussed that. They spoke about that.

19 Q. And what I suggest is that it may be that it was that liar,
11:27:28 20 Chris Morris, who persuaded you to give an account which included
21 that supposed conversation between Charles Taylor and Sam
22 Bockarie and what I'm suggesting is you took up the offer and
23 decided to lie about that. That's the truth, isn't it?

24 A. That is not the truth. That is not the truth.

11:27:54 25 MR GRIFFITHS: That's all I ask, your Honour.

26 PRESIDING JUDGE: Sorry, Mr Griffiths, when you say,
27 "That's all I ask", is it on this particular topic because we're
28 just on the verge of the break, or is that the end of your --

29 MR GRIFFITHS: That's the end of my cross-examination.

1 PRESIDING JUDGE: Thank you, then that would be an
2 appropriate time to adjourn for the mid-morning break.
3 Mr Witness, we are going to take the mid-morning break. We will
4 resume court at 12 o'clock. Please adjourn court until 12.

11:28:20 5 [Break taken at 11.30 a.m.]

6 [Upon resuming at 12.00 p.m.]

7 PRESIDING JUDGE: Mr Santora, do you have cross-examination
8 of the witness - re-examination, excuse me.

9 MR SANTORA: Just re-direct examination, your Honour.

11:59:10 10 PRESIDING JUDGE: Yes, thank you.

11 MR SANTORA: Yes, Madam President.

12 RE-EXAMINATION BY MR SANTORA:

13 Q. Good afternoon, Mr Witness.

14 A. Yes, good afternoon.

11:59:27 15 Q. Mr Witness, I'm just going to ask you some questions about
16 some of the issues you've been testifying about over the last few
17 days, okay?

18 A. Okay.

11:59:41 19 MR SANTORA: And just for counsels' purposes, for each of
20 these references I'll just give you the reference ahead of time
21 and this first reference - these first few areas are from today
22 and so they'll be LiveNote references. The first one is on mine
23 33, lines 11 and 12, and I'm operating on 16 point font. I don't
24 know if that helps:

12:00:02 25 Q. Now, Mr Witness, earlier today Defence counsel was asking
26 you questions about an individual named Jungle. Do you recall
27 that?

28 A. Yes.

29 Q. And he was asking you about something that you referred to

1 as salute reports. Do you recall that?

2 A. Yes.

3 Q. And you said that, "When he came he will present the salute
4 report orally. He will say, 'This was what the Pa said' ". Do

12:00:44 5 you recall saying that?

6 A. Yes.

7 Q. First of all, who were you referring to when you say "he"?

8 A. Jungle.

9 Q. And who were you referring to when you say "the Pa"?

12:01:06 10 A. Charles Taylor. Charles Taylor.

11 Q. Do you recall the contents of these salute reports?

12 A. Yes, the salute reports, when he came he would say that
13 this was what the Pa sent, that is the material that he would
14 come with. That was the salute report.

12:01:30 15 Q. And how frequently would that occur?

16 A. That used to happen a lot of times up to the time when the
17 attack on Kono took place.

18 Q. And where were you based when you observed this?

19 A. At Buedu.

12:02:01 20 MR SANTORA: Now the next reference, counsel, is on my
21 LiveNote again at page 16, line 18:

22 Q. Mr Witness, another question that was raised this morning,
23 you were asked in a reference about an individual called - in a
24 reference - I'm sorry, let me rephrase the question. During the
12:02:33 25 course of questioning the individual named Dopoe Menkarzon came
26 up. Do you remember that?

27 A. Yes.

28 Q. Who was he?

29 A. Dopoe Menkarzon was a Liberian general.

1 Q. What do you know about him?

2 A. Dopoe Menkarzon, what I knew about him he was the first
3 general. When the war entered he was in charge of the troops
4 that were there in Pendembu and also he was the first general
12:03:15 5 whom I saw came - whom I saw come with Beretta weapons which were
6 given to the first graduates at Pendembu base.

7 Q. What group was he with?

8 A. He was with the NPFL.

9 Q. Now, this morning Defence counsel was asking you about a
12:03:47 10 document and was putting certain portions of that document to you
11 and I'd ask for the assistance of the Court Attendant.

12 PRESIDING JUDGE: You're referring here to Prosecution
13 exhibit P-63, Mr Santora?

14 MR SANTORA: Yes, Madam President. There's no real page
12:04:08 15 reference here because this was a long portion of questioning:

16 Q. Now, can you just please take a look at the document. Do
17 you see the document in front of you?

18 A. Yes.

19 Q. Do you recall when Defence counsel was asking you questions
12:04:42 20 about portions of this document?

21 A. Yes.

22 Q. Now, I would like you to turn to page - put the second page
23 on. The ERN for this should be 15488. Now, Mr Witness, if you
24 could put your attention - and just for you to recall, when you
12:05:19 25 were testifying to Defence counsel you agreed that this - that
26 there was a meeting in late 1998 and Defence counsel stated that
27 this was a document from this meeting in late 1998. Do you
28 remember that?

29 A. I do recall that, but I disputed that this document - the

1 meeting that I attended did not have anything to do with this
2 document.

3 Q. Down 15 lines do you see the reference to "CGT"? Do you
4 see that in the document? Let me make sure I'm right on the
12:05:59 5 number. Actually, it's 16 lines down.

6 A. I've seen it.

7 Q. Do you know who that refers to?

8 A. Which one? "CST"?

9 Q. No --

12:06:25 10 MR GRIFFITHS: Don't lead as to what it is. If the witness
11 thinks it's "CST", that's his problem.

12 MR SANTORA: I'm pointing to something that clearly says
13 "CGT" on the document.

14 MR GRIFFITHS: Well, the witness should be asked whether he
12:06:44 15 can see "CGT".

16 PRESIDING JUDGE: Mr Witness, I noticed you wore glasses
17 yesterday. Do you want to put them on again so that you can find
18 the reference counsel is talking about?

19 MR SANTORA: Perhaps Madam Court Attendant could point it
12:07:00 20 out.

21 THE WITNESS: My glasses are not with me. I have left
22 them. I am seeing it as "CST".

23 MR SANTORA:

24 Q. Do you know what that refers to?

12:07:25 25 PRESIDING JUDGE: Mr Witness, do you see the three letters?

26 THE WITNESS: I have seen the three letters.

27 MR SANTORA: Well, if he can't see the letters I'm going to
28 move on. If he really can't see the letters I don't think it's
29 fair.

1 PRESIDING JUDGE: Very well.

2 THE WITNESS: I have seen the letters, but the middle
3 letter is not clear.

4 MR SANTORA: Can you put the next page of that document on:

12:08:00 5 Q. Now, Mr Witness, if you could point your attention - bring
6 your attention to eight lines from the bottom where the sentence
7 says, "The CDS congratulated Colonel Jungle". Do you see that
8 and can you read that?

9 A. Yes, I have seen it.

12:08:29 10 Q. Do you see the next sentence - I'm sorry, can you read that
11 sentence, "The CDS congratulated Colonel Jungle"? Just take a
12 look at that.

13 A. Yes, I've read it.

14 Q. In that sentence it says:

12:08:48 15 "The CDS congratulated Colonel Jungle and General Ibrahim
16 Bah for their sincerity and honesty in delivering the parcels
17 that were given to them for our father across."

18 Do you know who "our father across" is?

19 A. We, our Pa that we knew across was Charles Taylor. We did
12:09:14 20 not know about any other Pa. Pa Sankoh and Charles Taylor, these
21 were our Pas. These were the ones that we knew.

22 MR SANTORA: Thank you. We can take the document away at
23 this point. Counsel, the next reference comes from 15 September,
24 which was I believe yesterday, and the transcript reference is
12:09:51 25 16241.

26 JUDGE LUSSICK: 15 September was Monday, Mr Santora.

27 MR SANTORA: I'm sorry, I apologise. It was from Monday's
28 testimony. The page reference is 16241, lines 25 to 27, over to
29 16242 up to line 15:

1 Q. Now, Mr Witness, on Monday you were being asked why was it
2 that you didn't leave the RUF. Defence counsel said to you:

3 "Q. Whilst you were in that darkness, Mr Kabbah, did the
4 thought cross your mind why did I not try to escape from
12:10:29 5 the RUF before?"

6 During the course of your answer you said as part of that
7 answer - and this is lines 14 and 15 on 16242. You said, "If I
8 had gone to Liberia I would have been hunted and brought back".
9 What do you mean when you say you would have been hunted?

12:11:03 10 A. Just like I have been saying in all my statements, Liberia,
11 the fighting group a part of the ULIMO or the LURD that was
12 there, the NPFL, it was our own group which was working hand in
13 hand with us. If I had hidden and had gone to Liberia Sam
14 Bockarie should have sent a message there, or sent somebody
12:11:27 15 there, so that I could be hunted and bring me back.

16 JUDGE SEBUTINDE: I'm sorry, I don't understand that kind
17 of answer. He says, "... a part of the ULIMO or the LURD that
18 was there, the NPFL, it was our group". You have got three
19 groups there.

12:11:54 20 MR SANTORA: I understand.

21 JUDGE SEBUTINDE: And finally it was "our group", that
22 makes it four.

23 MR SANTORA:

24 Q. Mr Witness, I'm going to ask you to clarify your last
12:12:05 25 answer. What did you mean when you said, "... a part of the
26 ULIMO or the LURD that was there, the NPFL, it was our group
27 which was working hand in hand with us"? Can you explain that
28 answer slowly?

29 A. Yes, one, the ULIMO was an enemy troop. Two, LURD was an

1 enemy troop. That's a quite different issue. At that time when
2 that thing happened it was the NPFL troop which was on the border
3 with us and we and they were working hand in hand and the NPFL
4 and the RUF were working hand in hand, so if I had hidden from
12:12:50 5 RUF and we went to NPFL that means I had not hidden. It's just
6 like when you come from fire and go to - go in the sun. Then I
7 would be brought back. I would be caught and brought back to
8 Koidu. That is what I meant.

9 Q. You also said in your answer:

12:13:17 10 "If I had hidden and gone to Liberia Sam Bockarie should
11 have sent a message there, or sent somebody there, so that I
12 could be hunted and bring me back."

13 Sent a message to who, Mr Witness?

14 A. The commanders that were there, because the commanders that
12:13:38 15 were there at the border with us and the soldiers that were at
16 the border with us, all of us had been working hand in hand. He
17 would send a message to Foya because there was a station. He
18 would send a message there saying that such and such a person has
19 hidden, or he would even send our own brothers because they knew
12:13:59 20 me. They would go and hunt for me. They would be able to
21 identify me. Maybe the commander who would be at Foya may not
22 know me, but our own brothers who would be at Buedu if they went
23 they would be able to identify me and see me.

24 Q. How do you know that?

12:14:18 25 JUDGE LUSSICK: Well aren't we questioning the witness at
26 the moment on his subjective fears, not things that actually
27 happened but just what he was afraid would happen if he escaped,
28 and you're asking him how he knows that as though it's a question
29 of fact?

1 MR SANTORA: Well, I was trying to establish some
2 foundation for why he's expressing this belief and I will
3 rephrase the question:

12:14:52

4 Q. Why do you believe this? Why do you believe that you would
5 have been hunted?

6 A. I was a radio operator and I knew a lot of secrets in the
7 RUF. If I hid, they would feel that I would go and reveal all
8 that I knew about the RUF.

12:15:31

9 Q. And just one more question on this. You said, "Maybe the
10 commander who would be at Foya", and you referred to, "The
11 soldiers that were on the border with us". From what group are
12 you referring to when you say, "The soldiers that were on the
13 border with us"?

