



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 29 JANUARY 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Doreen Kiggundu
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawallie

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Nicholas Koumjian
Ms Ula Nathati-Lutchman
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths
Mr Morris Anyah

1 Thursday, 29 January 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:31:03 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MS HOLLIS: Good morning Mr President, your Honours,
8 opposing counsel. This morning for the Prosecution Mohamed A
9 Bangura, Ula Nathai-Lutchman and Maja Dimitrova.

09:31:32 10 PRESIDING JUDGE: Thank you. Mr Anyah?

11 MR ANYAH: Good morning Mr President, good morning your
12 Honours, good morning counsel opposite. I appear for the
13 Defence, Morris Anyah, and I am joined by Mr Simon Chapman from
14 the Bar of England and Wales and we have for the first time in
09:31:50 15 Court another intern, Mr Adil Raza. Raza is spelt R-A-Z-A.

16 Thank you, Mr President.

17 PRESIDING JUDGE: Welcome to the Court, Mr Raza.

18 Madam Witness, just before your questioning continues, I
19 will remind you that you took an oath yesterday to tell the truth
09:32:15 20 and that you are still bound by that oath. Is that clear to you?

21 THE WITNESS: Yes.

22 WITNESS: FINDA GBAMANJA [On former oath]

23 PRESIDING JUDGE: Yes, Ms Hollis.

24 MS HOLLIS: Mr President, I note I neglected to say that I
09:32:33 25 am also in Court, Brenda J Hollis.

26 PRESIDING JUDGE: Thank you, Ms Hollis.

27 EXAMINATION-IN-CHIEF BY MS HOLLIS: [Cont.]

28 Q. Good morning, Madam Witness.

29 A. Yes, good morning, ma'am.

1 Q. Madam Witness, may I again ask you that you speak clearly
2 and slowly and you listen very carefully to the Krio translation
3 of the questions before you answer. Can you do that?

4 A. Okay.

09:33:00 5 Q. Thank you. Madam Witness, yesterday you were telling the
6 judges about things that happened while you were in the bush
7 after you had left Baiama Town, and you told the judges about
8 young girls younger than you being raped and you said that you
9 saw them and that they told you that they had been raped. Do you
10 remember saying that?

11 A. Yes.

12 Q. Did they tell you who raped them?

13 A. Yes.

14 Q. What did they say?

09:33:37 15 A. They said it was the rebels who raped them.

16 Q. At some point did you leave the bush?

17 A. Yes.

18 Q. Why did you leave the bush?

19 A. It was because of the rain and the rebels who were
09:34:01 20 disturbing us. That was why.

21 Q. And what was it about the rain that made you leave the
22 bush?

23 A. What happened with the rain that we left the bush? Because
24 the rain was disturbing us. It was too cold for us.

09:34:21 25 Q. And where did you go?

26 A. My father said we should go back to town.

27 Q. And where did you go exactly?

28 A. We went to Baiama Town.

29 Q. How many people went back to Baiama Town?

- 1 A. We were many civilians. We returned.
- 2 Q. And who went with you?
- 3 A. My family and I.
- 4 Q. After you went back to Baiama Town, how long did you remain
09:34:58 5 there?
- 6 A. I spent two days and on the third --
- 7 Q. What happened on the third day?
- 8 A. At midnight I was captured.
- 9 Q. Who captured you?
- 09:35:19 10 A. It was Peppe.
- 11 MS HOLLIS: Your Honours, we would spell that phonetically
- 12 P-E-P-P-E:
- 13 Q. How did it happen that Peppe captured you?
- 14 A. We were lying together with my entire family.
- 09:35:40 15 Q. And what happened then?
- 16 A. They went and hit the door and opened it up while we were
17 in bed.
- 18 Q. And what happened after that?
- 19 A. They said all of us should come outside.
- 09:35:59 20 Q. And then what happened?
- 21 A. And they captured me.
- 22 Q. And did they say anything when they captured you?
- 23 A. Yes.
- 24 Q. What did they say?
- 09:36:16 25 A. They said my family was to go inside again.
- 26 Q. And did they say anything else?
- 27 A. Yes.
- 28 Q. What?
- 29 A. And they said I should go with them and sit under the mango

1 tree outside.

2 Q. Now, who was saying this?

3 A. Peppe.

4 Q. And did Peppe tell you why you were to go to the mango tree
09:36:47 5 with him?

6 A. Yes.

7 Q. What did he say?

8 A. He said the two of us were going to sleep together that
9 night.

09:36:59 10 Q. And when he said the two of you were going to sleep
11 together that night, what happened then?

12 A. And he went and brought a mat and blanket.

13 Q. And what happened after that?

14 A. And he said the two of us should sleep together. He said
09:37:25 15 we should lay.

16 Q. And then what happened?

17 A. And one of his colleagues said "No".

18 Q. And what else, if anything, did his colleague say?

19 A. His colleague said, "This one is a small girl".

09:37:48 20 Q. And what happened then?

21 A. He said, "You should not sleep with her".

22 Q. And what happened after this colleague said that?

23 A. And we did not sleep together. We were sitting together.

24 Q. Now, you said that they came to the place you were and hit
09:38:13 25 the door. How many people came to the place and hit the door?

26 A. There were many, the rebels.

27 Q. And you said it was Peppe who was talking about taking you
28 to the mango tree and sleeping with you. What was Peppe wearing?

29 A. Peppe had on combat.

1 Q. What type of combat?

2 A. It had a mixture of black and green colours.

3 Q. And did he have anything other than combat, or was it all
4 combat?

09:38:56 5 A. He had on a red shirt.

6 Q. Do you have any idea what age Peppe was?

7 A. No.

8 Q. Now, these other people that came with Peppe, what were
9 they wearing?

09:39:18 10 A. They were dressed in full combat.

11 Q. How long did you remain with Peppe and the others at the
12 mango tree?

13 A. We were sitting there until dawn.

14 Q. Now, during that time, did you try to run away?

09:39:47 15 A. No, I couldn't run away.

16 Q. Why couldn't you run away?

17 A. Because I was with them. They never let me even for a
18 moment.

19 Q. And while you were at the mango tree until the next
09:40:05 20 morning, who was there with you?

21 A. Together with Peppe and his colleagues.

22 Q. So what happened in the morning?

23 A. So in the morning my mother went to plead on my behalf.

24 Q. What did she do?

09:40:28 25 A. So whenever my mother would go to plead on my behalf they
26 would drive her away.

27 Q. And what would she do when they drove her away?

28 A. So she would return.

29 Q. And what happened then?

1 A. So she went again for the last time to plead on my behalf
2 and she was hit with a gun.

3 Q. Who hit your mother?

4 A. Peppe. Peppe.

09:40:58 5 Q. And what happened after your mother was hit with the gun?

6 A. And my mother fell down, screaming.

7 Q. And what did you do when your mother was hit with the gun?

8 A. I was crying.

9 Q. Now, what happened after your mother was hit and she fell
09:41:19 10 down?

11 A. It was when she went there to plead on my behalf and she
12 was driven away and it was during that that she was hit.

13 Q. And after she was hit and fell down, after that, what
14 happened?

09:41:38 15 A. So my father and my sisters came out.

16 Q. And what happened after they came out?

17 A. My sisters were crying and my father went and took my
18 mother.

19 Q. And where did he take your mother?

09:42:00 20 A. My father.

21 Q. Where did he take your mother?

22 A. He took her back inside, to console her.

23 Q. And what happened after that?

24 A. So my father went there back to plead.

09:42:22 25 Q. And what did he say when he pleaded?

26 A. When he went there to plead he too was shouted at.

27 Q. And what did your father say when he pleaded?

28 A. What he said was that, "Please leave her. Please don't
29 take her along with you".

1 Q. And what happened then?

2 A. And my father returned, after he had been driven away.

3 Q. And then what happened when he returned?

4 A. My father came back the other time.

09:43:05 5 Q. And tell us what happened.

6 A. When my father came?

7 Q. Yes, tell us what happened.

8 A. He said, "Please don't take her along, this one is a small
9 girl".

09:43:26 10 Q. And was there any response to that?

11 A. No. They only said, "Papa go away. This girl" --

12 Q. Yes, this girl what?

13 A. And my father said --

14 THE INTERPRETER: Your Honours, can the witness repeat
09:43:52 15 that.

16 PRESIDING JUDGE: Can you repeat what you just said,
17 please, Madam Witness.

18 THE WITNESS: And my father said, "You should not molest
19 me, I'm not a small boy".

09:44:08 20 MS HOLLIS:

21 Q. And did your father say anything else?

22 A. Yes.

23 Q. Tell us what he said.

24 A. And my father said, "Look at me, I'm a chief where I'm
09:44:20 25 working".

26 Q. And then what happened after your father said these things?

27 A. And he said, "I'm a big man in the APC".

28 Q. And what happened after he said that?

29 A. And Peppe got up and said, "Good, you are the people we are

1 Looking for".

2 Q. And then what happened?

3 A. And Peppe said, "I am going to kill you".

4 Q. And what happened after that?

09:45:01 5 A. And he shot my father.

6 Q. Did your father survive that shooting?

7 A. No. No, he shot him twice.

8 Q. And what happened after he had shot your father?

9 A. And my father fell down.

09:45:20 10 Q. And then what happened?

11 A. He died and my mother came out.

12 Q. And what happened when your mother came out?

13 A. When she heard the shot she came out to make sure what had
14 happened.

09:45:37 15 Q. And when she came out, what happened?

16 A. They started crying and I too was crying.

17 Q. What happened then when you and the others were crying?

18 A. And they said we were to shut up and we should laugh.

19 Q. Who said you should shut up and laugh?

09:46:01 20 A. Peppe.

21 Q. And after he said you should shut up and laugh, what
22 happened?

23 A. We laughed.

24 Q. Why did you laugh?

09:46:13 25 A. They said we were to laugh.

26 Q. Now, when Peppe was saying these things what language was
27 Peppe speaking?

28 A. Krio.

29 Q. And when his colleague was saying the night before that

1 Peppe should not sleep with you, what language was the colleague
2 speaking?

3 A. It was Krio.

09:46:49

4 Q. So what happened after you and your mother were told to
5 laugh and you laughed? What happened after that?

6 A. What happened was that they told them to go inside again.

7 Q. And after that, what happened?

8 A. I was sitting there with them.

9 Q. Now, how long did you stay there with them?

09:47:15

10 A. I was there with them until 6 o'clock in the evening.

11 Q. And who was there with you until 6 o'clock in the evening?

12 A. They brought two ladies whom they had captured.

13 Q. And what happened then at 6 o'clock in the evening?

14 A. The ladies whom they had brought cooked.

09:47:49

15 Q. Then after they had cooked and at 6 o'clock that evening
16 what happened then?

17 A. After they had finished cooking they ate and they said we
18 should come.

19 Q. And where did you go?

09:48:09

20 A. Koi du Town.

21 Q. And what happened when you were taken to Koi du Town?

22 A. When we got closer to the field was when they --

23 Q. Yes, go on.

09:48:33

24 A. It was then that Sergeant Foday said he was going to take
25 me away from Peppe.

26 Q. Who was Sergeant Foday?

27 A. He too was a rebel.

28 Q. And where was it that this happened, when Sergeant Foday
29 said he was going to take you away?

1 A. It was near Koidu Town, close to the school.

2 Q. And did he say why he was going to take you away from
3 Peppe?

4 A. Yes.

09:49:01 5 Q. What did he say?

6 A. He said Peppe was a small boy, so he was going to take me
7 away from him.

8 Q. And what happened after that?

9 A. And Peppe said, "If you say you are going to take this,
09:49:20 10 she's a civilian".

11 Q. And did he say anything else?

12 A. Yes.

13 Q. What did he say?

14 A. He said, "Instead of we having problems - we are fighters,
09:49:38 15 both of us. Instead of we having problems, I'm going to kill
16 her".

17 Q. And what happened after he said that?

18 A. And Well Man said no.

19 Q. Now, who was Well Man?

09:49:59 20 A. He too was a rebel.

21 Q. And what happened after Well Man said no?

22 A. Then Well Man took the weapon from him and he said, "Don't
23 shoot her".

24 Q. He took the weapon from who?

09:50:18 25 A. Peppe. Peppe.

26 Q. And what happened after that?

27 A. And he said Peppe should take me and we should go.

28 Q. Who said that?

29 A. Well Man.

1 Q. And when Well Man said that what did Sergeant Foday do?

2 A. Sergeant Foday didn't do anything.

3 Q. Now, when this conversation was taking place, what language
4 was Sergeant Foday speaking in?

09:50:52 5 A. He was speaking Krio.

6 Q. So then what happened after Well Man decided that you would
7 be with Peppe and you should go? What happened after that?

8 A. We went to Peppe's house.

9 Q. And Peppe's house was where?

09:51:13 10 A. Koi du Town.

11 Q. And what happened when you went to Peppe's house?

12 A. It was at night, the two of us slept together.

13 Q. What do you mean you slept together?

14 A. He raped me that night.

09:51:36 15 Q. When Peppe raped you that night had your menses begun?

16 A. No.

17 Q. What was your physical condition after this rape?

18 A. I was bleeding.

19 Q. And how were you feeling emotionally?

09:51:59 20 A. I couldn't stand up. I was completely weak.

21 Q. How long did you stay at Peppe's house?

22 A. I spent a night there and in the morning --

23 Q. What happened in the morning?

24 A. The condition in which he saw me was why he said we should
09:52:27 25 go to his sister.

26 Q. And tell us, why did he decide to take you to his sister?

27 A. He said the condition in which I was he couldn't keep me
28 with him, so he was going to take me to his sister.

29 Q. What condition was he talking about?

- 1 A. The way in which I was bleeding. He got afraid.
- 2 Q. Did you ever learn any other name for Peppe?
- 3 A. No.
- 4 Q. Did you ever learn what group Peppe belonged to?
- 09:53:09 5 A. Yes.
- 6 Q. What group?
- 7 A. It was Superman's group.
- 8 Q. What was the name of Peppe's sister that he was going to
- 9 take you to?
- 09:53:24 10 A. Hawa.
- 11 MS HOLLIS: Your Honours, we believe that name would be
- 12 H-A-W-A:
- 13 Q. And did he take you there?
- 14 A. Yes.
- 09:53:37 15 Q. Who was Hawa?
- 16 A. She too was a rebel. She said she was trained.
- 17 Q. Did she tell you how she became a rebel?
- 18 A. Yes.
- 19 Q. What did she say?
- 09:53:54 20 A. She said she went to the bush and was trained.
- 21 Q. Did she tell you where she was from originally?
- 22 A. No, she didn't tell me her home town.
- 23 Q. What language did Hawa speak?
- 24 A. She spoke Krio and Mende.
- 09:54:24 25 Q. How long did you stay with Hawa?
- 26 A. I spent some time with Hawa.
- 27 Q. And while you were with Hawa, how many people were staying
- 28 at Hawa's place?
- 29 A. There were rebels and --

1 THE INTERPRETER: Your Honours, can the witness repeat
2 that. It could be wives of soldiers, or female soldiers.

3 PRESIDING JUDGE: Well, Madam Witness, the question you
4 were asked was how many people were staying at Hawa's place and
09:55:07 5 could you --

6 THE WITNESS: There were many people in the house.

7 MS HOLLIS:

8 Q. And can you tell us who these people were?

9 THE INTERPRETER: Your Honours, can the witness clarify the
09:55:25 10 expression. It could be wives of rebels, or female rebels.

11 PRESIDING JUDGE: Madam Witness, are you saying wives of
12 rebels? Are you saying wives of rebels in the house, or female
13 rebels?

14 THE WITNESS: They were wives of rebels, but they too were
09:55:47 15 trained according to what they said.

16 MS HOLLIS:

17 Q. Madam Witness, while you were at Hawa's house, did you have
18 any duties?

19 A. Yes.

09:56:00 20 Q. What were your duties?

21 A. I used to launder and cook.

22 Q. Now, did you do these things voluntarily?

23 A. I did them forcefully.

24 Q. Did Peppe ever come to Hawa's house while you were staying
09:56:29 25 there?

26 A. No, he didn't go there.

27 Q. Now, you said that you were at Hawa's house for some time.
28 Did there come a time when you left from Hawa's house?

29 A. Yes.

1 Q. What happened?

2 A. Hawa sent me to go in search of vegetables to cook.

3 Q. And what happened when she sent you to do this?

09:57:08

4 A. Three of us went. We were there when Sergeant Foday went
5 to meet us.

6 Q. And what happened when Sergeant Foday met you there?

7 A. I was harvesting pepper and he shouted and said I should
8 stand up.

9 Q. And what happened after that?

09:57:29

10 A. He said, "Madam, which of the two do you prefer, your life
11 or going to my house?" And I said, "Well, let us go".

12 Q. And so after you said "Let us go", what happened?

13 A. And we went to his house. I was there as a wife.

14 Q. And where was Sergeant Foday's house?

09:58:01

15 A. Sergeant Foday's house too was close to Opera.

16 Q. And that was in what town, or village?

17 A. That is Koidu Town.

18 Q. When you went to Sergeant Foday's house, how long did you
19 stay there?

09:58:26

20 A. I was there for some time.

21 Q. And what happened when Sergeant Foday took you to his
22 house?

23 A. I was there as his wife.

24 Q. What do you mean you were there as his wife?

09:58:46

25 A. He was having sex with me every night.

26 Q. And did you volunteer to have sex with Sergeant Foday?

27 A. I did not volunteer, but I had no option.

28 Q. While you were at Sergeant Foday's house, how many people
29 were at that house?

1 A. There were rebels, together with some --

2 Q. Together with some what?

3 A. Civilians.

4 Q. And did you learn how those civilians came to be at
09:59:31 5 Sergeant Foday's house?

6 A. Yes.

7 Q. How did they come to be at Sergeant Foday's house?

8 A. They too were captured, those two civilians.

9 Q. And you said you "those two civilians". How many civilians
09:59:48 10 were at Sergeant Foday's house?

11 A. At Sergeant Foday's house I was a civilian there.

12 Q. And how many other civilians were there?

13 A. They were at the other house.

14 Q. So at Sergeant Foday's house were you the only civilian at
10:00:12 15 his house?

16 A. Yes, when I was there with him.

17 Q. Now these rebels that were at Sergeant Foday's house, did
18 you learn the names of any of these rebels?

19 A. I cannot recall their names because their names are
10:00:37 20 difficult to pronounce.

21 Q. Did you learn what group Sergeant Foday belonged to?

22 A. Yes.

23 Q. What group was that?

24 A. Superman's Boys.

10:00:51 25 Q. And these other rebels that were at Sergeant Foday's house,
26 did you learn what group they were with?

27 A. Yes.

28 Q. What group?

29 A. They all belonged to the same Superman's squad.

1 Q. Now in addition to being forced to have sex with Sergeant
2 Foday, did you have any other duties while you were at Sergeant
3 Foday's house?

4 A. Yes.

10:01:20 5 Q. What were your other duties?

6 A. I used to launder for him and cook for him and fetch water
7 as well.

8 Q. Did you do these things voluntarily?

9 A. No.

10:01:36 10 Q. While you were at Sergeant Foday's house, did you ever try
11 to run away?

12 A. No.

13 Q. Why not?

14 A. I couldn't run away because they were all over the place.

10:01:52 15 Q. Madam Witness, when you came back to Koidu Town, what was
16 the condition of the town?

17 A. The condition of the town was not good.

18 Q. Tell us what you mean by that?

19 A. The houses were burnt and the town was --

10:02:14 20 Q. The town was what?

21 A. The condition of the town was not good any more. In fact,
22 there were grasses all over the place. It was becoming bushy.

23 Q. How long did you stay in Koidu Town on this occasion?

24 A. I spent a long time in Koidu Town.

10:02:42 25 Q. At some point did you leave Koidu Town?

