



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 1 OCTOBER 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 Doreen Kiggundu
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Stephen Rapp
Mr Nicholas Koumjian
Mr Mohamed A Bangura
Mr Alain Werner
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 1 October 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:24:35 5 PRESIDING JUDGE: Good morning. Good morning, Ms Howarth.
6 Appearances?

7 MS HOWARTH: Good morning, Madam President. Good morning,
8 your Honours. Good morning, counsel opposite. For the
9 Prosecution this morning, Mr Alain Werner, Ms Maja Dimitrova and
09:29:06 10 myself, Ms Kathryn Howarth.

11 MR ANYAH: Good morning, Madam President. Good morning,
12 your Honours. Good morning, counsel opposite. Appearing for the
13 Defence are Courtenay Griffiths QC, Mr Terry Munyard and myself,
14 Morris Anyah.

09:29:17 15 PRESIDING JUDGE: Thank you, Mr Anyah. I note there is no
16 witness on the stand.

17 MS HOWARTH: Your Honour, the witness that will be called
18 this morning is TF1-233. He will testify in Temne and his wish
19 it to testify in open session. In that regard there is an
09:29:35 20 application by the Prosecution which I hope won't take too long.
21 It's an application for rescission of protective measures.

22 I am fully cognisant of your Honours' decision on Monday in
23 relation to TF1-160. Like TF1-160 this witness was granted
24 protective measures by virtue of that decision of 5 July 2004 as
09:30:07 25 a category 1 witness, witness of fact, and a screen and pseudonym
26 was granted. As I said, I am cognisant of your Honours' earlier
27 ruling on this, however we feel technically that we need to
28 formally ask for rescission of those protective measures. So that
29 is the application.

1 JUDGE SEBUTINDE: The witness TF1-060.

2 MS HOWARTH: I'm grateful.

3 PRESIDING JUDGE: Mr Anyah, you are responding?

4 MR ANYAH: Yes, I have carriage of this witness for the
09:30:37 5 Defence. Your Honours are also well familiar with our position.
6 I think the initial issue arose in connection with TF1-215 and
7 your Honours have made a ruling and we stand consistent with our
8 position on this issue. In theory we have no objection to
9 recision, subject to arguments made previously.

09:30:54 10 [Trial Chamber conferred]

11 PRESIDING JUDGE: Thank you, Mr Anyah. As the parties have
12 acknowledged, the Chamber has made a ruling in relation to the
13 decision of 4 July and the majority decision was rendered and we
14 reiterate that decision. We note that in theory, shall I say,
09:31:29 15 these protective measures are now rescinded without prejudice to
16 our previous decision that it is redundant.

17 So the witness, for purposes of record, is going to give
18 his evidence in open session.

19 MS HOWARTH: Yes, Your Honour.

09:31:48 20 PRESIDING JUDGE: Very well. Please call the witness.

21 MS HOWARTH: I call TF1-233.

22 PRESIDING JUDGE: Mr Interpreter, are the Temne
23 interpreters in position?

24 THE INTERPRETER: Yes, your Honour. Thank you.

09:32:49 25 WITNESS: OSMAN JALLOH [Sworn]

26 EXAMINATION-IN-CHIEF BY MS HOWARTH:

27 Q. Good morning, Mr Witness.

28 A. Good morning.

29 Q. Are you hearing me in Temne?

1 A. Yes, I do hear you.

2 Q. Mr Witness, I want you to listen carefully to the questions
3 this morning and in your answers speak slowly and speak clearly.
4 Do you understand?

09:35:59 5 A. Okay. Okay.

6 Q. If there's something you don't understand then please say
7 so. Did you hear me?

8 A. Okay.

9 Q. And again if you need a break, say so too. Okay?

09:36:17 10 A. Okay. Okay.

11 Q. Can you please state your name?

12 A. My name is Osman Jalloh.

13 Q. Can you spell that, please?

14 A. Yes, sir.

09:36:38 15 Q. And please spell it?

16 A. O-S-M-A-N J-A-L-L-O-H, Osman Jalloh.

17 Q. And do you have any alias names?

18 A. Yes.

19 Q. And what's that?

09:37:08 20 A. Ojah Oju.

21 Q. How do you spell those?

22 A. O-J-A-H, Ojah, O-J-U, Oju.

23 Q. And do you know your date of birth?

24 A. Yes.

09:37:33 25 Q. What is it?

26 A. I was born on 25 December 1935.

27 Q. Where were you born?

28 A. In the Bombali District, Sanda Tendaren, Makarankay.

29 Q. And that last word that you said, is that a village?

1 A. Yes, it's a village. It's not that big, but now they call
2 it a town.

3 Q. And can you spell that for us?

4 A. Yes, I can spell it.

09:38:18 5 Q. Please do.

6 A. M-A-K-A-R-A-N-K-A-Y.

7 Q. And what ethnicity are you of?

8 A. I am a Fullah-lian by tribe.

9 JUDGE SEBUTINDE: What was the name just previously before
09:38:54 10 the village, perhaps a chiefdom? Was that Sanda?

11 MS HOWARTH: I can't see that on the LiveNote, but I can
12 ask him to clarify:

13 Q. What chiefdom?

14 A. Gbanty-Karamanka Chiefdom. Two chiefdoms were amalgamated.
09:39:21 15 They have two chiefs.

16 MS HOWARTH: Does that clarify the point?

17 JUDGE SEBUTINDE: Yes, but we need the spellings of these.

18 MS HOWARTH: Yes:

19 Q. And can you please help us with the spellings?

09:39:38 20 A. Yes, Gbanty is G-B-A-N-T-Y dash K-A-R-A-M-A-N-K-A.
21 Gbanty-Karamanka.

22 Q. And what education have you had?

23 A. I'm not that educated. I went up to class 6. My people
24 did not have money to pay for me.

09:40:12 25 Q. And what languages do you speak?

26 A. The one that I speak more is Temne and the one I understand
27 a little bit is Fullah, because the place where I am born the
28 dominant tribe there is Temne. That is why I speak more Temne.
29 And, again, I can speak a little bit of English. These are the

1 four that I can speak.

2 Q. What languages do you read, if any?

3 A. Well, I think I can read and write English. I studied
4 Temne, but it has taken a long time. In 1954, that was the time
09:41:29 5 that I went to school. Well, now that I do not --

6 THE INTERPRETER: Your Honours, could the witness be
7 instructed to go a little bit slower.

8 PRESIDING JUDGE: Good morning, Mr Witness. Mr Witness,
9 the interpreter asks that --

09:41:43 10 THE WITNESS: Good morning. How do you do?

11 PRESIDING JUDGE: I am fine, thank God. The interpreters
12 ask that you speak a little slower because everything you say is
13 being interpreted and is being written down.

14 THE WITNESS: Okay.

09:42:07 15 PRESIDING JUDGE: We go back to your answer, which I think
16 has been completed and so please continue.

17 THE WITNESS: Okay.

18 MS HOWARTH:

19 Q. What family do you have?

09:42:22 20 A. I have six wives.

21 Q. How many wives do you have, Mr Witness?

22 PRESIDING JUDGE: He told us six.

23 MS HOWARTH: Sorry.

24 THE WITNESS: I used to have three. One died and the other
09:42:39 25 one left me because I have been amputated, so now I have only
26 one.

27 MS HOWARTH:

28 Q. Mr Witness, previously you just mentioned you have six
29 wives and you now say one. Can you just clarify. Do you have

1 six wives or do you have one wife now?

2 A. Yes, I used --

3 THE INTERPRETER: Your Honours, would the - the interpreter
4 would like the learned attorney to pose the question again

09:43:12 5 because I think there is some misunderstanding.

6 MS HOWARTH:

7 Q. Mr Witness, a moment ago you said you had six wives and
8 then you said just after you have one wife. So do you have six
9 wives, or one wife?

09:43:30 10 A. I have - I only have one wife. The other one had died and
11 I have only one that is surviving. This is what I am trying to
12 explain.

13 Q. How many children do you have?

14 A. I have eight. There used to be nine, but the one died.
09:43:52 15 The wife that left me gave birth to one and the one that I'm now
16 having gave birth to eight, so one died and now there are seven
17 in number.

18 MS HOWARTH: Madam President, perhaps for the purposes of
19 the record I should clarify that the Prosecution has been joined
09:44:14 20 by Mr Mohamed Bangura.

21 PRESIDING JUDGE: Thank you, I note that.

22 MS HOWARTH:

23 Q. Mr Witness, do you remember January 1999?

24 A. Yes.

09:44:28 25 Q. Where were you then?

26 A. Yes.

27 Q. Where were you then?

28 A. I was at Calaba Town.

29 Q. Where is Calaba Town?

1 A. It is in the east end of Freetown.

2 Q. What parts of Freetown is Calaba Town near?

3 A. It's towards the end of Freetown.

4 Q. And what happened to you in January 1999?

09:45:10 5 A. Okay, see what happened to me is I saw a lot of people and
6 they came - they came singing in Krio, singing, "We want peace.
7 We want peace", and whosoever was around should also join them in
8 singing and if you did not join them you will be beaten.

9 Q. Mr Witness, let me stop you there. You said you saw a lot
09:45:44 10 of people and they came.

11 A. Okay.

12 Q. What people are you referring to?

13 A. People that were mixed up, some of them were tall, some
14 were short, but, you see, when they started speaking I came to
09:46:08 15 know that they were people from Liberia.

16 Q. And are you able to say whether or not these people are
17 civilians?

18 A. Well, they wore clothing that was different. They did not
19 wear any combat.

09:46:30 20 Q. And what do you remember about what they were wearing?

21 PRESIDING JUDGE: Ms Howarth, I am sure I heard the witness
22 say "They did not wear any combat" and I note that the record at
23 page 8, line 16, seems to say "They did wear any combat". Can we
24 please clarify.

09:47:02 25 MS HOWARTH: Yes:

26 Q. Were they wearing combat clothes, or not?

27 A. They did not wear combat.

28 Q. And do you know if these people belonged to a group, or
29 not?

1 MR ANYAH: I am sorry to interrupt, Madam President. I
2 also heard the witness say "They wore civilian clothing" and I
3 don't see that on the record.

4 MS HOWARTH: The witness has answered, "They did not wear
09:47:27 5 combat", but I can certainly clarify.

6 THE WITNESS: This is what I can recall. They did not wear
7 any uniform.

8 MS HOWARTH: Is your Honour satisfied with the
9 clarification?

09:47:44 10 PRESIDING JUDGE: No, Mr Anyah's recollection was more
11 specific. Mr Anyah said the witness said, "They wore civilian
12 clothing" and so perhaps we can --

13 MR ANYAH: Yes, that's correct.

14 PRESIDING JUDGE: Please put that to the witness.

09:47:59 15 THE WITNESS: That was what I said. They wore mixed up
16 clothing. They don't wear any combat.

17 MS HOWARTH:

18 Q. And when did these people come to Calaba Town?

19 A. I cannot recall the time that they came, but when they came
09:48:28 20 they said, "We want peace. We want peace". They went to town.

21 Q. Do you know why they went to town?

22 A. Well, they went to town to tell the people that they wanted
23 peace so as to bring an end to the enmity that existed between
24 them.

09:49:00 25 Q. And do you know whether or not that group went to town?

26 A. Yes, they went to town.

27 Q. And when did they go to town?

28 A. All the time that they passed through us they did not spend
29 a night at Calaba Town. They went to town.

1 Q. What happened to you next?

2 A. I and my family, we were seated. We did not hide, because
3 when they came and told us that they wanted peace we did not know
4 that they were coming to cause trouble and so we don't hide.

09:49:56 5 Q. And what happened to you after that?

6 A. Well we were seated waiting for what would happen, because
7 when they passed through us we were seated and waiting to see
8 what would happen.

9 Q. And for how long were you waiting?

09:50:19 10 A. We waited for about two to three weeks. About two to three
11 weeks, around that.

12 Q. And what happened after that two to three weeks?

13 A. Well, I understood that the ECOMOG had been running after
14 these rebels in the town itself.

09:50:54 15 Q. Mr Witness, you said "these rebels". When you say "these
16 rebels", who are you referring to?

17 A. What I understand, because people had been saying that
18 these people came from Liberia, these rebels. Some had been
19 saying that these were the people that came from Liberia.

09:51:24 20 Q. Mr Witness, go back a bit. You are referring to the town.
21 Where do you mean when you say "the town"?

22 A. Okay, I'm talking about Freetown, within Freetown in the
23 city, because we - we were almost in the outskirts. In the city,
24 right in the heart of the city, there they went.

09:51:49 25 Q. So after these two or three weeks, what happened in
26 Calaba Town?

27 A. Well, we came to understand that the ECOMOG had been trying
28 to repel these people from town.

29 Q. What was happening in Calaba Town?

1 A. Well when we heard that they had been driven from town, you
2 see, we heard that they had gone to Wellington.

3 Q. When you say "they", who are you referring to?

4 A. I'm referring to the rebels, the rebels who had come
09:52:43 5 singing, "We want peace. We want peace". You see, they went
6 from Wellington and they went to Calaba Town.

7 Q. So you say that the rebels went to Calaba Town?

8 A. Yes, ma'am.

9 Q. What were you doing when the rebels went to Calaba Town?

09:53:13 10 A. We were in our compound and we saw people carry loads on
11 their heads, moving right up the hills. People went with their
12 wives and children and they went.

13 Q. When you say you saw people carrying loads, what people are
14 you referring to?

09:53:39 15 A. I'm referring to the rebels, who were running after people.

16 Q. What people were they running after?

17 A. The ECOMOG.

18 MR ANYAH: Madam President, I rise to make an observation
19 and to propose the possibility of another application in the
09:54:10 20 context of disclosures. All that this witness has testified to,
21 up until this point in time, the return of the rebels to
22 Calaba Town, was not disclosed to us in any document. I have
23 read all that was disclosed to us in respect of this witness. I
24 don't have any document that says the rebels passed through the
09:54:30 25 first time, went into some town and came back to Calaba Town. So
26 we are now in the course of this session about 25 minutes into
27 his evidence and, save for the biographical information, none of
28 those facts have been disclosed to us.

29 So I just put another marker down. This has happened

1 previously. Last week I believe before the Chamber as well I
2 rose and I made the same observation and so I do so again. I, of
3 course, understand that to the extent it prejudices us we have
4 recourse to make the necessary application before we commence
09:55:12 5 cross-examination.

6 PRESIDING JUDGE: Now, Ms Howarth, first of all has there
7 been full disclosure? You've heard what Mr Anyah has said.

8 MS HOWARTH: Yes, there has.

9 PRESIDING JUDGE: Very well. When it comes to - as we have
09:55:30 10 noted before, the Trial Chamber will entertain any application
11 made by the Defence if they consider they are prejudiced.

12 Mr Anyah, you have heard that the Prosecution are of the view
13 that they have given you full disclosure.

14 MR ANYAH: But, Madam President, there is a broader issue
09:55:47 15 here. There is a more fundamental concern. And the concern is
16 every Prosecutor - and I have been one before, I have been at the
17 other side of the aisle, every Prosecutor controls what
18 information they document. That's the high obligation; to write
19 down all that the witness said when you have met the witness on
09:56:07 20 several occasions and to make sure that that information is
21 comprehensive and nothing is left out so that the Defence is not
22 prejudiced and that is the fundamental concern here.

23 JUDGE LUSSICK: There is an added thing too, Mr Anyah.
24 Perhaps the confusion is just in my mind, but the witness started
09:56:32 25 off saying that there were a group of people singing songs not
26 dressed in military uniform.

27 THE WITNESS: [No interpretation].

28 JUDGE LUSSICK: Please, Mr Witness, let me finish speaking.
29 Not dressed in military uniform. Then two or three weeks later

1 the rebels came. Now I can't see any connecting evidence between
2 these people singing songs and the people who came two or three
3 weeks later. I can't remember the witness saying that they were
4 the same group of people and I don't remember the witness saying
09:57:09 5 that the original group of people who were singing songs were
6 armed. How would the witness know that two or three weeks later
7 these people who were singing songs were the same ones who came
8 back to Calaba Town?

9 So what I'm saying, in effect, Mr Anyah, is that if there's
09:57:32 10 no connection between the two groups then maybe there is no need
11 to disclose anything, because the first group would seem to be
12 irrelevant.

13 MR ANYAH: Thank you, your Honour. If I may respond. The
14 need for disclosure in my mind comprises by virtue of this
09:57:49 15 reference to Liberia.

16 JUDGE SEBUTINDE: Mr Witness, the arguments between counsel
17 have nothing to do with you. Please stop responding in the
18 microphone, because you are interrupting. So please keep quiet,
19 let the lawyers argue. Afterwards we will address you.

09:58:12 20 THE WITNESS: Okay.

21 JUDGE SEBUTINDE: Thank you.

22 MR ANYAH: Your Honour Justice Lussick, I appreciate the
23 observation but from my perspective, listening to the evidence at
24 page 8 between lines 8 and 11 the witness does make a reference
09:58:28 25 to Liberia. And this, for me, is significant. The question was
26 posed:

27 "Q. And they came. What people are you referring to?

28 A. People were mixed up. Some of them were tall, some
29 were short, but you see when they started speaking I came

1 to know they were people from Liberia."

2 There has been information disclosed about Liberia but,
3 again, the context.

4 PRESIDING JUDGE: Mr Witness, please wait until we finish
09:59:01 5 and then you can make your comment. Please keep quiet.

6 THE WITNESS: Okay.

7 MR ANYAH: But then again the context. What we must be on
8 guard for, the essence of this sentiments being expressed by the
9 witness were not disclosed to us.

09:59:18 10 JUDGE LUSSICK: I understand that, Mr Anyah, and perhaps I
11 should not have interrupted because that reference to Liberia is
12 obviously something that should have been disclosed. Anyway,
13 you've heard Mr Anyah's comment, Ms Howarth. Do you want to
14 reply?

09:59:36 15 MS HOWARTH: Yes. We will make a brief response which is
16 this: There have been two --

17 THE WITNESS: [No interpretation].

18 MS HOWARTH: I simply wanted to say that there have been
19 two proofing notes that have been disclosed as a result of
10:00:10 20 meetings with the witness prior to his giving evidence and that
21 those notes resulted from meetings on 24 and 25 September and
22 also on the 29th and they run to some four pages. Then to simply
23 say that all additional information that was provided during the
24 course of those meetings has been recorded in those notes and
10:00:35 25 those have been disclosed and therefore the Prosecution is of the
26 view that we have met our obligations.

27 MR ANYAH: If I could respond. I am not saying they have
28 not given us all documents. They have. I have read two proofing
29 notes. The proofing notes, one of them, the last one, from 29

1 September, this week, does mention Liberia. The problem though
2 is that it refers to a prior statement and it says the rebels
3 that the witness spoke of had connections, if you will, to
4 Liberia. The problem is that the original statement it refers to
10:01:13 5 does not have any context about persons passing from Calaba Town
6 to Freetown and coming back to Calaba Town. None of that
7 information is contained in any of the documents disclosed to us.

8 PRESIDING JUDGE: Mr Anyah, we understand the situation.
9 Counsel for the Prosecution has stated, and there is no way I can
10:01:37 10 rebut it, that she has given you full disclosure. As I have
11 already indicated, if the Defence consider they are prejudiced we
12 will entertain any appropriate application at the relevant time.

13 Please proceed with the witness's evidence.

14 MS HOWARTH: Can someone assist the witness with his
10:02:04 15 microphone, please.

16 Q. Mr Witness, I think we had got to the point in your
17 evidence where you said after two to three weeks the rebels came
18 to Calaba Town. And at line 12 --

19 A. Yes.

10:02:29 20 Q. At line 12 on my notes you gave an answer, "Rebels were
21 running after people". And I had asked you, "Rebels were running
22 after what people?" Can you tell us, please?

23 A. What I meant, when they came from town, they had been
24 running after them from Wellington to Kissy. From Kissy to
10:02:58 25 Calaba Town. There they stopped. They said they were going up
26 the hills and they said that they were going up the hills and
27 when they came back they will come and disturb us and that was
28 the time that they passed and went away.

29 Q. And what happened next?

1 A. They said this, but we were still seated. We thought that
2 they were just joking. We did not hide.

3 Q. What happened after that?

10:03:46

4 A. About two to three hours, we heard some gunshots. Little
5 did we know that they were coming back.

6 Q. Who were coming back?

7 A. Well, those who told us that they were going and that they
8 would come back. We did not know that they were coming back. So
9 when we heard the gunshots we went and hid.

10:04:08

10 Q. And who were "they"?

11 A. The rebels. The rebels who went up the hill with the loads
12 on their heads. They told us that they were going up and they in
13 fact promised that they would come back and when we heard the
14 gunshots we knew that they were the ones.

10:04:34

15 Q. You said you hid. Where did you hide?

16 A. See, I hid in my neighbour's house and the owner of that
17 house was called Mr Jalloh and the house was called Mr Jalloh's
18 house.

19 Q. Can you spell Mr Jalloh for us, please?

10:04:53

20 A. Okay. J-A-L-L-O-H, Jalloh.

21 Q. And where was Mr Jalloh's house?

22 A. There - it's just close to my own house. Around 50 yards
23 from my own house.

24 Q. And what part of his house were you hiding in?

10:05:28

25 A. Well, my house where I am, it's looks towards the east and
26 at the back of this house, there Mr Jalloh's house is located.

27 Q. What part of Mr Jalloh's house were you hiding in?

28 A. Well, the house was fenced right around. It's a very big
29 compound and there was a little house and it was in that little

1 house that we hid. So they locked the gate.

2 Q. What was that little house?

3 A. It was called a tin shack. So there they kept all the
4 building materials because they wanted to build another house.

10:06:26 5 That was the place we went and hid.

6 Q. How many people were hiding?

7 A. We were ten. The elderly - we the elderly ones were eight
8 and the little children were two, so we were ten in number.

9 Q. And who was hiding with you?

10:06:57 10 A. I knew these ten people. The caretaker was called Otick,
11 the man who accommodated us.

12 Q. How do you spell Otick?

13 A. O-T-I-C-K, Otick.

14 Q. Who else was hiding with you?

10:07:30 15 A. Well, I was there, Osman Jalloh. Then Otick who was our
16 host was there. Ibrahim was there. Osheck was there. Swadatu
17 was there. Isatu Bacca was there. Ya Sampa was there. You see,
18 and the little children that were suckling, they were also there.

19 Q. Mr Witness, you gave us quite a few names there and so I'm
10:08:00 20 going to ask you again to help us with the spellings. So, I

21 think you said Ibrahim. Can you spell that, please?