12:15:55

14 A. I was referring to the NPFL soldiers. I had clarified
15 that. The NPFL soldiers that were at Foya, because they were the
16 ones who had been sharing the border with us at Buedu.

12:16:24

17 MR SANTORA: And the next reference, counsel, is - I'm
18 sorry, the date is the same, that being 15 September which is
19 Monday, and the transcript reference is 16254, lines 25 to 29,
20 over to the next page 16255, lines 1 and 2:

12:16:51

21 Q. Now, Mr Witness, I am going to return to another topic.
22 During the course of questioning on Monday, Defence counsel was
23 asking you about restricted frequencies. You were asked by
24 Defence counsel, "What were the restricted frequencies within the
25 RUF?", and in your answer you stated as follows:

26 "A. There were frequencies that we used to set, but I
27 cannot recall any now. There were more stations like the
28 station in Liberia which was where Sunlight was that was in
29 the mansion and that was Memuna's station who was in Pa

1 Musa's place. Those were restricted stations."

2 Why were these stations restricted, Mr Witness?

3 A. These stations, they were restricted stations because we
4 had been dealing with outside countries. We wouldn't like when
12:17:41 5 we had been trying to communicate about any important issue like
6 messages that we would like to send so as to send ammunition for
7 us, or when Jungle would like to go, we would send a message so
8 that no other station could monitor them because there are some
9 soldiers in the RUF who cannot control their mouths. At times
12:18:11 10 when they go to the battlefield and they were captured, if they
11 captured a soldier who knew about our communication, about
12 Charles Taylor and all, if you are captured he would divulge the
13 secrets. That was why we restricted those two stations. We said
14 that no other station should communicate with them except the
12:18:33 15 headquarter station.

16 Q. Now I'm going to turn to another issue, Mr Witness, and
17 there's several references here and so I'll go through as I refer
18 to prior testimony and/or there's also a reference to a prior
19 witness statement. The transcript reference is as at 16340 and
12:19:01 20 16341 and, I apologise, that is from yesterday's transcript. Now
21 during the course of questioning yesterday, Mr Witness, Defence
22 counsel was asking you about some of your statements that you
23 made to the Office of the Prosecution to investigators. Do you
24 remember that?

12:19:38 25 A. Yes.

26 Q. And he asked you about the first statement you took and a
27 portion of that statement which was behind tab 1 from 2 February
28 2007 statement at page 10, and I believe it probably should be
29 shown to the witness just so he can recall if he remembers being

1 asked about it. Now, Mr Witness, on that - is page 10 in front
2 of him, just to clarify? Okay. I want to turn your attention,
3 Mr Witness, to this section, the second paragraph, the first full
4 paragraph, the second paragraph on the page. Yesterday Defence
12:21:07 5 counsel asked you about this paragraph and Defence counsel asked
6 you if you agree with what you said in that paragraph.
7 Specifically he asked you if you agreed with what you said where
8 it says:

9 "Kabbah does not recall hearing Sam Bockarie or anyone else
12:21:29 10 referring to instructions or orders from Liberia regarding the
11 planned attack in late 1998."

12 Do you remember that?

13 A. Yes.

14 Q. And you agreed that what you said to the investigators was
12:21:46 15 correct. Further on Defence counsel asking you about this issue
16 said to you - and I'm going to quote exactly what Defence counsel
17 said to you in questioning. He said, "So can I take it" - and
18 this reference, I am sorry, is 16341, lines 25 to 29. The
19 question to you, Mr Witness, was:

12:22:14 20 "Q. So can I take it then that at that meeting following
21 Sam Bockarie's trip to Monrovia he did not say to you, 'I
22 have been told by Charles Taylor that this is the plan'.
23 He didn't say that, did he?"

24 A. Never. He never told me that."

12:22:31 25 Do you remember that? Do you remember when you said that
26 in court yesterday?

27 A. Yes.

28 Q. Now earlier - and you can take the reference away at this
29 point. Earlier during the course of your direct examination when

1 I was asking you questions I was asking you questions about
2 meetings you recalled in Buedu and you stated in your testimony
3 that you recalled - you gave information about two meetings, one
4 at Waterworks and one later behind Issa Sesay's house. Do you
12:23:14 5 recall that? And I apologise I didn't give the reference to
6 where I'm referring to in this. This is from the direct
7 examination of Friday, 12 September at 16151.

8 MR GRIFFITHS: I rise, Madam President, because I am
9 concerned that what my learned friend is seeking to do is in
12:23:36 10 effect to impeach his own witness.

11 PRESIDING JUDGE: Yes.

12 MR GRIFFITHS: It sounds suspiciously as if in effect he's
13 seeking to cross-examine his own witness.

14 JUDGE LUSSICK: I must say, Mr Santora, it does sound at
12:23:51 15 this stage as though you're about to contradict your witness with
16 a previous statement he made in giving evidence-in-chief.

17 MR SANTORA: I was going to actually just clarify one small
18 point about his presence at a meeting, something that was said in
19 direct examination which is at odds with what was agreed to in
12:24:13 20 cross-examination, and so it's simply a clarification about
21 whether or not - and I don't want to say what it is within the
22 presence of the witness. I know it took a long time to get to
23 this point, but actually it's just some simple clarification in
24 regards to what he said in direct and then what he agreed to in
12:24:35 25 cross-examination.

26 JUDGE SEBUTINDE: That's what you do when you cross-examine
27 your own witness. You take what he said in direct examination
28 and what he contradicted himself in cross-examination and you put
29 them back to him.

1 MR SANTORA: To clarify, yes.

2 JUDGE SEBUTINDE: That's what you do when you cross-examine
3 your own witness and then you don't do that. In other words, the
4 judges are agreeing with the objection of the Defence.

12:25:07 5 MR SANTORA: I understand. I'm going to move on then,
6 thank you. One moment, your Honours:

7 Q. I'm going to move to another area, Mr Witness, and the
8 reference here, counsel, is 16383, line 12, again from
9 yesterday's testimony. Mr Witness, yesterday when you testified
10 about Liberians who were RUF members you mentioned one individual
11 called CO Martin George. Who was he?

12 A. He was a Liberian.

13 Q. Do you know what his role was?

14 A. Yes, CO George was a commander in Kailahun during the time
15 when they arrested the peacekeepers. He was the commander there.

16 Q. Now, during the course of --

17 JUDGE SEBUTINDE: Mr Santora, a commander of who?

18 MR SANTORA: I was looking at the transcript myself.

19 THE WITNESS: For the RUF who were in Kailahun. He was the
12:26:58 20 commander during that time.

21 MR SANTORA:

22 Q. Do you know --

23 PRESIDING JUDGE: Sorry, Mr Santora, to interrupt, but
24 wasn't there more than one group arrested?

12:27:09 25 MR SANTORA: I can clarify that. I was going to finish one
26 aspect of the --

27 PRESIDING JUDGE: Sorry, I should not have interrupted.

28 MR SANTORA: That's fine and I will clarify that point as
29 well, your Honour. Let me move actually on to that point:

1 Q. When you say "during the time when they arrested the
2 peacekeepers", what are you referring to?

3 A. The peacekeepers' arrest did not only take place in Makeni,
4 or Lunsar. It also took place in Kailahun and during that time
12:27:48 5 he was the commander in charge in Kailahun. That was what I
6 meant.

7 Q. Do you know how he came to be with the RUF?

8 A. All of them came at the time when the border was opened up
9 to the time when the NPFL soldiers had had to go, but they stayed
12:28:17 10 and so that was how he came to be with the RUF.

11 Q. Do you know when he came?

12 A. He came in 1991.

13 MR SANTORA: I'm going to move on to another topic and the
14 next reference, counsel, again from 16 September, yesterday, is
12:28:51 15 pages 16364 to 16365:

16 Q. Mr Witness, yesterday Defence counsel was asking you
17 whether there was a secret frequency used to communicate to
18 Charles Taylor and this is lines 8 through 10. Do you remember
19 that?

12:29:23 20 A. Yes, I can recall, but I tried to clarify that it was not
21 to Charles Taylor directly, but with Sunlight we had a secret
22 frequency.

23 Q. I'm going to ask you about that, but I just want to see if
24 you recall when you said initially, "No, I was not even aware",
12:29:49 25 when you were asked specifically about Charles Taylor. Do you
26 remember that?

27 A. I recall.

28 Q. And the Defence counsel put to you something, a portion of
29 your prior statement which was from, I believe, tab 1 - actually,

1 no, I apologise, it's tab 2. Give me one moment, your Honour. I
2 just want to make sure I have the right reference. Okay, I'm
3 sorry, I apologise, it was tab 4, paragraph 5. I am sorry about
4 that. If you could put paragraph 5 up. Do you see paragraph 5?

12:31:23 5 A. Yes.

6 Q. Now yesterday Defence counsel referred you to a sentence in
7 paragraph 5, but he only read to you part of the sentence
8 omitting the second half of the sentence. Now, do you see the
9 first sentence in paragraph 5?

12:31:44 10 A. Yes.

11 Q. It says:

12 "Witness states that messages came from Charles Taylor over
13 a secret frequency to the control room in Buedu which was
14 received from Sunlight."

12:32:03 15 Do you recall saying that to investigators?

16 A. Yes.

17 MR SANTORA: That's all. You can take that reference away.
18 The next reference is from yesterday's testimony at 16381, lines
19 1 through 5:

12:32:49 20 Q. Now, Mr Witness, another topic that you testified about
21 yesterday was an individual named Benjamin Yeaten. Do you
22 remember talking about that yesterday?

23 A. Yes.

24 Q. I'm going to read to you a portion of yesterday's testimony
12:33:08 25 in which Defence counsel posed a question to you about Benjamin
26 Yeaten and I'll read your response as well. The question was:

27 "Q. And so long as Benjamin Yeaten said anything everyone
28 assumed without any evidence that it must have come from
29 Charles Taylor, is that the position?"

1 And your answer --

2 A. Yes.

3 Q. Your answer was, "Yes, because they said he was his
4 right-hand man and so whatever he said he must have discussed
12:33:44 5 with the Pa."

6 A. Yes.

7 Q. First of all, when you said, "They said he was his
8 right-hand man", who said Benjamin Yeaten was his right-hand man?

9 A. Sam Bockarie, Issa, they were the ones who had been saying
12:34:05 10 that because they were the ones that had been going to Monrovia
11 and back.

12 Q. And for clarity, whose right-hand man was Benjamin Yeaten?

13 A. Charles Taylor.

14 Q. And what do you understand right-hand man to mean?

12:34:26 15 A. What I understand by right-hand man, let me say your best
16 person whom you know that is your best servant, or an individual
17 whom you can confide in to send in a particular mission.

18 Q. I'm going to ask you about another topic now, Mr Witness.

19 Yesterday - and again the reference here is 16381 and starting at
12:35:13 20 line 9 there's a series of questions about Jungle and that's the
21 - these are where these references are coming from. Now,

22 Mr Witness, yesterday Defence counsel was asking you about an
23 individual named Jungle. Do you remember this?

24 A. Yes.

12:35:35 25 Q. Now in one of your answers to Defence counsel about this
26 individual - and this is the answer on lines 20 to 24 - you said:

27 "Jungle - Jungle was there with their remnant renegades,
28 not with the RUF. They were together with Fayia. They were in
29 the bush in their own separate jungle. He was with General

1 Fayia, the one who was in charge of Foya at the time."

2 Who is General Fayia?

3 A. General Fayia was the commander of the NPFL fighting troop
4 which was at Foya during that time.

12:36:27 5 Q. During what time, Mr Witness?

6 A. 1992, at that time I was at Bailu Ground border. That was
7 the time. He was the commander up to that time. Up to the time
8 that ULIMO came and dislodged them in that area, Jungle was
9 around that particular area.