26 A. Yes.

27 Q. Why did you leave?

28 A. It was when the ECOMOG attacked.

29 Q. And do you remember what season it was when ECOMOG attacked

1 Koi du Town?

2 A. At that time it was close to the dry season.

3 Q. And then when the ECOMOG attacked Koi du Town, how many
4 people left from Koi du Town?

10:03:21 5 A. We were many, together with the rebels who had gone there.

6 Q. And where did you go from Koi du Town?

7 A. It was Superman's Ground.

8 Q. Do you know where Superman's Ground was?

9 A. Yes.

10:03:41 10 Q. Where was it?

11 A. Meiyor.

12 MS HOLLIS: Your Honours, I believe that has been spelled
13 before as M-E-I-Y-O-R:

14 Q. How did you travel to Superman's Ground?

10:03:57 15 A. We walked and some people went in vehicles.

16 Q. And you yourself, how did you travel?

17 A. I walked.

18 Q. Who travelled with you to Superman Ground?

19 A. Sergeant Foday.

10:04:13 20 Q. And was there anyone other than Sergeant Foday with you?

21 A. Except his squad - his colleagues.

22 Q. Do you remember the names of anyone in his squad that
23 walked with you to Superman Ground?

10:04:44 24 A. Yes, Well Man was there, together with Sidi que. All of us
25 went.

26 Q. When you arrived at Superman Ground, who did you stay with
27 there?

28 A. I was with him, Sergeant Foday.

29 Q. And how many people were with Sergeant Foday at this

1 Location in Superman Ground?

2 A. I was with Sergeant Foday, together with the boy whom he
3 had captured.

4 Q. Do you recall the name of this boy?

10:05:15 5 A. Yes.

6 Q. What was his name?

7 A. Komba.

8 MS HOLLIS: Your Honours, we believe that would be
9 K-O-M-B-A:

10:05:29 10 Q. Madam Witness, can you tell us the age of Komba?

11 A. No.

12 Q. How long did you remain with Sergeant Foday at Superman
13 Ground at his place?

14 A. I was with Sergeant Foday for a long time.

10:05:51 15 Q. And while you were with Sergeant Foday, what were your
16 duties?

17 A. I used to cook for him and I used to launder for him and he
18 used to have sex with me.

19 Q. And did you agree to have sex with Sergeant Foday on those
10:06:12 20 times?

21 A. No, I did not agree because he was far much older than I
22 was, but there was no option.

23 Q. Did there come a time that you moved from Sergeant Foday's
24 house?

10:06:31 25 A. Yes.

26 Q. And where did you go?

27 A. We went to Mami e.

28 Q. And why did you go there?

29 A. Because his wife heard that her husband had captured a

1 civilian girl.

2 Q. Whose wife are you talking about?

3 A. Sergeant Foday's wife.

4 Q. So what happened then?

10:07:03 5 A. She was in Kailahun, but when she heard that she came.

6 Q. And what happened when she came?

7 A. When she came, she used to pick a fight with me. She was
8 very jealous of me.

9 Q. Now, who was this Mamie whose house you went to?

10:07:29 10 A. It was Sergeant - it was Sergeant Foday's friend's wife.

11 Q. And who was the - she was the wife of which friend?

12 A. Sidi que.

13 Q. And when you went to Mamie's house, how long did you stay
14 there?

10:07:55 15 A. I was with Mamie for some time again.

16 Q. And was Mamie a civilian, or did she belong to a group?

17 A. Mamie too was a rebel.

18 Q. Did you learn where Mamie originally came from?

19 A. No, I did not know Mamie's home town.

10:08:21 20 Q. During the time you were at Mamie's did Sergeant Foday come
21 there?

22 A. Yes.

23 Q. How often did he come?

24 A. Whenever he needed me to have sex he will take me and have
10:08:39 25 sex with me.

26 Q. And while you stayed with Mamie, did you have duties there?

27 A. Yes.

28 Q. What were your duties?

29 A. I used to pound rice and to launder, harvest palm oil.

1 Q. Did you volunteer to do these things?

2 A. No.

3 Q. Why did you do them?

4 A. I was forced to do so, because I had no option.

10:09:19 5 Q. Did you ever learn why the place you were at was called
6 Superman's Ground?

7 A. Yes.

8 Q. And why was it called that?

9 A. Because Superman was the leader there. That was why the
10:09:40 10 place was named after him.

11 Q. While you were at Superman Ground, did you ever see
12 Superman?

13 A. Yes.

14 Q. How often would you see him?

10:09:56 15 A. The bush in which we were closer to the town, because we
16 hid away from the jets, he used to visit us there.

17 Q. Now, you said that Superman was the commander at Superman
18 Ground. During the time you were there, did you meet or become
19 aware of any other commanders there?

10:10:21 20 A. Yes.

21 Q. What other commanders do you remember?

22 A. There was Colonel Kailahun there. There was Boki to.
23 Colonel Karmoh. Si di que.

24 Q. And Colonel Kailahun, did you know him by any other name?

10:10:54 25 A. No.

26 Q. What language did Colonel Kailahun speak?

27 A. He spoke Mende, Krio.

28 Q. And what was Colonel Kailahun's position at the base, if
29 you know?

1 A. Superman was superior to him, but whenever Superman was not
2 around he would be in his place.

3 Q. Now you also mentioned someone you called Boki to. Did you
4 know him by any other name?

10:11:24 5 A. Yes.

6 MS HOLLIS: Your Honours, phonetically we would spell that
7 B-O-K-I-T-O:

8 Q. What other name did you know him by?

9 A. I only knew him as Boki to.

10:11:42 10 Q. What language did Boki to speak?

11 A. Boki to spoke a Liberian language.

12 Q. You also mentioned a Colonel Karmoh?

13 A. Major Karmoh.

14 Q. Did you know Major Karmoh by any other name?

10:12:00 15 A. No.

16 Q. What were his duties at the base?

17 A. He was the spiritualist.

18 Q. And what languages did he speak?

19 A. He was a Fullah.

10:12:23 20 Q. Do you recall any other commanders who either visited
21 Superman Ground or were based there?

22 A. The one who used to go there to visit was CO Rambo.

23 Q. Did you know CO Rambo by any other name?

24 A. No.

10:12:47 25 Q. And what language did CO Rambo speak?

26 A. I heard him speak Krio.

27 Q. You said he would visit the base. Do you know where he
28 himself was based?

29 A. It was by Jalloh Ground.

1 Q. Did you learn why it was called Jalloh Ground?

2 A. Because Jalloh was the one who established the place and he
3 was the commander there.

4 MS HOLLIS: Your Honours, we would spell that J-A-L-L-O-H:

10:13:24 5 Q. And CO Rambo, do you know what group he belonged to?

6 A. No, I didn't know.

7 Q. Now, you've named some of the commanders you remember who
8 were there. How many fighters were at the base?

9 A. At Superman's Ground?

10:13:48 10 Q. Yes, at Superman's Ground.

11 A. Yes. The ones that I know, I will call them out.

12 Q. First of all, can you tell us how many fighters were there?

13 A. You mean the commanders?

14 Q. No, the people below the commanders, the fighters.

10:14:07 15 A. There were many. I don't know their number.

16 Q. What language or languages did the fighters speak?

17 A. Some spoke Krio, Mende, and I heard some speaking Liberian
18 language.

19 Q. And what was the most common language used by the fighters?

10:14:34 20 A. They were speaking Krio to us.

21 Q. Now, you told the Court that you were first taken by Peppe
22 and taken to Koidu Town. When you left Koidu Town and went to
23 Superman Ground do you know where Peppe was?

24 A. Yes.

10:14:53 25 Q. Where was he?

26 A. Peppe too was at the same Superman Ground.

27 Q. While you stayed at Superman Ground were you aware of any
28 meetings being held at Superman Ground?

29 A. Yes.

1 Q. Those meetings were for who?

2 A. It was they - they convened the meeting for themselves, the
3 rebels.

4 Q. And did you or other civilians ever attend those meetings?

10:15:32 5 A. No, no civilians went there. The meetings were only for
6 themselves.

7 Q. While you were at Superman Ground, did the rebels ever
8 leave the base to go anywhere?

9 A. To go and fight?

10:15:52 10 Q. No, I'm asking you. Did they leave the base to go fight?

11 A. Yes.

12 Q. And they left the base to go fight where?

13 A. Koidu Town.

14 Q. And how did you learn that they were going to fight at

10:16:08 15 Koidu Town?

16 A. Because they used to call them at the formation ground and
17 they will assemble and they will say they are going to fight in
18 Koidu.

19 Q. Now, other than going to fight in Koidu Town, did the
10:16:27 20 rebels ever leave the base for any other reason?

21 A. Yes.

22 Q. And for what other reason would they leave the base?

23 A. To go on a food finding mission.

24 Q. Did you ever learn what they did when they went on these
10:16:47 25 food finding missions?

26 A. I don't know what they did there.

27 Q. When they came back to the base, did they ever say anything
28 about those missions?

29 A. Yes.

1 Q. What did they say?

2 A. Sergeant Foday used to tell me that they would kill and
3 rape.

4 Q. And they would kill and rape who?

10:17:13 5 A. Civilians.

6 Q. Would they bring anything back from those missions?

7 A. Yes, yes.

8 Q. What would they bring back?

9 A. They would bring back clothing, tape recorders, radios,
10:17:32 10 food items and civilians.

11 Q. And these civilians that they brought back, what gender
12 were these civilians?

13 A. Male and female.

14 Q. And what was the age or age groups of these civilians, if
10:17:54 15 you know?

16 A. I didn't know their ages, but there were some people who
17 were children who had just walked and there were some ladies
18 among them.

19 Q. And when they brought those civilians back to Superman
10:18:13 20 Ground, do you know if those civilians had any duties?

21 A. I didn't know what the civilians did for them because I was
22 at my own house.

23 Q. You have said that Superman was the commander of Superman
24 Ground and you've named some commanders who were at Superman
10:18:38 25 Ground and you've also named CO Rambo who used to visit.

26 A. Yes.

27 Q. Did you ever learn about any other commanders while you
28 were at Superman Ground?

29 A. It was this man, Peleto.

1 Q. What did you learn about Peleto?

2 A. Peleto came to the zorbush to visit. He too was a
3 commander.

4 Q. Did you know Peleto by any other name?

10:19:12 5 A. No.

6 Q. How did you learn the names of these other commanders?

7 A. In the zorbush where we were they used to visit there.
8 Whenever they came their names would be called out.

9 Q. Did you ever see Peleto when he came?

10:19:34 10 A. Yes.

11 Q. Did you ever hear Peleto speak?

12 A. Yes.

13 Q. What language did he use when he spoke?

14 A. I heard him speak Krio at the formation ground.

10:19:50 15 Q. Now, in addition to these commanders that you have named
16 did you ever learn about any other commanders?

17 A. Yes.

18 Q. Who did you learn about?

19 A. Mosquito.

10:20:05 20 Q. And who told you about Mosquito?

21 A. It was Sergeant Foday.

22 Q. Did you know Mosquito by any other name?

23 A. No.

24 Q. And what did Sergeant Foday tell you about Mosquito?

10:20:23 25 A. He just said that Mosquito was their boss.

26 Q. And did he tell you anything else?

27 A. Yes.

28 Q. What did he say?

29 A. He said at that time if he had as much money and as much

1 di amonds as Mosqui to had he would n' t be fighting any more.

2 Q. And did he say anything else about Mosqui to?

3 A. Except the order that he said Mosqui to had sent.

4 Q. And what was that order?

10:21:02 5 A. He said Mosqui to had said they should stop killing, they
6 should be amputating hands.

7 Q. And when you said they should be amputating hands, was it
8 only hands?

9 A. He said that they were to amputate hands and they should
10:21:21 10 put padlock on people's mouth and amputate ears and the people
11 should be sent to Pa Kabbah.

12 Q. Did he say why they should be sent to Pa Kabbah?

13 A. Yes.

14 Q. What did he say?

10:21:40 15 A. He said because he was the government man he had his hands
16 in politics.

17 Q. Did you learn whether this order was carried out?

18 A. Sergeant Foday said yes, they did it.

19 Q. Now, while you were at Superman Ground, did you learn of
10:22:07 20 anyone trying to escape from Superman Ground?

21 A. Yes.

22 Q. What did you learn?

23 A. It was one man who escaped.

24 Q. And what happened to that man who escaped?

10:22:29 25 A. He was recaptured.

26 Q. And what happened after he was captured?

27 A. He was brought to the formation ground.

28 Q. And what was the formation ground?

29 A. Where they held their meetings and where they paraded.

1 Q. And what happened when this man was brought to the
2 formation ground?

3 A. And they invited the civilians.

4 Q. And then what happened?

10:23:04 5 A. And Peppe went and lacerated the man's testicles.

6 Q. And what happened after that?

7 A. And they passed an order that the civilians should kill
8 him.

9 Q. And what happened after they passed that order?

10:23:28 10 A. And the civilians hit him to death.

11 Q. Were you involved in hitting that man?

12 A. No, I did not hit him.

13 Q. And when you saw this man first having his testicles
14 lacerated and then being hit until he died, what was the effect
10:23:50 15 on you of seeing that?

16 A. I did not feel good. I was not happy about it.

17 Q. You said that you came to Superman Ground with rebels and
18 civilians from Koidu Town. Now, while you were at Superman
19 Ground you have talked about other civilians being brought back
10:24:12 20 to Superman Ground. While you were there, at any point were
21 civilians sent from Superman Ground to any other location?

22 A. Yes.

23 Q. Where were they sent?

24 A. It was Kailahun.

10:24:32 25 Q. Why were they sent there?

26 A. They sent them to their mothers to help them to do some
27 work.

28 Q. To whose mothers?

29 A. The rebels' mothers.

1 Q. And were people sent from the camp to do any other things?

2 A. While we were at the camp?

3 Q. Yes.

4 A. Yes, yes.

10:25:02 5 Q. You said some people were sent to work for the rebels'
6 mothers. Were other civilians sent from the camp for any other
7 reason?

8 A. Yes.

9 Q. And what was the reason those other civilians were sent
10 from the camp?

11 A. To go and do what they called government work.

12 Q. What was government work?

13 A. They said to go and cultivate rice at Foday Sankoh's farm.

14 Q. Now, let me go back just for a moment. You said that
10:25:44 15 Sergeant Foday, after this instruction from Mosquito to stop
16 killing and start amputating and putting padlocks on people's
17 mouths, you said that after that instruction Sergeant Foday would
18 tell you that that instruction had been carried out. Did he tell
19 you where the rebels were doing those things?

10:26:08 20 A. Yes.

21 Q. Where did he say?

22 A. He said they used to go to the villages.

23 Q. Did he tell you the villages in what district?

24 A. He only said around Koidu Town. They never actually got
10:26:30 25 into Koidu Town itself.

26 Q. Were you yourself ever sent from Superman Ground?

27 A. Yes.

28 Q. And why were you sent from Superman Ground?

29 A. It was Sergeant Foday who said I should go to be with his

1 mother.

2 Q. And where were you sent?

3 A. Giema.

4 Q. How did you travel to Giema?

10:27:11 5 A. On foot.

6 Q. And who went with you to Giema?

7 A. We went together with some rebels.

8 Q. You said "We went together". Were there other civilians
9 with you?

10:27:37 10 A. Yes, there were many civilians and rebels; those who made
11 the trip.

12 Q. And the rebels who went with you, did they have weapons?

13 A. Yes.

14 Q. Now you said that civilians - other civilians - were sent
10:27:50 15 to Kailahun District to work and you were sent to Giema. Do you
16 know of any of the other places in Kailahun District where
17 civilians were sent to work?

18 MR ANYAH: Mr President, my recollection of the evidence is
19 the witness said they were sent to Kailahun. She didn't say
10:28:13 20 Kailahun Town. She didn't say Kailahun District.

21 MS HOLLIS: That is correct. Let me rephrase that:

22 Q. Madam Witness, you said that other civilians were sent to
23 Kailahun to work and you said you were sent to Giema to Sergeant
24 Foday's mother?

10:28:27 25 A. Yes.

26 Q. Now, do you know the names of any other places that these
27 civilians were sent?

28 A. Yes.

29 Q. What are the names of some of the other places?

1 A. There was Dodo, Balahun, Talia, Ngeigor, Mamboma. That is
2 all. That is what I can recall.

3 MS HOLLIS: Your Honours, I think we have most of those.
4 Dodo would be D-O-D-O. Ngeigor we couldn't actually find, but a
10:28:54 5 phonetic spelling --

6 THE WITNESS: Ngeigor.

7 MS HOLLIS: A phonetic spelling of that for us would be
8 N-G-E-I-G-O-R. Talia I believe we have already had spelt and
9 Mamboma I believe we have already had spelt.

10:29:21 10 THE WITNESS: Together with Balahun.

11 MS HOLLIS: And Balahun also I believe has been spelt:

12 Q. What season was it that you were taken to Giema?

13 A. It was the dry season.

14 Q. And when you went to Sergeant Foday's mother in Giema, did
10:29:45 15 you have duties there?

16 A. Yes, I used to work for Sergeant Foday's mother. I used to
17 do government work.

18 Q. Now when you worked for Sergeant Foday's mother, what kind
19 of work did you do?

10:30:06 20 A. I used to pound rice for her and I used to cook, I used to
21 launder and I used to go and fish.

22 Q. Now, you said that you did government work?

23 A. Yes.

24 Q. Tell us what you mean when you say you did government work?

10:30:34 25 A. The workers used to go and plant the seeds and we used to
26 weed.

27 Q. And how did you know that you were doing government work?

28 A. They used to announce in the morning. They will say,
29 "Chief said we should go and do government work".

1 Q. Were you able to refuse to go to do this work?

2 A. It was only once when I was really tired and I refused.

3 Q. What happened to you when you refused?

4 A. I was put in the dungeon.

10:31:16 5 Q. How long were you in the dungeon?

6 A. I spent a day there.

7 Q. During the time you were in Giema, did you observe any
8 religious holidays?

9 A. Yes.

10:31:33 10 Q. Which religious holiday?

11 A. I spent Christmas there. We merried there.

12 Q. Who married there?

13 A. I do not understand.

14 Q. You said you spent one Christmas there, yes?

10:31:59 15 A. Yes.

16 Q. And what did you say after that?

17 A. After spending the Christmas there? I do not understand
18 what you mean.

19 Q. I don't either. Let me ask you this. Did you ever marry
10:32:15 20 while you were in Giema?

21 A. No, I was not with a man there. It was - I was staying
22 with Sergeant Foday's mother. It was Sergeant Foday who sent me
23 there.

24 Q. Once you were --

10:32:30 25 JUDGE SEBUTINDE: I think the witness might have said, "We
26 remained there".

27 MS HOLLIS: Or perhaps merried, M-E-R-R-I-E-D, speaking
28 about Christmas. I am trying to retrieve it, but I am having
29 trouble:

1 Q. Once you were sent to Giema, did you ever see Sergeant
2 Foday again?

3 A. No, I did not see him there any more.

10:33:03

4 Q. While you were in Giema, were you with any men there in
5 Giema?

6 A. No.

7 Q. You said you spent Christmas in Giema. How many
8 Christmases did you spend in Giema?

9 A. One.

10:33:21

10 JUDGE SEBUTINDE: Mr Interpreter, do you mind speaking up.
11 We can hardly hear you.

12 THE INTERPRETER: Okay, your Honours.

13 THE WITNESS: I spent one Christmas there.

14 MS HOLLIS:

10:33:33

15 Q. Did there come a time when you left Giema?

16 A. Yes.

17 Q. And do you remember what season it was when you left Giema?

18 A. Yes.

19 Q. What season was it?

10:33:49

20 A. Dry season.

21 Q. And why did you leave Giema?

22 A. One of my mother's friend, with whom she was in Kono, was
23 captured.

24 Q. Yes?

10:34:09

25 A. So we went to Ngeigor to do government work and I saw her
26 there.

27 Q. And what happened when you saw her there?

28 A. So she asked me - she asked me, "What have you come to do
29 here?" I said, "I have been sent here to do government work".