22 A. Okay, I-B-R-A-H-I-M. Ibrahim.

23 Q. Then you said Osheck. Is that the same, or different to
24 Otick?

10:08:30 25 A. No, it is different.

26 Q. Can you spell that, please, Osheck?

27 A. O-S-H-E-C-K, Osheck.

28 Q. You mentioned a Swadatu. Can you spell that?

29 A. Yes, S-W-A-D-A-T-U. Swadatu.

1 Q. You mentioned Isatu. Can you spell that?

2 A. Isatu is I-S-A-T-U. Isatu.

3 Q. And you mentioned a Sam Pa. Can you spell that?

10:09:37

4 A. Yes, Sampa is S-A-M-P-A. Ya Sampa, Y-A S-A-M-P-A. She was
5 an elderly woman.

6 Q. Is that two names, or one name?

7 A. It's one name. You see, an elderly individual - female
8 individual - is referred to as Ya and so you add the name Sampa.
9 Ya Sampa.

10:09:59

10 Q. For how long did you hide?

11 A. We hide five days. The sixth day we were still in the
12 compound. We had not left.

13 Q. Why were you hiding for those six days?

10:10:39

14 A. These rebels when they came, they came saying that, "We
15 want peace. We want peace". When they went away, when they
16 returned that was the time that we started seeing trouble. One
17 came.

18 Q. What trouble did you start seeing?

10:11:10

19 A. That single individual who came, he knocked at the door of
20 the place in which we hid.

21 Q. This individual you are talking about, when did he come?

22 A. He came - he came in the afternoon. During that time, all
23 the rebels were in town.

24 Q. Where did he come to?

10:11:36

25 A. He came and knocked at the door. He said that he knew
26 there were people and he said that we were to open the doors.

27 Q. Mr Witness, before you get to this knock on the door I just
28 want to take you back a bit, okay? So during those six days --

29 A. Okay.

1 Q. So during those six days, what did you see or hear
2 happening in Calaba Town?

3 A. After they went to town for some time, one of them came.
4 Nothing had happened during that time. He came and knocked at
10:12:23 5 the door.

6 Q. How did you survive during those six days?

7 A. We did not feel like eating. We were just drinking water,
8 because we were afraid of being killed and so we had no appetite
9 to eat at all.

10:12:53 10 Q. Why were you afraid of being killed?

11 A. Well, I knew that of course I had a lot of children and I
12 also knew that death is very painful. That is why I was afraid.

13 Q. Why did you think you might die?

14 A. Well when I heard that they had come with the guns, some of
10:13:26 15 them had guns strapped on their backs and so we concluded that we
16 were going to be killed.

17 Q. Who is "they" that came with guns?

18 A. When they were coming, they had guns strapped on their
19 backs. We knew that they had guns strapped on their backs when
10:13:54 20 they came initially.

21 Q. Mr Witness, who is "they"?

22 A. What I meant, you see - do please forgive me because I am
23 not used to talking to the public. One individual came and
24 knocked at the door. Now, I'm coming to tell you the truth. I
10:14:14 25 will not add anything and I will not subtract anything, so what I
26 know is what I am coming to say.

27 Q. Mr Witness, this individual who came and knocked at the
28 door, what was he wearing?

29 A. The man who was our host said we should open the door he

1 said so as to allow this man to get inside. That man had a gun.

2 Q. Okay. So, the man knocked at the door. What did you do?

3 A. He saw me, I was the very first individual he saw, and he
4 said that - he said that now that he had seen me he knew that I
10:15:01 5 had money and that I should give him the money. If I did not
6 give him the money, he would kill me.

7 Q. So, what did you do?

8 A. [Indiscernible] in here.

9 Q. So, what did you do?

10:15:26 10 A. I was afraid that I was going to be shot at because he had
11 a gun. He said all of us should come out because he wanted to
12 say something to us.

13 Q. So what happened next?

14 A. He said by looking at me he knew that I had money and he
10:15:49 15 said that I was to go close to him.

16 Q. What happened then?

17 A. He asked me - when he asked me - when he asked me --

18 THE INTERPRETER: Your Honours, would the witness be asked
19 to go slower.

10:16:10 20 PRESIDING JUDGE: Mr Witness, again you have gone too
21 quickly for the interpreters. Please speak more slowly and pick
22 up your answer where you said, "When he asked me --" Continue
23 from there, please.

24 THE WITNESS: Okay. Okay. Okay. Shall I continue?

10:16:36 25 PRESIDING JUDGE: Please do that.

26 THE WITNESS: He asked me whether I had money. I told him
27 that I did not have any money and he told me I was to go close to
28 him, so I went close to him.

29 MS HOWARTH:

1 Q. What happened then?

2 A. Then he was going to search me because I said I did not
3 have money.

4 Q. So what happened next?

10:17:13 5 A. When he dipped his hand into my pockets he found 2,000
6 leones and he said, "Didn't you tell me that you did not have any
7 money?"

8 Q. What happened then?

9 A. He said - he said, "Well, you told a lie to me. Because of
10:17:34 10 that I'm going to shoot at you". I said, "Please do not shoot at
11 me. I did not know that I had money in my pocket".

12 Q. What did he do with that 2,000 leones?

13 A. He took this money. He wanted to take it to his house.

14 Q. What happened after you said, "Please do not shoot at me"?

10:18:05 15 A. What happened was that he said - he said, "Ask all your
16 companions that have hidden to come here. If I miss them where
17 they are hiding, I will kill all of them".

18 Q. So what happened next?

19 A. All of them came out. All of them came out and they came
10:18:36 20 to this individual who was holding the gun. All of us were
21 shivering.

22 Q. Mr Witness, I am going to stop you there. This person who
23 came and knocked at your door --

24 A. Okay.

10:18:52 25 Q. -- who was he?

26 A. [Overlapping speakers] the hole [sic] he put on his
27 forehead, he was black.

28 JUDGE SEBUTINDE: Mr Interpreter, we lose part of your
29 interpretation. I don't know what is happening. We don't hear

1 part of your interpretation. Can you repeat what you just said.

2 THE INTERPRETER: Your Honours, can the question be put
3 again to the witness.

4 THE WITNESS: I said the man who had that hole on his
10:19:26 5 forehead, when he knocked on the door he came into the house. I
6 was the very first individual that he saw and he told me that if
7 I had money he would shoot at me. He searched me and he took the
8 money from me.

9 MS HOWARTH:

10:19:42 10 Q. The question I want to ask you now is about what he looked
11 like, not what he said to you. Do you understand?

12 A. Uh-huh.

13 Q. So, you've mentioned a hole on his forehead. What are you
14 talking about there?

10:19:59 15 A. Yes, he had a horn and the horn resembled part of a goat.
16 It's a terrible horn when you look at him.

17 PRESIDING JUDGE: Mr Interpreter, is the word horn,
18 H-O-R-N, or hole?

19 THE WITNESS: I know the difference. H-O-L-E, a hole, but
10:20:29 20 that is H-O-R-N. A horn.

21 PRESIDING JUDGE: Thank you, Mr Witness.

22 MS HOWARTH:

23 Q. How was this horn on his head?

24 A. He put it on his forehead so as to make us fear so that we
10:20:50 25 could give anything that we had. You see, that is according to
26 my own estimate.

27 Q. What do you mean, "He put it on his forehead so as to make
28 us fear"? What do you mean by fear?

29 A. Well we had never seen an individual putting a horn on his

1 forehead, so if you see somebody appearing before you with a horn
2 on his forehead and with a gun then there is a tendency for you
3 to fear.

4 Q. How was the horn attached to his head?

10:21:36 5 A. He put it on his forehead. That was just to make us to
6 intimidate us so we could give him the money that we had.

7 Q. But how was it attached? How can a horn be on his head?
8 How was it held up?

9 A. He used a rope and he tied it right around his head.

10:22:16 10 Q. Do you remember what colour that rope was?

11 A. It's red. It's red.

12 Q. So you said earlier - and this is line page 25, line 2 -
13 "He put it on his forehead so as to make us fear". How did you
14 feel yourself when you saw this man with the horn?

10:22:49 15 A. Yes.

16 Q. How did you --

17 A. He was trying to intimidate us, because the one who hosted
18 us had a lot of money and he wanted this man to give him the
19 money. That was what he wanted him to do.

10:23:14 20 Q. So what happened? So you've spoken about the horn on his
21 head. What else was this man wearing? What clothes was he
22 wearing?

23 A. He wore civilian clothing.

24 Q. Do you know what group he was from?

10:23:39 25 A. Well, initially I did not know. See, where he came from,
26 because I was already afraid of dying, see. He did not wear any
27 uniform. I was not able to distinguish him from the others
28 because he was fearful when he stood before us.

29 Q. So this man took the 2,000 leones from your pocket. What

1 happened after that?

2 A. All the others should go close to him so that he could
3 search them.

4 Q. And did he do that?

10:24:34 5 A. Yes, he searched all of them. He did not find any money
6 with them.

7 Q. And so what happened then?

8 A. He said - he said if we continued saying that we did not
9 have any money he was going to burn all of us.

10:24:55 10 Q. So what happened?

11 A. As we said we did not have any money, he took some straw
12 from a mattress, see, and he set it ablaze and he locked the
13 door. The children and all of us were there and we started
14 shouting for help.

10:25:18 15 Q. You said, "The children and all of us were there." Where
16 do you mean?

17 A. All the suckling mothers, we, the ten people, the children
18 sum up to ten, because we the elderly ones were eight and the
19 children started sneezing in the room.

10:25:44 20 Q. What room were you in?

21 A. That tin shack. In that tin shack where we were and there
22 was a fence. The fence was so high.

23 Q. So what was happening in the tin shack after he locked the
24 door?

10:26:14 25 A. About five minutes, he opened the door and he said that we
26 were to come out.

27 Q. What was happening during that five minutes?

28 A. We shouted. We sneezed because there was a lot of smoke.

29 There was a lot of smoke. Well, we thought that we were going to

1 be killed.

2 Q. Why was there a lot of smoke, Mr Witness?

3 A. Because we have this straw mattress, local mattress, and he
4 lit it and the place was filled with smoke. That was why we were
10:27:03 5 sneezing.

6 Q. You said he shouted. What shouting was there?

7 A. We were shouting because we were almost going to be
8 engulfed by the fire.

9 MS HOWARTH: I am sorry to point this out, but I was
10:27:27 10 referring to page 27, line 14, which is recorded on the
11 transcript as "he shouted". I believe it should have been "we
12 shouted" and the witness has just referred again to the fact that
13 "we shouted".

14 THE WITNESS: We shouted. Oh, yes, we shouted.

10:27:46 15 MS HOWARTH:

16 Q. What did you shout?

17 A. "Oh, my mother. Oh, my father. Oh God." That is what we
18 were shouting. We were coming to be burnt alive.

19 Q. What did you mean "we were coming to be burnt alive"?

10:28:15 20 A. See, when somebody lights - sets a house ablaze and they
21 put you into that, that means that they want to get all of you
22 roasted.

23 Q. So what happened next?

24 A. He said that well, he had known that we did not have any
10:28:51 25 money, but what other thing did we have there so as to prevent us
26 from being burnt.

27 Q. Who is "he"?

28 A. We, that were locked. The man who came and set the house
29 ablaze, he said if we did not have any other thing that could be

1 given to him so as to redeem us from being burnt.

2 Q. Did anybody answer his question?

3 A. Otick our host said that he had bags of rice and there were
4 86 bags of rice. He told the man who had the gun in his hands.

10:29:45 5 Q. Why did Otick tell him that?

6 A. He said he had rice which was given to him in custody by
7 Mr Jalloh. 86 bags of rice. He said he was going to give him
8 all the 86 bags.

9 Q. Why was he going to give him those 86 bags?

10:30:07 10 A. So that we could not be burnt. So as to be freed.

11 Q. So what happened to those 86 bags of rice?

12 A. Little did we know that this rebel had - had over a hundred
13 people right around the house, so he made a signal and these
14 people came. See, we were almost - we died of fear. We almost
10:30:37 15 died of fear.

16 Q. Where were you, the ten of you, while this was happening?

17 A. We were in the compound, where we were going to be burnt.
18 There we were, all of us.

19 Q. When did you get out of the compound?

10:31:07 20 A. Well, he told us to put out the fire. We put out the fire.
21 We went out and they came in and took the rice. The rebels that
22 came, they went in and took the rice.

23 Q. You said a few moments ago that he made a signal. What
24 signal did he make?

10:31:36 25 A. He opened a door. He opened a door and he came out and he
26 beckoned to them. And he only knew what he told them. Behold
27 they were all around and we never knew.

28 Q. Do you know who these people were?

29 A. They were the rebels. Those who killed people, because

1 they had guns. If they asked you for something and you failed to
2 give that thing they will kill you.

3 Q. How many people were there? How many rebels were there?

10:32:42

4 A. We that were in the house, we were ten. Those who entered
5 were over a hundred. I will show you the reason why I told you
6 that they were over a hundred.

7 Q. Yes, please explain.

10:33:07

8 A. Okay. When these people came and entered the place each
9 and every one went and collected a bag. Out of the 86 bags each
10 and every one that entered that place carried a bag and they went
11 away.

12 Q. So why do you say there were 100 if there were 86 bags of
13 rice?

10:33:42

14 A. Okay. Some did not take. Some did not take. That was why
15 I concluded that they were over 100.

16 Q. These rebels, do you know what group they belonged to?

17 A. Well, I did not pay much attention to that. I was thinking
18 about death.

10:34:13

19 Q. Do you recall if they were in civilian clothes or in
20 combat?

21 A. All of them, all the ones that entered the place, they were
22 in civilian clothing except they had the guns, but I did not
23 know. All of them were in civilian clothing.

24 Q. So what happened after the bags of rice were taken?

10:34:48

25 A. Well, we felt happy and we seated - we thought we were
26 free, because he told us that if we did not give him the rice
27 that he would kill us. So when they went away we remained in the
28 same tin shack. We stayed in the same tin shack, we thought we
29 were already free.

1 Q. If you thought you were already free, why did you stay in
2 the same tin shack?

3 A. Some went into the house, some stayed in the tin shack.
4 Not too long, we heard gunshots far away, so we returned to the
10:35:32 5 same place where we were hiding. So, where we were, in our own
6 house, the place was not fenced so we loved to stay in
7 Mr Jalloh's house because it was well fenced. So we decided to
8 stay there.

9 Q. How long did you stay there for?

10:36:02 10 A. One day. The following day another one came and knocked at
11 the door.

12 Q. When you say another one came --

13 A. Yes.

14 Q. -- who are you referring to?

10:36:17 15 A. Yes. A tall man. But when he came, he did not meet me. I
16 went to the loo and I left the other ones in the tin shack.

17 Q. Okay. Before you get to the loo can you tell us who is
18 this tall man?

19 A. Yes, he did not meet me in the place. The ones that were
10:36:51 20 hiding together were the ones that he met. I was in the toilet,
21 so when I heard his voice I continued staying in the toilet.

22 Q. So what happened with this tall man?

23 A. Well, I'm not referring to the ones that went with the
24 rice. This one that came, he told us that he came to collect -
10:37:20 25 to collect us to Sayinoh Junction because we have given them the
26 rice, so if any other group came and asked us for anything and we
27 don't have anything to give that group then they would kill us.
28 That was why they collected us - to collect us to the Sayinoh
29 Junction for safety.

1 Q. What do you mean he came to collect you for the Sayinoh
2 Junction?

3 A. He said we should leave that area so that another group
4 will not come because since if that group came and asked us for
10:38:00 5 anything and we had nothing to give them they would kill us, so
6 we should leave that place because we had given up our own rice
7 to them.

8 PRESIDING JUDGE: Can you clarify the name of the junction,
9 please.

10:38:13 10 MS HOWARTH: Yes.

11 THE WITNESS: The main road going towards Freetown. A
12 branch from part of Calaba Town. There is one area that is known
13 as Okabi a' s house.

14 MS HOWARTH:

10:38:34 15 Q. You said Sayinoh Junction. Can you help us with the
16 spelling of that please?

17 A. Yes, S-A-Y-I-N-O-H. Sayinoh. It means we are the people
18 that are here.

19 Q. And I think you were telling us where Sayinoh Junction is.
10:39:08 20 Between what areas of Freetown is Sayinoh Junction?

21 A. Yes. Well, there is a culvert. It is between Wellington
22 and Calaba Town. That is the place that divided Wellington and
23 Calaba Town. That is the area called Sayinoh.

24 Q. When you say "between" and "divided", what do you mean?

10:39:39 25 A. Yes, well from Freetown you have four sections. The second
26 to the last, while leaving the town, that is the place called
27 Wellington. Then from there you go to Calaba Town and from
28 Calaba Town you leave Freetown entirely.

29 Q. Now, Mr Witness, you said that he explained that you should

1 not stay because if another group came there wouldn't be
2 something to give them because you had already given your rice
3 away. How do you know he said this?

10:40:55 4 A. Yes, yes, yes. Well when they were about to go, we thought
5 it was true what the man said. I was in the toilet and then he
6 started shouting, "Mr Jalloh, Mr Jalloh", but I did not answer.
7 I only answered when he said, "We have given up the rice to these
8 people. If we are to go we will have no problem and that if any
9 other group came and meet us here it will be very bad for us".
10:41:18 10 That was why I answered and I came out.

11 Q. Okay, Mr Witness. In your answer there you gave us a few
12 "they"s and "he"s, so I'm going to ask you to clarify that.
13 First, you said --

14 A. Yes, yes.

10:41:37 15 Q. First you said, "When they were about to go". Who is
16 "they" who were about to go?

17 A. We that went, all of us that were in the tin shack. The
18 man who came and called us, all of us joined the man and we went
19 to the Sayinoh Junction.

10:42:02 20 Q. Mr Witness, somebody in your answer a moment ago started
21 shouting, "Mr Jalloh, Mr Jalloh". Who was shouting this?

22 A. It was Osheck [sic]. The man who hosted us, it was he who
23 tried to call all of us and told us that we should leave that
24 area. When I heard his voice, that was the time I came out.

10:42:33 25 Q. Mr Witness, did you say Osheck or Otick?

26 A. No, that was a mistake. Otick, Otick, he was the one that
27 hosted us. Otick.

28 Q. And what did you do as a result? Sorry, let me go back.
29 Where were you when he shouted, "Mr Jalloh, Mr Jalloh"?

1 A. Before the man came, I was in the toilet. The man did not
2 meet me in the tin shack. When he - when Otick called me, that
3 was the time I came. Thereupon I met the man, a very tall man,
4 and he was waiting for us to go together.

10:43:24 5 Q. So what happened then?

6 A. The one who - the man who came and collected us, he led us
7 and we queued. We followed him and, while we were going, we saw
8 a lot of corpses lying by the road.

9 Q. Where did you see these corpses?

10:43:56 10 A. On the street everywhere. Anywhere you pass your -
11 everywhere. Those people that were running away, those were the
12 ones that were shot at.

13 Q. What street are you referring to?

14 A. The main street going towards Sayinoh Junction. That was
10:44:18 15 the area that we were called upon to assemble.

16 Q. And can you just remind us what part of Freetown we are in
17 at the moment?

18 A. That's the east end of Freetown. The place is between
19 Calaba Town and Wellington. After Wellington, you come to
10:44:46 20 Calaba Town. The area - the house that is very prominent there
21 is known as Pa Okabi a's house.

22 Q. A moment ago you said, "Those people that were running
23 away, those were the ones that were shot at". What people are
24 you referring to?

10:45:05 25 A. Yes, we were hiding. We heard the shooting and so we met
26 some lying on the street dead. Some were swollen. A lot of them
27 were lying on the street.

28 Q. When did you hear the shooting?

29 A. Well, that was the time - when they were driven from town

1 that was the time they started shooting, because from town to
2 Kissy, from Kissy to Wellington, from Wellington to Calaba Town,
3 when they were driven from town they came to Kissy.

4 Q. Mr Witness, where were you when you heard this shooting?

10:46:01 5 A. Well, during that time we were hiding. It was later when
6 the man came and collected us, because the shooting made us not
7 to go anywhere. We stayed in the place where we were hiding.

8 Q. And when you say, "They were driven from town", who are you
9 referring to?

10:46:24 10 A. The rebels. The rebels. When we - when we reached in
11 town, that was the time we had all the information. Initially we
12 had no information about that. When we reached in town, that was
13 the time we came to realise that it was the ECOMOG who chased
14 them from town. They came from Kissy and from Kissy they came to
10:46:52 15 Calaba Town. It was later on when we learnt about this.

16 Q. You said, "A lot of them were lying on the street". A lot
17 of what were lying on the street?

18 A. Yes, exactly. Corpses, corpses, corpses. Those people who
19 had already been killed.

10:47:15 20 Q. Who were these people?

21 A. Well, the ones who killed them I cannot say. The only
22 thing while we were in our hiding place we heard the gunshots.

23 Q. I am sorry, maybe my question wasn't clear enough then.
24 Who were the corpses?

10:47:39 25 A. Yes, they were human beings. They were the ones that were
26 killed and their corpses were lying on the street. When we came
27 to the Sayinoh Junction, we met those corpses on our way.

28 Q. Are you able to say if they are corpses of civilians, or
29 rebels, or what?

1 A. They were civilians. We did not observe them keenly, but
2 the ones I saw were civilians.

3 Q. Why do you say that?

10:48:24

4 A. They were not in military uniform. That was why I
5 concluded that they were civilians.

6 Q. And what ages were they?

7 A. Others were old people. Well, I did not observe them
8 keenly. When we saw the corpses we were afraid. We were mixed
9 up. We were just trying to go where we were asked to go.

10:48:54

10 Q. Why were you not able to observe them clearly?

11 JUDGE SEBUTINDE: The witness said keenly.

12 THE WITNESS: Well, when we saw the corpses --

13 PRESIDING JUDGE: Please pause, Mr Witness.

10:49:12

14 MR ANYAH: Well, I understood him to say - and he has
15 repeated this several times. I understood him to say, "We did
16 not observe them killing".

17 PRESIDING JUDGE: Oh, I didn't hear that.

18 MR ANYAH: He is suggesting that he did not observe the
19 killing of these persons.

10:49:22

20 JUDGE SEBUTINDE: Mr Anyah, I differ. The witness has used
21 the word "keenly". Now the transcriber first recorded it as
22 "killing" and then "clearly", but the witness said "keenly",
23 didn't you, Mr Witness? You didn't observe the corpses keenly?