12:37:04 10 Q. And after 1992 do you know what happened to Fayia?

11 A. Fayia escaped and crossed the border and went through
12 Guinea and went to Monrovia and up to now Fayia is in Monrovia.
13 Those who go to Monrovia inform us about it.

14 Q. And you also said, "The one who was in charge of Foya at
12:37:41 15 that time." What time are you referring to there?

16 A. I said 1992, the first assignment that I took up as
17 operator at Bailu Ground. That was the time that Fayia was at
18 Foya as commander, because he used to come to the ground to us at
19 Bailu Ground - he, the General Fayia.

12:38:11 20 MR GRIFFITHS: I wonder if I can interrupt my learned
21 friend briefly. At line 12 you will see, "Those who go to
22 Monrovia inform us about it." Who are "they"?

23 THE WITNESS: I'm talking about the present. Some of our
24 old friends with whom I was in the RUF --

12:38:38 25 PRESIDING JUDGE: Just pause, Mr Witness, because I haven't
26 found - my font must be different, but if --

27 MR SANTORA: I'm not sure if that was an objection, or a
28 request for a clarification.

29 JUDGE LUSSICK: I took it that Mr Griffiths was speaking to

1 you, though asking you if you would get the witness to clarify
2 that.

3 MR SANTORA: And I of course take my instructions from the
4 Bench.

12:39:00 5 PRESIDING JUDGE: It should be clarified. I'm just trying
6 to find it because I thought it may be an earlier question. Has
7 the witness finished his answer to the present question and then
8 we'll move to the clarification?

9 MR SANTORA: I will clarify that if your Honours are
12:39:13 10 requesting that point.

11 PRESIDING JUDGE: Please do so.

12 MR SANTORA: Let me just find the reference myself then.
13 One moment.

14 MR GRIFFITHS: I have it on line 12, Mr Santora, on page
12:39:23 15 74.

16 MR SANTORA:

17 Q. Mr Witness, you said that - when I asked if you knew what
18 happened to Fayia after 1992 you said that:

19 "He escaped and crossed the border and went through Guinea
12:39:36 20 and went to Monrovia and up to now Fayia is in Monrovia. Those
21 who go to Monrovia inform us about it."

22 That last sentence when you said, "Those who go to Monrovia
23 inform us about it", who are you referring to when you say "Those
24 who go to Monrovia"?

12:40:05 25 A. These were some of the RUF soldiers who had been in the
26 RUF. After this disarmament some men had gone to Monrovia,
27 because they had families there, and when they came back they
28 were the ones that had been talking about those things. At times
29 when we sat together we would ask each other whether such and

1 such a person was alive and they would say that, "Yes, he is even
2 a police officer in Monrovia".

3 MR SANTORA: I'm not sure if that clarifies it for your
4 Honours' purposes?

12:40:45 5 PRESIDING JUDGE: I feel fairly clear on what it was all
6 about. Mr Griffiths?

7 MR GRIFFITHS: I'm perfectly clear now as well, Madam
8 President. Thank you, counsel.

9 MR SANTORA: You're welcome:

12:40:58 10 Q. Again, Mr Witness, on the same topic - and I apologise if
11 you may have answered this already, but my question is afterwards
12 Defence counsel asked you again about Jungle saying - and I'm
13 quoting from line 24 now - "But he effectively became part of the
14 RUF, didn't he?" Then your response in referring to Jungle was
15 you said, "Yes, he used to come to us the time Fayia wanted us to
16 go to Monrovia." What do you mean when you're talking about "the
17 time Fayia wanted us to go to Monrovia"?

18 A. I did not say when - I did not say when Fayia wanted us to
19 go to Monrovia. I said when Fayia went to Monrovia. At that
12:42:09 20 time he left them in the jungle and he went to Monrovia.

21 Q. Okay, thank you, Mr Witness. Now later on again Defence
22 counsel asked you a similar question about Jungle, asking you,
23 "Jungle effectively became a member of the RUF, didn't he?", and
24 you stated in response:

12:42:48 25 "That's what I said, because he was with us. He would move
26 to go to Monrovia and he would return. That was it. He would go
27 back and forth."

28 Explain what you mean when you say, "He was with us and he
29 would move to go to Monrovia and would return".

1 A. What I meant by that is Jungle - when Fayia had gone, he
2 left Jungle at the jungle and he went to us, the RUF. He was
3 with us and up to the time when the road was opened, when NPFL
4 had to repel the ULIMO or the LURD to the border, he used to go
12:43:41 5 to Monrovia and came back because Sam Bockarie used to send him.

6 Q. Why would Sam Bockarie send him?

7 A. He used to send him for ammunition.

8 Q. Now again on the same topic - and this is the final part of
9 this topic on Jungle and this is reference at 16382, lines 16 to

12:44:20 10 22. Now, Mr Witness, again Defence counsel was asking you
11 another question about Jungle and the question was put to you,
12 the question:

13 "Q. But in the same way that Jungle effectively became a
14 member of the RUF there were other Liberians who fell into
12:44:44 15 the same category, wasn't there, who effectively came over
16 and became RUF members? That's right, isn't it?"

17 Your response to that question by Defence counsel was:

18 "A. Yes, some Liberians became RUF members. All of us
19 were within Sierra Leone now. But about Jungle, when we
12:45:05 20 retreated he and Sam Bockarie used to make the Liberian
21 trips mostly."

22 What did you mean when you said - first of all, do you
23 recall saying that yesterday?

24 A. Yes.

12:45:21 25 Q. What did you mean when you said, "But about Jungle, when we
26 retreated he and Sam Bockarie used to make the Liberian trips
27 mostly"?

28 A. Yes, Liberian soldiers were there, NPFL soldiers were with
29 us, but Jungle he was the man whom I had been seeing at any time

1 that Bockarie wanted to go, or he himself would go. He was not
2 like the other Liberians who had left this country. When Sam
3 Bockarie had been able to take one and say that, "I would have
4 this man as my own man", Sam Bockarie and Jungle had been working
12:46:11 5 together wherever he wanted to go.

6 Q. When Sam Bockarie - you said when he - hold on. You said
7 that, "I had been seeing him at any time that Bockarie wanted to
8 go, or he himself would go." Go where, Mr Witness?

9 A. Go to Monrovia.

12:46:39 10 MR GRIFFITHS: I wonder if my learned friend could also
11 clarify that the witness said, "He was not like the other
12 Liberians who had left this country". Which country is that?

13 THE WITNESS: Sierra Leone. The RUF controlled zone.

14 MR SANTORA: Thank you, counsel. Can I just have one
12:47:04 15 moment, your Honours, because I think I'm almost wrapping up?

16 PRESIDING JUDGE: Yes.

17 MR SANTORA: That concludes the re-direct examination,
18 Madam President.

19 PRESIDING JUDGE: Thank you, Mr Santora. Mr Witness, that
12:47:29 20 is the end of your testimony and you will now be free to leave
21 the Court. We thank you for coming and giving your testimony and
22 taking your time to be here and we wish you a safe journey.
23 Please assist the witness to leave the court well.

24 Yes, Ms Hollis?

12:48:26 25 MS HOLLIS: Madam President, your Honours, the next witness
26 will be TF1-189. The witness will testify in English and the
27 witness has the following protective measures which were granted
28 in a decision on 5 July 2004, that is the use of a pseudonym, the
29 use of the screen and voice distortion, and the witness will

1 swear on the Bible.

2 MR MUNYARD: Madam President, I wonder if before the
3 witness comes in I just want to make a couple of points about the
4 fact that this witness is being called now. Can I make it quite
12:49:16 5 clear that the Defence do not intend or wish to be obstructive in
6 any way, but I simply want to raise the manner in which this
7 witness has been bumped up the call order because this witness
8 was in fact going to be not the next, nor the one after, but the
9 third witness after the witness who has just given evidence.

12:49:42 10 My learned friends opposite did give us notice in a series
11 of notifications. Starting on 1 September we got their list of
12 Prosecution witnesses for this week and in that notice the
13 present witness 189 didn't feature at all.

14 We then had a further notification, dated 8 September, and
12:50:26 15 in that notification this witness's name did then appear as the
16 fourth witness this week. In fact the witness to follow the one
17 who has just given evidence is going to be 122, followed by 125,
18 followed by 062 and then the present witness, so she was going to
19 be the fourth witness this week.

12:50:52 20 On 9 September we got a further notice dealing with an
21 addendum for witnesses next week, and then on Monday of this week
22 at 4.59 p.m., that's to say one minute before 5 o'clock on
23 Monday, we got an email simply saying that the Prosecution
24 proposed to call this witness next as soon as the witness who has
12:51:21 25 just gone was finished because of scheduling issues for the
26 impending witness.

27 Now in the pre-trial conference that was held in May - I
28 call it a pre-trial conference, but it was a pre-trial hearing
29 that was held before the full Court on 7 May last year - an

1 undertaking was given and indeed it's referred to in one of the
2 three notifications that I've just referred the Court to. My
3 typeface is slightly different - my font, as so often, is rather
4 different from the font that's referred to, but I'm sure we're
12:52:14 5 all talking about the same passage. My learned friend, Ms Hollis
6 - in answer to a question from Mr Khan, and indeed her Honour
7 Justice Sebutinde then presiding, my learned friend said that
8 they would indeed produce at least two weeks before the witnesses
9 were due to be called a witness list and call order.

12:52:43 10 Now, I'm simply making the point that from our point of
11 view preparing the case and preparing witnesses amongst us is
12 obviously a logistical matter. To be told at one minute to 5 on
13 Monday that the Prosecution proposed bumping up the list from the
14 fourth following witness to the immediately following witness
12:53:13 15 with no explanation other than because of scheduling issues for
16 the witness isn't particularly helpful.

17 In fact we have been able to rejig our own working
18 arrangements and I am now going to be able to deal with this
19 witness, but for all we knew - and I think I can say this on
12:53:41 20 Mr Griffiths' behalf. For all we knew he could have finished the
21 witness who has just left the stand during the course of Tuesday
22 and then 189 would be on the witness stand well out of the call
23 order and indeed not two weeks before we had been notified of her
24 being proposed to be used, but only in the preceding week had we
12:54:08 25 been told that she was proposed to be called.

26 So I'm simply asking those opposite that, if they are going
27 to make a change in the running order as they have done in this
28 instance in bringing a witness up from number four to number one,
29 they do give both ourselves and indeed the Court the courtesy of

1 an explanation rather than simply saying, "Because of scheduling
2 issues we're now going to call this witness".

3 I'm effectively putting down a marker, I hope in an
4 uncontroversial way, to invite those opposite to attempt to give
12:54:50 5 us both more notice if they can and something better by way of
6 explanation than a two word phrase relating to scheduling
7 difficulties. We are not standing in their way and we are
8 seeking to be as cooperative as we can, but we do think this
9 needs a little bit more explanation than that two word phrase
12:55:11 10 that we've so far had.

11 PRESIDING JUDGE: Ms Hollis, you have heard counsel for the
12 Defence and if you can assist us with an explanation.

13 MS HOLLIS: Certainly.

14 PRESIDING JUDGE: Thank you.

12:55:36 15 MS HOLLIS: The explanation for the timing for the order
16 for this week is that when the witness verified that the witness
17 had to leave this week we notified the Defence.

18 PRESIDING JUDGE: Sorry, which witness are you referring
19 to?

12:55:53 20 MS HOLLIS: 189.

21 PRESIDING JUDGE: The one that's coming in.

22 MS HOLLIS: Yes. Now in terms of notice to the Defence
23 that this witness was on the horizon, on 18 July the witness was
24 included in what we had projected for our August schedule. Of
12:56:06 25 course, schedules vary depending on the length of direct as well
26 as cross-examination and other factors. On 12 August the Defence
27 was given notice of this witness in terms of the August and
28 September schedule and so it's not a new name, but in terms of
29 the order for this week, as I said, as soon as we learned that

1 the witness would not be able to remain here beyond this week the
2 Defence were notified of that.