1 She told me if I would agree so that she will go and say she gave
2 birth to me and they will give me to her to take care of me. I
3 said "Yes".

4 Q. So what happened after that?

10:34:57 5 A. So she went and informed her husband and he was the G5
6 commander.

7 Q. Did you know what it meant to be a G5 commander?

8 A. He was in control of the civilians who used to go and do
9 the cultivation.

10:35:21 10 Q. And do you know where he was a G5 commander?

11 A. You mean where he was that he was serving as G5 commander?

12 Q. Yes, do you know where he was based?

13 A. Yes.

14 Q. Where was that?

10:35:42 15 A. He was based in Kailahun.

16 Q. When you say Kailahun, what do you mean?

17 A. Kailahun Town. He was based there.

18 Q. So then what happened after she went to her husband?

19 A. So she went and informed her husband and she and her
10:36:08 20 husband went to Giema.

21 Q. And what happened then?

22 A. When they went there I saw them, I recognised them, and I
23 ran towards her and I said, "Oh, my mother has come".

24 Q. And then what happened?

10:36:29 25 A. So she went and asked about who I was staying with and I
26 showed her the woman.

27 Q. And then what happened?

28 A. She then said thanks to the woman and she told her she
29 wanted to take me over again.

1 Q. So what happened after that?

2 A. And the woman said, "No, it was my son who sent this lady
3 to stay with me". She said, "In case I decide to give you this
4 lady and you take her over, if my son comes later and asked me
10:37:21 5 about it what would I tell my son?" Then my purported mother
6 said, "Just tell him that it was the lady's mother who came to
7 collect her". She said also that she has to tell him that when
8 he comes he should travel and meet us in Kailahun. She said he
9 should go and meet us at Ngobeh's compound. The woman accepted
10:38:00 10 and she handed me over to my aunt and we went.

11 Q. And who was it who said that he should go and meet you at
12 Ngobeh's compound?

13 A. It was my mother's friend.

14 MS HOLLIS: Your Honours, we believe that Ngobeh would be
10:38:23 15 N-G-O-B-E-H:

16 Q. So did you then travel to Kailahun Town with this lady?

17 A. Yes.

18 Q. And how long did you stay in Kailahun Town?

19 A. I spent a long time there in Kailahun Town.

10:38:50 20 Q. Did you observe any religious holidays while you stayed at
21 Kailahun Town?

22 A. Yes.

23 Q. What holiday?

24 A. Christmas.

10:39:03 25 Q. While you were in Kailahun Town, did you meet any other
26 civilians there?

27 A. Yes, civilians were there in the town.

28 Q. Did you learn how those civilians came to be in the town?

29 A. Except for the civilians, the older women who were there,

1 and sometimes those other civilians who were sent there from
2 other places.

3 Q. And these civilians who were sent there from other places,
4 did you learn who sent them there?

10:39:48 5 A. It was the rebels, because at any time we met at the pump
6 to fetch water we discussed.

7 Q. And did they tell you why they had been sent there to
8 Kailahun Town?

9 A. They would just say that they too were sent to take care of
10:40:11 10 the rebels' mothers.

11 Q. And these civilians that you spoke with, did any of them
12 tell you where they had come from?

13 A. They said they too were from Koidu Town.

14 Q. Did there come a time when you left Kailahun Town?

10:40:39 15 A. Yes.

16 Q. And how did that happen?

17 A. That was the time we heard over the radio that peace has
18 once again reigned in Koidu Town.

19 Q. And you heard that over the radio and then what happened
10:41:00 20 that you were able to leave Kailahun Town?

21 A. Well, the woman with whom I was staying, that is my aunt,
22 she travelled to Kono.

23 Q. Now, when you say you were staying with your aunt, is this
24 the woman that you said was supposed to be your mother?

10:41:24 25 A. Yes.

26 Q. So what happened when she travelled to Kono, to Koidu Town?

27 A. She said she wanted to go and make sure whether indeed her
28 family members were there and if it was true that peace has been
29 restored.

1 Q. And what happened after that?

2 A. So she said she was going to see whether civilians had
3 started returning to the town and she went back to Kailahun.

4 Q. And when she came back, what happened then?

10:42:14 5 A. On her return, she told me that the civilians has started
6 returning but that she did not see my own family members.

7 Q. So how were you able to leave Kailahun Town?

8 A. So my friend and I made an arrangement to hide away.

9 Q. And what happened after you made this arrangement?

10:42:50 10 A. We met at the tap, my friend and I. We asked each other
11 for our names, because she too was a Kono. So she told me that,
12 "Now that they have started talking about peace, how would you be
13 able to go?" And then I told her, "I do not have a companion
14 with whom I will take the venture". Then she told me, "Okay,
10:43:28 15 let's make a plan so that we will be able to escape and go". And
16 she told me, "There is going to be a dance to be staged in town
17 today".

18 Q. And then what happened?

19 A. And she told the people with whom she was staying that,
10:43:57 20 "Today, I want to go to the dance" and I too told my aunt that I
21 wanted to go to the dance and she allowed me to go. We met
22 there. We were there until we had eaten a little bit into time
23 and I took my friend to my own house. So we were there when we
24 overheard call to prayers and I collected my bag and we went
10:44:50 25 outside, trying to go. We had a dog with us and that dog started
26 chasing us, so we decided to go.

27 Q. So can you tell us what season was it that you left
28 Kailahun Town.

29 JUDGE DOHERTY: Ms Hollis, I'm not sure that I heard the

1 translation correctly. I thought I heard the witness say, "We
2 decided to go back".

3 MS HOLLIS: I think that is what I heard as well.

4 THE WITNESS: Yes.

10:45:33 5 JUDGE SEBUTINDE: Go back where?

6 THE WITNESS: We went back very close to Kono in a village
7 that was called Njafi du at my friend's place.

8 MS HOLLIS:

9 Q. Madam Witness, before we talk about that, could you tell us
10:45:50 10 do you know what season was it that you left Kailahun Town?

11 A. Yes.

12 Q. What season was it?

13 A. I can say it was during the dry season because when we went
14 we realised that the stream had gone down, we could walk in and
10:46:10 15 go through.

16 Q. And before you left Kailahun Town had you heard any news
17 about Mosquito?

18 A. The only news I heard was that Mosquito said he wanted to
19 go to Liberia.

10:46:31 20 Q. Now, you have said that you went to a place called Njafi du.
21 Your Honours, we have only what we would say is a phonetic
22 spelling for that. That would be N-J-A-F-I-D-U. Tell us again
23 where was Njafi du?

24 A. Njafi du I think is around Fiama area.

10:46:59 25 Q. Can you tell us how close or how far it is from Koidu Town?

26 A. It's far.

27 Q. Do you know what district it is in?

28 A. I don't know the district.

29 Q. So then what happened when you went to Njafi du?

1 A. I stayed there with my friend's mother and one day he told
2 me to accompany him to a small village to go and prepare alcohol.

3 Q. When you say, "He told me to accompany him to a small
4 village", who are you talking about?

10:47:51 5 A. No, I'm talking about my friend, my friend's mother.

6 JUDGE SEBUTINDE: Mr Interpreter, was that a he or a she?

7 THE INTERPRETER: Your Honours, could the witness be kindly
8 asked to clarify.

9 MS HOLLIS:

10:48:10 10 Q. Tell us again, who was it?

11 A. It was my friend's mother who asked me accompany her to the
12 village for us to go and prepare alcohol.

13 Q. Now, before we talk about that, you said that when you left
14 Kailahun Town there was this dog that chased you. What happened

10:48:34 15 to that dog?

16 A. The dog, it was because I had stayed in that house and it
17 has got used to me, the dog chased me and we went.

18 JUDGE SEBUTINDE: Mr Interpreter, that was "followed me",
19 I'm sure. The dog followed her, it didn't chase her. Is that
10:48:55 20 right?

21 THE INTERPRETER: Sorry, your Honours, that's right, yes.

22 MS HOLLIS:

23 Q. And the dog followed you to where?

24 A. It followed me and we went to my friend's village. It was
10:49:08 25 there with me.

26 Q. Now, what happened when you went with your friend's mother?

27 A. She said I should accompany her to go and prepare alcohol
28 and I met my grandfather in the village.

29 PRESIDING JUDGE: Yes, Mr Anyah.

1 MR ANYAH: Yes, Mr President, I rise, and I stand to be
2 corrected, I've read all the disclosures relative to this
3 witness's out of court statement and none of this has been
4 disclosed to us; the portions involving the dog, the trip to
10:49:45 5 Njafidu and the like. The last disclosure I have for this
6 witness is dated the 24th and 25th of this month, last week, and
7 we do not have this information.

8 PRESIDING JUDGE: Ms Hollis, do you wish to reply to that?

9 MS HOLLIS: I want to look quickly at that proofing note.
10:50:42 10 Defence counsel is correct. That information is not in the
11 proofing note.

12 PRESIDING JUDGE: Yes, Mr Anyah, are you seeking any order
13 in regard to that non-disclosure?

14 MR ANYAH: Well, Mr President, the usual remedy of course
10:51:01 15 is that we could perhaps ask for additional time to commence
16 cross-examination, or commence cross-examination and then seek an
17 adjournment to receive additional information and then
18 recommence. That will not be necessary, in my view, but, because
19 I have in the past made this observation to the Chamber about
10:51:23 20 tardiness in disclosures and statements being made by witnesses
21 in court that take us to some degree by surprise, I would request
22 an order at this point that the Prosecution not be allowed to
23 present this additional bit of information.

24 PRESIDING JUDGE: Mr Anyah, I'm not sure whether anything
10:51:43 25 turns on this particular passage of evidence or not, but you have
26 your right of cross-examination and if you feel after
27 cross-examining that you have in any way been caused some
28 injustice by the non-disclosure then we will consider a further
29 application for appropriate time to prepare.

1 MR ANYAH: Thank you, Mr President.

2 PRESIDING JUDGE: Yes, Ms Hollis.

3 MS HOLLIS: Thank you, Mr President:

4 Q. Now, Madam Witness, you said that when you went with this
10:52:22 5 lady your grandfather was there. Is that correct?

6 A. Yes. Where we went to prepare the alcohol, that was where
7 I met my grandfather.

8 Q. And what happened after you met your grandfather?

9 A. My grandfather ran towards me and she hugged me, he
10:52:45 10 embraced me, and she said, "I heard that you had been captured.
11 How did you manage to return?"

12 JUDGE DOHERTY: Mr Interpreter, you have said "she" and you
13 have said "he". Which is it, please?

14 THE INTERPRETER: It is "he", your Honours.

10:53:17 15 MS HOLLIS:

16 Q. Now, after you met with your grandfather --

17 A. And my grandfather asked me, he said, "How did you manage
18 to come back?"

19 Q. Now, after you were reunited with your grandfather, where
10:53:39 20 did you go from there?

21 A. After that we went to my mother's village. The place is
22 called Kiyor.

23 Q. The spelling on the screen is the best that we can do.
24 Were you ever reunited with your mother or other members of your
10:54:09 25 family?

26 A. I was with my grandfather at first in the village.

27 Q. The question was were you ever reunited with your mother or
28 other members of your family?

29 A. I do not understand what you mean by that.

1 Q. Did you ever get back together with your mother or other
2 members of your family?

3 A. I said at first I went and stayed with my grandfather and
4 later when my mother heard about me, she came.

10:54:50 5 Q. Now, Madam Witness, can you tell the Court any effects your
6 experiences have had on you, the experiences you had being
7 captured and the things you saw in your time with the rebels?

8 A. Yes.

9 Q. Can you tell me, please?

10:55:16 10 A. All the things that happened to me, at any time I recall
11 them, I feel the shock. I don't know how they referred to that.
12 Sometimes it's - I become devastated. It takes me time before I
13 come back to normalcy.

14 MS HOLLIS: The Prosecution has no further questions of the
10:55:44 15 witness.

16 PRESIDING JUDGE: Thank you. Mr Anyah.

17 MR ANYAH: Yes, Mr President, I do have questions in
18 cross-examination. I need a minute or two to set up.

19 In the interim there are sets of documents that we have
10:55:57 20 that might facilitate your understanding of the evidence. So if
21 Madam Court Usher could assist us in distributing them to your
22 Honours and to the Prosecution as well.

23 PRESIDING JUDGE: Yes, thank you.

24 MR ANYAH: While we set up, if your Honours please, could
10:56:43 25 Mr Taylor be excused to use the bathroom?

26 PRESIDING JUDGE: Certainly. Mr Taylor can leave the
27 courtroom.

28 CROSS-EXAMINATION BY MR ANYAH:

29 Q. Good morning, Madam Witness. I have a few questions for

1 you and I will try and go very slowly. If I say anything you do
2 not understand, please ask me to repeat myself. Do you
3 understand that, Ms Witness?

4 A. Yes.

10:59:16 5 Q. You told us yesterday when you were asked questions by
6 Ms Hollis that you do not know how old you are, yes?

7 A. Yes.

8 Q. Now, we are speaking of your age at this point in time,
9 today, 29 January 2009, yes?

10:59:39 10 A. That I spoke about my age?

11 Q. Let me be clear. As you sit there now, today, 29 January
12 2009, you do not know --

13 A. Yes.

14 Q. -- how old you are, correct?

10:59:55 15 A. Yes, I can't tell my age, no.

16 Q. And it is also the case that when you were captured by the
17 rebels, that particular period or season, you do not know how old
18 you were then, yes?

19 A. No.

11:00:16 20 Q. You remember speaking to the Prosecutor's office several
21 times outside of court about what happened to you. Do you
22 remember that?

23 A. Yes.

24 Q. Do you remember having mentioned to them previously that
11:00:35 25 you were somewhere in the vicinity of 12 to 13 years of age at
26 the time you were captured?

27 A. No, it's the man who was registering me who said that he
28 will take it between 12 to 13, but I told him that I do not know
29 my age.

1 Q. Do you remember telling - well, let me stop there. Who is
2 this man you speak of? Who is this person that said he would
3 estimate your age?

4 A. It was the man who was registering me in Freetown at the
11:01:26 5 time that I went there.

6 Q. And where exactly did you go to to be registered?

7 A. I was in Kono. They took me from there and brought me to
8 Freetown.

9 Q. Who took you from Kono and brought you to Freetown?

11:01:46 10 A. Those who are working at the Special Court.

11 Q. And what did you understand this registration process to
12 entail?

13 A. What I understood was that those whom they had captured,
14 those whom the rebels captured, they wanted to --

11:02:13 15 Q. They wanted to do what with those that the rebels had
16 captured?

17 A. They said they wanted to know what the rebels had done to
18 them during the war, so they said that was why they were
19 registering.

11:02:27 20 Q. Did you at any time tell members of the Office of the
21 Prosecutor that you were in Class 2 or about the age of a Class 2
22 student at the time of your capture?

23 A. Yes, I told them. They asked me what class I was and I
24 said I was in Class 2.

11:02:56 25 Q. And you mean Class 2 out of Form 5, yes?

26 A. No. Form, no.

27 Q. You mean Class 2 in a secondary school system that has
28 Forms 1 to 5, yes?

29 A. Primary school, because I didn't go to school early.

1 MR ANYAH: Mr Court Usher, can we look at the document, in
2 the set of documents I've just handed out it's in tab 5. The
3 date is 22 August 2008, page 2:

4 Q. At the bottom of the page - Madam Witness, what I'm going
11:04:04 5 to read from are notes disclosed to us, the Defence, by the
6 Office of the Prosecutor that pertain to an interview they had
7 with you on 22 August 2008 and they have disclosed these notes in
8 addition to several other notes from other interviews with you
9 and we will go through some of them during the course of today.

11:04:29 10 At paragraph 10, it reads:

11 "Witness states that other civilians were being captured
12 and gathered in the village. The captured women were asked to
13 cook. Witness was in Class 2."

14 A. Yes.

11:04:47 15 Q. "She hadn't started menstruating and her breasts had just
16 started to form. Witness estimated her age" --

17 A. Yes, I said that.

18 Q. Yes, Madam Witness, I am not disputing it. If you would
19 permit me first to finish reading then I will ask you a question,
11:05:05 20 okay?

21 "She hadn't started menstruating and her breasts had just
22 started to form. Witness estimated her age at that time to be
23 between 13 and 12 years."

24 Madam Witness, can we agree that around the time of your
11:05:20 25 capture you were between 13 and 12 years of age?

26 A. I told the man that I can't tell my age, I didn't know. He
27 just estimated it that way and wrote it down.

28 Q. So when the notes of interview say that, "Witness estimated
29 her age at the time to be between 12 and 13", you are telling us

1 the person who did the estimation was actually the employee of
2 the Office of the Prosecutor and not you? Is that what you're
3 telling us?

4 A. No, I did not say so.

11:06:02 5 Q. When you say you did not say so, you mean you did not give
6 an estimate age of yourself, yes?

7 A. Yes.

8 Q. But you did say you were in Class 2 at the time, yes?

9 A. Yes, I said that.

11:06:21 10 Q. What is the average age of somebody in primary school
11 Class 2 in Sierra Leone?

12 A. Well, I can't tell.

13 Q. Well, how old were the other children that were in Class 2
14 with you? What was their average age?

11:06:49 15 A. I do not know their ages. I did not know my own age; would
16 I know their own ages?

17 Q. In any event, Madam Witness, it is clear that at the point
18 of your capture you had not started having your menstrual period,
19 yes?

11:07:12 20 A. Yes.

21 Q. Now, we will go through some of the evidence you have
22 given, maybe not in the same order you gave them. One thing that
23 came out yesterday during your evidence was the events told to
24 you, you say, by your brother about him seeing Johnny Paul Koroma
11:07:38 25 passing by in the vicinity of Baiama. Do you recall telling us
26 that, Mrs Witness?

27 A. Yes.

28 Q. I want to go through those series of events with you, just
29 briefly. You told us before your capture you lived in Koidu

1 Town, correct?

2 A. Yes.

3 Q. You told us that advancing rebels to Koidu Town made you
4 and your family flee into or flee to a village or town called

11:08:16 5 Baiama, yes?

6 A. Yes.

7 Q. Is that a "Yes", Madam Witness? You have to speak up.

8 A. Yes, yes.

9 Q. You told us that while you were in Baiama the rebels again
10 approached and then you had to flee to a bush, yes?

11:08:30

11 A. Yes.

12 Q. While you were in that bush your brother, whose name is
13 Ai ah?

14 A. Ai ah.

11:08:48

15 MR ANYAH: Your Honours, I believe that is spelt A-I-A-H:

16 Q. Your brother left the bush and he attempted to go back to
17 Baiama Town, yes?

18 A. Yes.

19 Q. And when he got to the vicinity of Baiama Town, your
20 brother told you that he saw a convoy that appeared to be
21 carrying Johnny Paul Koroma, yes?

11:09:12

22 A. Yes.

23 Q. Indeed your brother told you he did see Johnny Paul Koroma
24 wearing a white suit, correct?

11:09:37

25 A. Yes.

26 Q. Did you yourself see Johnny Paul Koroma, Madam Witness?

27 A. No, I did not see him.

28 Q. This whole episode of you seeing Johnny Paul Koroma you
29 told us about it in Court yesterday, 28 January 2009. Do you

1 know the first time you mentioned that incident to the Office of
2 the Prosecutor, Madam Witness?

3 A. The first time that I talked about --

4 Q. Do you understand my question?

11:10:26 5 A. No.

6 Q. Do you remember speaking to the Office of the Prosecutor
7 for the first time in the year 2002?

8 A. 2002? I can't remember that time. That one I did not
9 get - I can't remember.

11:10:52 10 MR ANYAH: Mr Court Usher, if you could display this
11 document on the overhead projector. I think your Honours and
12 counsel opposite have a copy. It's a chronology of the different
13 dates of interviews between the Office of the Prosecutor and the
14 witness - well, dates of meetings when there has been contact
11:11:17 15 between the two of them in person based on information disclosed
16 to us by the Office of the Prosecutor:

17 Q. Madam Witness, we have records that show us that on 15
18 November 2002 the Office of the Prosecutor met with you for the
19 first time. Now, they took a statement from you on that date.