10:49:49

24 THE WITNESS: What I meant is that I did not observe them
25 keenly. They were not in military uniform. They were in
26 civilian clothing. Some were old people.

27 PRESIDING JUDGE: Mr Interpreter, it's your word we cannot
28 hear. What did you say? "I did not observe them" and then a
29 word.

1 THE WITNESS: Keenly. Keenly. K-E-E-N-L-Y, my Lord.

2 PRESIDING JUDGE: Thank you.

3 MS HOWARTH:

10:50:20

4 Q. You said, "Some were old people". Can you say anything
5 about the ages of the other corpses?

6 A. Well, others were children. There were women. There were
7 men. All of them were mixed up.

8 Q. Can you say how many corpses you saw?

10:50:56

9 A. I cannot say, because we saw the corpses from where we were
10 brought from, over 200 yards, so we walked zigzag because there
11 were a lot of corpses on the street.

12 Q. Can you give us any idea as to the number, or not?

10:51:31

13 A. I cannot say, because there were many. I cannot say.
14 Maybe they will be up to 100. During that time, one cannot
15 count. One was just trying to pull out from that area.

16 Q. You say, "We walked zigzag". First, who walked zigzag?

10:52:03

17 A. Yes. What I meant is they were all over, in the middle of
18 the street, at the edge of the street, so you move in a zigzag
19 manner so that you will not step on them. That was why I
20 described our movement as a zigzag manner. We could not follow
21 the road straightforward.

22 Q. And who was zigzagging?

10:52:25

23 A. We, the ones that were collected that we should leave that
24 area, that we have given up our rice and that if the other group
25 went there and asked us for anything and we could not give them
26 anything then they will kill us. That was why they asked us to
27 come from that place. I am referring to we, the people that were
28 taken from that place.

29 Q. Are you able to make any other observations about the

1 corpses that you saw?

2 A. It was corpses. Those were the ones that I saw. The only
3 area that I stopped seeing corpses was the culvert between
4 Calaba Town and Wellington, so that was the area that we met the
10:53:11 5 one - we met people sitting, the ones who asked us to go to that
6 place.

7 Q. Just before we get to that, when you were seeing these
8 corpses, what was going through your mind?

9 A. Yes. We said - in my mind I thought I was going to be
10:53:37 10 killed when we reached where we were to be taken.

11 Q. So how did thinking you were going to be killed make you
12 feel?

13 A. I had high blood pressure. Immediately my pressure shoot
14 up. I was in a confused situation. I became totally confused.

10:54:25 15 Q. So you said:

16 "The only area that I stopped seeing corpses was the
17 culvert between Calaba Town and Wellington. We met people
18 sitting."

19 Where are you referring to?

10:54:40 20 A. Yes. That is the boundary between Wellington and
21 Calaba Town. At Sayinoh Junction, we met the people that called
22 upon us. And when we left the Sayinoh Junction and went to the
23 area between - the culvert that divided Calaba Town and
24 Wellington, that was the area that we saw corpses no more.

10:55:15 25 Q. So where did you finally stop?

26 A. We stopped at Sayinoh Junction. Those who went and
27 collected us, that was the area where they were based. That was
28 our stopping point.

29 Q. Who are you referring to when you say "those who went and

1 collected us"?

2 A. The one that went and collected us was a tall man. We came
3 and met a lot of people sitting at Okabia's house. All of them
4 had guns.

10:56:03 5 Q. When you say "a lot of people", who were these people?

6 A. I knew that those were the killers. They had guns. Only
7 one that sat at a corner, he had a gun. He sat on a chair at a
8 corner, he had a gun. But all the rest were seated on the floor.

9 Q. Do you know whether these people, these killers, belonged
10:56:46 10 to a group?

11 A. I was unable to recall. I was confused. I was not myself.
12 The only thing I thought of was my death. I thought I was going
13 to be killed.

14 Q. The tall man you referred to, do you know who he was?

10:57:07 15 A. That tall man that came?

16 Q. Yes.

17 A. He had a strange face. Because I was a native born of that
18 area, when I saw him I knew that he was a stranger.

19 Q. What do you mean "he was a stranger"?

10:57:36 20 A. I had stayed - I had stayed for a very long period in that
21 area. That was where I had my family. When I saw him I knew
22 that he had never stayed in that area before. He was - he was
23 very suspicious of the situation. He looked left, right, left,
24 right, front and back. He was very suspicious. That was what
10:58:05 25 made me to realise that he was not a native born of that area.

26 Q. Did you hear him speaking?

27 A. If they spoke? Are you asking me that if they said
28 anything?

29 Q. I'm asking you if you heard the tall man speaking?

1 A. It was only the time when he went to collect us. He said
2 since we had given up our rice to them, let us go with him so
3 that another group will not come and meet us at our hiding place
4 and ask us for anything to give them. If we failed to give that
10:58:52 5 group anything they would kill us. That was the time he spoke.

6 Q. Did you hear that?

7 A. When he brought us to the place, what he told us initially
8 was that when he went to us, he told us that we should not stay
9 any longer in that place and that if any other group went to that
10:59:21 10 place and asked us for anything and we failed to give that group
11 anything then at the end of the day the group will kill us.

12 Q. Can you say anything about the way the tall rebel spoke?

13 A. He looked like a stranger. He did - his accent was not
14 that of a Sierra Leonean. He did not speak in the manner of a
10:59:59 15 Sierra Leonean. He had a strange accent that made me to realise
16 that he wasn't a Sierra Leonean.

17 Q. What makes you say that about his accent?

18 A. Well, when we went to Connaught, when all of us had
19 assembled there, it was there some people said that that man came
11:00:30 20 from Liberia.

21 Q. Who said that?

22 A. Our colleagues who were assembled at Connaught were
23 different people. They were people who closely observed them and
24 some were listening to what he was saying.

11:00:56 25 Q. You are talking about people who were with you at that
26 time, or other people?

27 A. After we - after we had been maimed we sat together at
28 Connaught. That was where we had discussion after we got our
29 trouble.

1 Q. Okay, Mr Witness. We are getting ahead of ourselves here.
2 What was the place you were taken to by the tall rebel?

3 A. We were taken to Sayinoh Junction. There was a group. It
4 was to this group that he led us.

11:01:46 5 Q. How many were amongst that group?

6 A. The rebels that were there would be up to 100. There were
7 so many. They had guns. They were sitting on the ground. It
8 was only one that was sitting on a chair and he leaned against
9 the wall.

11:02:08 10 Q. This one who was sitting on a chair, who was that?

11 A. Well, I knew that he was their head because he was given a
12 chair. See, he would be a commando.

13 Q. And what were these wearing?

14 A. All of them wore civilian clothing. Up to the time I left
11:02:43 15 there they did not wear any combat.

16 JUDGE SEBUTINDE: Ms Howarth, sorry to interrupt, but the
17 tall man that the witness described as speaking in a Liberian
18 way, could we know what language he was speaking in?

19 MS HOWARTH: I can certainly ask the witness if he can help
11:03:05 20 with that:

21 Q. Mr Witness, can you help us as to what language the tall
22 rebel was speaking in?

23 A. Yes. Well, all of them were speaking bad Krio.

24 Q. Mr Witness, the question that you are being asked about is
11:03:28 25 about this tall rebel. Can you say what language that tall rebel
26 was speaking in?

27 A. He was speaking very bad Krio. It was difficult for you to
28 decipher what he was saying.

29 PRESIDING JUDGE: Ms Howarth, I haven't had an opportunity

1 to check the entire record, but did the witness refer to this
2 person as a tall man or a tall rebel? I am sure I heard "tall
3 man".

4 MS HOWARTH: Your Honour, I believe he has referred to both
11:04:06 5 but I would have to check to be 100 per cent sure.

6 PRESIDING JUDGE: If he has referred to both I will
7 withdraw my comment.

8 THE WITNESS: We should leave the area. We had given them
9 the rice and that if we did not leave the place, if another team
11:04:23 10 came and we did not have anything to give them we would be shot
11 at. This tall one that went for us.

12 MS HOWARTH: Madam President, would it assist if I
13 clarified that point with the witness, however?

14 PRESIDING JUDGE: I want to make sure that - there is a
11:04:39 15 distinction.

16 MS HOWARTH:

17 Q. Mr Witness, are you referring to a tall man or a tall
18 rebel?

19 A. For us, during that time everybody had a gun. Whosoever
11:05:03 20 had a gun we classed that individual as a thief, a rebel.

21 Q. So can you help us as to whether the tall man is a tall man
22 or a tall rebel?

23 MR ANYAH: When the witness answered this question the
24 first time, page 31, at line 21, and I am using a 12 point font,
11:05:31 25 his answer was, "Yes, a tall man." He referred to the person in
26 the first instance as a tall man. This was when he was in the
27 bathroom or toilet.

28 THE WITNESS: Yes. I said a tall man. But, for us,
29 whosoever had a gun, we classed that individual as a rebel. We

1 called him a rebel.

2 MS HOWARTH:

3 Q. So you were talking about the group of rebels and I believe
4 I asked you what ages those rebels were. So how old were they?

11:06:27 5 A. The ones that went for us, or those that we met? I want
6 you to make the distinction.

7 Q. Mr Witness, what do you mean when you say "the ones that
8 went for us"?

9 A. Somebody went for us. He was the one that led us from that
11:07:01 10 house where we were hiding and brought us to this other place.

11 Q. Okay. Can you say how old he was?

12 A. This last one that went for us was about 20 years.

13 Q. Then you referred to "those that we met". So that we're
14 clear, where did you meet them?

11:07:30 15 A. I said the one that told us to leave the area and that if
16 we did not leave that place, if another team came we would be
17 killed. I am referring to that same individual. He came us and
18 joined us to the other people.

19 MS HOWARTH: I'm going to refer to page 42 and it's line 20
11:07:57 20 on my font. The witness says, "The rebels there, that were
21 there, were up to 100":

22 Q. Mr Witness, those 100 rebels, can you help us as to how old
23 they were?

24 A. It was a situation that was mixed up from ten years. Those
11:08:23 25 that were standing by the highway were around ten years, eight
26 years and all the others were elderly. I cannot tell their ages
27 because there were so many.

28 Q. Those ones that were ten years, standing by the highway,
29 what were they doing standing by the highway?

1 A. They wore old men's clothing and they packed a lot of
2 stones on the highway so that the ECOMOG could not go through.
3 That was why they were there. That was why they were there.

4 Q. What do you mean "They wore old men's clothing"?

11:09:20 5 A. They wore old men's clothing, just like what I am wearing.
6 If a child were to wear such clothing, you would know that in
7 fact those clothing belonged to old - elderly people because when
8 he walks he will be dragging them. That's what I meant.

9 Q. And what were they doing by the highway?

11:09:47 10 A. They had guns, they were guards, and they turned to the
11 direction of the town.

12 Q. Mr Witness, how are you able to tell us that you think they
13 were about ten years?

14 A. Well, I have had a lot of children. I have had nine
11:10:21 15 children and one died and I now have eight, so I know the ages of
16 children. I can distinguish them.

17 Q. And how far away were these children from the commander?

18 A. The house of Sayinoh was from here. Now, you look at the
19 highway. It's about 50 yards and so it may not be up to that,
11:10:58 20 but it would be around 50 yards.

21 Q. You just said, "The house of Sayinoh". What are you
22 referring to?

23 A. They queued us too on the highway. We went to those who
24 called upon us. They were sitting on the veranda, so we had been
11:11:23 25 listening to what they had been saying to the children. They had
26 been commanding them.

27 Q. Who had been saying things to the children?

28 A. They were using signs. We did not know what they meant.

29 Q. Who?

1 A. The elderly rebels who were sitting on the ground. Those
2 that were sitting close to the commando had been controlling the
3 children using signs telling them to turn to the direction of the
4 town.

11:12:08 5 Q. So, you referred to a house. Do you know whose house this
6 was?

7 A. Yes, yes. It was owned by Mr Okabi a.

8 Q. Can you spell that, please?

9 A. O-K-A-B-I-A. Okabi a's house. H-O-U-S-E, house. It's a
11:12:39 10 two-storey building.

11 Q. So, you are outside Okabi a's house. What happens next?

12 A. Yes, okay. There was one man who told us that we should go
13 right up this two-storey building because they had been expecting
14 the Alpha Jets, because they used to call it "Wowo Boy" because
11:13:14 15 they said that if we were to be there they would cut off our
16 hands and so we should go up the storied building.

17 Q. You gave us quite a lot of information there. First of
18 all, you said "One man ..." --

19 A. Yes.

11:13:34 20 Q. First of all you said, "One man who told us that we should
21 go right up". Who was that man?

22 A. It was a man who was standing amidst them. He said we were
23 to go up and when we heard the voice we went up. We did not ask,
24 because they told us that if Alpha Jet were to meet us there they
11:14:02 25 will cut off our hands. So all of us went up; those of us that
26 were captured.

27 Q. What do you mean, "If Alpha Jet were to meet us there they
28 would cut off our hands"?

29 A. Well, those in Lungi had a helicopter. They had a

1 helicopter that had been shooting at rebels and they said that if
2 this helicopter was to meet us there they would cut off our
3 hands. They said if the helicopter didn't come well perhaps they
4 will just injure us, and they told us to go up and so we went up
11:14:48 5 and waited for what would have to happen to us.

6 MS HOWARTH: This is a reference to page 47, my line 19:

7 Q. You referred to "Wowo Boy". What do you mean?

8 A. This helicopter, it's black. There was one individual who
9 would be shooting at people, who would be shooting at rebels.
11:15:16 10 This helicopter is ugly Alpha Jet. That is why it is called
11 "Wowo Boy".

12 Q. Now, you said you were told that if this helicopter came
13 they would cut off your hands. Who would cut off your hands?

14 A. Yes, the men. Those that we met downstairs - those that we
11:15:46 15 met downstairs they said if the helicopter were to meet us there
16 they will cut off our hands.

17 Q. Mr Witness, you referred to I think what's been recorded as
18 "Wowo Boy". Can you just spell that for us, please?

19 A. Yes, W-0-W-0 Wowo boy B-0-Y. Wowo Boy. That is the way we
11:16:24 20 used to call it, Wowo Boy.

21 Q. And from what language is that word?

22 A. It is from Krio. You see, you refer to something that is
23 ugly as Wowo because it was ugly when you look at it, the
24 helicopter.

11:16:42 25 JUDGE SEBUTINDE: Ms Howarth, the witness said somebody
26 told them to go up and they went up without explaining where up
27 is.

28 MS HOWARTH:

29 Q. Where is up, Mr Witness?

1 A. The building is a two-storey building. The second floor is
2 referred to as up, so all of us went up.

3 Q. So, what happened after you went up?

11:17:29

4 A. We all of us sat down. We found out a lot of things, men's
5 bracelets, shoes and a lot of other things, because the whole
6 place was topsy-turvy. Some other places were burnt, some other
7 places had mattresses and so the whole place was mixed up.

8 Q. And what happened next?

11:17:56

9 A. It was not up to 15 minutes when this Alpha Jet - this Wowo
10 Boy - came and it started shooting, shooting, so all of us ran
11 away. So, they went into the bushes and so we were left up.

12 MS HOWARTH: I am not sure this has been recorded correctly
13 and so I will ask the witness to clarify:

14 Q. Who ran away?

11:18:21

15 A. The rebels who had guns, you see, whom the helicopter was
16 shooting at, they ran away. They were downstairs and so all of
17 them ran away. They hid. You couldn't see any single
18 individual. You see, all of them hid. We were upstairs. We
19 were there up, shivering.

11:18:42

20 Q. How do you know they ran away?

21 A. Well they had broken all the windows, so we peeped through
22 the windows and we saw that there was no single individual
23 outside.

24 Q. When you say "we", do you mean you?

11:18:57

25 A. All of us that were upstairs. Everybody - everybody
26 upstairs - had been peeping through the windows. We wanted to
27 know what they were after. We saw them.

28 Q. So what happened next?

29 A. Wowo Boy came when they had hidden. Alpha Jet had gone and

1 another tall - another tall individual came and called us and
2 said, well, the helicopter Wowo Boy came and our hands were to be
3 cut off. These hands would not go to Freetown.

4 Q. Who was this individual?

11:19:49 5 A. It was another tall individual. He was taller than the one
6 that went for us. He did not have anything. He only said, "You
7 come down". He said, "Alpha Jet had come, Wowo Boy had come, so
8 come down. Let us cut off your hands". We went down.

9 Q. What happened next?

11:20:11 10 A. Otick, the one who hosted us, was one who led the queue. I
11 followed him and my --

12 THE INTERPRETER: Your Honours, would the witness go a
13 little bit slow.

14 PRESIDING JUDGE: Please, Mr Witness, can you speak more
11:20:30 15 slowly because the interpreter is having trouble keeping up with
16 you. You said, "Otick, the one who hosted us, was the one who
17 led. I followed him and my --" Please continue from there.

18 A. Yes, okay. Otick was the one who led the way. When that
19 tall individual came and called us, it was Otick that led the
11:21:01 20 way. I followed him and the women followed me, and my wife's
21 younger sister who was a suckling mother she hid amongst the
22 stairs.

23 Q. Where were you taken?

24 A. We were taken downstairs where we met the rebels that I
11:21:34 25 talked about initially.

26 Q. Do you remember how many of them were there at that time?

27 A. Those that we met there were around 100 or more, but all of
28 them had guns. They were sitting down.

29 Q. Where were they sitting?

1 A. They were sitting on the ground.

2 Q. What about the commander that you referred to earlier?

3 A. He was sitting in the corner of the house - the last corner
4 - and he was watching at what they were doing.

11:22:27 5 Q. What were they doing?

6 A. He had been looking what they had been doing to us, so when
7 we went out we found out that they had brought a mortar outside
8 and one individual was holding a machete.

9 Q. What do you mean, "He had been looking what they had been
11:22:57 10 doing to us"?

11 A. Well, if somebody held a gun and you see a mortar and they
12 had told us that if Alpha Jet came that they would cut off our
13 hands, we already knew that our hands were going to be cut off
14 during that time.

11:23:25 15 Q. So what happened?

16 A. They called Otick, who had hosted us. The man who was
17 standing with a gun and a machete, he asked him to put his hand
18 on top of the mortar. He said he was going to cut both of his
19 hands.

11:23:49 20 Q. Before you go any further, do you remember anything about
21 this man who was standing with a gun and a machete?

22 A. He was an elderly person. Fat.

23 Q. Do you remember what he was wearing?

24 A. Like I said, all of them, all of them did not, all of them
11:24:30 25 did not wear combat. All of them wore civilian clothing.

26 JUDGE SEBUTINDE: Sorry, the witness said this man was
27 holding a machete. He didn't say he was also holding a gun. You
28 said that.

29 MS HOWARTH: Your Honour, actually I'm looking at page 52,

1 line 10 and 11, where I believe that is recorded, although I
2 would say that I didn't hear that. I heard that he was holding a
3 machete.

11:25:09 4 Q. Mr Witness, can you clarify. Was this man holding a
5 machete and a gun or just a machete?

6 A. All he - he held a machete. It's difficult for me to
7 express myself, but he was holding a machete. He was waiting for
8 Otick to put his hand on the mortar, so that he could cut it off.

11:25:40 9 Q. Okay. So he had called Otick and he asked him to put his
10 hand on top of the mortar?

11 A. Yes.

12 Q. What happened next?

13 A. He pleaded. He pleaded him, with the man that had the gun.
14 He said his hand should not be cut off because he cried.

11:26:02 15 Q. Who pleaded?

16 A. Otick. He said, "Please don't cut off my hands". He said,
17 "All of you that came here, these, these of your hands will not
18 go to town, so there is no way - there is no point in you trying
19 to beg. Whosoever begged will be chopped up with the use of the
20 machete.

11:26:29 21 Q. Who said, "All of you that came here, these of your hands
22 will not go to town"?

23 A. The one who had been given the responsibility of cutting
24 off our hands. We were in the queue, trembling.

11:26:53 25 PRESIDING JUDGE: Ms Howarth, we have been alerted that the
26 tape is just about to run out.

27 Mr Witness, this is the time in the morning when we have a
28 break. We are now going to take a break for the half-an-hour and
29 we will start court again at 12 o'clock.

1 THE WITNESS: Okay. Okay.

2 PRESIDING JUDGE: Please adjourn court.

3 [Break taken at 11.30 a.m.]

4 [Upon resuming at 12.04 p.m.]

12:04:07 5 PRESIDING JUDGE: Please proceed.

6 MS HOWARTH: Your Honour, just before I do proceed, the,

7 WVS have indicated to me that the witness has indicated to them

8 that he would very much appreciate it if a support worker could

9 be present in the court to assist him. He's said specifically

12:04:32 10 that he's having difficulty both standing up and sitting down.

11 Your Honour, this matter has been discussed with my learned

12 friends opposite and I believe they don't oppose and indeed

13 support such an application and therefore I would make an

14 application that there be a support worker in court to assist the

12:04:51 15 witness, if necessary.

16 PRESIDING JUDGE: Mr Anyah, or Mr Griffiths?

17 MR GRIFFITHS: Your Honour, sadly this matter comes about

18 because the witness in fact when getting up when we rose actually

19 banged his arm on the chair and started to cry which I found very

12:05:09 20 distressing, and consequently I welcome any welfare measures

21 which will assist him, either whilst he's giving evidence or

22 indeed when he has to rise to leave court.

23 PRESIDING JUDGE: My understanding of what you say,

24 Ms Howarth, and I want to be clear about this, is that the person

12:05:43 25 would be in the Court maybe sitting to the side and assist the

26 witness as required from time to time. Is that correct?

27 MS HOWARTH: Yes, that's correct.

28 PRESIDING JUDGE: Is it sitting at the back of the Court

29 you're saying? I'm indicating to where the security officer is

1 sitting.

2 MS HOWARTH: Certainly he could sit there. I think all I
3 did was --

4 PRESIDING JUDGE: We're just trying to ascertain what WVS
12:06:14 5 asked for, or the witness asked for. Did he want somebody
6 sitting alongside of him or somebody simply positioned in the
7 Court at some other place?

8 MS HOWARTH: Your Honour, my understanding from WVS is that
9 he wanted somebody present in the Court rather than sitting
12:06:29 10 beside him.

11 PRESIDING JUDGE: Now, Mr Witness, we understand that you
12 have made a special request to have someone here. That is
13 correct? And where would you like that person to sit? He
14 doesn't have his headphones.

12:07:01 15 Now, Mr Witness, we have been told that you would like
16 somebody from WVS to be here in the Court with you and we are
17 just checking: Where would you like that person to sit?