3 In terms of the explanation, I don't understand why an
4 explanation as to what scheduling difficulties the witness has is
12:56:40 5 of significance. It is the witness's scheduling difficulties and
6 that was the notice that was given. Should the Defence say they
7 don't believe it and she should stay then perhaps the reasons
8 would become more relevant, but the Defence points to be made and
9 marker being laid down they indicated have nothing to do with
12:57:00 10 their preparedness to deal with this witness and so the
11 Prosecution does not feel it has been discourteous to either the
12 Bench or the Defence. We have given them information at the time
13 we received it and they now indicate they are prepared to move
14 forward.

12:57:18 15 PRESIDING JUDGE: Thank you, Ms Hollis. Just pause please
16 before the witness is called.

17 [Trial Chamber conferred]

18 Thank you. We note the submissions of both counsel and we
19 note that both counsel are ready to proceed. I will ask Madam
12:58:52 20 Court Attendant how long it will take to put the protective
21 measures in order. You have heard that it is a screen and voice
22 distortion. Can you please indicate to us?

23 MS IRURA: Your Honour, the AV booth normally informed us
24 during the break that they would require 30 minutes to set up
12:59:08 25 voice distortion.

26 PRESIDING JUDGE: 30?

27 MS IRURA: Yes.

28 PRESIDING JUDGE: In the circumstances, this would bring us
29 up to the normal lunchtime adjournment and therefore it's

1 inappropriate to rise and then come back only to adjourn for
2 another hour. We will allow the AV booth to implement these
3 protective measures and we will resume the luncheon adjournment
4 at our normal time which is 2.30 as everyone has other
12:59:59 5 commitments. Mr Munyard you're on your feet.

6 MR MUNYARD: Madam President, can I just make one final
7 point, I don't want to labour this and you have acknowledged that
8 we are ready to deal with the witness. The point isn't that we
9 were told in July that the following witnesses we expect to call
13:00:14 10 in August and September. The point is, and I quote from the
11 Prosecution's own notice of 1 September I think it is:

12 "As agreed at the pre-trial conference on 7 May 2007 the
13 Prosecution provides a witness list in order of appearance for
14 each week of trial at least two weeks in advance of the week the
13:00:37 15 witness is due to testify."

16 Now that notice came out with the witnesses for this week.
17 The present witness about to be called was not in that list for
18 obvious reasons, the Prosecution weren't expecting to call her,
19 and we work on the basis of that notice, not something that we've
13:01:01 20 been given by way of general indication two months ago that the
21 Prosecution expect to call the following witnesses in the
22 following months.

23 All I'm asking for is a little bit more courtesy when the
24 Prosecution are disrupting their own call order which they
13:01:19 25 themselves accept they had undertaken to provide two weeks in
26 advance with a bit more notice than on a Monday afternoon with
27 one minute to go to the close of business from a witness who they
28 had been prepping or proofing the very same day on the Monday and
29 indeed on Sunday as well. So they've been talking to this

1 witness on Sunday. They wait until all day at the end of Monday
2 and we therefore had to prepare for that witness on Monday night
3 because for all we knew Mr Griffiths' cross-examination might
4 well have ended in the middle of Tuesday and for my learned
13:02:02 5 friend simply to say, "We told them in July we were planning on
6 calling this witness in August", I don't think is proper courtesy
7 quite frankly.

8 I don't want to make a huge issue out of this but I have to
9 say I was expecting a little bit more by way of a courteous
13:02:22 10 response, particularly given the fact that we're saying quite
11 plainly we're not standing in the way of this rejigging of the
12 order and we are going to try and make things work as smoothly as
13 possible for the Prosecution, as well as for the Court, but they
14 have completely contradicted their own undertaking from May of
13:02:43 15 last year as quoted in the notice that accompanied the witness
16 list on 1 September.

17 That's all I'm going to say on the matter, but I was hoping
18 for a little bit more generous a reply from those opposite.

19 PRESIDING JUDGE: Mr Munyard, you are not seeking relief
13:03:01 20 from the Bench I gather?

21 MR MUNYARD: I'm not, no. We're not because - we could,
22 but we're not going to.

23 PRESIDING JUDGE: Ms Hollis?

24 MS HOLLIS: Madam President, I think that does warrant
13:03:15 25 additional comment as he has made additional comment even though
26 they continue to say they're prepared to proceed. We don't take
27 these witnesses off a shelf. These witnesses are not under our
28 control. When a witness tells us at the time they tell us that
29 they are only committed to be here for this week and they have

1 scheduling issues that may mean they have to leave for the week,
2 we give notice. We did not do this because of some convenience
3 for the Prosecution. This was entirely because of the witness's
4 schedule and we gave notice of it.

13:03:48 5 JUDGE SEBUTINDE: Ms Hollis, what do you say to the
6 statement by Mr Munyard that you knew this witness had scheduling
7 problems as early as Sunday when he or she went for prepping but
8 you only informed the opposite side on Monday close of business?

9 MS HOLLIS: Well, I'm not sure he said that, but if he did
13:04:12 10 the answer is quite clear. We did not know on Sunday that the
11 witness had these problems. Nor did we know on Monday until the
12 conclusion of the session with the witness when it happened to
13 come up. We did not withhold it for an entire day so we could
14 try to catch the Defence at some disadvantage or for some other
15 reason. When we found out we told them.

16 JUDGE SEBUTINDE: Except perhaps I will say this one thing
17 and I don't think my colleagues will contradict me, in the past
18 we've had a practice whereby if the Defence feel after the
19 examination-in-chief that they're not ready to proceed with
13:04:48 20 cross-examination for any reason, any valid reason, then at that
21 stage the Trial Chamber is quite flexible in adjourning to allow
22 them adequate time to prepare and that could be done in this case
23 if necessary.

24 JUDGE LUSSICK: If I could just add to that, I for one am
13:05:09 25 very grateful to the Defence that they in fact have not mounted
26 an application for an adjournment on the grounds of being taken
27 by surprise.

28 MS HOLLIS: Well, we don't believe it would be an
29 adjournment. It would simply be we would be unable to call this

1 witness and we'll move on to the next one.

2 JUDGE LUSSICK: Let's not prophesy on the results of an
3 application, Ms Hollis.

4 MR MUNYARD: Can I make one clarification to Justice
13:05:40 5 Sebutinde. I didn't say that the Prosecution knew on Sunday.
6 What I said was that they were prepping or proofing this witness
7 on Sunday and on Monday but the reason we know that was because
8 yesterday morning after the Court had sat we were sent the
9 proofing notes for Sunday and Monday. Now I got those during
13:06:00 10 yesterday morning and I might have been cross-examining this
11 witness by yesterday afternoon. That's how we know that she was
12 being seen on Sunday and Monday. I don't know of course what she
13 said. Ms Hollis may be entirely justified in saying the witness
14 never told us until some time late on Monday that she had to
13:06:19 15 leave by Friday.

16 That raises questions of the way in which both the
17 Prosecution and the Witness and Victim Section manage witnesses'
18 arrangements. A witness who is booked to come here is probably
19 also booked to go back at the very least provisionally on a
13:06:38 20 specific date and so it will help the Prosecution as much as it
21 will help us if the witnesses are told that they must make it
22 clear when they're going back. It's rather surprising that the
23 Prosecution were seeing a witness on Sunday and on Monday and she
24 didn't tell them until the end of Monday that she's got to leave
13:06:58 25 on Friday. I'm not blaming Ms Hollis. I'm saying that there are
26 serious systemic problems in the way these witnesses'
27 arrangements are being organised.

28 PRESIDING JUDGE: I can only observe that there has been,
29 as is correctly pointed out by both sides - at the pre-trial

1 conference in May 2007 certain time notices were set. To date
2 things appear, and I stress appear because we are not privy to
3 everything, to have run smoothly.

4 As has also been pointed out by both my learned colleagues,
13:07:38 5 this has been cured in the past by an application that has been
6 entertained from the Defence if necessary. Mr Munyard has not
7 indicated that he is making an application. I again can only
8 accept that the Prosecution did not have - or I have not been
9 given any information that they had and I again can only remind
14:08:02 10 the Prosecution of their undertaking at May 2007 and to adhere to
11 it, bearing in mind human frailties do occur from time to time.
12 We will adjourn Court until 2.30. Please adjourn Court.

13 [Lunch break taken at 1.10 p.m.]

14 [Upon resuming at 2.30 p.m.]

14:25:19 15 PRESIDING JUDGE: I note some changes of appearance.
16 Ms Hollis?

17 MS HOLLIS: Yes, Madam President. This afternoon for the
18 Prosecution, Ruth Mary Hackler and myself, Brenda J Hollis.

19 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Munyard?

14:30:36 20 MR MUNYARD: Madam President, this afternoon for the
21 Defence myself, Terry Munyard, Morris Anyah and Michael Walker.

22 PRESIDING JUDGE: Thank you. Please swear the witness.

23 WITNESS: TF1-189 [Sworn]

24 Ms Hollis, please proceed.

14:31:19 25 MS HOLLIS: Thank you, Madam President. Madam President,
26 at this time the Prosecution would make an application to go into
27 a private session to get identifying information from this answer
28 and we would anticipate again at the end of the witness's
29 testimony to ask for a private session so that the witness can

1 explain details of various events and her basis of knowledge in a
2 way that would protect her identity from becoming known.

3 PRESIDING JUDGE: Mr Munyard, you have heard Ms Hollis's
4 application?

14:31:52 5 MR MUNYARD: Yes, and we don't stand in the way of it, but
6 once again obviously we expect everybody to be vigilant,
7 ourselves included, as to what is appropriate for private and
8 what is appropriate for public session.

9 [Trial Chamber conferred]

14:32:09 10 PRESIDING JUDGE: The Chamber has heard the applications
11 and will grant the application to have identifying evidence in
12 private session. For the purposes of the rules and public
13 record, the next part of the evidence to be adduced before this
14 Court will be heard in private session. That means that members
14:32:32 15 of the public and monitors can see into the Court, but will not
16 be able to hear. This is for reasons of security of the witness.
17 Just to check if that is implemented, Ms Hollis.

18

19 [At this point in the proceedings, a portion of
20 the transcript, pages 16481 to 16488, was
21 extracted and sealed under separate cover, as
22 the proceeding was heard in private session.]

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1 [Open session]

2 MS HOLLIS: Thank you, Madam President:

3 Q. Madam Witness, could you tell the Court your ethnic group
4 or tribe?

14:47:06 5 MS IRURA: Your Honour, we are in open session.

6 PRESIDING JUDGE: Yes, proceed.

7 MS HOLLIS: Madam Witness, could you tell the Court your
8 ethnic group or tribe?

9 A. Krio and Kissi by tribe.

14:47:22 10 Q. What formal education do you have?

11 A. Primary, secondary and tertiary education.

12 Q. How many years of tertiary education have you received?

13 A. Three plus two years.

14 Q. Three plus two years of tertiary education?

14:47:44 15 A. Yes.

16 Q. What languages do you speak?

17 A. I speak Krio, English, a little bit of Kono, Mende.

18 Q. And what languages do you read?

19 A. I read English and Krio.

14:48:10 20 Q. I would like to draw your attention to 1992. In 1992,
21 where were you living?

22 A. I was living in Kono.

23 Q. And where were you living in Kono?

24 A. In Yengema.

14:48:29 25 Q. How long did you remain in Yengema in 1992?