11:11:39 20 A. Yes.

21 Q. Do you remember meeting somebody named Boi Tia Stevens and
22 a Virginia Chitanda? Do you recall that?

23 A. I cannot remember those names any more.

24 Q. But you remember meeting with them on 15 November, yes?

11:12:02 25 A. Yes.

26 Q. That was your first meeting. They took a statement from
27 you and they had you affix your thumb print in ink on the
28 statement. Do you remember doing that, Madam Witness?

29 A. Yes.

1 Q. Now, in that entire statement that you gave to the Office
2 of the Prosecutor in 2002 you did not mention anything about your
3 brother telling you about Johnny Paul Koroma. Do you agree,
4 Madam Witness?

11:12:36 5 A. Yes.

6 Q. The first time we have you on record - and we will go
7 through the interviews you've had. The first one is 15 November
8 2002, we see the next time that records show you having contact
9 with them as 24 September 2003, we see a record for 28 January
10 2004 and we have a document pertaining to that particular
11 meeting. There is then 30 July 2006, 24 January 2007 and 19 July
12 2007. Madam Witness, the first time that we have you on record
13 as mentioning this episode about Johnny Paul Koroma is last year,
14 2008, 22 August. Did you tell them for the first time about

11:13:01 15 Johnny Paul Koroma in August of 2008?

16 A. Yes.

17 Q. That is a six year period between your first statement on
18 15 November 2002 and 2008. Madam Witness --

19 A. Yes.

11:14:08 20 Q. -- do you remember what happened to you better now in 2009
21 than in 2002 when you first spoke to the Prosecution?

22 A. What happened to me?

23 Q. Yes. All the events you've told us about from yesterday
24 until today, when you remember them, you recall specifics about
25 what happened, is your mind sharper or clearer now as you sit in
26 this courtroom than it was closer to the time of the events in
27 2002?

28 A. What time I can recall it properly?

29 Q. Yes, when are you able to best recall what happened to you?

1 A. What happened to me during the war?

2 Q. Yes, the time of your capture, the time you were raped by
3 Peppe, the time you were raped by Sergeant Foday, are you able to
4 recall those events clearly as you sit before the Court now in

11:15:28 5 January of 2009?

6 A. If I can recall it again?

7 Q. Yes.

8 A. I do not understand what you mean by that.

9 Q. That's fair enough. I'll try and be clearer. Madam

11:15:51 10 Witness, you told us yesterday that you do not remember the
11 season - well, you said you do not remember the year during which
12 you were captured. Do you remember telling us that yesterday?

13 A. Yes.

14 Q. Indeed there is a lot about time periods when things

11:16:08 15 happened that you do not remember, true?

16 A. That a lot of things happened to me that I cannot remember?

17 Q. Well, let me read you some of what you have told the
18 Prosecution about your memory and I will ask you if you still
19 abide by them. You told the Prosecution that you were too young

11:16:35 20 to know how long you spent --

21 MS HOLLIS: Could we have a reference, please?

22 THE WITNESS: Yes.

23 MR ANYAH: Yes, I will provide it. Well, we can do it one
24 by one. If we could go first to tab 6, page 5, paragraph 26:

11:17:20 25 Q. Madam Witness, I will read you selected statements from
26 various documents we have and just answer me if you told the
27 Prosecution this.

28 A. Okay.

29 Q. Paragraph 26 says, "Witness states that at the time she was

1 too young to know how long they took in the village." Did you
2 tell the Prosecution you were too young to know how long you took
3 in the village of Baiama, yes or no?

4 A. No, I did not tell him how long we - that I did not know
11:17:57 5 how long we took in Baiama. I did not tell him that.

6 Q. That was not my question, but I can see why you may have
7 thought that was it. Did you tell them you were too young - too
8 small - to know the amount of time you spent in Baiama?

9 A. Yes, I told him that.

11:18:22 10 MR ANYAH: Shall we go to page 1 of the same statement,
11 that is tab 6, page 1, paragraphs 1 and 2:

12 Q. Madam Witness, did you tell the Prosecution that you were
13 too young to remember the month and year that you were captured?

14 A. Yes.

11:18:56 15 Q. Paragraph 2, did you tell the Prosecution that you were
16 very young to know what happened when Tejan Kabbah was
17 overthrown?

18 A. Yes.

19 MR ANYAH: Shall we go to tab 4, please, page 3. The
11:19:27 20 pagination is at the bottom right-hand corner and the ERN number
21 of the page in question is 00038915. It's a handwritten document
22 and in the middle of the page it says "Clarification of time
23 periods":

24 Q. Madam Witness, did you tell the Prosecution that you were
11:20:03 25 very young and you did not know the year that JPK was removed
26 from power?

27 A. Yes.

28 Q. Did you tell them that you do not remember the season,
29 except that it was between the dry and rainy season?

1 A. Yes.

2 Q. Did you tell them that you do not know of any other events
3 which happened around the same time that JPK was removed from
4 power?

11:20:42 5 A. Yes.

6 Q. Did you tell them that you have a poor understanding of
7 time periods in terms of months and years?

8 A. Yes.

9 Q. Now, Madam Witness, this Court has found as a matter of
11:21:13 10 fact that the year in which JPK was removed from power was 1998.

11 Do you understand me?

12 A. Yes.

13 MR ANYAH: Your Honours, this is from the judicial notice
14 decision. The judicially noted fact is AD like for Adam David:

11:21:37 15 Q. This Court has found that the junta - the AFRC and/or RUF
16 junta - that overthrew President Kabbah were removed from power
17 on or about 14 February 1998. Do you understand that, Madam
18 Witness?

19 A. Yes.

11:22:02 20 Q. So will you agree with me that the year in which you were
21 captured was 1998, because it was the same year Johnny Paul
22 Koroma was removed from power from Freetown?

23 A. Yes.

24 Q. Is that a yes?

11:22:20 25 A. Yes, yes.

26 Q. Now, we go back to your brother's statement about seeing
27 Johnny Paul Koroma. When you first told the Prosecution about
28 these events in the year 2008, last year, in October, I will read
29 to you what you told them. This is at tab 5, page 1, paragraph

1 4. Mr Court Usher, you should be at tab 5 and I believe you are
2 on tab 4. Page 1. Madam Witness, here is what you told the
3 Office of the Prosecutor, 22 August 2008. You said: "Witness
4 states that Baiama was attacked because the AFRC/RUF used that
11:24:00 5 route to escape with JPK." Few lines down it says:

6 "Witness knows that JPK was escorted through that route
7 because she was told by her elder brother, Aiah Gbamanja, who had
8 returned to the village from the bush to secure some belongings.
9 Her brother further told them after the group with JPK had passed
11:24:32 10 through the village, a second group came after asking anyone
11 whether they had seen the group escorting JPK passed through that
12 area."

13 Then over to the next page: "Her brother told them that
14 any civilian who said they saw JPK were killed." I omitted a
11:25:00 15 part where you spoke of an old lady that was killed or shot as
16 told to you by your brother.

17 A. Yes.

18 Q. And you spoke about that yesterday during your evidence,
19 yes?

11:25:13 20 A. Yes.

21 Q. Do you remember yesterday telling us that there was a
22 second old lady that was shot?

23 A. Yes.

24 Q. You told us yesterday that your brother told you of two
11:25:27 25 ladies being shot upon indicating that they knew the route
26 through which Johnny Paul Koroma travelled. Yes?

27 A. Yes.

28 Q. Do you see in what I've just read, or the statement we were
29 looking at, that you mentioned only one lady as being shot when

1 your brother told you the story?

2 A. No, he did not tell me about one.

3 Q. So you say in Court that your brother told you that two
4 women were shot, yes?

11:26:05 5 A. Yes.

6 Q. The document we have before us has you telling the Office
7 of the Prosecutor outside Court that your brother told you that
8 only one lady was shot. Do you understand that?

9 A. No, I did not say so.

11:26:24 10 Q. So, since this document speaks to the killing of only one
11 lady, this document does not tell the full story, does it?

12 A. My brother said he saw two persons being shot. That was
13 what he told us. And I said that.

14 Q. But the notes do not reflect it. I am speaking of the
11:26:54 15 notes we have about all of your interviews?

16 A. Well, I said it.

17 Q. And if the notes don't reflect it then the notes do not
18 record all you told the Prosecutor, yes?

19 A. Well, that's it, but I said it.

11:27:14 20 MR ANYAH: Mr President, I think the time is about expired.

21 PRESIDING JUDGE: Yes, thank you, Mr Anyah.

22 Madam Witness --

23 THE WITNESS: Yes.

24 PRESIDING JUDGE: We are going to have a break now for half
11:27:32 25 an hour and we will resume Court at 12 o'clock. We will adjourn
26 the Court.

27 [Break taken at 11.30 a.m.]

28 [Upon resuming at 12.05 p.m.]

29 PRESIDING JUDGE: Before anything else happens, I'd like to

1 apologise for starting court slightly late. Some other matter
2 came up we had to deal with. Yes, Mr Anyah.

3 MR ANYAH: Thank you, Mr President. For purposes of the
4 record Mr Courtenay Griffiths QC has joined the Defence Bar.

12:06:01 5 PRESIDING JUDGE: Thank you.

6 MR ANYAH:

7 Q. Madam Witness, before we took the last break we were
8 considering your statement of 22 August 2008 to the Office of the
9 Prosecutor; specifically we were discussing the events your
10 brother narrated to you concerning Johnny Paul Koroma and the
11 convoy that passed through the vicinity of Baiama Town. Do you
12 recall that discussion, Madam Witness?

13 A. Yes, yes.

14 Q. Now let us compare this statement we looked at - Mr Court
15 Usher, we were at tab number 5, paragraph 4. We will compare
16 what you said in August last year to what you said in October
17 last year in a period of about a month and a half, 22 August to 9
18 October 2008. On 22 August, paragraph 4, you said that you had
19 spent two weeks in Baiama or after two weeks in Baiama a mixed
20 group of soldiers and rebels attacked Baiama village. Some of
21 your relatives escaped to the bush without taking any of their
22 belongings before the rebels arrived in Baiama village and you
23 knew that JPK was escorted through that route because of what you
24 were told by your brother. Then we've considered this where you
25 say and then he was killed for having indicated that she knew the
26 route through which JPK passed.

27 Now let's go to the next tab which is tab 6. This is your
28 statement from 9 October 2008 and, Mr Court Usher, I want to
29 focus on pages 5 through 6. We have paginated the pages at the

1 bottom right-hand corner, starting at paragraph 26 on page 5. A
2 month and a half later last year, between August and October, you
3 made the following comments to the Prosecution:

12:08:43 4 "Witness states that JPK was escorted through Baiama after
5 they had spent nearly a month. Witness states at the time she
6 was too young to know how long they took in the village but they
7 had stayed for long which looks like about a month in Baiama
8 village before JPK was escorted through the village."

9 Let's pause there. You told us in court yesterday, Madam
12:09:05 10 Witness, that you and your family were in the bush and it was in
11 Baiama village that your brother saw JPK passing through. Do you
12 agree that's what you told us yesterday?

13 A. Yes.

14 Q. This statement I've read to you suggests that you were in
12:09:28 15 Baiama village and not in the bush when JPK passed through. Do
16 you understand that?

17 A. I do understand but, no, that is not the way it happened.

18 Q. So the way it happened is that you were in the bush and it
19 was your brother who was in Baiama village. Is that correct?

12:09:53 20 A. Yes. He was the one who went to collect our property.

21 Q. So when this statement suggests that you were in Baiama
22 village, and had been there for about a month when JPK passed
23 through, this statement is in error, it's a mistake; correct?

24 A. It is not correct. That's not what I said.

12:10:17 25 Q. Thank you. To the next page, page 6 of the same statement.
26 It reads, and Madam Witness, listen to this carefully: "Witness
27 and relatives were in Baiama village when JPK was escorted
28 through there." We've already confirmed that that is an error,
29 you were not in Baiama village when JPK was escorted through,

1 correct?

2 A. Ah.

3 Q. Madam Witness, is that a yes or no? Were you or were you
4 not in Baiama village when JPK was escorted through it?

12:11:14 5 A. I was not in the village. We were in the bush.

6 Q. And therefore this sentence I've just read, which says you
7 and your family or your and your relatives were in Baiama village
8 when JPK was escorted through, that's a mistake; correct?

9 A. Yes, because that's not what I said.

12:11:38 10 Q. Now, you recall me asking you before we took the break
11 whether or not you yourself saw JPK passing through and you said
12 you did not. Do you remember that?

13 A. I did not see him. It was my brother who saw him.

14 Q. Well, let me read what the Prosecution has you as telling
12:11:55 15 them on 9 October last year. It reads:

16 "Witness and other civilians in the village spotted a
17 convoy of vehicles coming towards the village and they were
18 firing in the air. The firing in the air forced the civilians to
19 flee to the thick forest. Witness and her younger sister were
12:12:17 20 selling salt, Maggi and other condiments at the Baiama market
21 when the convoy was approaching the village. Witness and the
22 sister fled with other civilians, leaving their items at the
23 market. It was witness older brother Aiah Gbamanja who braved to
24 go in search of the items at the market."

12:12:47 25 Let's pause here. The sentence here that says that you
26 spotted a convoy of vehicles coming through or coming towards the
27 village, is that correct, Madam Witness? Did you spot a convoy
28 of vehicles?

29 A. No, because we were not in the village. I did not see any

1 vehicle.

2 Q. So all that I've read, that suggested you were in the
3 village and that you spotted a convoy of vehicles, all of that is
4 in error, correct?

12:13:18 5 A. No, I did not tell that person that I saw a convoy of
6 vehicles.

7 Q. Now, continuing:

8 "It was witness older brother Aiah Gbamanja who braved to
9 go in search of the items at the market. Further, witness
12:13:48 10 brother went to their house in Baiama and picked up some
11 belongings and also fled to the Baiama forest in search of
12 witness and the other relatives. Witness explains it was Aiah
13 Gbamanja who went and explained to the witness and others that it
14 was JPK who was been escorted. Witness said Aiah further told
12:14:06 15 them that JPK was dressed in white suit to disguise him."

16 Madam Witness, we established through this series of
17 questions that you yourself did not see JPK, yes?

18 A. Yes.

19 Q. The Prosecution's notes are in error to the extent it
12:14:32 20 suggests that you yourself saw JPK or the convoy in which he was
21 travelling, yes?

22 A. No, because I did not see it.

23 Q. And the Prosecution's notes are in error to the extent it
24 suggests you were in the village when this convoy went back, went
12:14:52 25 through, correct?

26 A. No, I was not in the village. At that time we had gone to
27 the bush.

28 Q. Do you see, Madam Witness, that in this version of your
29 story, what you told the Prosecution in October last year, you

1 mentioned some things that do not appear in your record of
2 interview from 22 August last year? In October you mentioned
3 being at the market with your younger sister selling Maggi and
4 condiments. Why did you not tell them that when you spoke with
12:15:30 5 them on 22 August 2008?

6 A. To tell them what?

7 Q. Well, when you spoke with them on August and you were
8 talking about this same event, JPK's convoy passing through, you
9 did not mention that you were at the market with your sister.
12:15:45 10 You only - they only have you as mentioning it in October. Why
11 didn't you tell them that in August last year when you spoke to
12 them?

13 A. That we went to the market to sell items together with my
14 sister?

12:16:00 15 Q. Well, let me ask you this: Did you ever tell the
16 Prosecution that around the time JPK's car was passing by you and
17 your younger sister were selling Maggi, salt and other condiments
18 at the market?

19 A. No, we were not selling anything. I did not tell them
12:16:20 20 that.

21 Q. So what I read a few minutes ago that spoke to you and your
22 sister selling salt and condiments at a market, that was also in
23 error, yes?

24 A. No, because I did not tell that person that. Maybe my
12:16:36 25 statement was not understood.

26 Q. Did you ever tell the Prosecution that around the time
27 JPK's convoy was passing through they were firing weapons in the
28 air?

29 A. No.

1 Q. So what I just read about you spotting a convoy of vehicles
2 coming towards the village and they were firing in the air,
3 that's a lie, yes?

4 A. I did not tell them that, because I did not see them. I
12:17:09 5 was in the bush together with my mother and father.

6 Q. Madam Witness, you told us yesterday in questioning that
7 when you and your family were first in Koidu Town and you heard
8 that the rebels were coming and you had to flee to Baiama --

9 A. Yes.

12:17:38 10 Q. -- that there were no other fighting forces in the vicinity
11 of Koidu Town except for these rebels that you've told us about.
12 Do you recall saying something to that effect?

13 A. Yes.

14 Q. Indeed, I think you also told the Prosecution something to
12:18:03 15 that effect out of court that there were no government forces or
16 any other forces besides these rebels in the vicinity of Koidu
17 Town when the civilians were fleeing. Do you recall saying that?

18 A. Yes.

19 Q. Now another witness came before this Court almost exactly a
12:18:29 20 year ago and that witness spoke about events occurring in the
21 vicinity of Koidu Town. For the Prosecution's benefit this is
22 TF1-114. His name is Dennis Koker. He testified on a few days
23 back in January 2008, but I will focus on his evidence of 15
24 January 2008. It was given in open session. The relevant page
12:19:10 25 number of the transcript is 1322 and I will pause for the CMS to
26 broadcast that transcript. Now, Mr Koker, another witness, told
27 this Court - and I'll read to you the questions that were posed
28 to him and the answers given. There was a question posed to Mr
29 Koker:

1 "Q. Mr Koker, were there people fighting in Koidu Town in
2 February 1998 who were known as Kamajors?

3 A. Yes.

4 Q. And they were fighting the RUF and the AFRC, were they
12:20:02 5 not?

6 A. That is true.

7 Q. At one point the fighting was so heavy that you and
8 your convoy left to Gandorhun, correct?

9 A. Yes, you are right chief.

12:20:23 10 Q. And after Gandorhun you actually went back to Koidu
11 Town, did you not?

12 A. Yes, they did.

13 Q. And then from Koidu you went to Baoma, true?

14 A. Yes.

12:20:40 15 Q. And ultimately from Baoma you said you went to
16 Kailahun, correct?

17 A. Yes."

18 Madam Witness, do you know what a Kamajor is?

19 A. Yes, I heard about Kamajors.

12:21:00 20 Q. And in what context did you hear about Kamajors?

21 A. I heard that Kamajors came to Koidu Town. That was what I
22 heard.

23 Q. Did you ever hear of Kamajors fighting the RUF and/or AFRC
24 in the vicinity of Koidu Town around the time these civilians
12:21:21 25 were fleeing, after the overthrow of Johnny Paul Koroma in 1998?

26 A. I did not hear that Kamajors fought against - you know,
27 because I did not know.

28 Q. Have you finished your answer, Madam Witness?

29 A. Yes.

1 Q. Are you trying to tell us that you do not know whether or
2 not Kamajors were fighting the rebels in the vicinity of Koidu
3 Town whilst civilians were fleeing?

4 A. No, I did not know.

12:22:00 5 Q. But you've heard what I've just read another witness said
6 to this Court; that Kamajors were fighting in that area. Did you
7 hear what I read?

8 A. I heard it.

9 MS HOLLIS: I'm going to object to that. Actually, what he
12:22:18 10 read out, the question was were there people fighting in Koidu
11 Town in February 1998. He didn't say in the vicinity or the
12 area. That's not what the transcript to which he's referring
13 said.

14 PRESIDING JUDGE: Yes, Mr Anyah?

12:22:32 15 MR ANYAH: Well, I will limit it to Koidu Town:

16 Q. Madam Witness, are you trying to tell us that you do not
17 know --

18 A. Yes.

19 Q. -- whether or not people known as Kamajors were fighting
12:22:42 20 the RUF or AFRC in Koidu Town in February 1998?

21 A. I used to hear about Kamajors.

22 Q. Besides hearing about them, did you specifically hear that
23 they were fighting the RUF or AFRC in Koidu Town around the time
24 when you and your family fled the town?