18 THE WITNESS: Yes, there is snot running down my nose.
19 Just the person will sit by me so that he will help me. As I'm
12:07:21 20 crying, the snot will run down my nose.

21 PRESIDING JUDGE: I understand, Mr Witness. We will direct
22 that the person from WVS comes in to assist you and to sit near
23 you to assist you.

24 THE WITNESS: Okay.

12:07:57 25 PRESIDING JUDGE: Mr Witness, while we're waiting for
26 someone to come do you feel able to answer any more questions or
27 do you wish to wait?

28 THE WITNESS: Let us go on. Let us go on.

29 PRESIDING JUDGE: Please proceed, Ms Howarth.

1 MS HOWARTH:

2 Q. Mr Witness, as I said at the beginning, if you do feel that
3 you need a break then please do say so.

4 A. Okay.

12:08:43 5 Q. So you had explained --

6 A. No, I haven't any problem. I will continue to sit here to
7 the finish.

8 Q. Mr Witness, before we took the break you had explained that
9 Otick had pleaded with the man with the machete not to cut his
10 hands. Do you remember that?

11 A. Yes. Yes, I am aware of the area that we start.

12 Q. So what happened next?

13 A. Well, he was told to place his hand on the pounding block.
14 When he pleaded with him, then he was ordered a second time to
12:09:29 15 place his hand in order for his hand to be chopped off and the
16 man told him not to plead with him, but he refused. He pleaded.
17 So the man chopped him on his head. Then blood started oozing
18 from his head and all over his body was blood.

19 Q. What did he chop him on his head with?

12:09:55 20 A. A cutlass. He used a cutlass and he chopped him on the
21 head.

22 Q. Can you say how many times he chopped him on the head?

23 A. Only two times. When he chopped him this way he chopped
24 him this way, but initially he chopped him straight on the
12:10:25 25 forehead, so the blood started oozing and it spilled all over.
26 In fact it reached me.

27 PRESIDING JUDGE: Just for purposes of record, the witness
28 indicated across the top of the head. Is that an acceptable --

29 MR ANYAH: It is, Madam President.

1 PRESIDING JUDGE: Yes. Proceed.

2 MS HOWARTH:

3 Q. And what was going through your mind when this was
4 happening?

12:10:58 5 A. Well, I started wondering and that the one who was doing
6 this chop told us that we should not plead with him, so I did not
7 plead with him any more. So I placed my hand on the pounding
8 block. So he chopped it. He chopped the one and he chopped the
9 other one so the one was hanging like this.

12:11:22 10 Q. So after Otick was chopped who was it that was next?

11 A. I was. I was the next person. During that time Otick was
12 rolling on the ground. He was fighting to die.

13 Q. Do you know what happened to Otick?

14 A. He was wallowing on the ground and after three days Otick
12:11:57 15 died.

16 Q. How do you know Otick died?

17 A. All of us were taken to the Connaught Hospital. That day
18 when this horrible thing happened to us all of us were taken to
19 the Connaught Hospital. He was there. After three days he died.

12:12:34 20 PRESIDING JUDGE: Please proceed, Ms Howarth.

21 MS HOWARTH:

22 Q. You said you placed your hand on the pounding block so he
23 chopped it. Do you remember how many times he chopped it?

24 A. He struck - he struck me once and he told me to put the
12:12:55 25 right hand again and he chopped it and it hung like as my - as I
26 illustrated. So he chopped the left again. All of them were
27 hanging. Then he gave me a message.

28 Q. What was that message?

29 A. The man who was doing this thing told me that I should tell

1 Pa Kabbah and the ECOMOG that came and helped me to fight, that
2 if they came to where our hands were chopped off that Pa Kabbah
3 and the ECOMOG themselves were to be chopped as they did to me.

4 Q. So what happened next?

12:13:41 5 A. When they - after they've sent me that Pa Kabbah and the
6 ECOMOG's hands would be chopped, and after they've given me this
7 message I moved in order for me to deliver the message. I left
8 them about some yards away and I fell. Blood was oozing from me.

9 Q. How did you feel at this point?

12:14:08 10 A. Blood was oozing from me. I felt giddy. I thought I was
11 in a hole. I fell down for about five minutes and God gave me
12 some strength. I woke up, I staggered while walking and I walked
13 towards the tobacco company area.

14 Q. You said you were given a message. How were you to deliver
12:14:38 15 this message?

16 A. Well, they only made a statement. They knew that I
17 wouldn't have any chance to do that. While I was going I came
18 across a group of them. They were large in number while I was
19 almost at the junction. When I arrived there they told me that
12:15:04 20 they should finish me. I told them that no, don't finish me. I
21 have been given a message to deliver to Pa Kabbah. All of them
22 had guns. So they do not shoot at me. They said I should
23 deliver the message. Then they told me that I should not go and
24 deliver the message to the ECOMOG. If I were to go there they
12:15:23 25 will kill me. Then I said okay.

26 JUDGE SEBUTINDE: Ms Howarth, was this a verbal message?

27 MS HOWARTH: Your Honour, that's what I was trying to
28 clarify:

29 Q. Mr Witness, can you help us as to whether this was a verbal

1 message or was it written down?

2 A. It was verbal. That that was what they were going to do to
3 them. If the ECOMOG and Pa Kabbah were to come their hands were
4 to be chopped as mine were chopped.

12:15:55 5 Q. So you say you met this group that was large in number. Do
6 you know who this group was?

7 A. They were mixed up. They were mixed up. They were mixed
8 up. I was afraid to look at them closely. Those guys had guns.

9 Ah, something very horrible happened in Sierra Leone. We are
12:16:26 10 praying for the Special Court. They've tried their level best.
11 Let God help them.

12 Q. So what happened after you met this group?

13 A. Well, when I told them that I was going to deliver the
14 message they too sent me that I should not forget. Then I said,
12:16:48 15 "Okay, I deliver the message". I only went some yards away from
16 the ECOMOG and those who told me to deliver the message. Then we
17 saw an armoured car parked in front of us, so we were jittery. I
18 saw that Iyei Bacca were afraid so we stood still because we were
19 afraid to return to from where we came from and we were afraid to
12:17:18 20 proceed where we were about to go.

21 Q. Where was this group?

22 A. They came from the Wellington area and they moved towards
23 the main junction.

24 Q. You referred to an armoured car parked in front of us. Do
12:17:42 25 you know who that armoured car belonged to?

26 A. Well, it was the ECOMOG. They were the ones that beckoned
27 to us, but we were afraid. Then our colleagues who had had the
28 same experience with me, I told them that we should go together.
29 So we went to ECOMOG. So we went and met them. One Kamajor

1 reported to the ECOMOG and said, "Oh, look at the way our people
2 have been treated at Calaba Town".

3 Q. You referred to just then "our colleagues who had had the
4 same experience with me". Who are you referring to there?

12:18:36 5 A. Yes. Iyei Bacca, Swadatu, we were in a group. We were the
6 first people whose hands were amputated. So those whose hands
7 were also amputated went on their own way. So we moved towards
8 where the ECOMOG were. We were three in number. The ECOMOG
9 placed us in a vehicle. They took off. They told us that they
12:19:02 10 were going to remove these rebels from Calaba Town. So they put
11 us in the Land Rover, they rode us to Connaught Hospital.

12 Q. Okay, Mr Witness. Before we get to Connaught Hospital you
13 referred to Iyei Bacca. Can you spell that?

14 A. Yes. I-Y-E-I B-A-C-C-A. She came from a village, that was
12:19:38 15 the area where she was a native born and since she came from that
16 area she was named after the village. Therefore, she was called
17 Iyei Bacca, meaning she came from Ro Bacca.

18 Q. When you say "whose hands were amputated", when were her
19 hands amputated?

12:20:03 20 A. That very day all of us, our hands were amputated the same
21 day, the eight of us, because the children's hands were not
22 amputated. Eight of us, the elderly people, our hands were
23 amputated.

24 Q. And was that on the same occasion as when yours and Otick's
12:20:25 25 hands were amputated?

26 A. Yes, yes, the same day was the very day they amputated all
27 of us. That was the day the rebels - the ECOMOG chased them out
28 of Calaba Town.

29 THE INTERPRETER: The interpreter is sorry. Can the

1 witness come again.

2 PRESIDING JUDGE: Mr Witness, the interpreter needs you to
3 repeat something you said to hear it clearly. Could you continue
4 from where you said, "The ECOMOG chased them out of Calaba Town."

12:21:01 5 Please continue from there.

6 THE WITNESS: Okay. Okay. Okay.

7 PRESIDING JUDGE: Now, Mr Witness, when you're ready please
8 continue with your answer.

9 THE WITNESS: Yes, yes. Yes, indeed. They were going -
12:21:37 10 they were advancing towards Calaba Town and so we were placed in
11 a white Land Rover, three of us. They rushed with us, because I
12 was about to die in the vehicle.

13 MS HOWARTH:

14 Q. So, you were in the vehicle with Iyei Bacca?

12:21:51 15 A. Yes.

16 MS HOWARTH: Your Honour, I've just been passed a note in
17 relation to the spelling of that and certainly somebody behind me
18 heard it differently and so I don't know if I can ask the witness
19 to clarify that again:

12:22:08 20 Q. Can you just spell again Iyei Bacca for us?

21 A. Okay, Iyei Bacca, yes. Iyei is I-Y-E-I and Bacca is
22 B-A-C-C-A.

23 Q. And Iyei Bacca, you said she had been amputated. How had
24 she been amputated? What injuries did she have?

12:22:40 25 A. Yes, yes, both of her hands were amputated, but partially
26 amputated. The hands were hanging like this. Three of us,
27 including Swadatu, all of our hands were hanging in this way.

28 Q. Why were your hands left hanging?

29 A. So that it will appear very terrible. Anywhere we appear -

1 we appear to people - it would appear very terrible. They did
2 that for us in order to appear very terrible. That was why they
3 did that.

4 Q. Do you know why they wanted it to appear very terrible?

12:23:33 5 A. So that they would not be chased out of town so that they
6 would be able to do everything they wanted, but the ECOMOG did
7 not give them any chance.

8 Q. So you were being taken somewhere by the ECOMOG. Where
9 were you being taken?

12:23:57 10 A. They took us to the Connaught Hospital - Connaught Hospital
11 - three of us. The others whose hands were amputated were coming
12 from the area where all of us were gathered together. Some took
13 different routes, so three of us came together and we were taken
14 to the Connaught Hospital.

12:24:13 15 Q. And what happened to you at Connaught Hospital?

16 A. Three of us entered and we were placed in a place where we
17 were taken care of, so that the doctor will come, and we laid
18 there and blood was oozing from us.

19 Q. And what treatment did you receive for your injuries?

12:24:42 20 A. Well, I - they took a board and placed my hand. They
21 placed a board on this part of my hand and this other part of my
22 hand and they did that the same way and they injected me.

23 Q. Mr Witness, if I can just ask you about your right arm
24 first of all. What treatment did you receive for that?

12:25:20 25 A. Yes, when I went to Connaught they injected me. After they
26 have treated me, Iyei Bacca and Swadatu, only the flesh was
27 remaining so they removed everything and dropped the hand. So,
28 it was only I who was placed in the theatre. They drew my hand
29 and the doctor said my thumb had already become black, so if

1 they've observed that I had already got some tetanus and so as a
2 result of that if my hand was not finally cut off I would die.

3 Q. Take your time, Mr Witness. We can take - please say if
4 you need assistance.

12:26:19 5 A. Okay. Okay, I'm not tired.

6 Q. Are you okay to proceed?

7 A. Yes, let's get on. I'm almost about to finish.

8 Q. So, you were talking about your right arm and you had said
9 that your thumb had blackened and that you could see the flesh.

12:26:44 10 What did they say about that right arm?

11 A. Yes, yes, yes. This hand, they did not cut it off
12 immediately. It was just hanging like this. The thumb had
13 become completely blackened. Then Dr Boimah, he said my hand
14 should be completely amputated otherwise I would die. Then he
15 did not waste time. He took me to the theatre for the operation.

12:27:18 16 Q. When you said your arm, it was just hanging like this, are
17 you able to explain to us from where it was hanging?

18 A. Yes. Yes, indeed. Well, when they amputated it they've
19 amputated the hand. Only the flesh was remaining. If you remove
12:27:59 20 the sleeves here, I would show you exactly what was the
21 situation.

22 Q. Mr Witness, if you're happy and able to do that then we
23 would appreciate that. If you need some assistance from the
24 gentleman next to you, then please ask.

12:28:16 25 A. Yes, yes, yes.

26 JUDGE SEBUTINDE: It is not if the witness wishes. It is
27 imperative that these injuries go on the record if they are
28 visible.

29 MS HOWARTH: Yes.

1 THE WITNESS: Yes. Yes, indeed. Yes, indeed. Okay. Just
2 draw up the sleeves. Oh, my children, look over here. This - I
3 was cured. They took me to Makeni and I'm still under treatment.

12:29:08

4 PRESIDING JUDGE: For purposes of record we note that the
5 witness has shown us his right arm, which is amputated between
6 the elbow and the shoulder, and has shown us part of his left arm
7 which is - we didn't see all the left arm, but he did show us a
8 part.

9 THE WITNESS: Yes, yes.

12:29:33

10 MS HOWARTH: Your Honour, perhaps I can help clarify that.

11 PRESIDING JUDGE: It's been pointed out to me that I may
12 have mis-described the right arm that it was below the elbow, but
13 perhaps could - counsel for the Defence and counsel for the
14 Prosecution has also had a view and so I must record it properly.

12:29:53

15 Mr Anyah?

16 MR ANYAH: Yes, I think the record inaccurately reflects
17 the condition of the witness's right arm. The amputation is
18 below the elbow and between the elbow and the wrist, as we see
19 it.

12:30:09

20 PRESIDING JUDGE: Thank you for that clarification.

21 THE WITNESS: Yes, indeed.

22 PRESIDING JUDGE: Ms Howarth, you agree?

23 MS HOWARTH: Yes, I agree.

12:30:21

24 PRESIDING JUDGE: Then the record will be amended as
25 described by counsel for the Defence. Mr Witness, thank you very
26 much for showing us this.

27 THE WITNESS: You're welcome. You're welcome.

28 PRESIDING JUDGE: Please proceed.

29 JUDGE SEBUTINDE: Ms Howarth, it would be good to establish

1 with the hand - the left hand - the condition in which it is,
2 because the hand is there attached but he can't use it
3 apparently.

4 MS HOWARTH: Yes, I will do that:

12:30:45 5 Q. Mr Witness, you --

6 A. Not at all. It is not functioning. All that I require has
7 to be done for me. I cannot do anything. I cannot eat for
8 myself. Even use the toilet people must have to help me out.

9 Q. What about the others who were in your group? You
12:31:18 10 mentioned the name Ibrahim. Do you know what happened to him?

11 A. All of us were hiding together. All our hands were
12 amputated, except the children that were suckling were the ones
13 that were left out. All of us were at Connaught. We were
14 brought down to Connaught.

12:31:50 15 Q. You mentioned earlier Ya Sampa. Do you know what happened
16 to Ya Sampa?

17 A. Yes, indeed. She was chopped up and she died. Those who
18 met us at Connaught told us that she was chopped and she died.
19 We did not see her corpse. She was our neighbour. We were told
12:32:18 20 that she died.

21 Q. Do you know when she was chopped up?

22 A. Well that very day when our hands were amputated, the
23 following day when we went to Connaught that was the day we were
24 informed that she was chopped up and she died.

12:33:00 25 Q. Mr Witness, can you tell us a bit about how being amputated
26 has affected you?

27 A. Yes, yes.

28 Q. Please do.

29 A. I pray in the name of Mohamed. My problem is I have a lot

1 of children and one of my wives had left because my hands have
2 been amputated. I used to have three. One had died. I want to
3 pay for my children - for my children's schooling. I cannot.
4 Now I cannot do anything for myself. A lot of us in town, we are
12:33:45 5 beggars. The blind, all of us are now dependent on begging in
6 Freetown. If you don't beg, you can't survive. This made me to
7 get high blood pressure and it is in me as I am speaking to you
8 now.

9 Q. You've said that you're forced to beg now. What work, if
12:34:11 10 any, did you do before you were amputated?

11 A. Yes, I was a driver at - I was a driver at British Tobacco
12 Company as --

13 THE INTERPRETER: The interpreter is sorry. Can the
14 witness come a little bit slower.

12:34:45 15 PRESIDING JUDGE: Mr Witness, please pause as the
16 interpreter is trying to catch up with you. Please speak a
17 little slower and pick up your answer where you said, "I was a
18 driver at British Tobacco Company as --" Continue from there.

19 THE WITNESS: Okay. I used to work at tobacco. I spent
12:35:14 20 there 30 years. During my 30 years they told us that the company
21 was to fold up because there was no money, so the factory was
22 closed. At the same time I used to do photography. That was the
23 way I used to survive with my children.

24 MS HOWARTH:

12:35:30 25 Q. Mr Witness, do you recall January of this year?

26 A. To recall what?

27 Q. Do you recall having photographs taken of you in January of
28 this year?

29 A. Yes, I had them here. I have them at home.

1 Q. Do you recall those photographs being taken by an
2 investigator from the Special Court?

3 A. Well, we did not know because different people used to come
4 to us. Some people came to have our own photos in order for them
12:36:23 5 to make money, but we knew that they came from different offices.

6 MS HOWARTH: Your Honour, could the witness be shown tab 1
7 of the exhibits for week 32.

8 THE WITNESS: Okay. I am. I am. I am the very person.
9 Yes.

12:37:11 10 MS HOWARTH:

11 Q. Mr Witness, are you saying that that's yourself in the
12 photograph?

13 A. Yes, ma'am. Indeed I am. That was the shirt I used to put
14 on.

12:37:22 15 Q. And do you agree that that photograph is a picture of you
16 which shows both your right and left arms?

17 A. Yes, indeed. The right hand. The right hand. That is the
18 right hand. That is the left. That is the left. This one is
19 the left. This one. It's this one.

12:37:50 20 MS HOWARTH: Could the witness be shown tab 2, please.

21 JUDGE SEBUTINDE: Ms Howarth, it would help us if you would
22 mention the ERN numbers of these photographs.

23 MS HOWARTH: I do apologise.

24 MR ANYAH: And I think, your Honours, proper procedure
12:38:09 25 would be to allow us to see the documents before they are shown
26 to the witness.

27 PRESIDING JUDGE: Do you not have these documents?

28 THE WITNESS: Okay, okay.

29 MR ANYAH: The photographs have been disclosed and I think

1 on two separate occasions, but I still think it's proper
2 procedure that before each one is shown, and there is not one
3 photograph, there are a number of them, that perhaps we see them
4 as well.

12:38:44 5 MS HOWARTH: I'm told that the Defence have the exhibit -
6 file for week 32 before them. As to the ERN number, the number
7 for the first photograph which was behind tab 1, the number is
8 00045697. If perhaps my learned friend could first be shown the
9 photograph behind tab 2.

12:39:26 10 THE WITNESS: Okay.

11 MS HOWARTH:

12 Q. Who is on that photograph?

13 A. This one? Which photograph are you referring to? This
14 one?

12:39:43 15 Q. The one that's in front of you.

16 A. Yes, it's me.

17 Q. And does that show a picture of your right arm?

18 A. Yes, indeed.

19 MS HOWARTH: And the ERN number for that photograph is
12:40:07 20 00045699.

21 THE WITNESS: Okay.

22 MS HOWARTH: And finally there is the photograph behind tab

23 3. The ERN number for that is 00045701:

24 Q. Mr Witness, can you look at that photograph, please. Who
12:40:45 25 is in that photograph?

26 A. I sitting here.

27 Q. Can you confirm is that a photograph of your left lower arm
28 and hand?

29 A. Yes, indeed, it is. Later I was taken care of. That's why

1 you see it this way. At the Holy Spirit Hospital in Makeni the
2 fathers took care of me. The fathers came with doctors from
3 Italy. That's where I was taken. This month the 30th, that's
4 the time I would have gone there, so that I wouldn't have feel
12:41:33 5 any pain any more. From April to now I am under medication.
6 Many of us who had been injured were brought to that place. Some
7 have been discharged.

8 Q. So, Mr Witness, can you just explain to us what's the
9 difference now with your hand after that operation that you're
12:41:54 10 referring to?

11 A. Yes, indeed. Yes. Now it is straight. Because it was
12 bent formerly. Then I was treated. But these fingers are no
13 longer functional because all the veins had been cut off. You
14 see this area had been operated. This area, here, here.
12:42:29 15 Everywhere. It has nothing to do again up to this point. It was
16 split open onto the palm. It has no function any more.

17 PRESIDING JUDGE: For purposes of record I will note that
18 the witness has shown us his left arm and indicated the lower
19 part of his palm and moved his arm to show the various scarrings
12:43:01 20 on it.

21 MS HOWARTH:

22 Q. Mr Witness, if you could just look again at that last
23 photograph. There it shows that the --

24 A. Yes.

12:43:09 25 Q. Is that where the hand was bent before?

26 A. Yes. Yes, indeed. We have a lot of people at Connaught,
27 thousands of them. The doctors are no more in the hospital. A
28 lot of them had left. The few that remained there only tried to
29 manage the situation in order to cure us.

1 JUDGE SEBUTINDE: Mr Witness, can you show us again how
2 your hand was bent before the operation?

3 MS HOWARTH: Your Honour, it may be easier --

4 THE WITNESS: It was straight.

12:43:55 5 JUDGE SEBUTINDE: Before the operation how was your hand
6 bent?

7 MS HOWARTH: Your Honour, perhaps he can refer to the
8 photograph. I'm not sure - he might have difficulty.

9 THE WITNESS: It was straight. It was straight.

12:44:11 10 JUDGE SEBUTINDE: Because I recall the witness did fold his
11 hand at the elbow, when he was testifying that before the
12 operation his hand was folded and after the operation they
13 stretched it out. But the photograph you're showing him shows
14 the hand folded at the wrist.

12:44:28 15 MS HOWARTH: Yes, it does.

16 JUDGE SEBUTINDE: So I need a clarification how it was
17 before and after.

18 MS HOWARTH: Yes. I'm simply wondering whether it's easier
19 for the witness to show that by reference to the photograph
12:44:39 20 rather than attempting to demonstrate it.

21 THE WITNESS: Down here.

22 JUDGE SEBUTINDE: Mr Witness, are you able to describe to
23 us, the question I asked you? Do you understand the question I
24 asked you?

12:45:03 25 THE WITNESS: I do understand, clearly. Well, okay, here.
26 Here. Are you seeing up at this part?