26 A. I was living there shortly after birth.

27 Q. And during 1992 itself how long did you remain in Yengema?

28 A. During 1992 we did not - we had to move out of Yengema to
29 another location.

1 Q. And why did you have to move out of Yengema to another
2 location?

3 A. We had to move because of the rebel incursion.

14:49:16

4 Q. And when you say you had to move because of the rebel
5 incursion, what do you mean? What happened?

6 A. The rebels attacked Kono District and people had to move
7 out of that district and we had to move also.

8 Q. Now, how did you know that it was the rebels who attacked
9 Kono District in 1992?

14:49:42

10 A. Yes, I got to know through my aunt who had to fled from
11 them and had to meet us at Yengema, so she told us that the
12 rebels had attacked and we were seeing people - people going out
13 of the town and we were hearing gunshots and bombardments also.

14 Q. Now, this person --

14:50:15

15 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt, you asked
16 the witness a few lines up, you said, "How long did you remain in
17 Yengema in 1992?" Her answer was, "I was living there shortly
18 after birth." That's what the witness said. Did she say shortly
19 after birth?

14:50:33

20 MS HOLLIS: That is correct.

21 JUDGE SEBUTINDE: That would be her birth?

22 MS HOLLIS:

23 Q. Madam Witness, you had indicated that you lived in Yengema
24 from shortly after birth. Did you mean your birth?

14:50:49

25 A. If I can explain better.

26 Q. Well, be careful you do not say anything to identify
27 yourself, but please go ahead.

28 A. I was born in --

29 JUDGE SEBUTINDE: Witness, you have already told the Court

1 when you were born, but the answer to me didn't make sense. I am
2 not sure if you said shortly after birth. Is that what you said?

3 THE WITNESS: Yes, I said so.

4 JUDGE SEBUTINDE: And you mean your birth, or a child that
14:51:20 5 you had?

6 THE WITNESS: My birth. My birth.

7 MS HOLLIS:

8 Q. So, Madam Witness, you lived in Yengema from the time
9 shortly after your birth?

14:51:33 10 A. Yes.

11 Q. Now, you said that you were given information that the
12 rebels were coming and you were seeing people. Did you learn
13 anything about what the rebels were doing as they were coming to
14 Kono?

14:51:52 15 A. Yes.

16 Q. What did you learn?

17 A. I learnt that they were maiming people, they were burning
18 houses and we also heard the gunshots and the bombardments.

19 Q. Now, you said that you learned that the rebels were coming.
14:52:17 20 Did you hear them called by any other name?

21 A. Yes.

22 Q. What did you hear them called by?

23 A. They were called Sankoh rebels and Charles Taylor rebels.

24 Q. Now when you left Yengema because you learned that the
14:52:39 25 rebels were coming and you were hearing guns, where did you go?

26 A. I went to Makeni.

27 Q. And why did you go to Makeni?

28 A. We went to Makeni because there was relatively peaceful at
29 that time.

1 Q. And at that time who was in control of Makeni, if you know?

2 A. The Government of Sierra Leone.

3 Q. Now, I would like to draw your attention to 25 May of 1997
4 and would you tell us in what town or city you were living in on
14:53:23 5 that date?

6 A. I was living in Freetown.

7 Q. And what happened in Freetown on that date?

8 A. The junta took over. They staged a coup against the
9 government.

14:53:44 10 Q. And after the junta took over and you were living in
11 Freetown, did you learn anything about their behaviour towards
12 civilians?

13 A. Yes.

14 Q. And what did you learn?

14:54:01 15 A. I learnt that they were raping girls, women, they were
16 burning houses, looting shops.

17 Q. And - sorry, go ahead?

18 A. They were firing guns and they were killing people also.

19 Q. And did you learn what group or groups were committing
14:54:27 20 these behaviours?

21 A. Yes.

22 Q. And who was that?

23 A. The RUF rebels and the junta SLA.

24 Q. And when you say SLA, what do you mean?

14:54:52 25 A. The Sierra Leone Army.

26 Q. During the time you were in Freetown after the junta took
27 power, were you aware of the junta taking food from warehouses in
28 Freetown?

29 A. No.

1 Q. Were you aware of the junta --

2 MR MUNYARD: I am going to ask my learned friend not to put
3 questions in such a leading way.

4 MS HOLLIS: I simply asked if the witness was aware of it.

14:55:22 5 She could say yes or no.

6 PRESIDING JUDGE: It is still leading, Ms Hollis. I think
7 if you can rephrase future questions to avoid leading.

8 MS HOLLIS:

9 Q. Now, after the junta in Freetown, how were you able to
14:55:41 10 obtain food?

11 A. It was difficult. It was really difficult. We had to
12 manage with what we got before that time. We had to manage the
13 food we got before that May 25. That was how we were living.

14 Q. And why were you unable to get food and have to manage on
14:56:09 15 what you had before?

16 A. We were not able to go out to get food. There were no
17 markets, no grocery shops operating. It was difficult and I was
18 afraid to go out.

19 Q. How long did you remain in Freetown after this coup
14:56:33 20 occurred?

21 A. I remained in Freetown for less than a month.

22 Q. Can you tell us or do you recall what month you left
23 Freetown?

24 A. I left Freetown in July of 1997.

14:56:59 25 Q. And where did you go from Freetown?

26 A. I went back to Kono.

27 Q. And to what location in Kono?

28 A. Yengema.

29 Q. And do you recall what month it was you arrived in Yengema?

- 1 A. In July.
- 2 Q. Is this of 1997?
- 3 A. 1997, exactly.
- 4 Q. And how long did you remain in Yengema?
- 14:57:35 5 A. I remained in Yengema for less than a year. Less than a
6 year.
- 7 Q. And while you were in Yengema, were you aware of any junta
8 personnel in the area?
- 9 A. Yes.
- 14:57:53 10 Q. Where were these personnel located?
- 11 A. They were located at the NDMC quarters. The NDMC quarters.
- 12 Q. What was NDMC?
- 13 A. The National Diamond Mining Company quarters.
- 14 Q. During the time you were in Yengema, did you learn of any
14:58:22 15 mining activities going on there?
- 16 A. Yes.
- 17 Q. What did you learn?
- 18 A. I learnt that they were - the junta together with the
19 rebels were mining. They were digging the houses, underneath the
14:58:44 20 houses, to find diamonds.
- 21 Q. And did you learn who was doing the actual mining?
- 22 A. Those civilians. Those civilians.
- 23 Q. And did you learn how those civilians happened to be doing
24 that mining?
- 14:59:05 25 A. They took them forcefully to do the mining.
- 26 Q. Now, how was it that you learned about this? Again,
27 without giving any information that would identify you?
- 28 A. Some boy told me about it.
- 29 Q. And did this boy indicate to you how he knew about this?

1 A. He was taken forcefully to do the mining for them.

2 Q. How old was this boy who told you about this?

3 A. He was - the age range was at least 15 to 25 years old.

4 Q. Now you say the age range, what are you talking about? The

14:59:47 5 age range of who?

6 A. The boy.

7 Q. Now, at some point did you leave Yengema?

8 A. Yes.

9 Q. And why did you leave Yengema?

15:00:01 10 A. I left because we heard gunshots and bombardments and we

11 saw people coming with their loads on their heads. That was why

12 I left.

13 Q. Do you recall when this was that you heard the bombardment

14 and saw the people coming with loads on their heads?

15:00:29 15 A. Yes, it was in February of the next year.

16 Q. That would be what year?

17 A. 1998.

18 Q. Now, before you saw these people coming with loads on their

19 heads and heard the bombardment, had you received any news about

15:00:47 20 any events in Freetown?

21 A. Yes.

22 Q. What news had you received?

23 A. We heard that the ECOMOG soldiers are driving the rebels

24 out of the city, they have dislodged them out of the city.

15:01:07 25 Q. And how did you learn this?

26 A. Through radio.

27 Q. And do you recall the radio, was this a national or local

28 programme or international, do you recall?

29 A. I was an international radio.

1 Q. Do you recall what programme it was that you heard this on?

2 A. Yes, it was on the BBC.

3 Q. When you heard about ECOMOG being pushed or pushing the
4 junta out of Freetown, the rebels out of Freetown, did you hear
15:01:42 5 any news about the actions of the junta personnel as they were
6 moving from Freetown?

7 A. Yes.

8 Q. What did you learn?

9 A. We learnt that they were - they were coming out of the
15:01:56 10 city, they were burning houses, raping women and girls, maiming
11 people's arms and legs, looting and killing people also.

12 Q. And how did you learn this?

13 A. We learned that through the radio.

14 Q. And again do you recall what programme it was that you were
15:02:28 15 listening to?

16 A. Focus on Africa. It was on Focus on Africa.

17 Q. Now, when you left from Yengema, you left to a location in
18 what district?

19 A. To a location in Kono District.

15:02:49 20 Q. And in terms of numbers, how many people left with you to
21 this location?

22 A. Hundreds of people. Hundreds of people. We were many,
23 because the whole town had to move.

24 Q. And what were the age groups of these people who were
15:03:10 25 moving with you to this location?

26 A. As young as three months old and as old as 60 years or so.
27 60 years.

28 Q. Now, I would like at this time to direct your attention to
29 March of 1998. Were you at this location in Kono District in

1 March of 1998?

2 A. Yes.

3 Q. And what happened at this location in March of 1998?

15:04:00

4 A. We were there one morning, we heard gunshots and suddenly
5 we saw the community centre on fire and the rebels gathered us in
6 one location.

7 Q. Now, you say the rebels gathered you in one location. How
8 many people came into this location at this time?

9 A. There were four of them. Four of them came. Four.

15:04:36

10 Q. And how were they dressed?

11 A. They were wearing military trousers, the uniform, the army
12 trousers, and a jacket that has so many pockets on it. That's
13 the way they were dressed.

15:05:05

14 Q. And these four rebels who came into the town, what was the
15 gender of these four rebels?

16 A. They were all male. Males. They were all male.

17 Q. When they came into the town, did they say anything?

18 A. Yes.

19 Q. What did they say?

15:05:20

20 A. They said they are RUF rebels. They are the juntas also.

21 Q. And did they say anything to you about why they were in the
22 town?

23 A. No.

15:05:48

24 Q. What happened after they had gathered all of you outside in
25 the location?

26 A. Yes, they took - they took a lady, went with her in the
27 living room and they rape her.

28 Q. Now, this lady that they took, do you know the age of that
29 lady?

1 A. Yes, she was 22 years old, I think. 22 years old.

2 Q. Now, where were you when they took this lady into this
3 living room?

4 A. I was at the location that they guarded all of us.

15:06:39 5 Q. How were you able to know what they were doing with this
6 lady that they took into the living room?

7 A. The door of the living room was not closed. It was open
8 and so we were - and she was shouting, so we had to focus our
9 attention on that location. That's how I saw what was happening.

15:07:08 10 Q. So you are saying that you saw it happen?

11 A. Yes.

12 Q. Now, in addition to yourself are you aware were there any
13 other people who saw this happen?

14 A. All the people saw it.

15:07:29 15 Q. How many people are you talking about?

16 A. Hundreds of people. Hundreds of people saw it.

17 Q. How were hundreds of people able to see into this room and
18 see this happen?

19 A. You know, the way the lady was shouting, we all had to
15:07:48 20 focus our attention there because we were all afraid. It is so
21 scary.

22 Q. How many of the rebels took this lady into the living room
23 and raped her?

24 A. Three of them.

15:08:14 25 Q. What was the fourth rebel doing while the three were raping
26 the lady in the living room?

27 A. He was holding the gun pointing it upwards and I think
28 preventing nobody to run away or so. He was with us.

29 JUDGE SEBUTINDE: Ms Hollis, I notice that the answer the

1 witness gave has not been recorded. I don't know - you asked how
2 many rebels took this lady and what follows is indiscernible. I
3 hope that the record will be corrected to indicate that she said
4 three rebels raped this woman.