12:23:11 25 A. I did not hear about that.

26 Q. Well, this same witness that I've just read portions of his
27 evidence, Dennis Koker, claimed to this Court that he accompanied
28 the convoy that took Johnny Paul Koroma from Freetown all the way
29 to Buedu. These references are also from the same transcript, 5

1 January 2008, and I will read the towns through which Mr Koker
2 said the convoy went, I will give the relevant page number and
3 then I will pose a question. Mr Koker said the convoy started
4 out in Freetown. That's at page 1223. He said from Freetown the
12:24:06 5 convoy went to Tombo, T-O-M-B-O. That's at page 1224. He said
6 from Tombo they went to Fogbo, F-O-G-B-O, and that's at page
7 1229. From Fogbo they went to Masiaka and that's at page 1232,
8 from Masiaka to Makeni also at page 1232, from Makeni to Mortema
9 at page 1235 and from Mortema they went to Koidu Town at page
12:24:55 10 1236. Then from Koidu Town they went to Gandorhun. That's at
11 page 1246. From Gandorhun they went to Baoma, B-A-O-M-A. That's
12 at page 1250. From Baoma they went to Kailahun, that's at page
13 1251, and from Kailahun they went to Buedu, page 1257.

14 Madam Witness, have you ever heard of a place called Baoma
12:25:33 15 spel t B-A-O-M-A.

16 A. Yes.

17 Q. Is Baoma different from Baiama, B-A-I-A-M-A?

18 A. Yes.

19 Q. The place where you and your family sought refuge in from
12:25:55 20 Koidu Town is called Baiama?

21 A. Yes.

22 Q. B-A-I-A-M-A?

23 A. Yes.

24 Q. It is not Baoma, correct?

12:26:09 25 A. It is Baiama. We have Baiama and we also have Baoma.

26 Q. What is the distance between Baiama and Baoma, if you know?

27 A. They are far apart, because Baoma is way after Gandorhun
28 going towards Kailahun.

29 Q. That is Baoma, you mean?

1 A. Yes.

2 Q. And from Koidu Town how far is Baiama where you went,

3 B-A-I-A-M-A?

4 A. It's also a far distance.

12:26:54 5 Q. So when this witness says they went to Baoma, B-A-O-M-A,
6 that is not the same place you and your family were hiding at,
7 correct?

8 A. We went to Baiama together with my family.

9 Q. Well I understand that, but just answer the question as
12:27:12 10 posed. When this witness says that Johnny Paul's convoy passed
11 through Baoma, B-A-O-M-A, that is not the same place you and your
12 family were hiding at, correct?

13 A. I don't understand because we were in Baiama together with
14 my family, not in Baoma. We were in Baiama.

12:27:36 15 Q. That's fair enough. Madam Witness, the brother of yours
16 about whom we've spoken, how old was he when he saw this convoy?

17 A. I did not know his age because he was our elder brother.
18 He was not a small boy.

19 Q. Was he - first of all, is he still alive today?

12:28:05 20 A. Yes.

21 Q. Did he ever fight with any of the warring factions in
22 Sierra Leone during the war?

23 A. He never fought.

24 Q. Was he ever captured by any of the rebel forces?

12:28:22 25 A. No, he was not captured.

26 Q. Let's go back to the period of your capture and retrace
27 your steps again, Madam Witness. You tell us that you were
28 captured in Baiama village, correct?

29 A. Yes.

1 Q. And you were captured by a rebel named Peppe, true?

2 A. Yes.

3 Q. Have you ever told the Prosecution outside of court that
4 you were captured in Koidu Town?

12:28:58 5 A. I said Baiama village.

6 Q. Yes, you've said that in court and many times out of court
7 you've said the same thing, but have you ever told them that you
8 were captured somewhere else, namely in Koidu Town?

9 A. If they - no, I only said I was captured in Baiama.

12:29:24 10 Q. You are absolutely sure, Madam Witness, that you have never
11 told the Prosecution that you were captured in Koidu Town? Are
12 you sure of that?

13 A. No, I did not say that.

14 Q. And there is a clear difference between Koidu Town in Kono
12:29:47 15 and Baiama you will agree, yes?

16 A. Yes.

17 MR ANYAH: Mr Court Usher, can we display the document to
18 be found in tab 5. It's the same interview record from 22 August
19 last year and I need page 1, the first paragraph:

12:30:16 20 Q. Madam Witness, we've been through this statement before,
21 your statement from last year's August. In the first paragraph
22 it reads, "Witness states that it was after the overthrow of JPK
23 she was captured by the AFRC/RUF in Koidu Town, Kono." Do you
24 see that, Madam Witness?

12:30:41 25 A. I have seen that, but I said rebel because at that time I
26 did not know the difference between a rebel and the RUF, or
27 anything.

28 Q. That's interesting. We'll come back to that. You've just
29 told us you did not know at the time the difference between

1 rebel, or RUF. Is that what you just said, Madam Witness?

2 A. Yes.

3 Q. We will revisit that momentarily, but let's focus on my
4 question. The question has to do with where exactly you were
12:31:09 5 captured. You've told us in court you were captured in Baiama.
6 What I have just read suggests you told the Prosecution out of
7 court that you were captured in Koidu Town. Is what I've just
8 read a mistake?

9 A. Yes, I was captured in Baiama.

12:31:32 10 Q. So the Prosecution's notes are in error, correct?

11 A. Yes.

12 Q. You told us when Peppe captured you he, or the rebels with
13 whom he was with, kicked down the door of the house you and your
14 family were staying in, took you outside under a mango tree, he
12:32:02 15 secured a mat and a blanket and attempted, or was going to
16 attempt, to rape you and another rebel colleague of his told him
17 not to and that your mother came out to plead with them, your
18 father also came out to plead with them and eventually your
19 father was killed - and we'll come back to that, but let's focus

12:32:32 20 on the two women who you said came in the evening. Two women
21 came and you said they prepared some food. Do you remember that?

22 A. Yes, in the morning the two women came.

23 Q. And you said after the rebels had eaten, Peppe took you to
24 Koidu Town, correct?

12:32:55 25 A. Yes.

26 Q. Were you taken to Koidu Town with both women?

27 A. Yes.

28 Q. Is it fair to say then that you were captured with two
29 women?

1 A. Yes.

2 Q. Are you sure there was not a third woman in the company
3 when you went to Koidu Town?

4 A. Those two women plus me summed up to three.

12:33:26 5 Q. So when your statement to the Prosecution reads that you
6 were captured with three women, you mean you included yourself
7 among the three?

8 A. I said I was the third person.

9 Q. Madam Witness, we understand that. Just be patient with
12:33:46 10 me. We will complete this soon. The question has to do with how
11 many persons you were captured with. Is it fair to say that you
12 were captured with three women, or is it fair to say you were
13 captured with two women?

14 A. I was captured in Baiama and the other two were brought
12:34:07 15 from Kwakor.

16 Q. And by the time you were taken to Koidu Town your father
17 was already dead, correct?

18 A. Yes, yes.

19 MR ANYAH: Mr Court Usher, can we go to the document in tab
12:34:26 20 4, handwritten notes from 19 July 2007, page 2. It's paginated
21 on the bottom right-hand corner:

22 Q. Madam Witness, two members of the Office of the Prosecutor
23 spoke with you on 19 July 2007; somebody named Shelley Birston
24 and an investigator named Magnus Lamin who served as the
12:35:21 25 interpreter. This is what the notes from that interview suggest.
26 It says:

27 "Witness made additions to the above statement as follows:

28 Witness was first captured with her father and three other
29 females who were from Kono tribe."

1 Madam Witness, what I've just read to you says you were
2 captured with your father and three other women.

3 A. No. No, I did not say that.

4 Q. So this record of interview is in error in two respects,
12:36:03 5 first saying you were captured with your father. Do we agree on
6 that?

7 A. I was captured alone.

8 Q. So what I've read to you is in error, it's inaccurate, it's
9 not correct?

12:36:17 10 A. No.

11 Q. No means you agree with me, yes?

12 A. No, it's not correct.

13 Q. When it says you were captured with three other females, in
14 that sense it is also not correct, yes?

12:36:41 15 A. They captured me and they went and captured other
16 civilians. They brought them and we summed up to three. We were
17 sitting.

18 Q. Yes, you've been consistent in saying that in court. I
19 just want to know whether this record of interview is not correct
12:36:54 20 when it says you were captured with three others. It is not
21 correct in that sense, yes?

22 A. No, I did not say that.

23 Q. Now, I'll continue to read. It says:

24 "When they were captured the witness's father pleaded with"
12:37:22 25 - at least that is how I read it - "the captors to release the
26 witness. The captors said they were not going to release the
27 witness, so her father said if they were not going to release the
28 witness then they should kill both the father and witness. When
29 the father was pleading the witness went and grabbed tightly onto

1 her father's legs. At this time another rebel came from behind
2 her father and hit him with the butt of the rifle. The father
3 dropped to the ground and the rebel that hit him shot him with
4 the rifle."

12:38:11 5 Let's pause there. This morning in court you told us it
6 was your mother who was hit by a rebel with a gun, yes?

7 A. Yes, yes.

8 Q. The record of interview from the Prosecution says it was
9 your father. This is the interview from 19 July 2007.

12:38:35 10 A. I said my mother. I did not say my father. My mother.

11 Q. So clearly what I have just read to you is inaccurate, yes?

12 A. No, it was not my father. I did not hold on to my father's
13 leg. I did not hold on to anybody's leg even.

14 Q. Then I repeat my question. What I've just read to you is
12:39:04 15 not correct?

16 A. No.

17 Q. No means you agree with me, yes?

18 JUDGE SEBUTINDE: Mr Interpreter, does an "Ah" mean yes?

19 THE INTERPRETER: No, your Honours, in that sense it means
12:39:27 20 no.

21 MR ANYAH:

22 Q. Madam Witness, I think we have the same understanding but I
23 just want you to speak in the affirmative voice. You have agreed
24 with me or you agree with me that what I've just read to you that
12:39:42 25 they claim you said is incorrect?

26 A. Ah.

27 MR ANYAH: Your Honours, I don't know what --

28 PRESIDING JUDGE: Mr Interpreter, could you please
29 interpret into English?

1 THE INTERPRETER: Your Honours, that grunting sound, it
2 cannot be interpreted. It could also be yes in some
3 circumstances, in some circumstances it could mean no.

4 THE WITNESS: I said no, I did not say so.

12:40:17 5 MR ANYAH:

6 Q. Madam Witness, this episode of your father being shot?

7 A. Yes.

8 Q. Of your father being killed?

9 A. Yes.

12:40:34 10 Q. And of your mother pleading with the rebels to let you go?

11 A. Yes.

12 Q. And of the rebels hitting your mother with the butt of a
13 weapon?

14 A. Yes.

12:40:56 15 Q. And of the rebels making your mother and you laugh upon
16 viewing the death of your father, this entire episode --

17 A. Yes.

18 Q. -- is it fair to say that it was very troubling for you to
19 go through all of that?

12:41:11 20 A. Yes.

21 Q. It's something that pains you when you remember it, yes?

22 A. Yes.

23 Q. It is something that you will never likely forget, yes?

24 A. Ah.

12:41:27 25 Q. What does that mean, Madam Witness, what you just said?

26 A. I will never forget that.

27 Q. When you spoke with the Prosecution the first time on 15
28 November 2002, did you tell them anything about your father being
29 killed by the rebels?

1 A. If I spoke to the ones who went?

2 Q. Well, let me put it to you this way: You agreed with me
3 earlier today that you spoke with the Prosecution in 2002 and I'm
4 saying to you that I have read what they wrote down as you saying
12:42:13 5 and you did not tell them anything about your father being killed
6 by the rebels. Do you agree when you first met with them and
7 they interviewed you you did not mention the rebels killed your
8 father?

9 A. Initially when I was interviewed, that was the first thing
12:42:35 10 I said, that he was killed because of me.

11 Q. Well, the Prosecution counsel are in court, they are across
12 from us here right now and they will correct me if I'm mistaken.
13 I am saying to you, Madam Witness, I have read the record of your
14 interview from 15 November 2002 and nowhere does it have you
12:43:04 15 saying that the rebels killed your father. What do you say to
16 that, Madam Witness?

17 A. That there is nowhere in the document which states that my
18 father was killed?

19 Q. Yes, that's what I'm saying, and the Prosecution will
12:43:21 20 correct me if I'm mistaken.

21 A. I said it in the first statement that he was killed in my
22 presence. Why shouldn't I have said it?

23 Q. And if it is not in your first statement then the
24 Prosecution failed to write down all that you told them, yes? Do
12:43:49 25 you understand what I'm asking you, Madam Witness? You say one
26 thing in court and the statement does not reflect what you've
27 said. Nowhere in the Prosecution's notes do they have you saying
28 your father was killed by the rebels. I'm speaking of the notes
29 of 15 November 2002. You are telling us in court you remember

1 telling them your father was killed by the rebels, so if the
2 notes don't have it I'm asking you, are those notes incomplete?

3 A. Yes, because it should be there.

4 Q. We have another statement or record of contact between you
12:44:35 5 and the Prosecution in 2004. This is from 28 January 2004.

6 During that interview the Prosecution read your statement from 15
7 November 2002 to you. They asked you if you had any additions to
8 make to that statement and you had no additions to make. So in
9 2004 you did not - at least their records don't have you saying
12:45:08 10 anything about your father being killed by the rebels. So the
11 absence of that information in the records, do you agree with me
12 means their records were incomplete?

13 MS HOLLIS: Excuse me, for my assistance, could you tell me
14 what tab you're referring to?

12:45:28 15 MR ANYAH: Certainly. The 28 January 2004 interview. It's
16 one sheet of paper. It's in tab 2. The explication of why that
17 page is blank is in tab 7, I believe, which was disclosed to us
18 last week. Shall we go to tab 7, Mr Court Usher, please. If you
19 could also simultaneously take out the document in tab 2.

12:46:13 20 PRESIDING JUDGE: I'm just wondering who the Prosecution
21 was speaking to when they prepared tab 2. It refers to the
22 witness confirming his previous statement.

23 MR ANYAH: Exactly, I see that, Mr President, and we will
24 touch upon that. Could you display that document, Mr Court
12:46:31 25 Usher:

26 Q. The document reads - at the top it has the witness's name,
27 first name, Finda, last name Gbamanja. It has the date 28/1/04.
28 Has the language, has the names of Prosecution counsel and the
29 interpreter. It says interview notes. It says:

1 "The witness confirmed his" - the male pronoun - "previous
2 statement and did not wish to make any alterations or
3 alterations."

4 And then last week, this would be in tab 7, Mr Court Usher,
12:47:33 5 page 1 of tab 7, paragraph 2 refers to this statement of 28
6 January 2004. At the top of paragraph 2 it says 28 January 2004
7 adoption, and it refers to that previous record and it says:

8 "Witness stated that she was asked if she had anything to
9 add to her November 2002 statement, not if there was anything
12:48:06 10 that needed correcting."

11 So you explained last week to the Prosecution that your
12 first statement was presented to you again in January of 2004,
13 and you were specifically asked if you had anything to add to it,
14 not whether you wished to correct anything. Now the point is
12:48:29 15 this, Madam Witness: Your first statement from November 2002,
16 and the second opportunity you had to add something to it in
17 January 2004, do not reflect you saying the rebels killed your
18 father. Do you understand what I've just said?

19 A. I understand.

12:48:54 20 Q. And you remain certain that you told the Prosecution about
21 the death of your father when you spoke with them in 2002?

22 A. I told them and even in my presence the person was writing,
23 the person had a pen.

24 Q. Madam Witness, you said a few minutes ago that at the time
12:49:25 25 of your capture you were not sure who was RUF and who was AFRC.
26 Am I correct in saying that?

27 A. Yes, because we referred to them as rebels because they
28 were killing people.

29 Q. Do you see that in the same page we are looking at, tab 7,

1 page 1, paragraph 5, that it reads: "Witness said she was
2 captured by the RUF." Do you see that, Madam Witness?

3 A. They were rebels. That was the way we referred to them,
4 RUF.

12:50:10 5 Q. How would you refer to AFRC then?

6 A. That was the way, because when they captured us that's what
7 they said. They said they referred to them as I think AFRC.
8 That's their other name.

9 Q. Well, this record of interview we're looking at, this is
12:50:33 10 just from last week, Thursday, 22 January 2009. The Prosecution
11 spoke to you. They read back all your previous statements to
12 you. They have you saying last week, exactly a week ago, that
13 you were captured by the RUF. You are telling us in court that
14 at the time of your capture you did not know the difference

12:50:55 15 between RUF and AFRC. Can I ask you this, Madam Witness: Since
16 the time of your capture until today have you been speaking with
17 others to determine what group your captors belonged to?

18 A. I don't understand.

19 Q. Have you heard from someone else that the people who
12:51:22 20 captured you were RUF, since the time you were captured?

21 A. Yes.

22 Q. Who told you they were RUF, Madam Witness?

23 A. Peppe himself said they were RUF.

24 Q. So when you said a few minutes ago that at the time of your
12:51:49 25 capture you did not know the difference between RUF and AFRC, are
26 you referring to the exact moment that you were taken by Peppe,
27 at that time you did not know. Is that what you're telling us?

28 A. The time he captured me I did not know. But later, he was
29 the one who told me that they were the RUF.

1 Q. Now, a few minutes ago I read to you your statement from
2 August last year, 22 August. The first paragraph said you were
3 captured by AFRC/RUF. Last week you limit it to only the RUF.
4 So which is it? Were you captured by AFRC/RUF or were you
12:52:41 5 captured by just the RUF, Madam Witness?

6 A. For me they were RUF, because they said they were not
7 rebels, they were RUF.

8 Q. And is it true that you only told the Prosecution that they
9 were RUF and RUF alone last week?

12:53:04 10 A. Yes, because that was the name I heard from them.

11 Q. Let me be sure that you understand my question. Last year
12 the Prosecution's records say you claim you were captured by
13 AFRC/RUF. The records from last week say only RUF. Is it only
14 last week, Thursday, one week ago, that you told them it was only
12:53:32 15 RUF?

16 A. Yes, that's what I told them.

17 Q. And that was last week, Thursday? Was it last week,
18 Thursday, you said it was only RUF, Madam Witness?

19 A. Yes, because when he told me I recalled the name.

12:54:04 20 Q. Let's talk about the clothing worn by these rebels.

21 JUDGE SEBUTINDE: Mr Anyah, just who told the witness? Who
22 told the witness? She says, "Because when he told me I recalled
23 the name". Who told the witness?

24 MR ANYAH:

12:54:22 25 Q. Madam Witness, did you hear what Justice Sebutinde just
26 asked? Who told you to make you recall the name? Who was that
27 person who told you?

28 A. No, it was Peppe who told me and that was why I recalled it
29 that it was the RUF.

1 Q. Well, let's focus on when you recalled it. Is it only last
2 week, Thursday, that you recalled what Peppe told you?

3 A. Yes.

4 Q. Thank you. Let's focus on the clothing worn by these

12:55:01 5 rebels. In court today you told us that Peppe wore a red shirt,
6 camouflage - trousers, I believe, yes? Yes, Madam Witness?

7 A. Yes.

8 Q. Did he wear a hat?

9 A. Yes.

12:55:21 10 Q. It was also camouflage, yes?

11 A. Yes.

12 Q. Yesterday in court you told us that the rebels that were
13 approaching Koidu Town that you saw wore camouflage, yes?

14 A. Yes.

12:55:41 15 MS HOLLIS: I know the witness has answered that question,
16 but my recollection of the evidence is that the witness never
17 said she saw the rebels who were approaching Koidu Town. That it
18 was later she talked about seeing the rebels.

19 MR ANYAH: Well, I stand to be corrected.

12:56:01 20 THE WITNESS: Yeah.