27 JUDGE SEBUTINDE: Yes, but how was your hand before the
28 hospital operated on it?

29 THE WITNESS: It was straight. It was straight. But it

1 was bent. That was why it was operated in order for it to be
2 straight. That was why it was operated. It was straight
3 formerly. Because I used to be a driver. If it had any problem
4 malfunctioning I would have been sacked from my place of work.

12:45:50 5 JUDGE SEBUTINDE: I thought that the amputation maimed you
6 in such a way that the hand was folded. Isn't that what you
7 said? Perhaps I misunderstood.

8 THE WITNESS: I heard what you've been saying, but after I
9 had been amputated I saw my hand bent, but I cannot recall again,
12:46:24 10 because all this area had been operated. Here, yes. All the
11 bones have been broken here. That was - they were patched up.
12 Dr Boimah is not dead. He is still in Freetown. He did this
13 operation.

14 MS HOWARTH: Does that clarify the matter? No:

12:46:53 15 Q. Mr Witness, when was your arm last straight?

16 A. Well, when I went to Makeni six months ago, that was the
17 time it was operated and I observed that it is now straight.

18 Q. Just before the operation was your hand straight or was it
19 bent?

12:47:25 20 A. It was bent. It was bent. Later on the team from Italy
21 came and checked us from the different location in which we were
22 and they said that I should be taken to Makeni in order for my
23 hand to be operated. So I was taken to Makeni. Thereupon my
24 hand was operated.

12:47:45 25 Q. Okay. And when you said it was bent, why was it bent?
26 What made it bent?

27 A. Well, the area where I was operated I think they made a
28 mistake there. I was not the only person. A lot of people were
29 operated. We were not properly operated in Freetown. We were

1 taken to Makeni where the work was done in a better way. I have
2 the document with me. I also have the photo wherein our hand -
3 our hands were bent and I have all those photos. It is here with
4 me. It is here.

12:48:37 5 MS HOWARTH: I don't know if the photographs are still with
6 the witness or not, but if they are perhaps they could be taken
7 away. I'm most grateful:

8 Q. Mr Witness, I want to ask you about something else.

9 A. Yes.

12:49:06 10 Q. Mr Witness, do you know of somebody called Charles Taylor?

11 A. I heard the name, but I don't know him. I only saw him in
12 a picture, as I used to read some papers or in films, I could see
13 his name; his face, rather.

14 Q. And what, if anything, had you heard about Charles Taylor
12:49:32 15 before the war?

16 A. I heard that there was war in his country and the war was
17 with - amongst his people.

18 Q. And what, if anything, else did you know about him?

19 A. Yes. On the radio I heard that we will taste the
12:50:17 20 bitterness of war in Sierra Leone.

21 Q. Who said we will taste the bitterness of war in Sierra
22 Leone?

23 A. Exactly. Exactly.

24 Q. Who said that, Mr Witness?

12:50:32 25 A. It was Pa Charles Taylor who said so. I heard. A lot of
26 people read that from the newspapers that we, Sierra Leoneans,
27 will taste the bitterness of war. And when these people came and
28 did this to us, then we realised that the war that he had been
29 predicting was the very war that was brought to us.

1 MS HOWARTH: Mr Witness, I don't have any further questions
2 for you at this time, but if you stay where you are I'm sure
3 there will be some more questions for you.

4 THE WITNESS: Yes.

12:51:10 5 PRESIDING JUDGE: Thank you, Ms Howarth. Mr Anyah?

6 MR ANYAH: Yes, I have a few questions for the witness.

7 THE WITNESS: Okay, okay.

8 CROSS-EXAMINATION BY MR ANYAH:

9 Q. Good afternoon, Mr Jalloh.

12:51:48 10 A. Afternoon.

11 MR ANYAH: Madam President, I have a set of papers, one for
12 the Court Officer and one for the witness. I'm sorry, one for
13 the Court Officer and one for the Office of the Prosecutor:

14 Q. Mr Jalloh, the day on which your arms were amputated, or
12:52:12 15 chopped, that was 28 January 1999, yes?

16 A. Yes, that was the time that my hands were cut off.

17 Q. I want to be precise about the date. Was the date 28
18 January 1999?

19 A. That was what I heard people say. They said it was the day
12:52:45 20 because we were at Connaught Hospital.

21 Q. Now, Mr Jalloh, you understand that in me asking you these
22 questions I am not trying to dispute the fact that your hands
23 were chopped off by somebody. Do you understand that, Mr Jalloh?

24 A. They were cut off.

12:53:06 25 Q. Yes, I am saying to you that by virtue of me asking you
26 these questions I am not trying to call that fact into question.
27 I'm not disputing that these things happened to you. Do you
28 appreciate that?

29 A. Yes.

1 Q. Now, Mr Jalloh, after your experiences in January of 1999,
2 some time in the year 2003, specifically on 13 March 2003,
3 someone from the Special Court came to speak to you about what
4 happened to you. Do you recall that?

12:53:52 5 A. Yes. Yes, people used to come. A lot of them, I cannot
6 just recall.

7 Q. Do you recall giving a statement to somebody from the
8 Office of the Prosecutor on 13 March 2003?

9 A. I cannot recall the date, but people used to come. They
12:54:21 10 were many. They were many. You see, I cannot even recall the
11 people who had been coming to me.

12 Q. Mr Jalloh, do you recall any of those people who came to
13 you giving you a set of documents and asking you to put your
14 finger in ink and to place your finger on any of those documents?

12:54:50 15 A. I cannot recall, because what happened to us we were
16 totally confused. Some would come and take snapshots of us, you
17 see, and go and search for money for themselves. So I cannot
18 recall all that you are asking me about, it has taken a long
19 time, but I did not know that we were going to be called upon to
12:55:19 20 come and testify here. If I had known, I would have taken a pen
21 and paper and written all that I was supposed to say in this
22 Court.

23 Q. But do you remember ever placing your thumbprint, or
24 fingerprint, on papers since you were injured?

12:55:38 25 A. Yes.

26 Q. Mr Jalloh, in front of you near Madam Court Officer is a
27 set of documents. Can you look at it and see if that is the set
28 of documents on which you placed your thumbprint, or fingerprint?

29 A. Well I cannot recall because there were a lot of people who

1 had been coming telling me to make a thumbprint, but I did not
2 know the meaning of all that I had been doing.

12:56:21 3 Q. That's fair enough. Mr Jalloh - and, Madam Court Officer,
4 you can take the document from before the witness. Mr Jalloh,
5 when did you arrive in this country, Holland? Do you remember
6 the day?

7 A. About two to three weeks now. I do not recall the exact
8 date.

9 Q. Today is 1 October and --

12:56:42 10 A. Yes.

11 Q. -- the people from the Office of the Prosecutor give us
12 documents to correspond to any interviews or meetings they have
13 with you and they show that they met with you - that is the
14 documents they have disclosed to us show that they met with you
12:57:00 15 on the 24th, which was a Wednesday, and the 25th, which was a
16 Thursday, of September. Do you remember meeting with them last
17 week on Wednesday and Thursday, Mr Jalloh?

18 A. In Freetown? Do you mean in Freetown, or in Holland?

19 Q. I mean in Holland. Since you've been here, do you remember
12:57:26 20 last Wednesday and Thursday meeting with members of the Office of
21 the Prosecutor?

22 A. I cannot recall, because as I am sitting here I am confused
23 because I'm a pressure patient. I'm really confused. You see,
24 if I am attacked by pressure I would fall down until I take
12:57:52 25 medicines before I come to myself.

26 Q. Mr Jalloh, when you say you are confused, have you been
27 confused during the entire period today when you have been
28 testifying?

29 A. No. You see, what I meant is there are times when I would

1 be attacked by pressure, but some of the things that had happened
2 I can recall and there are some other things that I cannot
3 recall.

4 Q. Are you saying that your memory is not very clear about
12:58:28 5 some of the things that happened to you, Mr Jalloh?

6 A. There are some. There are some incidents that I cannot
7 recall and there are some that I can recall. I did not even feel
8 that I was going to be called upon today to come and testify. If
9 I had known, you see, I would have written something down. But,
12:58:57 10 you see, I can recall most of the things.

11 Q. Now, Mr Jalloh, can you recall meeting with somebody from
12 the Office of the Prosecutor two days ago on Monday, the 29th?

13 A. No. I was always in, you see, where we were lodged, so we
14 wouldn't go out. They only told us that we were supposed to come
12:59:33 15 to court. That was what they told me. That was what they told
16 us, those people that had been working there.

17 Q. Mr Jalloh, I will restate my question.

18 A. Yes, sir.

19 Q. Now, two days ago we have records showing that you met with
12:59:51 20 somebody from the Office of the Prosecutor.

21 A. Yes.

22 Q. I'm not asking you where you met with them at. I'm asking
23 you if you recall this fact happening; that you met with people
24 from the Office of the Prosecutor two days ago, Monday the 29th?

13:00:09 25 A. I do not recall, because - because we were in the house.
26 So we would go and eat and after which we would go back and lie
27 down and sleep, so I cannot recall.

28 Q. Mr Jalloh, before you came into this courtroom to sit in
29 that chair and give evidence this morning, did you meet with

1 anybody sitting to the right of you at the section there of the
2 courtroom where the Prosecution sits? Those four persons you see
3 on your right, did you meet with any one of them since you've
4 been in Holland?

13:00:52 5 A. Who?

6 Q. The people seated to your right, is there anybody there
7 you've met with outside of the courtroom before you came to give
8 evidence in court?

9 A. Yes, except the lawyer that they said I would have to come
13:01:15 10 with.

11 Q. And which lawyer is that?

12 A. This female. That one. The one sitting there, sitting on
13 the right-hand side.

14 Q. Mr Jalloh, are you referring to the lawyer who asked you
13:01:31 15 questions in court this morning?

16 A. She's the one that I'm referring to.

17 Q. When did you meet with Ms Howarth, Mr Jalloh?

18 A. This lawyer?

19 Q. Yes, this lawyer, the lawyer you've referred to,
13:01:54 20 Ms Howarth, when did you meet with her?

21 A. It was a few days ago and she told me that we would have to
22 come to court.

23 Q. Did she ask you questions when you met a few days ago?

24 A. She only told me that we would have to come to court and
13:02:25 25 that if I came I should say the truth and that is all.

26 MR ANYAH: Madam Court Officer, may I have the document
27 labelled number 4, please, if that could be displayed on the
28 overhead. The ERN number of this document, your Honours, is
29 00101424:

1 Q. Mr Jalloh, these are notes that the Prosecution disclosed
2 to us. The notes indicate that someone from their office met
3 with you on 29 September 2008 and that was Monday of this week.
4 Now, I'll read to you what this says and I want to ask you if
13:03:18 5 this is what you told the person with whom you met.

6 A. Okay.

7 Q. It says - and by the way, Mr Jalloh, you told us you could
8 read English earlier today, yes?

9 A. I'm a little - educated a little bit.

13:03:37 10 Q. And do you need glasses to read something, or can you see
11 without glasses? Can you read without glasses?

12 A. My eyes are dim. I cannot see.

13 Q. Then I will read to you what is written and you just
14 listen. It reads:

13:04:02 15 "1. The witness thinks that the first rebel that came to
16 Mr Jalloh's compound was Liberian because Otick said he had a
17 Liberian accent. The horn was tied around the rebel's head with
18 a red cloth."

19 Let's pause there. Mr Jalloh, when you met with Ms Howarth
13:04:30 20 did you tell her this information?

21 A. I cannot recall. The first one that went to me had a horn.
22 The second - the second one that came, in fact I cannot - I did
23 not recognise him because he was black and it was a little bit
24 difficult for me to know that individual, but they told me that
13:04:55 25 he came from Liberia.

26 Q. Well, let's take things bit by bit. My question has to do
27 with whether what I have read to you you told Ms Howarth that
28 information.

29 A. Okay.

1 Q. That the first rebel that came to Mr Jalloh's compound was
2 Liberian because Otick told you so. Did you say that to
3 Ms Howarth when you met with her?

4 A. I cannot recall, but he had a horn. This horn was
13:05:37 5 terrible, you see, and he tied a red band right round his head.

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

8 THE WITNESS: Yes.

9 PRESIDING JUDGE: The question is about what you told the
13:05:51 10 lawyer who asked you questions this morning, what you told her a
11 few days ago. Do you understand that?

12 THE WITNESS: We did not see each other this morning. I
13 did not see the lawyer this morning.

14 PRESIDING JUDGE: Yes, I understand that, but you have told
13:06:13 15 us you saw this lady a few days ago. Now, the questions are
16 about your conversation a few days ago. I'm going to ask --

17 THE WITNESS: Okay.

18 PRESIDING JUDGE: -- Mr Anyah to put the question again and
19 you listen carefully, please.

13:06:30 20 THE WITNESS: Okay.

21 MR ANYAH: Thank you, Madam President:

22 Q. Mr Jalloh, please listen to my question.

23 A. Okay.

24 Q. You told us you met with the lady that's seated to your
13:06:40 25 right, the lady who asked you questions this morning in court.
26 You met with her here in The Hague, correct?

27 A. Yes, yes.

28 Q. And I am trying to find out the nature of your conversation
29 with her on that day. When you and her met the conversation went

1 beyond you just telling the truth in court. She asked you some
2 questions about what happened, yes?

3 A. Yes.

4 Q. When you met with Ms Howarth did you tell her what I just
13:07:10 5 read to you, that you think the first rebel that came to
6 Mr Jalloh's compound was Liberian because Otick told you so?

7 A. Yes.

8 Q. When you say "yes" --

9 A. Yes.

13:07:28 10 Q. -- Mr Jalloh, when you say yes to my question are you
11 agreeing with me that you told Ms Howarth about the origins of
12 this first rebel that came to Mr Jalloh's compound?

13 A. That's what people used to say, yes. When the old man said
14 that we are going to taste the bitterness of war, so when we saw
13:08:03 15 a stranger, we would straightaway conclude that in fact they came
16 from Liberia.

17 Q. But you would not know for sure whether they came from
18 Liberia, you would just conclude that?

19 A. Yes, because the old man said that we would taste the
13:08:22 20 bitterness of war. So if we saw people that are strangers come
21 to us we would say that, yes, these are the people that came from
22 Liberia.

23 Q. Well, Mr Jalloh, we have to do this slowly now because you
24 told us in court that it was the tall rebel not the --

13:08:40 25 A. Okay.

26 Q. -- it was the tall rebel who came later the next day that
27 behaved like a stranger. Do you recall telling us it was the
28 tall rebel who came the following day that behaved like a
29 stranger?

1 A. Yes.

2 Q. Well, let's start from the beginning then. We are at
3 Mr Jalloh's compound. Mr Jalloh was a businessman, yes?

4 A. Yes, he was a trader. Yes, he was a businessman.

13:09:14 5 Q. Jalloh was a wealthy Fullah businessman whose compound was
6 between Bangura and Tejan Streets in Calaba Town, Freetown, yes?

7 A. Yes, in Calaba Town.

8 Q. When you and the others went and hid in the tin shack in
9 Jalloh's compound you heard a knock on the door, yes?

13:09:45 10 A. Yes. He was not that tall compared with the other.

11 Q. Yes. Now the first rebel that came wore civilian clothing,
12 correct?

13 THE INTERPRETER: Can counsel kindly repeat the question.

14 MR ANYAH: Yes:

13:10:08 15 Q. Mr Jalloh, the first rebel that knocked on the door of the
16 tin shack wore civilian clothes, yes?

17 A. Yes.

18 Q. That first rebel was not too tall, yes?

19 A. Yes, he was not that tall compared with the last one.

13:10:36 20 Q. And that first rebel was not Liberian, true?

21 A. Well, as long as the old man has said that we will taste
22 the bitterness of war, you know, so we would know that these
23 people are rebels, because they came with a gun. The last one
24 that came - the last one that came, he did not have any gun in
13:11:04 25 his hands.

26 Q. I'm asking you about the first rebel, Mr Jalloh. The first
27 man, not too tall that came and knocked on the door. Are you
28 saying to us that because you heard about the bitterness of war
29 over the radio you concluded that this first rebel was Liberian?

1 Is that what you're telling us?

2 A. Well, that was what we concluded, because they had told us
3 that we were going to taste the bitterness of war so that if evil
4 people should come and they had strange faces then we will say
13:11:45 5 yes, they came from Liberia. But if they are not strange faces
6 we will say they were part of us.

7 Q. Are you saying to us that the first rebel who knocked on
8 the door had a strange face?

9 A. Yes, yes.

13:12:03 10 Q. Are you also saying to us that the tall rebel who came on
11 the following day, and who asked you and the others to accompany
12 him to Sayinoh Junction, also had a strange face?

13 A. Yes.

14 Q. Mr Jalloh, have you ever been to Liberia?

13:12:33 15 A. No, I have never been to Liberia but those that I know used
16 to go to Liberia.

17 Q. When you see a Liberian and Sierra Leonean without them
18 saying anything, can you tell the country from which they are
19 from?

13:12:54 20 A. I will be able to know by their accents when they speak.
21 But if they should stand it will be a little bit difficult for me
22 to say. But when they speak I would be able to know. I will be
23 able to know. But if they just stand before me I will not be
24 able to. But by speaking I will be able to know that this is a
13:13:15 25 Sierra Leonean and this a Liberian.

26 Q. Forget being able to know when they speak. My question
27 was: When they stand side-by-side and say nothing and you look
28 at them, visually observe them, can you tell the country from
29 which they are from?

1 A. I wouldn't be able to except if they speak.

2 Q. Are you saying to us that when you heard the first rebel
3 speak you concluded he was Liberian or do you say he was a
4 Liberian because of what you were told at Connaught Hospital?

13:14:04 5 Mr Jalloh?

6 A. That was why we said that he was a Liberian.

7 Q. When you say "we", I am trying to focus on what you knew,
8 Mr Jalloh. When that first rebel knocked on the door, at that
9 time you did not know whether he was Liberian, did you?

13:14:28 10 A. I was able to know through his way of speaking. You see,
11 when he spoke, when he opened the door, when we asked whether we
12 had money, that was how I came to know that he was a Liberian.

13 Q. And is it the same for the second rebel that came the
14 following day? Was it his manner of speech that made you

13:14:52 15 conclude he was Liberian?

16 A. Yes, both of them. It was through their manner of speech
17 that I was able to know that he was a Liberian.

18 MR ANYAH: May I have the assistance of Madam Court
19 Officer, please. I would be grateful to have placed on the
13:15:12 20 overhead the document in section 2 and it's a declaration, but
21 behind it is a statement and I want the statement page ending
22 with - or that has the ERN number 00045709. I could assist you
23 if you need my assistance. Madam Court Officer, if you could
24 scroll down to the bottom of the page:

13:16:00 25 Q. Mr Jalloh, when you first met with the Prosecution their
26 records as disclosed to us suggest you met with them on 13 March
27 in 2003 and they made notes of what you told them. At the bottom
28 of this page this is what the Prosecution says you told them. It
29 reads:

1 "In fact ECOMOG took over the area where we were amputated
2 later on January 28th. I never heard any of the rebels speaking
3 the Liberian language, but then again I was out of my mind with
4 fear and might not have noticed."

13:16:43 5 The Prosecution says you told them in March of 2003 you
6 never heard any of the rebels speaking the Liberian language. Do
7 you agree with that, Mr Witness?

8 A. No, those that led us from where we were hiding --

9 THE INTERPRETER: Your Honours, would the witness be asked
13:17:11 10 to go slow.

11 PRESIDING JUDGE: Sorry, Mr Witness, I must interrupt
12 because the interpreters say you're speaking quickly. So if you
13 repeat what you have said but say it more slowly. Please pick up
14 where you said, "Those that led us from where we were hiding" and
13:17:29 15 continue.

16 THE WITNESS: Okay.

17 PRESIDING JUDGE: Now when you're ready, continue your
18 answer.

19 THE WITNESS: Okay. Okay. The first one that went, he
13:17:55 20 knocked on the door, see, they opened. He had a gun. He was
21 dressed in civilian clothing and he said, "Where you are standing
22 there, if you do not have money you will die very soon". See,
23 but the way he was talking he was not even fluent in Krio. He
24 said I should be searched.

13:18:34 25 MR ANYAH:

26 Q. Mr Jalloh, I don't wish for you to repeat everything you
27 said in chief when you were asked questions by the other side. I
28 just want to focus on this paragraph I've read to you; whether
29 you agree with what has been written that you told the

1 Prosecution in March, specifically 13 March 2003, that you never
2 heard any of the rebels speaking the Liberian language. Do you
3 agree you told them that? That's the first question, Mr Jalloh.

4 A. I cannot recall any more. I cannot recall any more.

13:19:15 5 Because I told you that I did not know that I was coming to
6 testify in court. I would have taken notes.

7 Q. Now, a few minutes ago you told us that you believed this
8 first rebel was Liberian because of the way he spoke. Do you
9 recall saying that a few minutes ago?

13:19:37 10 A. That was what I said.

11 Q. Earlier this morning during examination-in-chief you said
12 later on you heard he was Liberian or the rebel was Liberian from
13 people at Connaught Hospital. Do you recall telling us that
14 earlier this morning?

13:19:57 15 A. Yes, I said so.

16 Q. So which is it? Is it you that concluded he was Liberian
17 from the way he spoke, or are you saying he was Liberian because
18 of what you heard at Connaught Hospital?

19 A. From the way he spoke. From the way he spoke.

13:20:24 20 Q. And the second rebel, the tall rebel that came on the
21 following day, you told us this morning you heard from people at
22 Connaught Hospital that he was Liberian, yes?

23 A. Yes, so it was.

24 Q. You told us this morning that he acted or seemed to be a
13:20:50 25 stranger to the place, yes?

26 A. Yes.

27 Q. How is it, Mr Jalloh, that the Prosecution's notes from
28 your meeting on Monday speak not of Connaught Hospital, but of
29 Otick telling you that the first rebel was Liberian? Do you

1 understand how that is the case, Mr Jalloh?

2 A. Yes.

13:21:45 3 Q. Can you tell us why that's the case, that their records of
4 interviews with you say Otick told you this and you're telling us
5 in court you learnt first by your own observations and secondly
6 from what you heard at Connaught Hospital?

7 A. Well, you see, what I heard, that was what made me know
8 that he was a Liberian. When we were hiding those that went
9 there they told us that these were Liberians, and when we went to
13:22:15 10 Connaught people also confirmed that they were Liberians. That
11 was what they used to say.