15:08:48 5 MS HOLLIS: Thank you, Justice Sebutinde:

6 Q. And just to be absolutely sure for the record, Madam
7 Witness you indicated how many rebels took this woman inside and
8 raped her?

9 A. Three of them.

15:09:04 10 Q. What happened after these three rebels raped this woman?

11 A. They left her lying down.

12 Q. And after the three of them left her lying down, what did
13 the rebels do then?

14 A. They went away. Four of them left the village and went

15:09:29 15 away.

16 Q. Now before they left, did they say anything to you people
17 in this area?

18 A. No.

19 Q. What was the woman's condition after the rapes?

15:09:48 20 A. She was crying. She was just lying down on the floor,

21 blood all over her clothes. She was helpless.

22 Q. Now, did this lady talk to you after the rapes?

23 A. Yes, she said she just wanted to die.

24 Q. What was the reaction of the people in the location after
15:10:26 25 the rebels had committed these acts and then gone?

26 A. We were all afraid and - we were all afraid. The elders
27 didn't know what to do and we - for us, the young ladies, we had
28 to dress ourselves up like old ladies for them - for us not to be
29 identified.

1 Q. Was that successful?

2 A. It was not at all. It was not successful.

3 Q. Now after this had happened in this location on that day,
4 did you try to run away from this location?

15:11:14 5 A. No.

6 Q. Why not?

7 A. They were all over. They were all over. If you go anyway
8 you will meet them on the way and we don't know what the
9 repercussion of that may be.

15:11:32 10 Q. Now, after this incident where four --

11 JUDGE SEBUTINDE: "They" meaning who, Ms Hollis?

12 THE WITNESS: The rebels. The juntas.

13 MS HOLLIS:

14 Q. Now, after this incident where this lady was raped by the
15:11:46 15 three rebels, did the rebels return again to your location?

16 A. The next day they came back. The next day.

17 Q. And this time how many of them came?

18 A. Three. Three came.

19 Q. How were they dressed?

15:12:10 20 A. The same dressing, the combat trousers and the jackets.

21 The same.

22 Q. What was their gender?

23 A. Male. They were all male.

24 Q. Did you recognise any of them?

15:12:23 25 A. No.

26 Q. Now, when these three came to your location did they say
27 anything when they came?

28 A. Yes.

29 Q. What did they say?

1 A. They said they are Sankoh rebels, they are Charles Taylor
2 rebels and why were we running away from them.

3 Q. Did you understand what they meant when they asked why you
4 were running away from them?

15:12:57 5 A. We did not understand what they meant.

6 Q. Now, what happened after these three rebels came back to
7 your location?

8 A. They took a little girl and raped her. They burnt - first
9 of all they burnt another house as they were coming, they fired
10 gunshots and they raped that little girl that day.

11 Q. Now, when the rebels came the first day and came back the
12 second day, did anyone in your location try to fight against
13 them?

14 A. No.

15:13:46 15 Q. To your knowledge, at that time were there any fighters in
16 that location? Any government troops or other fighters?

17 A. No.

18 Q. Now, you said that they raped a little girl. What was the
19 age of this little girl if you know?

15:14:13 20 A. Yes, she was 13. She was 13 years old at that time.

21 Q. And where did this rape occur?

22 A. In the same location, in the living room. They did the
23 same as they did the previous day. They gathered all of us and
24 they took her into the living room and they rape her.

15:14:37 25 Q. How many of them took her into the living room to rape her?

26 A. All three of them. All three.

27 Q. Now, where were you when this - these rapes were taking
28 place?

29 A. We were all gathered outside. We were all gathered

1 outside.

2 Q. And how are you able to know what they were doing inside
3 the room with this girl?

4 A. We were able to know because she was shouting. She was
15:15:10 5 shouting. She was crying and we saw what was happening because
6 it was not so far. The living room and the veranda was not so
7 far, so we had to see it.

8 Q. Now you mentioned a veranda. What is the importance of the
9 veranda?

15:15:33 10 A. The veranda is out - it's in front of the house.

11 Q. And was anyone on the veranda?

12 A. Yes, they gathered us at the veranda.

13 Q. Now, while they were --

14 MR MUNYARD: Your Honour, I am sorry to interrupt, but I
15:15:52 15 would just like some - I haven't picked up with the witness has
16 said and what is on the transcript doesn't make a lot of sense.
17 On my font page 114, line 16 and 17. "The living room and the
18 veranda was not ... we had to see it". I didn't catch the
19 witness's full sentence and I don't understand what that means
15:16:18 20 and I wonder if it could just be explained.

21 MS HOLLIS:

22 Q. Now, could you explain again please. You said that the
23 veranda - that the living room and the veranda was not at - I
24 though she said "so far"?

15:16:47 25 JUDGE LUSSICK: She said "so far", that's correct, yes.

26 MS HOLLIS:

27 Q. So, when you are talking about this veranda, can you tell
28 us what that is? Was it attached to the house? Was it separate
29 from the house? Could you explain that?

1 A. It is attached to the house.

2 Q. And you and how many people were on this veranda?

3 A. Me and our family, together with my family.

4 Q. And the other people in the village who had been gathered,
15:17:22 5 where were they when this rape was happening?

6 A. They were just outside. Like the veranda is attached to
7 the main house and they were out of the veranda, so we were
8 close. We were closer to each other.

9 Q. Now, the people that were with you on the veranda, to your
15:17:48 10 knowledge were they able to see what was happening in this room?

11 A. Yes.

12 Q. What was the gender of the people with you on the veranda?

13 A. Male and female.

14 Q. And what were the ages?

15:18:06 15 A. As young as three months old and as old as 50 years old.

16 Q. What was your reaction as you saw what was happening in
17 this room to this young girl?

18 A. I was afraid and I was praying that such must not happen to
19 me. Very frightened.

15:18:37 20 Q. Now, what happened after these three rebels raped this
21 young girl?

22 A. The young girl, they had to deflower her and she was having
23 blood all over her clothes, the clothes were torn and she was
24 crying. She was not even able to walk at all.

15:19:19 25 Q. And, Madam Witness, what did the rebels do after these
26 rapes occurred?

27 A. They went away.

28 Q. Did they say anything to you as they left?

29 A. No, they did not say anything.

1 Q. Did they explain why they burned the house, or the building
2 that they burned?

3 A. No.

15:19:50

4 Q. Now, after this incident, did the rebels return again to
5 your location?

6 A. Yes.

7 Q. When was that?

8 A. The other day. They came back the other day.

15:20:05

9 Q. I am sorry, I don't understand "other day". What do you
10 mean "other day"?

11 A. The following day.

12 Q. And how many of them came back the following day?

13 A. Five of them.

14 Q. How were they dressed?

15:20:23

15 A. That day some were dressed in combat trousers and the
16 jackets and the other one was having the jean trousers and the
17 jacket.

18 Q. And what was the gender of these five who came back to your
19 location?

15:20:42

20 A. They were all male.

21 Q. Did they say anything when they came to your location?

22 A. Yes.

23 Q. What did they say?

15:20:59

24 A. They said they are - the same words, that they are RUF
25 rebels, they are junta fighters and that they are Sankoh rebels.

26 Q. And what happened after they came back to your location on
27 this occasion?

28 A. They burnt down the chief - one man's house and they put
29 the man outside the house and they light a candle and they placed

1 the candle under the man's scrotum. The man was having a
2 condition called hydrocele. They had to light the candle and
3 place it under his scrotum.

4 Q. Now, did you say he had a condition called hydrocele?

15:21:55 5 A. Hydrocele, yes.

6 Q. Could you help us with spelling that, please?

7 A. It's H-Y-D-R-O-C-E-L-E.

8 Q. What is this condition?

9 A. It is a sort of accumulation of fluid in the scrotum sack.

15:22:18 10 Q. And you said that they lit a candle and placed it under his
11 scrotum. How many of the rebels did that?

12 A. Two of them.

13 Q. And were they saying anything while they were doing that?

14 A. They were laughing while the man was crying. They were
15 laughing. They were just laughing at the man, the old man.

16 Q. How old was this man that they were doing this to?

17 A. He was over 60 years old.

18 Q. And where were you when they were doing this to the old
19 man?

15:23:05 20 A. We were gathered, you know, when they - any time they came
21 they gathered us outside, so we were outside and the man's house
22 was opposite our own - the house that we were living at that
23 time, so we had to see because it is outside the house and the
24 house was burning.

15:23:27 25 Q. And how many people were watching or were able to see what
26 was happening to this old man?

27 A. All. All of us, because the whole - all of us, because we
28 were all gathered in one location. All of us can see it.

29 Q. Now, you said that it was two of the rebels who were doing

1 this and I believe you said that it was five rebels who came to
2 the village. Where were the other three rebels when the two
3 rebels were doing this to the old man?

4 A. The other three also were - they were raping another girl.

15:24:13 5 Q. And where was this rape taking place?

6 A. It was taking place in the living room of our own house.

7 Q. Now, you have talked about rapes occurring in a living room
8 on two other occasions. Is it the same living room, or a
9 different living room?

15:24:38 10 A. They always used that same living room. I don't know why.

11 Q. Now, how were you able to see what they were doing in that
12 living room with this girl?

13 A. She was shouting, you know, and we were able to see because
14 we were just outside. The door was open. I think they do it
15 deliberately for us to see what they are doing. The door was
16 always open.

17 Q. And how were you able to see the rape as well as what they
18 were doing to this old man?

19 A. The two houses were opposite. They were opposite. We can
15:25:25 20 see the old man outside the house and we can hear the lady crying
21 and we can see her because the door was open, not a closed door.

22 Q. Now, this lady that was being raped by these three rebels,
23 how old was she?

24 A. She was 16 at that time, 16 years old.

15:25:57 25 Q. Now, what happened after this female was raped by the three
26 rebels?

27 A. They took her away and two others.

28 Q. And how many of the rebels took her away?

29 A. All five of them that came that day took her away and the

1 two others. They went together.

2 Q. What was this female's condition after this rape?

3 A. She was in excessive pain and the clothes was all having
4 blood, not even able to walk properly.

15:26:45 5 Q. And before she was taken away, was she allowed to change
6 her clothes?

7 A. No, no.

8 Q. Now you said she was taken away and others were taken away.
9 How many others were taken away when she was taken away?

15:27:06 10 A. Two others.

11 Q. And what were the ages of the others that were taken away?

12 A. The male was ten years old and the female was 16 also. 16
13 years old.

14 Q. And what was the reaction of the rape victim and these
15:27:26 15 other two as they were being taken away?

16 A. They were crying as they were going. They were crying and
17 you can see that they were not happy of where they were being
18 taken to. They were crying.

19 Q. And did you hear the rebels say anything as they were
15:27:49 20 taking them away?

21 A. No.

22 Q. Now the old man that they put the candle - lit the candle
23 and put it under his scrotum, what happened to him?

24 A. He died later.

15:28:09 25 Q. When you say he died later, how much later did he die?

26 A. The same day, the evening, he died.

27 Q. Did the rebels come back again to this location?

28 A. Yes, they came back the following day.

29 Q. And what happened the following day when they came back?

1 A. Three came in the morning and took two girls away.

2 Q. Now when they came in the morning, how many of them came?

3 A. Three of them came in the morning.

4 Q. And what were they wearing?

15:28:58 5 A. The same - the same clothing, the combat trousers and the
6 jackets. They always dress like that.

7 Q. And what was the gender of the three who came?

8 A. They were male. They were all male.

9 Q. Did you recognise any of these three?

15:29:17 10 A. No.