21 MR ANYAH: Madam Witness, just pause for a moment. I will
22 try and find the relevant page. I believe counsel is right in
23 theory about whether she saw the rebels approaching but it is
24 clear on the record from yesterday she testified about seeing
12:56:14 25 rebels wearing camouflage at or about the time they were fleeing
26 in the vicinity of Koidu Town or Baiama. What's clear on the
27 record is she said yesterday that she saw rebels wearing
28 camouflage and I'll try and find it:

29 Q. But the point is, Madam Witness, some of the rebels you saw

1 around the time you and your family were fleeing wore camouflage,
2 yes?

3 A. While we were running away from Koidu Town to Baiama?

12:56:47

4 Q. Well, let me be more specific. I've found a reference and
5 I will get the page. You told us yesterday that the rebels you
6 saw shoot a young boy who had a child in his hand wore
7 camouflage, yes? Yes?

8 A. Yes, I saw him. He wore combat, full combat.

12:57:09

9 Q. And those were the rebels you saw kill this young boy who
10 had a child in his hand, correct?

11 A. Yes.

12 Q. Now, the rebels that you saw at Superman Ground, they also
13 wore combat uniform, yes?

14 A. Yes.

12:57:25

15 Q. The civilians who were running coming towards you and your
16 family in the area of Koidu Town where you stayed, that caused
17 all of you to flee to Baiama, those civilians did not mention the
18 groups to which the rebels belonged. That is the rebels who were
19 coming, the civilians didn't say they were RUF or AFRC, correct?

12:57:56

20 THE INTERPRETER: Your Honours, the witness persistently
21 uses "ah" and there are words for yes and no in Krio, so can she
22 kindly be asked to use the yes or no words.

23 PRESIDING JUDGE: Yes, thank you, Mr Interpreter. I
24 appreciate that. Madam Witness, what did you mean by that last
12:58:14 25 sound you made?

26 MR ANYAH: I can repeat the question.

27 PRESIDING JUDGE: That might be helpful and you're going to
28 be asked a question, Madam Witness; please answer with a yes or
29 no.

1 THE WITNESS: Yes, okay.

2 MR ANYAH:

3 Q. Madam Witness, the civilians who were running towards you
4 and your family to the side of Koidu Town where you lived, those
12:58:34 5 civilians did not mention the group to which the rebels that were
6 coming belonged. They didn't say they were AFRC or RUF, correct?

7 A. Ah, they did not tell me that.

8 MR ANYAH: Mr Court Usher, can we go to the document in tab
9 6, page 7. Actually, shall we start at page 6 of the same
12:59:27 10 document, just the previous page, and move on to page 7:

11 Q. Madam Witness, these are notes from your interview I
12 believe on 9 October last year, and this is when you spoke about
13 this child that was in the hands of somebody that you claimed to
14 have seen the child - well, the person holding the child killed.

13:00:02 15 Paragraph 29 reads:

16 "Witness states that in relation to the shooting and
17 killing of a male civilian in Baiama bush witness states that she
18 was hiding in the bush with other people whilst the rebels were
19 chasing and searching the bush for civilians. Witness states she
13:00:25 20 saw one of the rebels place the civilian under gunpoint. They
21 further rushed at the civilian and took a child he had in his
22 arms and throw the child in the bush. The rebel then shot the
23 civilian once in the chest. The child that was thrown in the
24 bush was crying" - we are now on to page 7 - "but nobody could
13:01:02 25 move in the hiding until the rebels had moved off the area.

26 Witness states that the child's mother was also in hiding within
27 the same area and heard her child crying. After the rebels had
28 left the area the mother quietly went and picked up her child,
29 still crying. The rebels could see witness and others as they

1 were in a thick forest. Witness knows that they were rebels
2 because they were armed with guns and dressed in civilian
3 clothes. Some had heads tied with red cloth and most had
4 slippers on their feet."

13:01:50 5 Let's pause there. Madam Witness, records of your
6 interview say that these rebels you saw were dressed in civilian
7 clothes. You are telling us in court that they wore camouflage
8 or combat as you call it. Which is the truth?

9 A. They had on combat.

13:02:11 10 Q. So when the Prosecution says that you told them they wore
11 civilian clothes, the Prosecution's notes of what you said are
12 incorrect?

13 A. No, where I told them, I said it was Peppe who wore
14 clothes.

13:02:33 15 Q. Do you recall the name of the man that you claim to have
16 seen killed?

17 A. Yes.

18 Q. His name is Banna, B-A-N-N-A, yes?

19 A. Yes.

13:02:48 20 Q. And that name Banna, is it true that you mentioned it to
21 the Prosecution for the first time this past weekend, Saturday
22 the 24th and 25th?

23 A. Yes.

24 MR ANYAH: Mr Court Usher, shall we go to tab 8, please,
13:03:11 25 and you can put those documents back in place - I believe in tab
26 6. Thank you. Yes, we start with page 1. There are only two
27 pages in tab 8:

28 Q. We'll go through some of these right now, Madam Witness.

29 Paragraph 2 - these notes come from discussions you had with the

1 Prosecution this past weekend, Saturday 24 and Sunday 25 January.
2 In paragraph 2 it says:

3 "The man who was killed after his child was taken from him
4 was called Banna. The other dead bodies the witness saw in the
13:04:04 5 bush were those of females."

6 This name Banna, you agree with me the first time it comes
7 to your recollection is this last weekend, yes?

8 A. Yes.

9 Q. Paragraph 3 reads: "Peppe was a small boy, not an adult
13:04:23 10 man. Well Man was the name of another rebel with Peppe." First
11 time you mentioned the name Well Man was this past weekend, yes?

12 A. Yes.

13 Q. First time you indicate that Peppe was a small boy was this
14 past weekend, yes?

13:04:48 15 A. Yes.

16 Q. You had told the Prosecution before that there was a small
17 boy named Komba with Sergeant Foday but the first time you talk
18 about Peppe being small in size is this past weekend, yes?

19 A. Yes, he was a small boy.

13:05:12 20 Q. Let's look at paragraph 11. In court today you spoke of
21 some of it, you said Sergeant Foday told you about Sam, about
22 Mosquito and diamonds. You told us in court Sergeant Foday told
23 you that Mosquito had a lot of diamonds. Paragraph 11 reads:

24 "Sergeant Foday said if he has all that Mosquito had he,
13:05:37 25 Sergeant Foday, would not fight any longer. Sergeant Foday said
26 that Mosquito had a lot of money, diamonds and would take trips
27 out of Sierra Leone."

28 That is the first time in the entire series of interviews
29 you've had with the Prosecution, it is not until this last

1 weekend you mention Mosquito and diamonds, correct?

2 A. Yes.

3 Q. Paragraph 14 on the next page. You told us this morning
4 about rebels cutting off the private parts of a man at Superman

13:06:24 5 Ground. Paragraph 14 reads:

6 "While the witness was at Superman Ground an old man who
7 tried to escape was taken to the formation ground and all the
8 civilians were brought there. Then one of the rebels cut off the
9 old man's private parts. The civilians were then told to kill
10 the man. Some of the civilians beat him to death. They had to
11 do that or they would have been killed."

13:06:45

12 Madam Witness, from 2002 when you started speaking with the
13 Prosecution it is only this weekend you mentioned this event,
14 correct?

13:07:06

15 A. It is not correct because I mentioned it the time I was
16 being interviewed.

17 Q. Well, the Prosecutors are in court right now and I am
18 saying to you we have read all the records of your interviews
19 from 2002 until now. It is only in the record of your interview
20 from this past weekend that it is disclosed that you saw rebels
21 cutting off the private parts of a man in Superman Ground. Do
22 you understand what I've said?

13:07:25

23 A. Okay, I do understand.

24 Q. So when exactly do you say you told the Prosecution about
25 this event you watched or witnessed?

13:07:46

26 A. The time they were interviewing me in Kono when they were
27 searching for me, but you know, when they were talking, there
28 were times they were not speaking in Krio. The other time it was
29 a white woman who cut her hair low. She was the one who

1 interviewed me.

2 Q. Are you suggesting that you did not understand them or they
3 did not understand you because of language difficulties?

13:08:26

4 A. Yes, she was speaking English to me. There was no
5 interpreter at that time. I managed to speak some English.

6 Q. Well, how is it that on the records of your interview there
7 is always noted an interpreter being present? Shall we go
8 through the interview records and who was the interpreter for
9 each?

13:08:44

10 A. The one who interviewed me initially, at the time when the
11 Pakistanis were in the barracks there, was a white woman. She
12 was the one who went and interviewed me.

13 Q. Was that your first interview with the Prosecution, your
14 very first interview?

13:09:08

15 A. Yes.

16 MR ANYAH: Mr Court Usher, can you display the first page
17 in tab 1:

13:09:49

18 Q. Madam Witness, this is the record of your first interview
19 and it has the date 15 November 2002, it has your name at the
20 top, it has the language used during the interview as Krio, it
21 has the name of investigators as Boi-Tia Stevens and Virginia
22 Chitanda and you see below it has "Name of interpreter: Boi-Tia
23 Stevens". There was an interpreter present during that
24 interview, correct?

13:10:09

25 A. That is not correct. The one who interviewed me the other
26 time was a white woman. There was no interpreter there. It was
27 the other time when we went to the guesthouse around Opera. That
28 was the time that we had an interpreter.

29 Q. Well, we were clear that we understood you saying that it

1 was during your first interview that there was no interpreter
2 present. This is the record of your first interview and it
3 indicates that Boi-Tia Stevens served as interpreter. Is that a
4 lie, Madam Witness?

13:10:55 5 A. I don't know.

6 Q. Do you still stand by your evidence that during your first
7 interview there was no interpreter?

8 THE INTERPRETER: Your Honours, can the witness be asked to
9 clarify that.

13:11:09 10 JUDGE SEBUTINDE: We asked you to use yes, or no. What is
11 your answer?

12 THE WITNESS: There was no interpreter.

13 MR ANYAH: That's clear enough:

14 Q. Let's talk a little bit, Madam Witness, now about this
13:11:23 15 fellow Peppe.

16 A. Yes.

17 Q. Peppe was a small boy. How small was he, Madam Witness?

18 A. He was fairly big, but not very big.

19 Q. Are you saying he was not a grown man? He was still a boy?

13:11:51 20 A. He was not that young.

21 Q. He was younger than Sergeant Foday, correct?

22 A. Sergeant Foday was older than he was.

23 Q. Was Peppe younger or older than your brother Aiah back when
24 you were captured?

13:12:17 25 A. Aiah was older than Peppe.

26 Q. Was Peppe younger or older than you at the time of your
27 capture?

28 A. Yes.

29 Q. Please --

1 A. Yes.

2 Q. Madam Witness, just be patient. Listen to the question.

3 I'm asking you between you and Peppe who was older at the time
4 you were captured? Which one?

13:12:41 5 A. It's Peppe.

6 Q. Peppe captured you, took you to Koidu Town and you said he
7 raped you in Koidu Town, yes?

8 A. Yes.

9 Q. At some point he sent you over to his sister Hawa, yes?

13:13:05 10 A. Yes.

11 Q. Hawa was also a rebel, yes?

12 A. Yes.

13 Q. Is it fair to say you spent just one night with Peppe?

14 A. Yes.

13:13:22 15 Q. And the next day he sent you to Hawa?

16 A. Yes.

17 Q. Hawa then sent you to search for vegetables, yes?

18 A. Yes.

13:13:43 19 Q. Did she send you alone, or did she send you with other
20 young girls?

21 A. He sent me alone, but the other ones with whom we were in
22 the same compound joined me and we went in search of vegetables.

23 Q. How many of you in total went in search of vegetables?

24 A. We were three who went.

13:14:03 25 Q. Were the others older or younger than you?

26 A. They were older than me.

27 Q. Did any rebel follow you, the three of you, when you went
28 to search for vegetables?

29 A. No.

1 Q. Three of you were allowed to go in search of vegetables
2 unaccompanied by any rebel. That's your evidence, true?

3 A. Yes.

4 Q. You could have escaped then, if you wanted. Is that fair
13:14:45 5 to say, Madam Witness?

6 A. No.

7 Q. Why could you not have escaped?

8 A. Because at that time I would not have been able to go,
9 because there were rebels all over the place because it was close
13:15:02 10 to the place that we went in search of these vegetables, close to
11 Opera.

12 Q. And Opera is where you encountered Sergeant Foday, is that
13 fair to say?

14 A. Yes, they were passing by. That was the time he met me
13:15:19 15 there.

16 Q. This is the same Sergeant Foday who the previous day there
17 was a dispute between him and Peppe over who would go home with
18 you, correct?

19 A. Yes.

13:15:33 20 Q. Sergeant Foday was a commander in the group he was with,
21 correct?

22 A. Yes.

23 Q. Indeed by the time you went to Superman Ground he was one
24 of the commanders there, correct?

13:15:49 25 A. Yes.

26 Q. Peppe on the other hand was not a commander. He was just a
27 regular fighter, yes?

28 A. Yes.

29 Q. And what was the rank of Well Man, Madam Witness, the

1 person who came between Peppe and Sergeant Foday and decided that
2 Peppe would get to take you home. What was his rank?

3 A. I did not know his rank, but he was senior to Peppe.

4 Q. Senior as in older in age, or senior in rank?

13:16:25 5 A. In rank.

6 Q. Do you know if he was senior in rank to Sergeant Foday?

7 A. No, Sergeant Foday - yes, Well Man was senior to Sergeant
8 Foday.

9 Q. But you do not know Well Man's rank, yes?

13:16:51 10 A. No, I can't tell his rank.

11 Q. Now the next day Sergeant Foday took you at gunpoint,
12 correct?

13 A. Yes.

14 Q. And he took you back to his home, yes?

13:17:06 15 A. Yes.

16 Q. And that's when he raped you, yes?

17 A. Yes.

18 Q. Is it fair to say that you spent a week with Sergeant
19 Foday?

13:17:21 20 A. I stayed for long with Sergeant Foday, but I did not count
21 how many weeks it was.

22 Q. Is it fair to say that during the time you were with
23 Sergeant Foday he would not allow you to go outside because he
24 was afraid that Peppe would see you?

13:17:41 25 A. Yes.

26 Q. Madam Witness, can you help us understand why Sergeant
27 Foday, a grown man, a commander, would be afraid of a young boy
28 Peppe, an ordinary soldier, seeing you outside? Why was he
29 afraid of Peppe?

1 A. Because he had captured me. If they quarrelled, he would
2 be in the right.

3 Q. Who would be in the right if they quarrelled?

4 A. They had their boss, Superman.

13:18:18 5 Q. Let me repeat the phrase you said. You said because he had
6 captured you. Who had captured you at this time, Madam Witness?

7 A. It was Peppe who captured me.

8 Q. Then explain for us again why Sergeant Foday, a commander,
9 a grown man, would be afraid of losing you to Peppe, a small boy
10 who was not a commander. Tell us what was happening here.

13:18:40

11 A. Even if Sergeant Foday was a commander, as long as it was
12 Peppe who captured me and brought me to town, if he took me away
13 from him and they had any dispute Sergeant Foday would be wrong.
14 That was why he never allowed me to walk around.

13:19:03

15 Q. So what you're saying to us is that there was a system in
16 place whereby whoever captured the young girl would get to keep
17 them irrespective of their rank, yes?

18 A. Oh, yes, whoever captures a woman should keep that woman.

19 Q. Yes, my last question was not particularly clear, but let
20 me try again. What you're saying to us is that if a lower rank
21 officer captured a woman, he would get to keep the woman even if
22 a higher commander wanted the same woman. Is that fair to say,
23 Madam Witness?

13:19:31

24 A. I don't understand.

13:19:53

25 Q. The person who captures the woman gets to keep the woman
26 and it doesn't matter whether they're a commander or a junior
27 officer, yes?

28 A. Yes.

29 Q. So if Superman wanted a woman, for example, but Peppe was

1 the one who captured the woman, Peppe would still get to keep the
2 woman, yes?

3 A. Yes.

13:20:21

4 Q. Superman would be in the wrong if he tried to take the
5 woman from Peppe, even though Superman is higher in rank than
6 Peppe, yes?

7 A. Yes.

13:20:46

8 Q. I asked you how long you stayed with Sergeant Foday and you
9 said you could not remember, but it took a while. I asked you if
10 it was a week --

11 A. Yeah.

12 Q. -- and you said you could not remember. Have you told the
13 Prosecution on two occasions, once in 2002 and once in 2008, that
14 you spent a week with Sergeant Foday?

13:21:01

15 A. I did not tell them that. I said I stayed long with him.

16 MR ANYAH: Mr Court Usher, let's start with the first
17 record, the first interview of 15 November 2002. That is tab 1:

18 Q. On page 1, tab 1, bottom of the page, the last two
19 sentences read:

13:21:56

20 "I stayed in Koidu with Sergeant Foday for about a week.
21 We slept together and he raped me each night. I became his
22 woman."

23 In your first interview, the Prosecution says you told them
24 you were with him for about a week. Shall we go to tab 5, page

13:22:14

25 4, and if you can scroll up to the top of the page. You spoke
26 with the Prosecution again in August 2008, six years after your
27 first interview, and it reads in paragraph 15: "Witness stayed
28 with Sergeant Foday for a week. During the one week Sergeant
29 Foday raped her every night."

1 So twice Prosecution records say you told them you were
2 with him for a week. The two records I've read, Madam Witness,
3 are they both in error?

13:23:27 4 A. I told him that I was with Sergeant Foday for long. I did
5 not count the number of weeks. I did not tell them that.

6 Q. I appreciate that, but that was not my question. My
7 question is whether when both records I've read - Madam Witness,
8 are you saying something we should hear?

9 A. I did not say anything.

13:23:47 10 Q. Let me ask the question again. The records I've just read,
11 the two records that suggest you were with Sergeant Foday for one
12 week, are they inaccurate, as in not correct?

13 THE INTERPRETER: Your Honours, can the witness clarify her
14 answer.

13:24:06 15 PRESIDING JUDGE: Well, you haven't interpreted what her
16 answer was. Do you want her to repeat it, Mr Interpreter?

17 THE INTERPRETER: Repeat it and clarify. She says, "Ah".

18 PRESIDING JUDGE: All right. Perhaps ask her again,
19 Mr Anyah.

13:24:22 20 MR ANYAH: Yes, Mr President:

21 Q. The two records I've just read, which suggest that you told
22 the Prosecution that you were with Sergeant Foday for about one
23 week, are those two records not correct?

13:24:40 24 A. They are not correct because he asked me, "A month, two
25 weeks, did you spend that with Sergeant Foday?" I said, "No, I
26 did not count the number of weeks, but I stayed long with him".

27 Q. Thank you. Sergeant Foday sent you to somebody named
28 Mami e, correct?

29 A. Mami e. Mami e, yes.

1 Q. And he did so because his wife was returning from Kailahun
2 Town to Koidu, yes?

3 A. Yes.

4 Q. The wife's name is Fatty, true?

13:25:16 5 A. Yes, yes.

6 Q. Did Mami e stay also in Koidu Town, Madam Witness?

7 A. No. Mami e met us at Superman's Ground.

8 Q. Mami e met you at Superman's Ground. Let's retrace this.

9 Are you saying you and Sergeant Foday went to Superman Ground
10 before you met Mami e?

11 A. We went to Superman Ground. It was there that we was that
12 we heard that Sergeant Foday has had another woman. Then the
13 person came.

14 Q. And you're referring to Fatty?

13:26:05 15 A. Yes, Fatty, Fatty.

16 Q. Madam Witness, let me be clear about this: With whom did
17 you go to Superman Ground, was it Sergeant Foday or was it Mami e?

18 A. We went with Sergeant Foday including Mami e's husband
19 Sidi que, Mami e, all of us went and stayed in the same zorbush.

13:26:32 20 We were many, it was a convoy.

21 Q. I understand that. You mentioned before in evidence
22 Sidi que went along, you mentioned Komba going along. The
23 question was: Did you go to Superman Ground with Mami e?

24 A. No - yes, we went together with Mami e, but I was not
13:26:53 25 staying with Mami e; I was staying with Sergeant Foday.