12 Q. Mr Jalloh, do you have an explanation for how it is that
13 the Prosecution's records of interviews make no mention of the
14 second rebel, the tall fellow, being Liberian when you have told
13:22:35 15 us in court that he was Liberian?

16 A. Their faces are different. That was why I said so. Their
17 faces - their faces were different in the area.

18 Q. I will repeat my question, Mr Jalloh, and Madam Court
19 Officer could you please put back the document in tab 4 for the
13:23:09 20 witness and others to see. Mr Jalloh, the notes taken from your
21 last meeting with the Office of the Prosecutor on 29 September,
22 two days ago, make no mention of the second rebel, the tall
23 fellow, being Liberian. Can you explain how they do not record
24 this information, Mr Witness?

13:23:43 25 A. Well I knew that these fellows, according to their
26 appearance, they were Liberians. That was what I understood.

27 Q. Well, now you're going back to saying "according to their
28 appearance". Is it appearance, or is it how they spoke,
29 Mr Jalloh?

1 A. Their faces and the way they looked and, you see, their
2 exploits told me that they were bad people who had come, you
3 know, to disturb us.

13:24:22 4 Q. [Overlapping speakers] they were bad people who had come to
5 disturb you. The focus is whether or not they were Liberians.
6 You are saying they were Liberians. The Prosecution's notes does
7 not say the same thing about the tall fellow. Did you tell the
8 Prosecution the tall fellow was Liberian?

13:24:51 9 A. Yes, according to the way I saw him. According to the way
10 he spoke.

11 PRESIDING JUDGE: Mr Witness, again we are not talking
12 about what you saw at that time. The questions are about what
13 you said to the lady who was the lawyer who spoke to you a few
14 days ago. Do you understand the difference?

13:25:15 15 THE WITNESS: I will try.

16 MR ANYAH:

17 Q. Mr Jalloh, besides your appearing in court today to
18 testify, when you met with Ms Howarth what did the two of you
19 talk about? Can you tell us?

13:25:35 20 A. This morning I cannot recall that we met. You see, I may
21 be wrong, but I cannot recall that we met. I cannot recall that
22 we met.

23 Q. I'm asking about your meeting with her a few days ago,
24 Monday the 29th perhaps. When you met with her a few days ago,
13:26:00 25 do you recall what the two of you talked about?

26 A. Well, we did not discuss much. She only told me the time
27 that we were supposed to come to court.

28 Q. Well, we have records showing that you met with them last
29 week. Do you remember with whom you met last week, Mr Jalloh?

1 A. Yes, I met with the lawyer.

2 Q. Was it one lawyer, or more than one lawyer?

3 A. They were two, a male and a female.

4 Q. Is the male lawyer in court here today?

13:26:55 5 A. Yes, he is here.

6 Q. Is he the man seated in the front row to your right?

7 A. No, they were two. The female is sitting on the right-hand
8 side.

9 Q. And where is the male lawyer seated, as you look to your
13:27:19 10 right?

11 A. Left of my side.

12 PRESIDING JUDGE: Can I take it that the witness is
13 indicating Mr Werner, because I'm not quite clear?

14 MS HOWARTH: May I suggest that the witness is asked if he
13:27:39 15 sees that male in the Court before he is asked where he is,
16 please.

17 MR ANYAH: Well they both would result in the same
18 non-leading response, but I would be happy to do so:

19 Q. Mr Jalloh, do you see the male lawyer that you're referring
13:27:59 20 to in court right now?

21 A. I cannot see properly because, you know, they resemble each
22 other and so I cannot recall. They were two and he does not say
23 anything.

24 Q. Well, Mr Jalloh, is the lawyer you saw or you met with - is
13:28:20 25 he black or is he white, Mr Jalloh?

26 A. The one to whose office I went he was white - a white
27 lawyer.

28 Q. Do you see that person in court, Mr Jalloh?

29 A. Well, it would seem as if it is this one that is sitting

1 here. I may be wrong because I do not see afar.

2 Q. What did you discuss when you met with the male and female
3 lawyers? Can you tell us?

13:29:13

4 A. It was the female lawyer that spoke to me. It was not the
5 male. She was the one that told me that we were supposed to come
6 to court. I did not know that she was going to be my lawyer. I
7 did not know that.

8 Q. And beyond saying that you were going to come to court,
9 what else did you and them speak about?

13:29:34

10 A. I cannot recall. We did not talk about a lot of things.

11 Q. Well, Mr Jalloh, did you tell them that you heard
12 Charles Taylor say something about the bitterness of war? Did
13 you tell them that here in The Hague?

14 A. Yes, yes.

13:29:52

15 Q. And that was the first time you mentioned that to them,
16 yes?

17 A. Yes, I said so. Yes, I said so.

18 Q. But my question is --

13:30:04

19 PRESIDING JUDGE: Mr Anyah, I'm sorry to interrupt, but we
20 are just past the usual lunchtime adjournment. Would this be
21 convenient? I see you're in a line of questioning. Have you
22 many more questions in that line?

23 MR ANYAH: I have a few more and this would be an
24 appropriate time to break.

13:30:17

25 PRESIDING JUDGE: Very good. Mr Witness, we are now going
26 to take the lunchtime break. We will be breaking for one hour
27 and we will come back at half past 2. Please adjourn court until
28 2.30.

29 THE WITNESS: Okay.

1 [Lunch break taken at 1.30 p.m.]

2 [Upon resuming at 2.30 p.m.]

3 PRESIDING JUDGE: Good afternoon. Ms Howarth, I note some
4 changes of appearance and Mr Prosecutor is with us.

14:30:39 5 MS HOWARTH: Yes, your Honour. For the Prosecution this
6 afternoon, the Prosecutor Mr Stephen Rapp, Mr Nicholas Koumjian,
7 Alain Werner, Ms Maja Dimitrova and myself Kathryn Howarth.

8 PRESIDING JUDGE: Thank you. Mr Anyah, please proceed.

9 MR ANYAH: Good afternoon, Madam President, your Honours.
14:30:58 10 Our appearances remain the same. Thank you:

11 Q. Good afternoon, Mr Jalloh.

12 A. Yes, sir, good afternoon. Yes.

13 Q. Before the break I was asking you questions about an
14 interview you had during which you said present were two lawyers
14:31:18 15 from the Office of the Prosecutor, a man and a woman. Do you
16 recall that?

17 A. Yes, yes.

18 Q. I asked you whether you told both lawyers present about
19 hearing Charles Taylor say over the radio that Sierra Leone would
14:31:35 20 taste the bitterness of war. Do you recall that?

21 A. Yes, indeed. Yes, indeed.

22 Q. And before the lunch break you confirmed for us that you
23 did in fact tell those lawyers that piece of information, yes?

24 A. Yes, indeed.

14:32:01 25 Q. Now, the day or dates during which you met with these
26 lawyers were last week while you were here in The Hague, correct?

27 A. Yes, indeed.

28 MR ANYAH: Madam Court Officer, with your assistance may we
29 have displayed the document in tab number 3. It's two pages in

1 length. Thank you:

2 Q. Mr Jalloh, these are notes disclosed to us by the Office of
3 the Prosecutor. They pertain to interviews or meetings they had
4 with you on the 24th, last week Wednesday, and the 25th, last
14:32:55 5 week Thursday, here in The Hague and you see in number 2 it
6 reads:

7 "The witness recalls hearing Charles Taylor on the radio
8 before the time that the war came to Sierra Leone, saying that
9 Sierra Leone would taste the bitterness of war."

14:33:10 10 Have you heard what I read, Mr Jalloh?

11 A. Yes, I have heard. I have heard you.

12 Q. Now, since your first interview with the Prosecutors in
13 2003 up until your visit here in The Hague this is the first time
14 you have told them about hearing Charles Taylor make such a
14:33:34 15 statement over the radio, right?

16 A. Yes. Yes, indeed.

17 Q. What question were you asked by the lawyers that led you to
18 give this response? Can you tell us?

19 A. What made me respond in this way, the Pa said so before the
14:34:09 20 war. So when this thing happened we came to the conclusion that
21 the war came from his own part.

22 Q. You came to that conclusion simply because you heard
23 somebody say the Pa made this statement before the war. Is that
24 your evidence?

14:34:37 25 A. I heard it myself. I heard it.

26 PRESIDING JUDGE: Mr Witness, please pause. Ms Howarth?

27 MS HOWARTH: The witness may himself have clarified what I
28 have just said, but I am not sure the witness was entirely stated
29 correctly there. He just said, "The Pa said so before the war",

1 not, "Somebody said the Pa said so before the war", but maybe the
2 witness has dealt with that.

3 MR ANYAH: I appreciate the distinction, but I don't
4 believe the witness is confused and I can clarify:

14:35:10 5 Q. Mr Witness, when we speak of the Pa you are referring to
6 hearing Charles Taylor say something about the bitterness of war.
7 Is that how you understand it to be?

8 A. Yes, indeed. I said so.

9 Q. Now, I will go back to my original question, but following
14:35:31 10 up on your answer, your answer was that you arrived at the
11 conclusion that the persons who did amputate your hand, or your
12 arms and the soldiers you saw, or the rebels you saw in Freetown
13 came from Liberia. You arrived at this conclusion merely because
14 you heard Charles Taylor say something about the bitterness of

14:35:55 15 war before the war came to Sierra Leone. Is that a fair
16 characterisation of your evidence?

17 A. Yes, indeed. Yes, indeed.

18 PRESIDING JUDGE: Mr Anyah, did the witness actually say
19 that the person who carried out the amputations spoke with - came
14:36:13 20 from Liberia or had a Liberian accent?

21 MR ANYAH: I understood him to say generally that he felt
22 all of the rebels could be attributable to Liberia because of
23 what he had heard on the radio. Now, I stand to be corrected and
24 - well, let me pursue the line of enquiry consistent with how
14:36:42 25 your Honour understands it:

26 Q. Mr Witness, you do not know whether or not the person who
27 amputated your hands - your arms - that is chopped them off came
28 from Liberia, do you?

29 A. That was what we said. I said so. I said when the Pa said

1 we would taste the bitterness of war, so when we saw people came
2 and disturbed us, we concluded that the war came from his own
3 side.

14:37:25 4 MR ANYAH: Madam President, I don't know if that clarifies
5 the issue?

6 PRESIDING JUDGE: It doesn't actually, but I will not
7 pursue it. I was just trying to ensure an accuracy in your
8 question.

9 MR ANYAH:
14:37:35 10 Q. Mr Witness, when you referred to people who came and
11 disturbed you, are you referring to the rebels you encountered in
12 Freetown and Calaba Town in January of 1999?

13 A. Yes, those were the people I have been referring to.

14 Q. And you include amongst those people the person who chopped
14:37:59 15 your arms off, yes?

16 A. Yes, indeed.

17 Q. And it is fair to say that as you sit there now you are
18 saying to us they are from Liberia, or were from Liberia, because
19 you heard Charles Taylor over the radio before the war came to
14:38:21 20 Sierra Leone, true?

21 A. Yes, indeed.

22 Q. Now, going back to my original question, you agree with me
23 that the first time you have told the Prosecution about hearing
24 Charles Taylor speak about the bitterness of war was when you
14:38:45 25 were here in The Hague, correct?

26 A. Well, I cannot recall the other event.

27 Q. Mr Witness, I am not asking you about the other events. I
28 am asking you what you told the two lawyers you met with last
29 week. It was last week while you were here in The Hague that for

1 the first time you spoke of this bitterness of war being heard
2 over the radio, correct?

3 A. Yes, indeed.

4 Q. Now, let us look at paragraph 4 of that statement. It
14:39:30 5 reads:

6 "The rebel who was involved in the incident on page 2" -
7 and it gives a number in parentheses 00000143 - "also wore an
8 animal horn like a goat's horn. He was an RUF. The clothing he
9 had showed he was a stranger and the way he spoke was different.
14:39:51 10 He had a gun."

11 Mr Witness, did you tell the two lawyers you met last week
12 what I have just read?

13 A. Oh, the lawyers wouldn't say lies. White people don't say
14 lies. Whatever you say they will write exactly what you said.
14:40:13 15 They will never say lies.

16 Q. Did you say white people don't say lies? Is that what you
17 just said, Mr Witness?

18 A. Yes, indeed. A white man has never lied against me. I
19 have never witnessed that in my life.

14:40:30 20 Q. So you agree that what I have just read is something you
21 told the Prosecution last week?

22 A. What you have said, I endorse what you have said. White
23 people don't say lies, except if you make a mistake while you are
24 talking, but whatever you say to a white man the white man will
14:40:57 25 write it exactly.

26 Q. Mr Witness, do you agree then that the record of your first
27 interview from 13 March 2003 accurately reflects all that you
28 told the Prosecution in March of 2003?

29 PRESIDING JUDGE: Please pause, Mr Witness.

1 MS HOWARTH: I am only rising, I may have misheard my
2 learned friend, but I am not sure whether he was asking whether
3 all of the record on those pages reflected what he said, in which
4 case he hasn't had an opportunity to look at all of that record
14:41:38 5 so he wouldn't be able to say so, but if I am wrong --

6 PRESIDING JUDGE: The "he" in question is Mr Witness?

7 MS HOWARTH: Yes.

8 MR ANYAH: Well, the witness, my question proceeds from the
9 witness's response which was that whatever white people write
14:41:54 10 down is accurate and --

11 PRESIDING JUDGE: It also surmises that the persons who
12 conducted the first record of interview of 13 March 2003 were
13 white, and this is a premise I do not have before me.

14 MR ANYAH: Of course, of course. I appreciate the
14:42:06 15 distinction, but I don't think we need to be distracted by that
16 particular reference and I will rephrase the question and move
17 along:

18 Q. Mr Witness, in your interview with the Prosecution on 13
19 March 2003, anywhere at any time during that interview, did you
14:42:28 20 ever use the acronym or phrase RUF?

21 A. I may say so. Probably I cannot recall.

22 Q. Well, I am putting it to you that it was only here in The
23 Hague, when you met with the Prosecution, that you used the
24 letters RUF. Do you agree with that proposition?

14:43:07 25 A. I used to say that. I used to state that. When - about
26 our hands being amputated I stated that.

27 Q. There is no reference to RUF in any of your prior
28 statements before you came to The Hague. There is one reference
29 to SLA, Mr Witness, and that is in connection with a Pastor

1 Kargbo. Do you agree that only once previously before you came
2 to The Hague have you coined or characterised the rebels in
3 question as RUF or SLA?

14:43:57 4 A. I used to talk about the RUF. I cannot recall the other
5 things. I cannot recall exactly.

6 Q. When you spoke with the Prosecution the first time in March
7 of 2003, did you speak of seeing child combatants as you moved
8 towards the vicinity of Mr Okabi a's house?

9 A. Yes, I said so.

14:44:23 10 Q. Well, there is no reference to child combatants in your
11 prior interviews - well, in your prior interview of 13 March
12 2003, do you agree?

13 A. I cannot recall. I cannot recall. Where I am sitting now
14 I am thinking about that, because during that time we were mixed
14:44:54 15 up while we were in town.

16 Q. Mr Witness, since the events of January 1999 it is fair to
17 say that you have spoken with others about their experiences
18 during that time period, correct?

19 A. Yes, indeed.

14:45:17 20 Q. And some of what you have told us in court today derives
21 from what you have heard during conversations with other victims
22 during the war, correct?

23 A. What I heard, what people say, what I heard was what I
24 accepted.

14:45:42 25 Q. That is what you heard from others, not yourself, yes?

26 A. What I heard. I made a comparison and I came to the
27 conclusion that that was indeed what obtained.

28 Q. And as you sit there now you have the feeling, on the basis
29 of what you have heard, that Liberia was responsible for the war

1 in Sierra Leone. Is that fair to say, Mr Witness?

2 A. Yes, indeed. That is my feeling.

3 Q. And this feeling that you have derives from what you have
4 heard other people in Sierra Leone say, correct?

14:46:35 5 A. What I used to hear was what I accepted.

6 Q. Yes. Mr Witness, all of the rebels that you saw from the
7 day your hands - from the day you were locked up in the tin shack
8 at Mr Jalloh's compound, through the time you were picked up by
9 ECOMOG and taken to Connaught Hospital, none of them wore

14:47:09 10 uniforms, correct?

11 A. Not at all. They were not in uniform.

12 Q. All of them wore civilian clothing, true?

13 A. Yes, indeed.

14 MR ANYAH: May I have a moment, Madam President?

14:47:33 15 PRESIDING JUDGE: Yes, please do, Mr Anyah.

16 MR ANYAH: Madam President, I have no further questions for
17 the witness.

18 PRESIDING JUDGE: Thank you, Mr Anyah. Re-examination, Ms
19 Howarth?

14:47:57 20 MS HOWARTH: Just a couple of questions.

21 PRESIDING JUDGE: Please proceed.

22 RE-EXAMINATION BY MS HOWARTH:

23 Q. My learned friend spoke to you about the rebels who came to
24 Freetown and Calaba Town and he suggested to you that you thought
14:48:11 25 these people came from Liberia because you had heard Charles
26 Taylor say over the radio that Sierra Leone would experience the
27 bitterness of war. Do you remember being asked that just now?

28 A. Yes, indeed. Yes, indeed.

29 Q. Were there any other reasons why you thought these rebels

1 were Liberian?

2 A. What the Pa said made me to conclude that those people who
3 came and did this bad to us were the Liberians. That was what
4 made me conclude it so.

14:49:02 5 Q. Were there any other reasons why you reached that
6 conclusion?

7 MR ANYAH: Well, Madam President, the question has been
8 asked, the witness has given an answer and to re-emphasise it is
9 to push him to make speculation at this point.

14:49:17 10 PRESIDING JUDGE: In actual fact, the witness has restated
11 the question and the question - or part of the question. The
12 question was: Do you remember being - do you remember anything
13 else? That part has not been answered so I will allow the
14 question.

14:49:32 15 MS HOWARTH: Perhaps I will repeat the question:

16 Q. Were there any other reasons why you thought these rebels
17 were Liberian?

18 A. That very reason is the reason that I will give you. If
19 somebody said that he will bring some problem to your doorstep,
14:50:03 20 that is the person that you will always remember at heart, and I
21 did not consider any other thing but that very speech that was
22 made, that was what made me reach that conclusion.

23 Q. Mr Witness, you talked about the first rebel who came to
24 your house, the house where you were hiding, and he's the one -
14:50:25 25 the not so tall one, the one with the horn - and you explained
26 that he spoke to you and he said that if you didn't give him
27 money --

28 A. Yes.

29 Q. -- he would kill you. Do you remember what accent he was

1 speaking in?

2 PRESIDING JUDGE: Is this arising, Ms Howarth?

3 MR ANYAH: Madam President - that was precisely the point I
4 was going to make. It has been covered in examination-in-chief
14:50:55 5 and I don't believe that this arises from my cross-examination.

6 PRESIDING JUDGE: My question is the same as counsel's.

7 MS HOWARTH: Yes, I do believe, and I am sure I will be
8 corrected if I am wrong --

9 THE WITNESS: Yes, that is the truth.

14:51:10 10 PRESIDING JUDGE: Please pause, Mr Witness. We are just
11 discussing something with the lawyers. Please pause.

12 MS HOWARTH: My learned friend put to the witness the
13 proofing note of 29 September 2008 and referred him to paragraph
14 1 on that statement which relates to exactly this point. I am
14:51:35 15 not going to read it, just in case I would lead in any way, but I
16 believe that was covered earlier on.

17 PRESIDING JUDGE: Very well. Please put that on the
18 screen, Madam Court Officer. What was counsel's question,
19 Ms Howarth?

14:52:19 20 MS HOWARTH: Your Honour, I would have to check the
21 LiveNote, but I --

22 PRESIDING JUDGE: My learned colleague Justice Lussick has
23 referred me to page 106. That is most helpful, thank you.
24 Ms Howarth, unless you can refer me to some portion in
14:53:45 25 cross-examination I consider that this doesn't arise.

26 MS HOWARTH: Your Honour, I am having trouble finding it in
27 the LiveNote so I will withdraw that question.

28 PRESIDING JUDGE: Thank you. Please proceed.

29 MS HOWARTH: Your Honour, those are my questions.

1 PRESIDING JUDGE: Thank you, Ms Howarth. Mr Witness, good
2 afternoon - sorry.

3 MS HOWARTH: I am so sorry, this is my omission from
4 earlier on. I ought to have been asked for the photographs to be
14:54:25 5 marked for identification.

6 PRESIDING JUDGE: Yes, I have got a question for the
7 witness.

8 MS HOWARTH: I am so sorry.

9 PRESIDING JUDGE: When you were describing what happened to
14:54:33 10 you and after you were sent upstairs in the house and were told
11 to come downstairs you said that you followed Otick and then the
12 women followed. You said, "My wife's younger sister, a suckling
13 mother, hid down under the stairs downstairs." What happened to
14 that lady?

14:55:00 15 THE WITNESS: Nothing happened to her. When they were
16 chased - they chased the rebels away, that was the time she came
17 stealthily and she went and met us. The rebels were no more at
18 Calaba Town. She went to the ECOMOG and the ECOMOG went with
19 her. She told us that she hid at a corner under the steps. She
14:55:30 20 had her child, a suckling child.

21 PRESIDING JUDGE: Thank you, Mr Witness. That was my
22 question. Questions arising from the Court's question,
23 Ms Howarth?

24 MS HOWARTH: None.

14:55:41 25 PRESIDING JUDGE: Mr Anyah?

26 MR ANYAH: None from the Defence.

27 PRESIDING JUDGE: Ms Howarth, you were about to make an
28 application.

29 MS HOWARTH: Yes, I ought to have asked for the photographs

1 which are in the Prosecution exhibits week 32 tabs 1, 2 and 3 to
2 be marked for identification. So that is my application.

3 JUDGE LUSSICK: You may as well tender them now,
4 Ms Howarth.

14:56:04 5 PRESIDING JUDGE: I think you are a bit late identifying
6 them now.

7 MS HOWARTH: In that case my application is to tender them
8 as exhibits.

9 PRESIDING JUDGE: Mr Anyah, you have heard the application.

14:56:15 10 MR ANYAH: Yes, Madam President. We do not have any
11 objections to all three photographs being admitted into evidence.

12 PRESIDING JUDGE: Thank you. I think we are up to
13 Prosecution exhibit 184. I intend to give these an A, B and C
14 since they are related. The first - I will take them in the
14:56:37 15 sequence with which they were identified - is a photograph, a one
16 page document identified by the witness as a photograph of
17 himself, 45697 is the ERN number. It becomes Prosecution exhibit
18 P-184A. Then the second is a one page document which the witness
19 has identified as picture of himself showing his right arm
14:57:09 20 exposed. That becomes Prosecution exhibit P-184B. The third is a
21 one page document, a photograph which the witness has identified
22 as picture of his left arm. It becomes Prosecution exhibit 184C.