11 Q. When they came, did they say anything before they took
12 these two away?

13 A. Yes, they said they are taking one of the ladies for their
14 boss.

15:29:38 15 Q. Did they tell you who the boss was?

16 A. Yes.

17 Q. Who was the boss?

18 A. They call him CO Koko [phon].

19 Q. What were the ages of these two girls?

15:29:56 20 A. They were 14 and 18 years old.

21 Q. Before they took them away did they do anything, the
22 rebels?

23 A. No.

24 Q. When they took them away, did they, the rebels, say
15:30:18 25 anything as they were taking them away?

26 A. They just said they were taking the older one who was 18
27 years old for their boss, CO Koko.

28 Q. Now after they took these two girls away, did anything else
29 happen at your location that day?

1 A. Yes.

2 Q. What happened?

3 PRESIDING JUDGE: Madam Witness, are you all right? Do you
4 feel all right? Yes. Is that what you are nodding, yes?

15:30:58 5 THE WITNESS: Yes.

6 PRESIDING JUDGE: Very good. I will ask Ms Hollis to put
7 the question again.

8 MS HOLLIS:

9 Q. So, Madam Witness, after these rebels came and took two
15:31:14 10 girls away, you said something else happened that day. What
11 happened?

12 A. They came back in the afternoon.

13 Q. And how many came back in the afternoon?

14 A. There were more than ten of them.

15:31:31 15 Q. Did you recognise any of them?

16 A. No.

17 Q. And what were they wearing?

18 A. They were wearing the same uniform, the same clothing.

19 Q. And what was the gender of the ten who came back?

15:31:53 20 A. They were all male.

21 Q. Did you recognise any of the ten?

22 A. No.

23 Q. What happened when these ten came back in the afternoon?

24 A. They asked a lady to prepare a lamb for them, but the lady
15:32:20 25 was not having the ingredients so they had to flog her.

26 JUDGE SEBUTINDE: To prepare a what?

27 THE WITNESS: A sheep.

28 MS HOLLIS:

29 Q. You said that they flogged her. What do you mean they

1 flogged her?

2 A. They were having cords and they beat her. They beat her
3 up.

4 Q. You said they had cords?

15:32:49 5 A. Yes, rope that they tied - they tied in twos or threes and
6 they used it to flog her, to beat her up.

7 Q. Did this lady suffer injuries as a result of this beating?

8 A. Yes.

9 Q. And what injuries did she suffer?

15:33:13 10 A. She was having marks all over her back and the arm also was
11 swollen.

12 Q. And how do you know that?

13 A. I can see.

14 Q. And what happened after they flogged this lady? Excuse me,

15:33:35 15 let me ask you first what was the age of this lady?

16 A. She was 48.

17 Q. And what happened after they flogged her?

18 A. They took the lamb with them - they took the sheep, the
19 meat. They killed the sheep and they took the meat with them.

15:33:57 20 Q. And how many of the rebels took the meat with them?

21 A. Four of them.

22 Q. And what did the others do after these four took the meat?

23 A. Five of them took me. They raped me.

24 Q. And where did this happen?

15:34:37 25 A. In the living room.

26 Q. And when you say the living room, you are talking about the
27 living room of what house?

28 PRESIDING JUDGE: Madam Witness, do you need a short break?

29 THE WITNESS: Yes.

1 PRESIDING JUDGE: If you can explain what you need. Madam
2 Witness, we will give you a short break in the hope you will feel
3 a little bit better. Can you tell us, ten minutes? Five
4 minutes?

15:36:00 5 THE WITNESS: Five minutes.

6 PRESIDING JUDGE: Very well. We will now adjourn for five
7 minutes, but before we reconvene we will ask Madam Court
8 Attendant to check with you if you are ready to proceed. Please
9 adjourn court.

15:36:18 10 [Break taken at 3.37 p.m.]

11 [Upon resuming at 3.55 p.m.]

12 PRESIDING JUDGE: Madam Witness, I hope you are feeling
13 better.

14 THE WITNESS: Yes.

15:55:33 15 PRESIDING JUDGE: Good. Could we also ask you to speak
16 closer and a little louder into the microphone. Everything you
17 say is being written down and the people doing so have to hear
18 you clearly.

19 THE WITNESS: Okay.

15:55:46 20 PRESIDING JUDGE: Ms Hollis, please proceed.

21 MS HOLLIS: Thank you, Madam President:

22 Q. Madam Witness, when these five rebels were with you, were
23 there any other people present?

24 A. The other people were outside the main house.

15:56:19 25 Q. These five rebels who were with you, did you know what the
26 age range of these rebels was?

27 A. From 15 to 25 years old.

28 Q. And are you estimating this, or how do you know this?

29 A. I am just estimating it.

1 Q. Now, you had testified earlier that ten came to the
2 location, four went away, six remained. You said five were with
3 you. Do you know where the sixth rebel was when these five were
4 with you?

15:56:56 5 A. He was outside with the people.

6 Q. Did he do anything to try to stop what was happening to
7 you?

8 A. I did not understand you properly.

9 Q. This sixth rebel outside, did he do anything to try to stop
15:57:14 10 what was happening to you?

11 A. No.

12 Q. Now, what happened after these five rebels raped you?

13 A. They took me away.

14 Q. What was your condition after these rapes?

15:57:37 15 A. I was weak, my clothes were torn off and it was having
16 blood on it.

17 Q. Now, when the rebels took you away, did they say anything?

18 A. Yes.

19 Q. What did they say?

15:58:01 20 A. They said they are taking me for their boss.

21 Q. Did they say who their boss was?

22 A. Yes.

23 Q. Who was that?

24 A. They said they are taking me for their boss, Superman.

15:58:17 25 Q. Do you recall the day in March that this happened to you?

26 A. Yes, it was on March 12, 1998.

27 Q. Now, you said that they took you away. Where did you go?

28 A. To Koidu Town.

29 Q. And how did you travel from your location to Koidu Town?

1 A. We travelled on foot.

2 Q. Did you have any difficulty as you were travelling from
3 your location to Koidu Town?

4 A. Yes.

15:58:58 5 Q. What was your difficulty?

6 A. I was unable to walk that distance, because I had not been
7 used to it and again I was feeling pain and I was having
8 discomfort.

9 Q. Now, did the rebels say or do anything when you were unable
15:59:23 10 to walk that distance?

11 A. Yes, they said it's two things - it's two things; either I
12 go, or they kill me.

13 Q. What happened when you arrived in Koidu?

14 A. They took me to a compound, to that Superman's compound.

15:59:49 15 Q. And how did you know that it was Superman's compound?

16 A. One of the rebels addressed him. He greeted him and told
17 him that they have brought a wife for him.

18 Q. And how was it that the rebel addressed this man that you
19 knew it was Superman? What did he say to him to make you know
16:00:13 20 that?

21 A. He said, "CO Superman, good evening".

22 Q. When the rebel said he had brought a wife for Superman,
23 what was Superman's reply?

24 A. He said he doesn't want any wife; they must take me away.

16:00:39 25 Q. And did they take you away?

26 A. No.

27 Q. Where did you go?

28 A. They brought me to a certain hall, a big house, filled with
29 other people.

1 Q. And this house, was it located in Superman's compound or
2 somewhere else?

3 A. Yes, it was located in the same compound, in Superman's
4 compound.

16:01:06 5 Q. You said there were other people in this hall or big house.
6 You said it was filled with other people. These other people,
7 what was the gender of these other people?

8 A. Male and female.

9 Q. And what happened then when you were taken to this hall or
16:01:26 10 this big house filled with these other people?

11 A. Yes, one of the rebels told me that since Superman said he
12 doesn't want any wife they are going to kill all of us.

13 Q. And what happened after the rebel told you that?

14 A. One of them took a lady and killed - put her on the wall
16:01:58 15 and killed her with a gun.

16 Q. And where were you when that happened?

17 A. I was in the same hall, the same place.

18 Q. And after the rebel killed this lady, what did the rebel do
19 then?

16:02:20 20 A. The rebel just told us that this is the way they are going
21 to kill all of us.

22 Q. Now, what did you do after this lady was killed?

23 A. We were all afraid. We were just there and at night I just
24 took upon myself to try to escape because I was afraid.

16:02:52 25 Q. And what did you do to try to escape?

26 A. At night nobody was with us, no rebel was with us, so I
27 came out of the hall, the place that they put all of us, and take
28 the same route that we took when we were coming inside the town.

29 Q. Now, how were you able to get out of the compound?

1 A. I was able to get out, because all of them were asleep at
2 that time. I guess so. Nobody saw me going out of the compound.

3 Q. And you said that you took the same route that you took
4 when you were coming inside the town. How far did you get on
16:03:45 5 that route?

6 A. I did not go too far.

7 Q. What happened?

8 A. I saw a vehicle coming, the light of a vehicle coming, so I
9 had to hide myself in the bush and when the vehicle approached

16:04:08 10 where I was staying it stopped, because I was frightening, and

11 later did I know that they at least saw me or so, they stopped

12 the vehicle near the same place I was hiding inside the bush and

13 one of them said that I should - "Oh, who is that?" One of them

14 ordered me to come out of the bush. I did not at first and the

16:04:43 15 other one said - I heard the other one saying, "If you do not

16 come out of this bush, I will kill you". I felt I had to come

17 out, so I came out.

18 Q. And what happened after you came out?

19 A. One of them saw me and they asked where I am coming from

16:05:16 20 and where I am going. I said I am coming from Koidu Town, I am

21 going to previous location that they took me from. The other one

22 said, "This night if you try to go you will be dead". And the

23 other one asked my name and I announced my name to him and he

24 recognised me because he said he knew my --

16:05:44 25 Q. Now be careful not to say anything that would identify you.

26 A. Yes, the man recognised me immediately.

27 Q. How many were there who were there and had called you to
28 come out of the bush, how many people?

29 A. Four of them in the vehicle.

1 Q. And did you know what group or groups they were with?

2 A. Yes, they were all RUF rebels.

3 Q. And the one who recognised you, what was he?

4 A. He was also an SLA. He was an SLA junta.

16:06:29 5 Q. Now, after you came out and they talked to you, what
6 happened then?

7 A. The man said let me not go back to my previous location
8 because I will be dead and he said I must follow them, so they
9 took me into - put me into the vehicle and they brought me back

16:06:54 10 to Koidu Town.

11 Q. And what happened after they took you back to Koidu Town?

12 A. The man said I shall stay at this place.

13 Q. And which of these men was it who said that?

14 A. The SLA junta.

16:07:15 15 Q. And how long did you remain at his place?

16 A. I did not spend more than an hour there. More than an hour
17 - I did not spend more than an hour at his place.

18 Q. And what happened then?

19 A. The person that took me previously asked for me, that the
16:07:45 20 man should hand me over to him.

21 Q. And did that happen?

22 A. Yes.

23 Q. And what happened then after you were handed over?

24 A. He took me at his place.

16:08:04 25 Q. Now, this place was located where, in Koidu Town or out of
26 Koidu Town?

27 A. In Koidu Town.

28 Q. How long did you remain at this place in Koidu Town?

29 A. I was there until August of that same year.

1 Q. Now, Madam Witness, at this place that you were that you
2 remained until August of that same year, were there other people
3 at that place with you?

4 A. Yes.

16:08:47 5 Q. How many other people?

6 A. There were 13 girls and excluding the rebels and their
7 wives. 13 other girls. Me and 13 other girls.

8 Q. And these 13 other girls, did you learn their ages or age
9 ranges?

16:09:19 10 A. Yes, I can just give you the age ranges.

11 Q. Please.

12 A. About 12 to 25.

13 Q. Now, you talked about rebels and their wives. How many
14 rebels were in this location that you were at?

16:09:43 15 A. Seven of them.