26 Q. Have you told the Prosecution that you spent three months
27 with Mami e?

28 A. Oh God. No.

29 Q. Have you told the Prosecution that you spent three months

1 at Superman Ground?

2 A. I did not tell them that. I said I stayed in Superman
3 Ground for long, because I did not know how many months, how many
4 weeks, I was not counting. I told him that.

13:27:31 5 MR ANYAH: Mr President, this would be an appropriate time
6 to break, if you please.

7 PRESIDING JUDGE: Yes, thank you, Mr Anyah. Madam Witness,
8 we are going to have some lunch now. We will adjourn the Court
9 for one hour and resume at 2.30.

13:27:44 10 [Lunch break taken at 1.30 p.m.]

11 [Upon resuming at 2.30 p.m.]

12 MR ANYAH:

13 Q. Madam Witness, before the lunch break we were trying to
14 ascertain how long you spent at Superman Ground and we also
14:30:30 15 touched upon the persons or number of persons with whom you went
16 to Superman Ground. Do you remember that discussion, Madam
17 Witness?

18 A. Yes.

19 Q. Just to be clear about with whom you went to Superman
14:30:43 20 Ground, you told us earlier today that you went there with
21 Sergeant Foday, Sidi que, Komba was also amongst the group, that
22 it was a large group and that at or about the time you went there
23 Mamie also went to Superman Ground. Is that fair to say, Madam
24 Witness?

14:31:07 25 A. Yes, yes.

26 Q. But you made a distinction between the particular group you
27 went there with and the group Mamie went with, yes?

28 A. Yes, all of us went together.

29 Q. Now, I asked you a question about how long you spent at

1 Superman Ground as distinct from how long you spent with Mamie.
2 Let me ask you this: When Sergeant Foday sent you to Mamie upon
3 receiving news that his wife Fatty was coming, how long did you
4 spend with Mamie?

14:31:59 5 A. I spent a long time with Mamie.

6 Q. Can you give us an estimate of the time period that you
7 spent with Mamie?

8 A. If I would be able to tell?

9 Q. Yes, if you can give us an estimate of how long you spent
14:32:13 10 with Mamie?

11 A. I spent a long time with Mamie, but I wouldn't know the
12 number of months or weeks.

13 Q. And the time you spent with Mamie did you spend it with her
14 at Superman Ground?

14:32:27 15 A. Yes.

16 Q. Was Sergeant Foday and Fatty, his wife, also at Superman
17 Ground simultaneously or at the same time you were staying with
18 Mamie?

19 A. Fatty was not there at the initial point. It was later
14:32:49 20 that she came.

21 Q. It is the case, is it not, that the reason you moved to
22 Superman Ground was because ECOMOG had taken over Koidu Town,
23 true?

24 A. Yes.

14:33:08 25 MR ANYAH: Mr Court Usher, can we look at the document in
26 tab 5, page 4. I will start from the top of the page:

27 Q. Madam Witness, we have reviewed part of this page before.
28 We started at paragraph 15 at the top of the page, but I want to
29 ask you some questions about what appears below the part we read

1 previously. In the middle of the first paragraph, paragraph 15,
2 it says:

3 "After the one week Sergeant Foday's wife, who was in
4 Kailahun, returned to Koidu Town so he sent the witness to stay
14:34:09 5 with Mamie who was also a wife of another rebel called Sidique".

6 Let me pause there. Let me ask you, Madam Witness. Did
7 Foday's wife, Fatty, return to Koidu Town or did she return and
8 meet you all at Superman Ground?

9 A. She met us at Superman Ground.

14:34:34 10 Q. So when the Prosecution's notes says that she returned to
11 Koidu Town, that is not correct, yes?

12 A. No, Mamie did not meet us at Koidu Town. She met us at
13 Superman Ground.

14 Q. Paragraph 16:

14:34:53 15 "After one week, ECOMOG was advancing to Koidu Town from
16 Sewafe. There was intense fighting and bombing while they were
17 advancing.

18 17. The witness fled with Mamie and other rebel fighters
19 and civilians that were captured to Superman Ground which was a
14:35:11 20 village called Meiyor in Kono where they remained for three
21 months."

22 Let us pause there. Actually, there is a sentence I see
23 that I omitted to read, but given what I have read let me ask you
24 this, Madam Witness: Did you go to Superman Ground with Mamie,
14:35:39 25 that is the first question and, secondly, did you stay there for
26 three months?

27 A. I did not count the number of months and I did not tell
28 anybody the number of months, but we went back together with
29 Mamie and the others.

1 Q. So when the Prosecution's note says that you stayed at
2 Superman Ground for three months, you did not tell them that,
3 true?

4 A. I did not specify any number of months because at that time
14:36:13 5 I wouldn't even know when a month would start or end. How would
6 I have told them?

7 Q. I will continue reading. It says:

8 "During the three months when she was with Mamie, the
9 witness was beaten by Mamie frequently and forced to do domestic
14:36:29 10 works like pounding rice, cooking food, laundry, cracking palm
11 nuts et cetera.

12 During the three months with Mamie, Sergeant Foday came on
13 many occasions and took her to his colleague living quarters and
14 raped her".

14:36:48 15 Pause there. Is all of that true, Madam Witness?

16 A. Yes.

17 Q. Now, at Superman Ground, this place called Meiyor, did you
18 see Superman there?

19 A. Yes.

14:37:06 20 Q. Was Superman there every day that you were there?

21 A. Yes, he used to visit the zorbush.

22 Q. Is it fair to say for the entire period of time you spent
23 at Superman Ground that Superman was present?

24 A. Yes.

14:37:31 25 Q. Before you went to Superman Ground, is it the case that
26 Superman lived at the place called Hill Station in Koidu Town?

27 A. Yes, Superman was at Hill Station.

28 Q. Have you ever heard of a place in Koidu Town called
29 Dabundeh Street?

1 A. Yes, I used to hear about Dabundeh street.

2 Q. Before you went to Superman Ground, did Superman live on
3 Dabundeh Street?

4 A. I knew him for Hill Station.

14:38:14 5 Q. Hill Station and Dabundeh Street are two different places
6 in Koidu Town, yes?

7 A. Yes.

8 Q. Do you know whether Superman moved to Superman Ground from
9 a location in Dabundeh Street?

14:38:36 10 A. Superman was at Hill Station and he left there for Meiyor.

11 Q. So your evidence is that the last base or the last place at
12 which Superman was based before he went to Meiyor, also known as
13 Superman Ground, was at Hill Station in Koidu Town?

14 A. Yes, because wherever someone was lodged that place was
14:39:14 15 named after the person.

16 Q. No, that was not my question. We appreciate the fact that
17 Superman Ground was named after Denis Mingo, Superman. The
18 question is: Where was the last place his base was at before he
19 went to Superman Ground? You say it's Hill Station. Do you
14:39:29 20 stand by that statement?

21 A. Yes, it was Hill Station that I knew he was. After we were
22 dislodged was when he went to Superman Ground.

23 Q. But you also know of Dabundeh Street? You have confirmed
24 that for us.

14:39:45 25 A. Yes.

26 Q. Have you ever heard the name Short Bai Bureh, Madam Witness?

27 A. If I heard the name Short Bai Bureh? Yes, I used to hear
28 the name Bai Bureh, Bai Bureh.

29 Q. Who was Bai Bureh, the Bai Bureh you heard about?

- 1 A. From what I heard, he too was a rebel.
- 2 Q. Was he with you at Superman Ground?
- 3 A. No, I did not see him in person.
- 4 Q. Have you heard the name Banya before, Madam Witness?
- 14:40:28 5 A. If I used to hear Bai Bureh's name?
- 6 Q. No, another name Banya, B-A-N-Y-A?
- 7 A. Yes, I heard about him.
- 8 Q. And who is Banya?
- 9 A. He too was a rebel.
- 14:40:49 10 Q. Was he with you at Superman Ground?
- 11 A. No, he was at Banya Ground.
- 12 Q. And where was Banya Ground located at?
- 13 A. It was at - it was towards going to Jagbwema Fiama.
- 14 Q. I thought Superman Ground was in the vicinity of Jagbwema
- 14:41:18 15 Fiama?
- 16 A. Yes, but there were villages going towards Jagbwema.
- 17 Q. Was Superman Ground near the Guinea Highway?
- 18 A. Yes, there was a road going to Guinea.
- 19 Q. Have you heard the name Rambo before?
- 14:41:42 20 A. Yes.
- 21 Q. You mentioned a Rambo this morning?
- 22 A. Yes.
- 23 Q. That person you said was not based at Superman Ground, but
- 24 would come there when you were there, yes?
- 14:41:56 25 A. Yes.
- 26 Q. Where was that Rambo based at?
- 27 A. Rambo they said was at Jalloh Town.
- 28 Q. Jalloh Town, J-A-L-L-O-H?
- 29 A. Yes.

1 Q. Have you heard the name before, Savage, Madam Witness?

2 A. No.

3 Q. Have you heard the name Rocky or CO Rocky?

4 A. Rocky? I don't recall that.

14:42:35 5 Q. Have you heard the name Rocky CO?

6 A. I don't recall any more.

7 Q. Are you aware that another witness came before this Court

8 and said that Superman was based at Dabundeh Street and that he

9 left Dabundeh Street which is in Koidu Town in March 1998 and was

14:43:09 10 based at PC Ground? For counsel's benefit, this is from page

11 12160. It is a transcript from 18 June 2008 in open session.

12 Madam Witness, another witness came here and said that in March

13 of 1998 that Superman --

14 A. Yes.

14:43:48 15 MR ANYAH: May I have a moment, Mr President?

16 PRESIDING JUDGE: Yes.

17 MR ANYAH: Thank you:

18 Q. Madam Witness, here is the question: Another witness was

19 here on 18 June last year. That witness said that Superman was

14:44:05 20 based at Dabundeh Street. That witness was a radio operator at

21 Dabundeh Street in Koidu for Superman. In March of 1998 she and

22 Superman and others relocated to PC Ground. They arrived there

23 in March 1998. Are you aware of that, Madam Witness?

24 A. I don't know about that. Right up to the time I was

14:44:36 25 captured and when I went to Kono it was Hill Station that

26 Superman was.

27 Q. You see, I was asking you questions regarding how much time

28 you spent at Superman Ground and the months for a reason. If one

29 witness says it was in March 19 --

1 A. He did not spend a long time? At that time I would not
2 know, but he was at Hill Station.

3 Q. Madam Witness, let's just be patient. If you allow me to
4 finish the question. I understand what you are saying, but just
14:45:06 5 listen closely to the question. I am trying to compare what you
6 have told us to what another witness has told this Court.
7 Another witness said to this Court in March 1998 is when they
8 went to PC Ground, or Superman Ground. You have told us that it
9 was after --

14:45:26 10 A. Okay.

11 Q. You have told us that it was after the overthrow of
12 President - sorry, you have told us that it was after the removal
13 of Johnny Paul Koroma from Freetown in February 1998 that you
14 were captured. You agreed with me when I said February 1998 was
14:45:47 15 when Johnny Paul Koroma was removed from Freetown, yes?

16 A. Yes.

17 Q. Now, I read you notes that say you spent three months with
18 Mamie and that you spent three months at Superman Ground. You
19 recall me reading that, yes?

14:46:12 20 A. I remember when you were reading it.

21 Q. And if we are to believe the other witness's account that
22 it was in March 1998 that they went to Superman Ground, if you
23 count from February 1998 - this Court found it was about 14
24 February 1998 that Johnny Paul Koroma was removed from Freetown -
14:46:37 25 and you get to March 1998 it's a period of about a month and a
26 half, assuming the end of the month is 31 March, which it is. Do
27 you understand, Madam Witness, that that time frame of a month
28 and a half seems to be the period during which Superman went to
29 PC Ground?

1 A. I can't tell that. I met Superman at Hill Station. Kono
2 is my home town. I know the place.

3 Q. Do you know if when ECOMOG attacked Koidu Town some of the
4 rebels went to Gandorhun?

14:47:35 5 A. If they deployed in Gandorhun?

6 Q. Yes. Instead of coming to Superman Ground, do you know if
7 some people passed Superman Ground and went on to Gandorhun?

8 A. Yes, that one, because many of them went to many other
9 places.

14:47:55 10 Q. What other places did - may I finish, Madam Witness? Just
11 listen. Besides PC Ground or Superman Ground and besides
12 Gandorhun, where else did rebels disperse to when ECOMOG kicked
13 the rebels out of Koidu Town in 1998?

14 A. The towns were many, because when we were travelling to
14:48:22 15 Kailahun they were in many of the towns, but I don't recall the
16 name of the towns.

17 Q. Did you name some of those towns for us earlier today?

18 A. Yes.

19 Q. What did you name for us, Madam Witness?

14:48:39 20 A. Except Meiyor, or Twiyo, and Jagbwema Fiama and those other
21 places that they called Jalloh Ground, Banya Ground. I don't
22 know the real names of the towns because I was not living there.

23 Q. Have you heard of a place called Yomadu, Madam Witness?

24 A. I used to hear about Yomadu, but I have not been there yet.

14:49:14 25 Q. Did you hear of a place called Tefeya?

26 A. Tefeya, yes, I used to hear about it.

27 Q. Did you hear about a place called Tombodu?

28 A. Tombodu is my home town. I know the place. That was where
29 my father hailed from.

1 Q. Do you know if some rebels went and based in Tombodu around
2 the time you were based in PC Ground?

3 A. Yes, there were rebels in Tombodu.

4 Q. Do you know who the commander of those rebels was?

14:49:55 5 A. In Tombodu?

6 Q. Yes.

7 A. I wouldn't tell, because I wasn't there.

8 Q. At Superman Ground you said there were a number of
9 commanders. You said there was a Colonel Kailahun, yes?

14:50:14 10 A. Yes.

11 Q. There was a Major Karmoh, yes?

12 A. Yes.

13 Q. CO Rambo used to come and go, yes?

14 A. Yes.

14:50:27 15 Q. Now this fellow Peleto you mentioned, were they based or
16 was he based at Superman Ground?

17 A. He was not based at Superman Ground.

18 Q. Then you mentioned another person, a Major Boki to, yes?

19 A. Yes.

14:50:48 20 Q. Major Boki to you said spoke Liberian language?

21 A. Yes.

22 Q. Was it the first time you saw him when you saw him at
23 Superman Ground?

14:51:05 24 A. I used to see him there for a long time, because all of us
25 were in the same zorbush.

26 Q. No, I understand that. Before you left Koidu Town and went
27 to the zorbush and the vicinity of PC Ground, did you ever see
28 this fellow Boki to before then?

29 A. I saw him at Superman Ground.

1 Q. For the first time?

2 A. Yes.

3 Q. Of all the people you have told us about, let's start with
4 Peppe, Peppe spoke Krio, you told us, yes?

14:51:41 5 A. Yes.

6 Q. The colleague of Peppe who told him not to rape you when
7 you were under the mango tree, that person spoke Krio, yes?

8 A. Yes.

9 Q. Sergeant Foday spoke Krio, yes?

14:51:56 10 A. He spoke both Krio and Liberian language.

11 Q. Who, Sergeant Foday?

12 A. Yes.

13 Q. But this morning when you testified you did not mention
14 that Sergeant Foday spoke Liberian language?

14:52:14 15 A. I said it. I said he used to speak it together with Krio,
16 he and Boki to. I heard them speaking it.

17 Q. Madam Witness, I am putting it to you that when you
18 testified this morning on direct examination you did not say that
19 Sergeant Foday spoke Liberian. You said he spoke Krio.

14:52:40 20 A. Oh God, I said it. I said he was speaking Krio because I
21 heard him speaking Krio and the Liberian language together with
22 Boki to.

23 Q. Well, in all of your interviews with the Office of the
24 Prosecution I am putting it to you that not once - not once -

14:52:59 25 anywhere do you say Sergeant Foday spoke Liberian language. Are
26 you aware of that?

27 A. Yes.

28 Q. Did you understand what I said? I am saying that you never
29 told the Prosecution outside of court that Sergeant Foday spoke

1 Liberian language. Do you agree you never told them that?

2 A. In the courtroom here?

3 Q. Outside this courtroom before you just said those words in
4 court this afternoon you never told the Prosecution at any time
14:53:31 5 before that this fellow Sergeant Foday who raped you spoke
6 Liberian language. You never did tell them, correct?

7 A. I said it. I said Sergeant Foday and Boki to were the two
8 people I heard them speaking Liberian English. They were saying,
9 "My meh, my meh, let's go".

14:53:58 10 Q. I am saying you didn't and the Prosecution is present in
11 court --

12 A. Well, okay, but I don't know.

13 Q. Now, let's focus on this Boki to. Mr Court Usher, if we
14 could go to tab 6, page 8, please. I will start from paragraph

14:54:38 15 35. Madam Witness, these are notes from an interview the
16 Prosecution had with you a few months ago, three or four months
17 ago in October 2008. From 2002 when they started speaking with
18 you it is only in October of 2008 that you mention that someone
19 at Superman Ground, one of the commanders, spoke Liberian

14:55:09 20 English. Do you agree with that?

21 A. Okay, if you want me to agree, I agree.

22 Q. Are you just saying okay because you wish to agree with me?
23 Can you think through the question I am asking you. I am asking
24 you --

14:55:27 25 A. I understand the question, because I have said I heard
26 Boki to and Sergeant Foday were speaking Liberian language and he
27 is saying that I have not mentioned it. That is why I said okay.
28 What else should I do?

29 Q. So you are saying to us you mentioned it and if it is not

1 written down then the Prosecution didn't write down what you told
2 them, yes?

3 A. Yes.

4 Q. Well, let's look at what the Prosecution did write down.

14:55:58 5 These are notes from your interview on 9 October last year.

6 Paragraph 35:

7 "Witness recalls some of the commanders at Superman Ground
8 as Colonel Kailahun, Major Boki to, Major Karmoh who was the RUF
9 herbalist, CO Rambo, Peleto and other commanders the witness
10 cannot recall. Witness states that Major Boki to was a Liberian
11 who was speaking Liberian language. There were other Liberians
12 at Superman Ground at the time but she cannot remember their
13 names. She heard them most times speaking Liberian English."

14 Let's pause there. What I have read to you suggests that
14:56:46 15 both Rambo and Peleto were commanders based at Superman Ground.
16 Do you agree, Madam Witness?

17 A. That I said Rambo and Peleto? No, I did not say that. I
18 said they used to visit. Just that.

19 Q. Yes, so when this record of interview suggests that they
14:57:06 20 were based there or they were commanders there, it is inaccurate,
21 true?

22 A. No, it is not correct.

23 Q. Now, from what I have read do you hear any reference to
24 Sergeant Foday speaking Liberian language?

14:57:26 25 A. I did not hear you say that to me.

26 Q. Yes, and nowhere in all of your interview records is that
27 to be found, that you made a comment outside of court to the
28 effect that Sergeant Foday spoke Liberian language. Do you
29 understand that, Madam Witness?

1 A. I understand.

2 Q. Can you explain how it came to be that all of a sudden in
3 October last year you remembered that these people, that Major
4 Boki to spoke Liberian language? Why didn't you say that before
14:58:10 5 October last year?

6 A. That Boki to spoke Liberian language? I said it at the
7 Special Court in Freetown when I was interviewed. I said it
8 there, because it was in my presence when the people were
9 speaking.

14:58:34 10 Q. Well, let's look at tab 7, page 2. Madam Witness, have you
11 ever been to Liberia?

12 A. No, I stopped at Dawa, towards Liberia.

13 Q. Is Dawa in Sierra Leone, or in Liberia?

14 A. It is around Kailahun.

14:59:21 15 Q. Paragraph 13 and 14, page 2, tab 7:

16 "Witness added that Major Karmoh was a civilian who had
17 been captured. When he was captured, he told the rebels he was a
18 herbalist and told the future. When what he predicted actually
19 happened, the rebels gave him two bodyguards and the title
14:59:50 20 major".