23 [Exhibits P-184A to P-184C admitted]

24 If there are no other matters I will discharge the witness.
14:57:38 25 Mr Witness, that is the end of your evidence here in court today.

26 THE WITNESS: Okay.

27 PRESIDING JUDGE: We thank you for coming to court and we
28 wish you a safe journey home and the best for the future. You
29 don't have to worry. You will be fine. Now please assist the

1 witness to leave the Court.

2 THE WITNESS: Okay, thank you.

3 MR WERNER: Your Honour, good afternoon. I am in charge of
4 the next witness. The next witness for the Prosecution will be
14:58:51 5 TF1-279 and, your Honours, again we have spoken with this witness
6 and this witness told us that he would like to testify in open
7 session, but we do need to make an application and again we are
8 in the same scenario that TF1-060 and TF1-233 who just testified,
9 so we do make an application for rescission of the same protective
14:59:20 10 measures which were granted by the decision of 5 July 2004 and
11 where a screen and pseudonym were granted. So again technically
12 we need to formally ask for rescission of those protective
13 measures, so that is our application, your Honours.

14 PRESIDING JUDGE: Thank you, Mr Werner. Mr Munyard?

14:59:42 15 MR MUNYARD: Your Honour, I am going to be dealing with
16 this witness. Our position is as it always has been in relation
17 to those other witnesses.

18 [Trial Chamber conferred]

19 PRESIDING JUDGE: As in previous applications and rulings
15:00:07 20 of this nature, we note that this arises from an order of Trial
21 Chamber I, a purported order, and we have ruled already that this
22 order does not apply to these witnesses and that the application
23 is redundant.

24 Mr Werner, what language will the witness speak?

15:01:00 25 MR WERNER: Yes, your Honours. The witness will speak in
26 Krio and he is a Christian.

27 PRESIDING JUDGE: Are the Krio interpreters in position?

28 THE INTERPRETER: Yes, your Honours.

29 PRESIDING JUDGE: Thank you. Please call the witness.

1 WITNESS: PATRICK SHERIFF [Sworn]
2 PRESIDING JUDGE: Please proceed, Mr Werner.
3 MR WERNER: Thank you, your Honour.
4 EXAMINATION-IN-CHIEF BY MR WERNER:
15:02:57 5 Q. Good afternoon, Mr Witness.
6 A. Yes, good afternoon.
7 Q. I am going to ask you some questions and I am going to --
8 A. Yes.
9 Q. -- try to go very slowly and if you could just answer my
15:03:15 10 questions.
11 A. Okay, okay.
12 Q. Mr Witness, could you state your name for the Court?
13 A. I am Patrick Sheriff.
14 Q. And would you be able to spell your family name?
15:03:37 15 A. Yes, S-H-E-R-I-F-F.
16 Q. And, Mr Witness, do you know your date of birth?
17 A. Yes, I was born on 6 September 1954.
18 Q. And do you know your place of birth?
19 A. Yes, I was born in a town called Yekessa.
15:04:26 20 Q. Would you be able to spell for this Court Yekessa?
21 A. Yes, it is Y-E-K-E-S-S-A.
22 Q. And, Mr Witness, where is Yekessa?
23 A. Yekessa is in the southern province of Sierra Leone in the
24 Bumpe Chiefdom and that is Rotifunk.
15:04:58 25 MR WERNER: Your Honours, I believe that Rotifunk was
26 already spelt and it's correctly spelt in LiveNote:
27 Q. Mr Witness, with what is your level of education?
28 A. I stopped at Form 5.
29 Q. Which languages do you speak?

1 A. I speak Mende, Temne and Mandingo. I also speak Krio and a
2 little bit of English.

3 Q. And can you write in English?

4 A. Yes.

15:05:48 5 Q. Mr Witness, are you married?

6 A. Yes, yes, yes, I am married.

7 Q. Do you have children?

8 A. Yes.

9 Q. And how many children do you have?

15:06:05 10 A. I have five children and one wife, including myself, but I
11 also have three other children I adopted that I take care of.

12 Q. And, Mr Witness, what are you doing for a living?

13 A. Well, I do agriculture.

14 Q. Mr Witness, I would like to take you back in time. Do you
15:06:45 15 remember, Mr Witness, the month of December 1998?

16 A. Yes.

17 Q. And do you remember where you were yourself in December
18 1998?

19 A. Yes.

15:07:03 20 Q. Please tell the Court where you were at that time?

21 A. At that time I was in Lumpa, Lumpa in the Waterloo rural
22 district.

23 Q. And would you be able to spell Lumpa?

24 A. Yes. L-U-M-P-A.

15:07:47 25 Q. And you mentioned Waterloo, Mr Witness. How far is Lumpa
26 from Waterloo?

27 A. Waterloo is the district headquarters, but it is just a
28 village. Lumpa is a village towards Waterloo. They share a
29 common boundary.

1 Q. And if you had to walk from Waterloo to Lumpa how long -
2 how long would it take you?

3 A. Between Waterloo and Lumpa, they are separated by just a
4 bridge. When you go across the bridge you are in Lumpa.

15:08:49 5 Q. Now, Mr Witness, you told us that you can remember the
6 month December 1998 and you were in Lumpa. So what happened to
7 you during that month?

8 A. I was in Lumpa on 17 December 1998 and at about 4 a.m. in
9 the morning we heard some gunshots during that time.

15:09:48 10 Q. And then what happened after you heard these gunshots,
11 Mr Witness?

12 A. And when we heard the gunshots we went to - we went into
13 hiding in the bush. All of us, the civilians, went to the bushes
14 at that time.

15:10:15 15 Q. And then what happened?

16 A. When we went to the bush the armed men, they just came
17 around, did some shooting and then they went ahead.

18 Q. Mr Witness, these armed men, who were they?

19 A. On that night we did not know the distinction between them.
15:11:00 20 We did not know who they were.

21 Q. And did you learn anything about them later?

22 A. Yes, yes.

23 Q. What did you learn, Mr Witness?

24 A. We learnt that they were rebels.

15:11:26 25 Q. And how did you learn that?

26 A. I learnt that from them, they themselves.

27 Q. And explain how did you learn from them?

28 A. When we went to the bush, and two days after that some of
29 us - some of us returned to town and when we came the town was

1 empty and we learnt that the armed men had gone at the hillside
2 and some of us came back to town and stayed. The very day I came
3 and stayed in the town at night, about 9 p.m., they came from the
4 hillside and they were shouting, "We are the rebels who have
15:13:02 5 come".

6 Q. And where were you when they were shouting, "We are the
7 rebels who have come"?

8 A. I was still in the house. In my house.

9 Q. And then what happened, Mr Witness?

15:13:26 10 A. Then they said, "We, the rebels, have come. They thought
11 we would not come", but they were speaking in different
12 languages, mostly the Liberian language. It was a mixed form of
13 English. And I tried to make sure to see what was happening
14 because if you don't see somebody and see the events that was
15:14:03 15 going on you would not be able to tell what exactly happened and
16 who did it. I stood at my house and I heard them say that they
17 were there in Lumpa and Waterloo to burn down all the thatch
18 houses.

19 Q. Mr Witness, when you say, "I heard them saying that they
15:14:24 20 were there in Lumpa and Waterloo to burn down all the thatch
21 houses", who said that, Mr Witness?

22 A. The rebels. They identified themselves as the rebels. It
23 was from that instance that I knew.

24 Q. Mr Witness, how do you know that they identified themselves
15:15:06 25 as the rebels?

26 A. They were shouting. They were shouting their name. They
27 shouted what they were. They were saying, "We are the rebels who
28 have come".

29 Q. And then what happened after that, Mr Witness?

1 A. On that night, at about 9 o'clock, they set the first
2 thatch house on fire and within a second two to three houses were
3 burning. And on that night I too ran away into the bush and all
4 the civilians who had returned to town ran into the bush and we
15:16:05 5 were now in the bush for five good days.

6 Q. And, Mr Witness, when you say, "They set the first thatch
7 house on fire", who did that, Mr Witness?

8 A. It was the rebels who had identified themselves as those
9 who have come to burn down the thatch houses in Lumpa.

15:16:41 10 Q. And if anything, Mr Witness, did you learn what happened
11 after you left in Lumpa on that day?

12 A. Yes.

13 Q. What did you learn?

14 A. I learnt, I heard and I saw that, at first I saw that they
15:17:11 15 have started burning down the thatch houses as they had said
16 before.

17 Q. And, if anything, what else did you learn?

18 A. And then I also learnt that - please, I want to listen to
19 that again.

15:17:46 20 Q. Mr Witness, take your time. Take your time.

21 A. Okay, okay. No problem.

22 Q. Just repeat slowly what you wanted to say, Mr Witness.

23 JUDGE SEBUTINDE: I think he asked you to repeat the
24 question.

15:18:03 25 THE WITNESS: I want you to repeat the question.

26 MR WERNER: Thank you for that.

27 THE WITNESS: Yes.

28 MR WERNER:

29 Q. My question, Mr Witness, was: You told us that you learned

1 that they started burning houses and my question was: And, if
2 anything, what else did you learn about what has happened in
3 Lumpa on that day?

15:18:34 4 A. Well, at the time they started burning down the houses, all
5 of us ran away into the bush. We were in the bush for two days.
6 But on that particular night, when they had started burning the
7 houses, they went back to the hillside, but they were searching
8 out for a place where they could take their rest. So, by then,
9 whilst we were in the bush for five days, and it was then that I
15:19:15 10 told my friend that we have been in the bush for five days and no
11 food to eat, but that I had some food in my house that I wanted
12 to go back and collect, and my friend agreed with me. On our way
13 going to the house, we met a rebel on the way, whom we did not
14 expect.

15:19:52 15 Q. Mr Witness, I just want to pause you there. Before you
16 carry on with what happened when you met this rebel, you said
17 that when they had started burning the houses in Lumpa. If you
18 know, Mr Witness, how many houses were burnt in Lumpa on that
19 day?

15:20:16 20 A. The thatch houses that they burned down during that time
21 were 150 in Lumpa.

22 Q. And how do you know that, Mr Witness?

23 A. After they had burnt down the houses, they did not stay in
24 the town at that time. It's like it was a hit and run. They
15:20:47 25 returned to the hillside. And in the morning hours we came back
26 to see the houses that were burnt down and then we learnt that
27 all the thatch houses in Lumpa were burnt down. And I and my
28 colleagues started counting them one after the other and after
29 our counting exercise the total was 150.

1 Q. Mr Witness, what, if anything, did you learn about Waterloo
2 at that time?

3 A. In Waterloo too they burnt down the thatch houses, but I
4 did not count those because I did not even know how many of them.

15:21:46 5 Q. And who did that in Waterloo, Mr Witness?

6 A. It was the rebels who did it. Let me explain this. The
7 rebels were very cunning people. When they came they distributed
8 themselves to various groups, Lumpa, Waterloo and all other
9 villages around, and they set a time. And at any time they were
10 doing something at a particular place, the other groups in the
11 other areas were doing the similar thing in the other places. It
12 was like simultaneous exercise.

13 Q. So please, Mr Witness, continue where I interrupted you.
14 So you said that after five days you and others decided to go
15 back to town and you met someone. Please continue from there.

16 A. After five days, I had some food in my house because we had
17 gone without food for five days. So I told my friend that I had
18 some food in the house, so I wanted him to join me so that we
19 could go and collect it. So, as we were on our way, we met a man
20 at the junction with a rifle - a gun - but I did not actually
21 know the name of the gun. He had a long gun and he held it.

22 But he was the first person to see us. So immediately
23 after seeing us he asked us, "You, you, you, come here. Come
24 here", and he was speaking something like a mixed form of
25 English. So my friend and I approached him and the first
26 question he asked us was that he asked us to give him cigarettes,
27 but I thought he was joking. I told him that I do not smoke, but
28 it was since then that I started encountering problems and he
29 slapped me on my right jaw.

1 PRESIDING JUDGE: Just pause, Mr Witness. For purposes of
2 record, the witness demonstrated putting his open hand on the
3 right side of his face.

4 MR WERNER:

15:24:56 5 Q. Mr Witness, let me then pause you there. You said that you
6 went with a friend. What is the name of your friend?

7 A. My friend's name is Joseph Kotay.

8 Q. And would you be able to spell the family name for the
9 Court?

15:25:19 10 A. Yes.

11 Q. Please do so, Mr Witness.

12 A. K-O-T-A-Y.

13 Q. And then you said that you met a man who was armed. How
14 was he dressed, Mr Witness, the man that you met?

15:25:45 15 A. The man was dressed in a short trousers, a black top, polo,
16 which had the inscription "2Pac" and it also had the inscription
17 "All Eyez on Me." On the T-shirt it had "2Pac All Eyez on Me"
18 inscription and it was dark in colour.

19 Q. Then you said that this man spoke - and you said a mixed
15:26:12 20 form of English. What did you mean when you said he spoke a
21 mixed form of English?

22 A. That was a Liberian English.

23 Q. And how did you know it was Liberian English?

24 A. Well, I can say the Liberian English is a mixed form of
15:26:48 25 English. Normally they say "meh, meh, meh". So I do not
26 actually understand how to describe it.

27 Q. And when was the first time in your life to hear someone
28 speaking Liberian English?

29 A. Many times.

1 Q. But the question is when was the first time in your life if
2 you can remember that you heard someone speaking Liberian
3 English?

4 A. At the time they were in Sierra Leone as refugees in the
15:27:26 5 camp.

6 Q. So, please carry on. What happened --

7 PRESIDING JUDGE: Mr Werner, who is "they"?

8 MR WERNER: Thank you, your Honour, for that:

9 Q. Mr Witness, you said, "They were in Sierra Leone as
15:27:42 10 refugees in the camp". Who are you talking about?

11 A. The Liberians, the ones who came or ran away from the war
12 from Liberia to Sierra Leone.

13 Q. Mr Witness, carry on. What happened --

14 MR MUNYARD: I am sorry, but my learned friend's question
15:28:09 15 has not yet been answered. He has asked him several times, "When
16 did you first hear Liberian English?"

17 MR WERNER: I think he started to give an answer and I
18 think I can follow on from there.

19 THE WITNESS: I did say --

15:28:26 20 MR WERNER:

21 Q. Please, Mr Witness, just pause. Just pause there. I asked
22 you when was the first time and you said when the Liberian came -
23 when they came in Sierra Leone as refugees in the camp. When did
24 the Liberians come in Sierra Leone as refugees in the camp?

15:28:43 25 A. Yes, well, I do not recall or remember the month and the
26 year any more, but when they came to Sierra Leone the Government
27 of Sierra Leone took them to Waterloo, the Waterloo airfield.

28 Q. Mr Witness, to be clear, was it before or after the events
29 that you are speaking about when the single man slapped you? Let

1 me rephrase the question. I asked you when was the time that the
2 Liberian refugees came and my question is the time the Liberian
3 refugees came to Sierra Leone, was it before or after the time
4 you and Mr Kotay met this man on the road?

15:29:49 5 A. It was even before the war came to Sierra Leone that the
6 Liberians came to Sierra Leone as refugees. When Mr Kotay and I
7 were on the way, that was during the war. I am basing all of
8 these statements on the events of 1998.

9 Q. Now, Mr Witness, you said that this rebel that you met
15:30:31 10 slapped you on your right jaw. Why did he do that?

11 A. Because we failed to give him the cigarettes and the 5,000
12 that he asked for.

13 Q. And then what happened after that?

14 A. Since we refused to give him and after he had slapped me,
15:31:01 15 he moved us to the rebel group where they had encamped
16 themselves.

17 Q. And where was that? Sorry, Mr Witness, you said that, "He
18 moved us to the rebel group where they had encamped." Where was
19 that?

15:31:24 20 A. In the bush. It was in the bush.

21 MR MUNYARD: Again, your Honours, I am sorry, it may just
22 be me, but the witness has just mentioned - asked me for the
23 cigarettes and the 5,000 that he asked me for. I can't see an
24 earlier reference to that.

15:31:39 25 PRESIDING JUDGE: There was not an earlier reference to
26 that 5,000.

27 MR MUNYARD: It is not just me then.

28 MR WERNER: I will clarify that:

29 Q. So, Mr Witness, once again what did this man ask you for

1 when you met him on the road?

2 A. He asked us at first for cigarettes and I told him that I
3 do not smoke cigarettes. And later he asked us for 5,000, we
4 should give him and we told him we did not have.

15:32:23 5 Q. Mr Witness, you told us that this man slapped you on the
6 face. Now, did he slap you before or after he asked you for the
7 5,000?

8 A. He slapped me at the time we had refused to give him the
9 things that he asked for and it was after that that he led us to
15:33:01 10 his group.

11 Q. And what happened when he led you to the group?

12 A. When we went to the group, we met a large number of rebels
13 sitting down and just when they saw us - but before that when we
14 went we met three boys lying down and the commandos sent a word
15:33:41 15 that those two people that have come, they should also go and lie
16 down there. He said they should go and lie down by the side of
17 the other people who are lying there. So they, including us, the
18 number totalled to five. And the man ordered one of his rebels
19 that these people should be killed.

15:34:07 20 Q. Please pause there, Mr Witness. Mr Witness, you said this
21 man took you to a large group and then you said that before that
22 "we met three boys lying down" so --

23 A. Men. They were not that much of boys, but they were around
24 those ages.

15:34:39 25 Q. So then you said that you met three men lying down, what
26 did you see - Mr Witness, let me ask you --

27 A. On the ground.

28 Q. What did you see first; the large group, or the men lying
29 down?

1 A. We at first saw the large group. They were all seated on
2 the ground.

3 Q. And then you said that you met these three men lying down
4 and the commandos sent the word that those two people that have
15:35:15 5 come, they should also go and lie down there?

6 A. Yes.

7 Q. Who are these - what are you talking about when you say the
8 commandos?

9 A. The commando for the rebels, the one who led that group.

15:35:35 10 He was the one who said that we should go and lie down where the
11 others were lying.

12 MR MUNYARD: I hesitate to rise again so quickly, but is it
13 "commando" or "commander"? It started off as "commandos" in the
14 transcript, but the sense of what he is saying seems to me to
15:35:57 15 suggest that it's "commander". I wonder if we could have that
16 clarified.

17 MR WERNER: I was going to clarify that.

18 THE WITNESS: It was the commander of that group. The
19 commander of that group.

15:36:09 20 MR WERNER:

21 Q. And, Mr Witness, when you spoke about a large group, how
22 many people were there?

23 A. Well, I do not know the number.

24 Q. And how were they dressed, these people?

15:36:38 25 A. They were dressed in mixed colours. That "2Pac" with "All
26 Eyez on Me", those were the things that they had on. Some did
27 not have shirts on.

28 PRESIDING JUDGE: Mr Werner, I don't really understand what
29 it means, "That 2Pac with All Eyez on me".

1 MR WERNER: Yes, I am going to clarify that, your Honour:

2 Q. Mr Witness --

3 MR MUNYARD: He did refer to someone wearing a top with on
4 it the words "2Pac" and then "All Eyez on me".

15:37:20 5 PRESIDING JUDGE: Thank you.

6 MR MUNYARD: And I am assuming that when he referred to
7 that he is saying that at least one person was wearing that sort
8 of top.

9 MR WERNER: I can clarify that with the witness:

15:37:32 10 Q. Mr Witness, I asked you how they were dressed and you said
11 they were dressed in mixed colour and then you talked again about
12 this 2Pac. Who are you talking about there?

13 A. The first statement was that the man we met at the junction
14 had a 2Pac top and a short pair of trousers and when that man
15 brought us to them we met the rebels having on those same tops.
16 And there were some amongst them who did not have shirts and the
17 2Pac vest was a vest that had just come out during that '98.

18 JUDGE SEBUTINDE: Mr Werner, 2Pac, I would imagine, is a
19 famous rap artist spelt T-U-P-A-C.

15:38:30 20 MR WERNER: I am grateful. He is unknown to me.

21 JUDGE SEBUTINDE: Tupac is an American rap artist and he
22 was popular on T-shirts in those days, but I do not know what a
23 short pair of trousers is.

24 MR WERNER:

15:38:45 25 Q. Mr Witness, when you said a short pair of trousers, what
26 did you mean?

27 A. A short trousers. It is the short trousers that I am
28 referring to.

29 MR WERNER: Your Honour, I am not sure it clarifies, but I

1 am not sure I can get any better.

2 PRESIDING JUDGE: It is the height of fashion at the time
3 so it is quite clear to me now.

4 MR WERNER:

15:39:16 5 Q. Mr Witness, you said then that you came to this group, you
6 saw this large group and then there were three men lying down.
7 After you saw these three men lying down, and if you can go
8 slowly, could you explain what happened to you and to Mr Kotay?

9 A. When the commander said - the commander for the rebels,
15:39:49 10 when he said that we should go and lie down where the others were
11 lying, Mr Kotay and I went and laid there, and that was very
12 surprising to me and that was the first time I saw a human being
13 dying by the gun. The man who gave the command, he took his
14 rifle and shot, boom, one shot and the man jumped up and fell
15:40:21 15 down and the second one, he made a boom again, and that one also
16 jumped up and fell down. By then, I lost all my hope and by then
17 I was trying to get some feeling, but when I touched my body I
18 realised that no part of my body was that much functional, so I
19 had thought automatically that since I had lost sense of feeling
15:41:05 20 I was going to die and the man also shot the other man and when
21 that one also died the same commando who had given the order said
22 that those two men, they should beat them up. He said that Pa,
23 that is myself Sheriff, he said they should give me 150 strokes
24 and my friend that was at my back, he said they should give him
15:41:43 25 200 strokes, and they looked out for a cane, a size of this, a
26 size of this, two of it put together.

27 PRESIDING JUDGE: Mr Witness, I think you are indicating
28 the stem of the microphone. Is that what you are indicating to
29 us?

1 THE WITNESS: The type. No, the size of the cane that they
2 used. When you put this microphone together, two of these
3 microphones together, it is equal to the size of one. It is - it
4 was the side of this of my finger. That was the width of the
15:42:33 5 cane.

6 PRESIDING JUDGE: The witness has indicated the stem of the
7 microphone and has indicated too - and has also indicated the
8 width of his, or the diameter of his index finger, as the size of
9 the cane. Mr Munyard, have you seen that?