16 Q. These 13 other girls or women who were there at this place
17 with you, did you learn how they came to be there in this place
18 with you?

19 A. Yes.

16:10:08 20 Q. How did that happen?

21 A. All of them told me that they are captives. They were all
22 abducted.

23 Q. And did you learn where they were from originally?

24 A. Around Kono District.

16:10:28 25 Q. While you were at this place until August - about August,
26 did you have any duties there?

27 A. Yes.

28 Q. And what were your duties?

29 A. We did the cooking, we pound husk rice and we were wife to

1 them.

2 Q. You said you pounded husk rice?

3 A. Yes.

4 Q. H-U-S-K?

16:11:01 5 A. Yes.

6 Q. Now, did you choose which of these duties you performed?

7 A. No.

8 Q. Did you ever refuse to do any of these duties?

9 A. No.

16:11:17 10 Q. Why not?

11 A. I was afraid. I was afraid not to be killed.

12 Q. Now, you indicated that among your duties you were a wife
13 to them. "We were wife to them". What do you mean when you say
14 that among your duties you were wife to them?

16:11:47 15 A. Yes, because apart from the one I was staying with, any
16 time anyone can just two - I can remember two of them take me.

17 Q. You don't have to go into detail, but can you tell us what
18 that meant to be a wife to someone?

19 A. They have sexual intercourse with us.

16:12:26 20 Q. Now, you have indicated that "we" and "us". These other
21 females that were there with you, to your knowledge were any of
22 them also wives in this sense?

23 A. Yes.

24 Q. How many?

16:12:44 25 A. Five of them. Me, including five of them.

26 Q. Now, during this time you were there and you had these
27 duties as a wife, did you consent to this sort of conduct?

28 A. No.

29 Q. Did you ever refuse?

1 A. No.

2 Q. Why not?

3 A. I was afraid of the consequences.

4 Q. While you were in this place in Koidu that you stayed until

16:13:28 5 August, did you ever leave that place? Did you ever leave this
6 place you were living?

7 A. No.

8 Q. Why not?

9 A. They categorically told us that we are not supposed to go
16:13:45 10 out of that compound.

11 Q. Now, you said you didn't leave. Did any of these other
12 females there ever leave this compound?

13 A. Not to my knowledge, no.

14 Q. While you were in this compound, did you ever try again to
16:14:08 15 escape?

16 A. No.

17 Q. Why not?

18 A. I was afraid because he told me that if I tried to do what
19 I did he will kill me.

16:14:32 20 Q. Now without giving a name, when you say he told me if you
21 tried to do what you did he will kill me, who is the person that
22 you are talking about?

23 A. The one that took me from my previous location from that
24 village.

16:14:53 25 Q. You have testified that when you first came to Koidu you
26 were taken to a man who was identified as CO Superman?

27 A. Yes.

28 Q. While you were in Koidu, did you learn the names of any
29 other commanders in Koidu Town?

1 A. Yes.

2 Q. Who?

3 A. Gogomeh, Five-Five, Gibri I Massaquoi .

4 Q. Now Gogomeh, is that spelled G-O-G-O-M-E-H?

16:15:58 5 A. I cannot tell you the correct spelling, but I think that
6 sounds better.

7 Q. Now, this Gogomeh did you know what group he belonged to?

8 A. RUF.

9 Q. And you mentioned a Five-Five. Did you know Five-Five by
16:16:19 10 any other name?

11 A. No.

12 Q. Did you know what group Five-Five belonged to?

13 A. Yes, the SLA junta.

14 Q. And you mentioned Gibri I Massaquoi ?

16:16:50 15 A. Yes.

16 Q. Do you know what group he belonged to?

17 A. RUF rebel .

18 Q. Did you ever learn what Superman's group was?

19 A. Yes.

16:17:10 20 Q. Now, you mentioned that when you were in Superman's
21 compound that a rebel came in and said because Superman didn't
22 want you that you would be killed and he killed a woman. Did you
23 learn what happened to any of the other people in that compound
24 after you had left?

16:17:30 25 A. Yes.

26 Q. What did you learn?

27 A. I learnt that they were all killed.

28 Q. Now, you testified that you were in Koidu until about
29 August of that same year. Why did you leave Koidu?

1 A. I left because they told me to do so.

2 Q. And did they tell you why you were leaving Koidu?

3 A. Yes, they said because of the jet and that the ECOMOG
4 soldiers are coming to their location that we must leave Koidu
16:18:30 5 Town.

6 Q. Did they explain what they meant when they said because of
7 the jet?

8 A. Yes, the jet - yes.

9 Q. What did they explain about the jet?

16:18:49 10 A. One afternoon we saw a jet, a plane, passing up, flying
11 around, so they said it is sort of reconnaissance plane so they
12 have to move out of that location.

13 Q. How many people left Koidu Town when you left?

14 A. Hundreds of people.

16:19:21 15 Q. And these hundreds of people who left, what was the
16 composition of this group?

17 A. Civilians, rebels, SLA juntas and wounded rebels and SLA
18 juntas.

19 Q. Where did you go from Koidu?

16:19:47 20 A. We went to Kailahun Town.

21 Q. And how did you travel from Koidu to Kailahun Town?

22 A. We travelled on foot.

23 Q. The civilians who travelled from Koidu to Kailahun Town,
24 did they have any duties to perform as they moved from Koidu to
16:20:13 25 Kailahun Town?

26 A. Yes.

27 Q. What were the duties?

28 A. Some of us were carrying loads on our heads, some were
29 carrying the wounded soldiers, some were carrying box of

1 ammunitions on their heads.

2 Q. Did anything happen to any of these civilians who were
3 carrying these loads as you moved from Koidu to Kailahun Town?

4 A. Yes.

16:20:45 5 Q. What happened?

6 A. A little boy was carrying a box of ammunition and I think
7 it was too heavy for him. He had to stop and they ordered him to
8 move on. He cannot, so they had to kill him.

9 Q. Do you know the age of this boy?

16:21:13 10 A. About 12 years old.

11 Q. And who was it who ordered him to move on?

12 A. One rebel.

13 Q. And who killed him?

14 A. The rebel killed him.

16:21:31 15 Q. Now, the rebels and the junta SLA, were they carrying
16 anything as you moved from Koidu to Kailahun Town?

17 A. Yes, they were carrying their guns.

18 Q. How long did it take you to make this trip?

19 A. Two and a half days.

16:21:57 20 Q. This group of people, were you organised in any way as you
21 moved from Koidu Town to Kailahun Town?

22 A. Yes, we were put in groups.

23 Q. And did each group have a leader?

24 A. Yes, each group had a leader.

16:22:20 25 Q. And the leader was who?

26 A. The overall leader was Superman.

27 Q. And who were the other leaders?

28 A. I only knew the leader of my own group, who was - who was
29 Gogomeh.

1 Q. Now, when you arrived at Kailahun Town - and just for
2 clarity on the record, Kailahun Town is in what district?

3 A. It is in Kailahun District.

4 Q. Do you recall what month it was that you arrived in
16:23:09 5 Kailahun Town?

6 A. Yes, it was in August.

7 Q. And what year?

8 A. 1998.

9 Q. How long did you remain in Kailahun Town?

16:23:24 10 A. We were there until September. It was still in the rainy
11 season, less than two months.

12 Q. And where did you live in Kailahun Town?

13 A. I stayed at Gogomeh's place.

14 Q. Now who decided where you would live in Kailahun?

16:23:57 15 A. He, Gogomeh, decided.

16 Q. Did you have any choice in that matter?

17 A. No.

18 Q. Were any others there in Gogomeh's compound?

19 A. Yes.

16:24:10 20 Q. How many others?

21 A. Five of us, the captives, and a female rebel and three
22 other rebels.

23 Q. The five of you who were captives, what was the gender of
24 the other four?

16:24:41 25 A. We were all female.

26 Q. Now, you testified that there were 13 of you where you were
27 in Koidu. What happened to the others who had been with you in
28 Koidu?

29 A. They said they had to take them to Buedu. The rebels said

1 they are taking them to Buedu.

2 Q. Now, of this group that went from Koidu to Kailahun Town,
3 can you recall how many of them went on from Kailahun Town to
4 Buedu?

16:25:27 5 A. I think it was eight of them. Eight of them went. Eight
6 of them, because five of us stayed.

7 Q. And you said that --

8 A. Eight captives went with the other rebels to Buedu.

9 Q. And you said that hundreds of people went from Koidu Town
16:25:46 10 to Kailahun Town. Of those hundreds of people, can you tell us
11 how many of them went on from Kailahun Town to Buedu?

12 A. I cannot tell the exact number.

13 Q. While you were in Kailahun Town, did you have any duties
14 there?

16:26:10 15 A. Yes.

16 Q. What were your duties?

17 A. We cook, we wash, we do the washing up of their clothes and
18 we were wives also.

19 Q. When you said you did the washing up of their clothes,
16:26:33 20 whose clothes were you washing?

21 A. The rebels, both the female rebel and the males.

22 Q. While you were there in Kailahun Town, did you ever leave
23 the place where you were living?

24 A. Yes.

16:26:55 25 Q. How many times?

26 A. Two times.

27 Q. And why did you leave the place on those two times?

28 A. The female rebel asked me to accompany her to shop to get
29 some food items.

1 Q. And on these two occasions, how long would you be gone from
2 the place where you were living?

3 A. For two hours.

16:27:32

4 Q. Now, when this female rebel asked you to go with her, did
5 you have a choice in that matter?

6 A. No, no.

7 Q. Do you recall anything happening on these two occasions
8 when you left from the place that you were living to go with the
9 female rebel?

16:27:51

10 A. Yes, the first time we went out she took me to another
11 location and there was this man sitting down. He was having a
12 bowl of some stuff that he claimed it to be a heart, a heart of a
13 Kamajor. It was in the bowl and he was eating it.

14 Q. Now, who claimed that to be the heart of a Kamajor?

16:28:28

15 A. The rebel that was - that has the bowl on his legs.

16 Q. Did you learn who that rebel was?

17 A. I cannot remember his name, but he was an RUF rebel and he
18 had the sound of a Liberian accent when he was talking to us.

19 Q. How did you know that he was an RUF rebel?

16:28:56

20 A. The lady told me.

21 PRESIDING JUDGE: Ms Hollis, I note the time. I trust this
22 is a convenient - is there some --

23 MS HOLLIS: One last question.

24 PRESIDING JUDGE: Yes, please ask it.

16:29:11

25 MS HOLLIS:

26 Q. You said he had a Liberian accent when he talked. Could
27 you tell us what you mean by that?

28 A. Yes, it was - he did not talk like a Sierra Leonean. He
29 talked in the Liberian dialect, the broken English.

1 PRESIDING JUDGE: Thank you. Madam Witness, it's now time
2 for our normal adjournment for the day. We will close the Court
3 now and resume court tomorrow at 9.30. I must advise you that
4 now you have taken the oath to tell the truth, you must not
16:29:47 5 discuss your evidence with any other person. Do you understand
6 this?

7 THE WITNESS: Yes, I understand.

8 PRESIDING JUDGE: Very good. Please adjourn court until
9 9.30. Madam Witness, you must remain where you are until the
16:30:02 10 curtains are put down.

11 THE WITNESS: Okay.

12 [Whereupon the hearing adjourned at 4.30 p.m.
13 to be reconvened on Thursday, 18 September 2008
14 at 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

MOHAMED KABBAH	16404
CROSS-EXAMINATION BY MR GRIFFITHS	16404
RE-EXAMINATION BY MR SANTORA	16451
TF1-189	16479
EXAMINATION-IN-CHIEF BY MS HOLLIS	16489