10 MR MUNYARD: Well, Madam President, I saw some of it, but I
11 was also trying to make my own note of it. At the moment, what I
12 understand the witness to be saying, and he must clarify it if I
13 have got it wrong, is that it is the size of two microphones.

14 PRESIDING JUDGE: Yes, that is what I said.

15 MR MUNYARD: Two microphone lengths, I am assuming.

16 THE WITNESS: Let me explain.

17 MR MUNYARD: If the witness does explain, and if I still
18 don't understand I will ask for further clarification.

19 THE WITNESS: When I pointed at this thing, it is like it
15:43:41 20 was two of these put together, the size of two of these put
21 together makes one cane. That was why I took my finger, my index
22 finger, as an example. If you do not understand from the size of
23 this, that was why I later referred to the size of my finger.

24 MR WERNER: Thank you.

15:44:05 25 MR MUNYARD: If I have now understood the witness it is the
26 length of two of these, but the thickness of his finger.

27 JUDGE SEBUTINDE: It is the width of two of the
28 microphones.

29 THE WITNESS: Not the length.

1 MR MUNYARD: In that case I got the width right, but the
2 length wrong. The length of one microphone, but the width of
3 two?

4 MR WERNER: I think I can ask the witness to describe, to
15:44:31 5 show with his hands the length, and then maybe we can get out of
6 this.

7 MR MUNYARD: I agree.

8 MR WERNER:

9 Q. Mr Witness, could you just show the Court, using your two
15:44:40 10 hands, could you just show the Court how long were one stick, the
11 cane, please?

12 A. The length of the cane was like this. One of the cane was
13 of this length.

14 MR MUNYARD: Two microphones long, in other words.

15:45:04 15 PRESIDING JUDGE: The witness has indicated the length with
16 his arms extended, which is about two metres.

17 MR WERNER:

18 Q. Now, Mr Witness --

19 PRESIDING JUDGE: Mr Munyard, were you going to accept that
15:45:19 20 or --

21 MR MUNYARD: I am quite happy to accept what he showed us
22 with his arms outstretched and I won't make any further
23 commentary on how that matches up with a microphone. I will
24 leave it with the evidence we now have.

15:45:35 25 PRESIDING JUDGE: Please continue, Mr Werner.

26 MR WERNER: Thank you, Madam President:

27 Q. Now Mr Witness, just to be clear and I need to take you
28 back just a little bit. You explained that when you came to this
29 group there were three men lying down and then you and Mr Kotay

1 were ordered to lie down and then you said that "The man who gave
2 the command took his rifle and shot one shot and the man jumped
3 up and fell down". Now, Mr Witness, when the man who gave the
4 command shot this first man lying down, where were you yourself?

15:46:37 5 A. By then I was also in the same roll where the man was shot.
6 For example, the first one was lying here and the other lying
7 here, the other lying here, and the other one lying there.

8 Q. And then again you explained that he shot the second one
9 and that he made a boom again, and that man also jumped and fell
10 down. When the commander shot, where were you, Mr Witness?

11 A. I was at the same place. I was at the same place.

12 Q. And then you explained that this man shot the third man and
13 where were you when he shot the third man?

14 A. Well, I said I was now by the third man, and after the
15:47:41 15 third man had been killed I was going to be the fourth.

16 Q. And, Mr Witness, how did you feel when the third man was
17 shot?

18 A. I felt discouraged and I thought by then I was not alive.

19 Q. And then you explained that a command was then given for
15:48:09 20 you to receive 150 strokes and the command was given for Mr Kotay
21 To be given 200 strokes. So, please carry on, Mr Witness. What
22 happened after that command was given?

23 A. That was the time the rebel, that is the commander who gave
24 the order, he appointed one of the rebels, and it was the one
15:48:41 25 that lashed me up and he also appointed another who lashed
26 Mr Kotay, and during that process we were lashed like dogs. They
27 started lashing me from my head, my back, my waist, my buttocks.
28 There was nowhere on my body where I was not lashed except for my
29 belly and the same thing happened to Mr Kotay. He was given 200

1 lashes, but for me the commander said I was to be given 150 but
2 the man said the rebel who was ordered to beat me up, he added
3 five more lashes to that and it went to 155.

15:49:43 4 Q. Please pause there, Mr Witness. Now, you spoke again about
5 a commando here, and before you told us about one man who was in
6 command of that group and you were the commando. Are you talking
7 about the same man?

8 A. I am speaking about the same person that was the commander
9 for that group. The commander for that group. He commanded that
15:50:09 10 group. So, I do not know the difference between a commando and a
11 commander, but all that I am talking about here is that I am
12 talking about the commander of that particular group.

13 Q. Mr Witness, at that time, and I understand the
14 circumstances, but did you have a chance to look at that man?

15:50:39 15 A. Which man?

16 Q. The man in command, the one you --

17 A. No, no, no. Not at all.

18 Q. Now, you explained that you were given 150 lashes and then
19 five extra lashes were ordered, so you received 155 lashes. How
15:51:02 20 long --

21 A. 55, yes.

22 Q. Mr Witness, just please listen to my question. How long
23 did the beating last, your beating?

24 A. I cannot actually put a time frame, because all I
15:51:32 25 concentrated on at that time was for the beating to end.

26 Q. I understand that. Mr Witness, what happened after you
27 received this 155 lashes?

28 A. After they had given me the 155 lashes I had wounds on my
29 body everywhere and I incurred serious pain which I still suffer

1 from. I tried to stretch my back and I turned my back towards
2 the ground.

3 Q. Take your time, Mr Witness.

4 A. I thought --

15:52:33 5 Q. Mr Witness, maybe you want to drink something?

6 A. No, no, no, please give me small time.

7 PRESIDING JUDGE: Very well. Now, Mr Witness, when you ask
8 for small time, do you want to sit where you are or do you want
9 to walk out?

15:53:08 10 THE WITNESS: No, no, no, I will sit here for a moment. I
11 just want to sit here for a moment.

12 PRESIDING JUDGE: Very well, Mr Witness. When you are
13 ready to continue, please tell us.

14 THE WITNESS: Okay.

15:53:26 15 PRESIDING JUDGE: Take your time. Mr Werner, if you wish
16 to have a seat.

17 THE WITNESS: Let me continue.

18 PRESIDING JUDGE: Very well.

19 THE WITNESS: When I turned my back on the ground, because
15:54:02 20 I thought by doing that the pain would be lessened. Then the
21 commando who gave the order, he also picked up his gun and by
22 then he saw that I had turned my back towards the ground - thank
23 you. Then the man took his gun and then --

24 THE INTERPRETER: Your Honours, that was not very clear to
15:55:02 25 the interpreter.

26 PRESIDING JUDGE: Just wait, Mr Interpreter, please.

27 MR WERNER:

28 Q. Mr Witness, just take your time, okay? Just take your
29 time.

1 A. Okay, all right. Then the commander, he took the butt of
2 his gun and hit me at my private part. He hit me once. It was
3 God who sustained my life. And by then, whilst I was struggling
4 for about 30 minutes, unconscious, I started urinating blood and
15:56:30 5 he told me that I have too much of palm oil in my body, because I
6 was wasting blood, he was referring to it as palm oil. But after
7 some time there was a wounded rebel whose leg has been shot.
8 They ordered my friend, Kotay, and I to take the wounded to Water
9 Street at Mr Killo's house at the same Lumpa.

15:57:17 10 Q. Just pause there, Mr Witness. Just pause there.

11 Mr Witness, can we continue? Do you feel okay?

12 A. Yes, yes, I am okay.

13 Q. Mr Witness, you said that - you said that someone told you
14 that you had too much of palm oil in your body because you were
15:57:46 15 wasting blood. Now who said that, Mr Witness?

16 A. It was the commando - I mean the commander who gave the
17 order for us to be beaten up. He was the one who came and hit
18 me. He was the one who said that.

19 Q. Was he the same person that you referred to previously as
15:58:10 20 the commando? Are we talking about the same man?

21 A. That was him. That was him. That was the same person.

22 Q. And then you said that you were ordered with your friend,
23 Mr Kotay, to take a wounded rebel to Water Street at Mr Killo's
24 house. Where is - in which location is Water Street, Mr Witness?

15:58:39 25 A. Water Street is at Lumpa.

26 Q. And at the time you - you just explained at the time you
27 received these 150 lashes, the location where you were, how far
28 away from Lumpa was this place?

29 A. The place where we were beaten up?

1 Q. Yes, yes.

2 A. If I should, it's about --

3 Q. Approximately, Mr Witness?

4 A. Well, the problem is that the distance is about 30 to 40

15:59:51 5 yards.

6 Q. So are you saying that the place where you received the 155
7 lashes was 30 to 40 yards from Water Street in Lumpa? Is that
8 what you are saying?

9 A. Yes, yes, yes, that is what I mean.

16:00:08 10 Q. And then you mentioned a name, Mr Killo's house. Who is
11 Mr Killo?

12 A. Mr Killo - Mr Killo was one of the big men in Lumpa.

13 Q. And could you assist us in spelling the name Mr Killo?

14 A. K-I-L-L-O.

16:00:38 15 Q. And at that time, if you know, where was Mr Killo at the
16 time when you were ordered to go to his house?

17 A. During that time Mr Killo and his family had gone to town.
18 They had gone to Freetown.

19 Q. And, if you know, who were in his house at that time?

16:01:02 20 A. It was the rebels who were at the house. They used it as a
21 clinic. They used it as a clinic for all the wounded rebels.

22 Q. So what did you do, Mr Witness, after you were ordered with
23 Mr Kotay to take that wounded soldier to Mr Killo's house?

24 A. I and Mr Kotay, the two of us took the wounded soldier

16:01:38 25 there. Sam - Mr Kotay first put him on his back and after some
26 distance I will take him up until we got to the house.

27 Q. And how were you feeling at that time, Mr Witness?

28 A. I was in pain.

29 Q. And, if anyone, who was with you on that journey to

1 Mr Killo's house?

2 A. I and Mr Kotay carried him along whilst some of the rebels
3 were following us.

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

16:02:37 5 A. When we took the wounded soldier - when we took the wounded
6 rebel there, he was a big man, he had a post among the rebels.
7 When I put him down, all those who were around at that time came
8 to him. They were expressing surprise how this thing had
9 happened. They were all concentrating on the wounded. When I
16:03:17 10 realised that they were all concentrating on the wounded, my
11 friend - then I and Mr Kotay escaped from them and went back to
12 the bush.

13 Q. Now, Mr Witness, you said that this wounded rebel had - I
14 think you said he had a post amongst the rebels. How did you
16:03:43 15 know that?

16 A. The man whom we took along, when they saw me - when they
17 saw us take him there they were all saluting him like this. They
18 were all saluting him like this. "Yes boss. Hey boss. Yes,
19 boss." That was why we concluded that he was a big man.

16:04:19 20 PRESIDING JUDGE: For the record the witness has made an
21 indication with his right hand bent projecting from his forehead.
22 Do counsel agree that?

23 MR WERNER: Yes, your Honour.

24 MR MUNYARD: I didn't see it, but I take it from the Bench.

16:04:35 25 MR WERNER:

26 Q. Then, Mr Witness, you said that you and your friend,
27 Mr Kotay, escaped. Where did you go?

28 A. We went to Mabureh bush, but it was a different location
29 this time.

1 Q. And would you be able to spell Mabureh for the Court?

2 A. Yes, M-A-B-U-R-E-H. M-A-B-U-R-E-H.

3 Q. And how far away is this place you described as Mabureh
4 bush from Lumpa, Mr Witness?

16:05:45 5 A. You see, Mabureh, if you walk from Lumpa to Mabureh it is a
6 village on its own from Lumpa. If you were in Lumpa and you were
7 going to Mabureh it will take you about 20 to 25 minutes.

8 Q. And when you refer to Mabureh, and I believe it was the
9 first time that the witness mentioned this name, you said it was
16:06:17 10 a different location this time. So, have you been to Mabureh
11 bush before?

12 A. Yes, yes.

13 Q. When was it that you were in Mabureh bush before,
14 Mr Witness?

16:06:39 15 A. Mabureh bush, that was where I was doing my gardening in
16 the swamp so I used to go there almost every day.

17 Q. Now what happened, Mr Witness, when you and Mr Kotay went
18 to Mabureh bush?

19 A. When we escaped from Water Street we went back to Mabureh
16:07:13 20 bush in another location. One of Mr Kotay's brother, called
21 Samuel Conteh, heard the news that the rebels had beaten us and
22 caused us pain, so he decided to go to my village to go and tell
23 my people about this. Indeed, when he went, he came the
24 following day with my brother hoping that my brother would take
16:08:02 25 me along for treatment.

26 Q. Pause there, Mr Witness. Pause there. First, Mr Witness,
27 you mentioned a Mr Conteh?

28 A. Samuel Conteh.

29 Q. Okay. Would you be able to spell the family name for the

1 Court?

2 A. C-O-N-T-E-H.

3 Q. And then you said that "he decided to go to my village".
4 What are you talking about when you say "my village" at that
16:08:40 5 point?

6 A. It is my home town, that is Yekessa.

7 Q. Then you said, Mr Witness, that you went to tell my people.
8 Who are you talking about?

9 A. No, I said Mr Kotay's brother decided to go to my people in
16:09:26 10 Yekessa to tell them about this incident.

11 Q. And when you said "go to my people", who are you talking
12 about, Mr Witness?

13 A. My people - my relatives, my brother, my mother and my
14 sisters.

16:09:53 15 Q. And what happened after that, Mr Witness?

16 A. Mr Samuel Conteh went like today and returned - and they
17 returned the following day, he and my brother. He had gone to
18 take my brother to come and take me so that we can go to my home
19 town, Yekessa for treatment. Very early in the morning he came
16:10:30 20 and slept. Very early in the morning another thing befell me.

21 Q. Just pause there, Mr Witness. Pause there just one second.
22 When you talk about your brother, what was the name of your
23 brother, Mr Witness?

24 A. His name is Gibriil Sheri ff.

16:10:53 25 MR WERNER: And it is correctly spelt on the transcript,
26 your Honours:

27 Q. Now what happened after that, Mr Witness?

28 A. Six rebels came. They had guns. They had something like a
29 tennis ball, but it can destroy. It is a small thing like a

1 tennis ball. Sometimes they will throw it and it will explode,
2 so I saw them with it and the guns. They surrounded us. The
3 rebel who was leading that group of six saw my brother and said
4 my brother looked like the former President of Liberia, that is
16:12:15 5 Samuel K Doe, so his boss Peleto had sent them saying they should
6 - the fingers of some human beings, they needed ten fingers that
7 they should take along, so he pointed at my brother --

8 MS IRURA: Your Honour, the witness is stating that he
9 would need a break.

16:13:36 10 MR WERNER: Your Honours, in view of the time, I am in your
11 Honour's hands, but it has been a bit difficult for this witness
12 so far.

13 PRESIDING JUDGE: Mr Witness, we can see you are -
14 Mr Witness, try not to upset yourself too much. We can see that
16:13:54 15 this is causing you distress. It is almost close to the time
16 when we would normally finish for the day, and so we are going to
17 finish early and allow you to rest. You understand?

18 Counsel, in view of the witness's distress we will adjourn
19 early. I remind the parties that tomorrow is a Court holiday.
16:14:21 20 My understanding is that it is not a public holiday, but it is an
21 ICC and this Court is obliged to --

22 MR WERNER: Could the witness be told because I am not sure
23 what is his understanding about tomorrow.

24 PRESIDING JUDGE: I don't know either. He is your witness,
16:14:35 25 not mine. Mr Witness, tomorrow is a special holiday here at the
26 Court, at the International Criminal Court, it is to celebrate
27 Eid ul-Fitr, so the Court will not be sitting tomorrow. The
28 court will be sitting on Friday morning and so we will start and
29 hear the rest of your evidence on Friday. Do you understand

1 this?

2 THE WITNESS: Yes.

3 PRESIDING JUDGE: And now that you have taken the oath, I
4 must tell you that you cannot and must not discuss your evidence
16:15:09 5 with any other person until all your evidence is finished. Do
6 you understand me?

7 THE WITNESS: I want to say something.

8 PRESIDING JUDGE: Very well, Mr Witness.

9 THE INTERPRETER: Your Honours, his microphone is not on.

16:15:26 10 PRESIDING JUDGE: Please pause whilst we put on the
11 microphone.

12 THE WITNESS: I want us to complete my brother's section.

13 PRESIDING JUDGE: You mean now, this afternoon?

14 THE WITNESS: Yes.

16:15:45 15 PRESIDING JUDGE: Very well. That is if you feel up to
16 doing that we will arrange for that. I understand - yes, I
17 understand that you want to get it over with.

18 THE WITNESS: Okay.

19 PRESIDING JUDGE: We will continue, therefore, with your
16:16:01 20 evidence. Mr Werner. Sorry, Mr Witness, you wanted to say
21 something else?

22 THE WITNESS: I just want us to continue up to my brother's
23 death because whenever I think about it I feel bad. When I think
24 about it I feel bad. So it is better now for us to complete it
16:16:31 25 right away.

26 PRESIDING JUDGE: I understand. I understand. Now,
27 Mr Werner, please try and complete that in the time limit that is
28 allocated to us.

29 MR WERNER: Yes, your Honour:

1 Q. So, Mr Witness, let me just take you back then. You said
2 that six rebels came and met you. How many of you were in the
3 place where the six rebels came?

4 A. I, my brother, Mr Kotay, Mr Samuel Conteh, so that makes us
16:17:17 5 four.

6 Q. Now, Mr Witness, you said that the one who was leading the
7 group said that your brother looked like the former President of
8 Liberia, Samuel Doe. How do you know that this rebel said that?

9 A. He was the only one who understood why he said that,
16:17:53 10 because the man did not even know Liberia, neither did I, but he
11 who knew there, who said that, I do not know why he said that.

12 Q. And when you heard him talking did he have an accent,
13 Mr Witness, when he spoke, this man?

14 A. What? What?

16:18:19 15 Q. You said that --

16 A. I have not understood.

17 Q. You said this man who is leading the group said that your
18 brother looked like the former President of Liberia, Samuel Doe.
19 Now, when you heard this man talking, did he have any accent?

16:18:41 20 A. Yes. Just as I said, that there is a difference between
21 the Sierra Leonean language - Sierra Leone Krio, Nigerian Krio or
22 English, it is the same with Liberia - Liberian languages. They
23 mix it into English. They said "meh" and so on and so forth.

24 When they speak you will understand that "meh" is for "man". He
16:19:18 25 said they were men, they were people who had come from Gbarnga.
26 Gbanga or Gbarnga, I do not know, but that was - that is a town
27 in Liberia. That is a town in Liberia called Gbarnga. He said
28 that was where they had come from.

29 Q. Mr Witness, who said that? Who said they had come from

1 Gbarnga?

2 A. Six people had come. It was six rebels who came. The one
3 who led the group said that, that they had come from Gbanga or
4 Gbarnga, I don't know.

16:20:10 5 Q. And as far as you know, where is Gbarnga?

6 PRESIDING JUDGE: He has already told us it is in Liberia.

7 MR WERNER: Sorry, my mistake. Sorry about that.

8 THE WITNESS: Yes, Gbarnga is in Liberia.

9 MR WERNER:

16:20:23 10 Q. And then you made a reference about Peleto. You said his
11 boss, Peleto, had sent them saying the fingers of some human
12 beings, they need ten fingers. Could you explain again because
13 it is not clear on the transcript. What did the man who was
14 leading these people say about Peleto?

16:20:50 15 A. When he came, they surrounded us. Then he looked at the
16 man - he looked at my brother. Then he said this man resembles
17 the former President of Liberia, that is Samuel K Doe, and that
18 his boss Peleto, his boss Peleto, had sent them to take along
19 human finger and that he had seen my brother and he should cut
16:21:37 20 off his fingers. After saying that, I said, "No, instead of
21 cutting off that man's finger it would be better for you to kill
22 me." I said this because I had started receiving pains, so even
23 if I die he will stay with the family. He told me that, "Mister,
24 you do not know what you are saying." He said I did not know
16:22:16 25 what I was talking about.

26 We all sat down. We had a log, a short log. That was what
27 we used to sit on. He took that. He was the one who took it and
28 put it down and grabbed my brother in front of me, Mr Kotay and
29 Mr Samuel Conteh. Then all of us cried. They did not even feel

1 sorry for us. They put the man's finger on the log and cut it
2 off.

3 Then my brother came to me and said, "Hey, Pa Sheriff, I
4 have come to die for you." They cut off all his ten fingers.

16:23:35 5 When they finished they took those ten fingers and they said
6 Peleto was going to make a chain out of it. Oh, Father God.
7 When they put the fingers in the cup then they shot him. They
8 shot him and he died on the spot and they went. Then by 6 to 7
9 o'clock - God will pay the promoters of these rebels in Sierra

16:24:33 10 Leone. I am an innocent man. My brother was an innocent man.
11 But now we are suffering. We suffered for nothing. God will
12 bring judgment upon the promoters in this country. All those who
13 promoted the rebels in Sierra Leone, those who have caused our
14 suffering today, we have more responsibilities now. God will

16:24:58 15 bring judgment upon them.

16 We buried the man there. We buried him. That night we
17 escaped from that bush, so - I want to drink water.

18 MR WERNER: I am over with this period. I have no further
19 questions concerning the death of his brother.

16:25:28 20 PRESIDING JUDGE: I see.

21 MR WERNER: So we can stop.

22 PRESIDING JUDGE: First of all, Mr Witness, you take a
23 drink of water. Secondly, counsel has told us that that is the
24 part of your evidence to do with your brother. So we will

16:25:40 25 adjourn now, as I have already said. I remind you that you
26 should not discuss your evidence while you are under oath and we
27 will continue with your evidence on Friday morning. Do you
28 understand?

29 THE WITNESS: Okay.

1 PRESIDING JUDGE: And you have a rest. We will adjourn
2 until Friday at 9.30, please.

3 [Whereupon the hearing adjourned at 4.27 p.m.
4 to be reconvened on Friday, 3 October 2008
5 at 9.30 a.m.]

16:26:13

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I N D E X

WITNESSES FOR THE PROSECUTION:

OSMAN JALLOH	17670
EXAMINATION-IN-CHIEF BY MS HOWARTH	17670
CROSS-EXAMINATION BY MR ANYAH	17734
RE-EXAMINATION BY MS HOWARTH	17758
PATRICK SHERIFF	17764
EXAMINATION-IN-CHIEF BY MR WERNER	17764

EXHIBITS:

Exhibits P-184A to P-184C admitted	17762
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