21 Let's pause there. Madam witness, is that correct?

22 A. Yes.

23 Q. This fellow Karmoh was a civilian, is that correct?

24 A. Yes, they captured a civilian.

15:00:07 25 Q. The next paragraph:

26 "Witness added that when she was in captivity, sometimes
27 she and others would go to the market at Dawa in Liberia. It
28 took two days to walk there from Kailahun and they would arrive
29 on the third day."

1 Did you tell the Prosecution that, Madam Witness, that
2 sometimes in captivity you would go to Dawa in Liberia?

3 A. I said so, but I did not say Liberia. I said Dawa, not in
4 Liberia itself. Dawa. We used to go there to buy clothing and
15:00:47 5 some other stuff.

6 Q. Now, this interview record I am reading from, it is from an
7 interview from last week, Thursday, 22 January 2009. You have
8 been speaking with them since 2002. Last week Thursday is the
9 first time there is a reference of you going into the vicinity of
15:01:10 10 Liberia?

11 A. Dawa.

12 Q. Well, you say Dawa. Let's stay with that.

13 A. Yes, that is how the town is being called. That is going
14 towards Liberia, but that is not in Liberia. It is far from
15:01:25 15 Liberia. That is where we used to buy wares.

16 Q. So when it says here that Dawa is in Liberia that is
17 completely wrong, correct?

18 A. Yes, I did not say Liberia.

19 Q. And the first time you mentioned going to Dawa to the
15:01:47 20 Prosecution is last week, Thursday, yes?

21 A. Yes.

22 MR ANYAH: Thank you, Mr Court Usher:

23 Q. Now when you were in Superman Ground, or at Superman
24 Ground, you told us of an order that was given by Mosquito that
15:02:10 25 people's hands and feet should be chopped off or amputated and
26 padlocks should be placed on their mouths and they should be sent
27 to President Kabbah, yes?

28 A. Yes.

29 Q. You told us Sergeant Foday told you about this directive

1 from Mosquito, true?

2 A. Yes.

3 Q. And you went on to say that Mosquito's orders were in fact
4 carried out. Do you remember telling us that?

15:02:38 5 A. Yes.

6 Q. Now, you do not know the particular locations where these
7 rebels supposedly carried out Mosquito's orders, do you?

8 A. I don't understand.

9 Q. You do not know the places or locations where these rebels
15:03:05 10 carried out Mosquito's orders, that is where they did the actual
11 amputations and padlocking, do you?

12 THE INTERPRETER: Your Honours, can the witness clarify
13 that answer.

14 MR ANYAH:

15:03:22 15 Q. Madam Witness, do you or do you not know the locations?

16 A. I don't know the location.

17 Q. It is also true that you never accompanied any of these
18 rebels on any of these attacks on civilians, true?

19 A. No, the civilians did not go on attacks.

15:03:45 20 Q. That was not my question. I am asking you if you yourself

21 --

22 A. No.

23 Q. -- you never went with the rebels to amputate people's
24 hands and feet, did you?

15:03:59 25 THE INTERPRETER: Your Honours, can the witness clarify
26 that again?

27 JUDGE SEBUTINDE: Madam Witness, we agreed you would say
28 yes or no, not to make that noise which is ambiguous.

29 MR ANYAH:

1 Q. So yes or no, did you --

2 A. No.

3 Q. You never accompanied the rebels?

4 A. No, I did not go.

15:04:23 5 Q. You yourself never personally witnessed any of these
6 amputations, did you?

7 A. I did not witness it.

8 Q. As you sit there now you do not know the ages or genders of
9 the alleged victims whose feet or arms or hands were amputated,
10 do you?

11 A. Yes.

12 Q. Yes means you don't know their ages, correct?

13 A. I don't know it.

14 Q. Yes means you don't know if they are male or female, yes?

15:04:59 15 A. Yes.

16 Q. You also said that the rebels would leave Superman Ground
17 on missions, food finding missions, sometimes missions where they
18 would loot property and bring back. Did you ever go with them on
19 any of those missions, Madam Witness?

15:05:21 20 A. I did not go with them.

21 Q. And you do not know the locations or places from which they
22 brought the looted property, do you?

23 A. I don't know.

24 Q. Now, from Superman Ground you were sent to Giema. Is that
25 correct?

15:05:55

26 A. Yes.

27 Q. Who sent you to Giema?

28 A. Sergeant Foday.

29 Q. And what was the purpose of him sending you to Giema?

1 A. He said I should go to his mother for his mother to heal
2 me, to care me.

3 Q. And you ended up staying in Giema for about a year. Is
4 that fair to say, Madam Witness?

15:06:26 5 A. Yes.

6 Q. While you were at Superman Ground you have told the
7 Prosecution that other civilians were sent to Kailahun for
8 military training, yes?

9 A. Yes.

15:06:47 10 Q. But Sergeant Foday did not wish for you to go and be
11 trained militarily to become a fighter, yes?

12 A. Yes.

13 Q. But he allowed you or wanted you to go to Giema for you to
14 be cured, you said?

15:07:06 15 A. Yes.

16 Q. Did he allow you to go to Kailahun to do "government work"?

17 A. He allowed me to go to Kailahun to be treated by his
18 mother.

19 Q. Is it Kailahun or Giema, which one?

15:07:29 20 A. Sorry, Giema.

21 Q. Did you ever go to Kailahun to do government work?

22 A. It was at Giema that I was doing government work.

23 Q. Did you ever farm at a farm owned by Foday Sankoh in
24 Kailahun?

15:07:51 25 A. Yes, they said Foday Sankoh's farm.

26 Q. Was that before or after you went to Giema?

27 A. At that time I had gone to Giema. It was there that I was
28 doing the work.

29 Q. How close is Giema to Kailahun Town?

1 A. Maybe it would be up to ten miles, according to my
2 estimation, but we walked.

3 Q. So you were going from Giema to Kailahun to do government
4 work?

15:08:37 5 A. No, it was not from Giema to Kailahun; it was from Giema to
6 Talia that we did the work. It was there that the farm was.

7 MR ANYAH: Mr Court Usher, can we go to tab 5, pages 4 and
8 5. We start at page 4. Paragraph 21 reads:

9 "At one point, witness recalls civilians were sent from
15:09:26 10 'Superman Ground' - men, women and children to undergo military
11 training in Kailahun. Witness did not go because Sergeant Foday
12 did not want the witness to become a fighter.

13 The witness heard from Sergeant Foday that an order was
14 passed by Mosquito, who was the rebel commander based in Buedu,
15:09:49 15 that the rebels were to start chopping off hands and feet and
16 padlock mouths of civilians and send them to President Kabbah to
17 open the padlock on their mouths and give them new hands.

18 The witness did not witness any of these acts but heard the
19 rebels discussing that they have carried out Mosquito's orders.

15:10:15 20 After the three months, witness was sent to Kailahun to do
21 'government work' which was to work on Foday Sankoh's farms.
22 There were a lot of civilians working in the farms and they were
23 guarded."

24 Let's pause there. This is sometime in 1998. Madam
15:10:45 25 Witness, do you know where Foday Sankoh was during the middle
26 point of 1998?

27 A. Where Foday Sankoh was?

28 Q. Yes.

29 A. Was it not Freetown that Foday Sankoh was when he was

1 captured, from what I used to hear?

2 Q. Well, around March 1998 the Nigerian government had turned
3 over to the Sierra Leonean government custody of Foday Sankoh and
4 I believe this is a judicially noted fact. Are you aware of

15:11:32 5 that, Madam Witness?

6 A. Yes.

7 Q. So Foday Sankoh was in custody at this time, yes? That is
8 in 1998?

9 A. Mm-hm.

15:11:46 10 MR ANYAH: Your Honours, a judicially noted fact (U) reads:

11 "In July 1998 Foday Sankoh was transferred from the custody
12 of the Nigerian government to the custody of the Sierra Leonean
13 government."

14 Fact (V) reads:

15:12:05 15 "In October 1998 Foday Sankoh was found guilty of treason
16 and sentenced to death in the High Court of Sierra Leone."

17 Q. Madam Witness, Foday Sankoh was not a free man?

18 A. Yes, yes.

19 Q. May I finish the question, please. You are telling us that
15:12:24 20 you were working on a farm for Foday Sankoh, rather you were
21 working on a farm that belonged to Foday Sankoh, yes?

22 A. Yes, this was how they referred to it. They said civilians
23 should go and work at Foday Sankoh's farm.

24 Q. And you suggested to us that Foday Sankoh had farms in more
15:12:56 25 than one place, yes?

26 A. Yes.

27 Q. You said there were other farms in Talia, yes?

28 A. Yes.

29 Q. Kailahun, yes?

1 A. Yes.

2 Q. And there is another place you mentioned. What was it
3 where there was another farm belonging to Foday Sankoh?

4 A. There were many farms around the town.

15:13:20 5 Q. So while he was in custody he had several farms that people
6 were farming. Is that your evidence?

7 A. I don't understand.

8 Q. The question is we have agreed that Foday Sankoh was not a
9 free man and I am asking you when he was not free, when he was
15:13:39 10 being held in Freetown, you are telling us he had farms all
11 around the area in Kailahun where you were that civilians were
12 being made to farm on, correct?

13 A. Yes.

14 Q. Now, we were at tab 5, page 5. Now, Madam Witness, did you
15:14:35 15 go to Kailahun to farm before or after you went to Giema?

16 A. It was Giema that I came from to Kailahun.

17 Q. How is it that you left Sergeant Foday's mother in Giema
18 and made your way to Kailahun?

19 A. I saw my mother's friend and that person took me from
15:15:13 20 there.

21 Q. This is the wife of the G5 commander, yes?

22 A. Yes.

23 Q. She takes you from Giema to Kailahun. Who makes you farm
24 at this farm in Kailahun that you say belongs to Foday Sankoh?

15:15:35 25 A. It was Sergeant Foday's mother, because whenever there was
26 work and they will tell her, she in turn will give me the work to
27 do.

28 Q. Well, we are on page 5. Let's read and see if we will come
29 across reference to Sergeant Foday's mother. I read paragraph 24

1 about Foday Sankoh's farm. Paragraph 25:

2 "In the morning the MP would call for civilians to gather
3 at the MP office and their names would be taken down. The
4 civilians would then be distributed to the farms. This was in
15:16:23 5 Giema in Kailahun.

6 There was one day when the witness did not go to work on
7 the farm because she was tired. Witness states she was arrested
8 and placed into a dungeon for one night. She was released in the
9 morning to go back to the farm to work."

15:16:43 10 Paragraph 27: "After one year in Giema, witness was seen
11 by her mother's friend who pleaded on her behalf and took her to
12 stay with her." Pause there. This says that after a year in
13 Giema your mother's friend sees you and takes you from Giema?

14 A. Yes.

15:17:12 15 Q. And you told us that from Giema you went to Kailahun, yes?

16 A. Yes, yes.

17 Q. So when your mother's friend took you from Giema she took
18 you to Kailahun, yes?

19 A. Yes.

15:17:24 20 Q. What I want to know is how it came to be that when you were
21 in Kailahun you still had to do government work when you were in
22 the care and custody of your mother's friend. Can you explain
23 that, Madam Witness?

24 A. I don't understand the question clearly.

15:17:49 25 Q. You have told us that Giema and Kailahun were two different
26 places. You recall telling us that?

27 A. Yes.

28 Q. You have said that --

29 PRESIDING JUDGE: Yes, Ms Hollis, what is the objection?

1 MS HOLLIS: I have an objection and I think in fairness to
2 the witness it should also be put to the witness that when she
3 was asked about it she said that when she went from Giema to
4 Kailahun she meant Kailahun Town and she did say that when she
15:18:17 5 was asked on direct and I think it could assist her and it would
6 be fair if Defence counsel would use Kailahun Town when he talks
7 about her moving from Giema.

8 PRESIDING JUDGE: Mr Anyah?

9 MR ANYAH: Mr President, I have no difficulty with that:

15:18:55 10 Q. Madam Witness, let me rephrase the question to be fair to
11 you. Is it the case that when you left Giema you went to
12 Kailahun Town? Did you understand that?

13 A. Yes.

14 Q. Was it your mother's friend who took you from Giema to
15:19:24 15 Kailahun Town?

16 A. Yes.

17 Q. Is it the case that you did government work, that is farm
18 on Foday Sankoh's farm, in Kailahun Town?

19 A. The Foday Sankoh's farm on which I was working, it was when
15:19:43 20 I was in Giema, that was when I was doing the government work.

21 Q. Is the farm located in Giema or is it located somewhere
22 else?

23 A. We used to do our work in Ngeigor.

24 Q. So when paragraph 24 of the statement I have just read you
15:20:02 25 - when paragraph 24 reads that, "Witness was sent to Kailahun to
26 do government work which was to work on Foday Sankoh's farms",
27 the Kailahun referred to there, is that Kailahun Town or is that
28 Kailahun District?

29 A. They sent me to Giema, but it was not to do government

1 work. But when they asked for the job it was me who the woman
2 would always ask to go and do the work.

3 Q. In any event when you go to Kailahun Town with you mother's
4 friend - and by the way what is this woman's name, the friend of
15:21:04 5 your mother?

6 THE INTERPRETER: Your Honours, can the witness repeat that
7 name.

8 PRESIDING JUDGE: Say that name again, please, Madam
9 Witness.

15:21:11 10 THE WITNESS: Bondu Korwu [phon].

11 MR ANYAH:

12 Q. Now when you went to stay with this woman, did you ever see
13 Sergeant Foday at any point after that?

14 A. I did not see him again.

15:21:31 15 Q. And why was it this woman could not get you back to Kono?

16 A. She did not want me to go to Kono at that time. She wanted
17 me to be with her at that time.

18 Q. And why did she want you to be with her?

19 A. Because I was the one who used to help her do some job.

15:21:58 20 Q. To which of the warring factions did her husband belong to,
21 the G5?

22 A. It was that aunt of mine. She too was captured, but the
23 man to whom she was given was a G5.

24 Q. Yes, my question is that G5, which group did he belong to,
15:22:22 25 that G5 commander?

26 A. He was a civilian, but he was a G5. He was born in
27 Kailahun.

28 Q. What does G5 stand for? You told us earlier. Tell us
29 again.

1 A. Like whenever there would be work he would be the one
2 supervising the people. He will give the seed rice to people to
3 go and plant.

15:22:54 4 Q. And on whose behalf was he serving as a G5? Assuming he
5 was a civilian, who was he working for? What group?

6 A. Well, I don't know the group. They said it was G5.
7 Whenever the time would come they would say it was G5 to give
8 seedlings to go and plant.

9 Q. Did you ever see the husband or this G5 commander?

15:23:19 10 A. I don't understand.

11 Q. When you were staying with your mother's friend did you
12 ever see any more called Moigboi, M-0-I-G-B-0-I?

13 A. He was the Moigboi. He was a G5 but his real name was
14 Moigboi, yes.

15:23:43 15 Q. So listen to my question. Did you ever see him in person,
16 Madam Witness?

17 A. The Moigboi?

18 Q. Yes.

19 A. Yes.

15:23:57 20 Q. Did he ask you who you were when you saw him?

21 A. Yes.

22 Q. Did he know that you were once at Superman Ground?

23 A. If he knew that I was at Superman Ground?

15:24:19 24 Q. When you and him spoke did he ask you if you had been at
25 Superman Ground?

26 A. He asked me how comes and I said I was captured. Because
27 he was now my aunt's husband, I was living with them in Kailahun.

28 Q. And Moigboi knew that his wife had taken you out of
29 captivity, correct?

1 A. Yes.

2 Q. Did he at any time try to report you back to the rebels
3 that you had left behind when you left Sergeant Foday's mother in
4 Giema? Did he try to send you back to Giema?

15:25:08 5 A. No.

6 Q. Madam Witness, you started speaking with the Prosecution in
7 2002 and is it the case that this is the first time you are
8 testifying in a Court about what happened to you when you were
9 captured?

15:26:10 10 A. Yes.

11 Q. Are you aware that there was a trial in Sierra Leone, in
12 Freetown, concerning RUF commanders?

13 A. Yes.

14 Q. You have heard the name Issa Sesay before, right?

15:26:29 15 A. Issa Sesay? I did not know. I did not know the names of
16 all of the commanders.

17 Q. But you have mentioned Morris Kallon in your statements,
18 yes?

19 A. Yes.

15:26:54 20 Q. You know Morris Kallon was on trial in Freetown, yes?

21 A. Yes.

22 Q. You know there was a trial in Freetown concerning
23 commanders of the AFRC, yes?

24 A. Yes.

15:27:15 25 Q. And in neither of those cases, RUF or AFRC, did you
26 testify. Correct?

27 A. No, I did not go there.

28 MR ANYAH: Mr Court Usher, could we go to the document in
29 tab 10:

1 Q. Madam Witness, have you ever received money from the
2 Special Court since you've started speaking to the Prosecution in
3 2002?

4 A. No, except allowance.

15:28:03 5 Q. Yes, the document that is displayed now are records of
6 monies paid to you by the witness management - rather by the
7 witnesses and victims unit or section of the Special Court and it
8 tells us how much they have paid you in what you think is
9 allowances. The date is 9 January 2009. The subject is "Witness
10 expense policy - expenses made on TF1-303". Are you aware that
11 your pseudonym or number assigned by the Court is 303?

12 A. Yes.

13 Q. Thank you, Madam Witness. Now, do you see where it says in
14 number 2, "Witness first arrived on 17th August 2008. To date,
15:29:08 15 she has been paid a total of" and then it delineates certain
16 amounts. Let me ask you about these amounts. It says witness
17 attendance allowance, they have given you approximately 576,000
18 leones. Have you received money from them as witness attendance
19 allowance?

15:29:40 20 A. If, whenever they brought me, they would give me 500,000?
21 Is that what you are asking?

22 Q. That is not the question. There is a category of payments
23 the Special Court says it has made to you. I don't know if it is
24 one time or several different times. Perhaps it is several
15:29:54 25 different times. The question is: Have you received money
26 totalling about half a million leones as attendance allowance for
27 whatever period of time?

28 A. Yes, once.

29 Q. Have you ever received for transportation purposes

1 approximately 235,000 leones?

2 A. They did not give me transportation costs up to 225,000
3 leones.

15:30:39

4 Q. I am not saying at one time. It could have been in bits
5 and pieces?

6 A. Yes.

7 Q. Does it sound right that you received money for
8 transportation purposes on several occasions from the Special
9 Court that add up to about a quarter-of-a-million leones?

15:30:56

10 A. Yes.

11 Q. And then they have given you money for medical expenses,
12 have they not?

13 A. Yes.

15:31:13

14 Q. Does it add up to approximately the figure you see on this
15 document, 226,000 leones?

16 A. Yes.

17 Q. And then there is a category there that is written as
18 miscellaneous, that they have given you sums for different
19 reasons excluding transportation, medical allowance or witness
20 attendance allowance totalling almost 1.5 million leones. Is
21 that right, Madam Witness?

15:31:42

22 A. I did not calculate it.

23 Q. Fair enough. Let's look at the total. The witnesses and
24 victims section is saying that from August last year, we are

15:32:08

25 talking about five months ago, 17 August until 9 January this
26 year, they have given you approximately 2,439,500 leones. Madam
27 Witness, the money you have received from the Court, does it come
28 close to this number? Is it about the same?

29 A. I can't tell, because I was not calculating it. I was not

1 calculating what they were giving to me.

2 Q. But they gave you money and you acknowledge that?

3 A. Yes.

4 Q. Do you know when you go to downtown Freetown near Siaka

15:32:58 5 Stevens that 3,000 Leones equals one US dollar? You know that,
6 don't you?

7 A. Yes.

8 Q. Do you know when you divide this 2,439,500 Leones by 3,000
9 it adds up to about \$813.16 US dollars. Are you aware of that,

15:33:24 10 Madam Witness?

11 A. Yes.

12 Q. So in about five months you have made or rather - I
13 withdraw that. In five months the Special Court has given you in
14 excess of 800 United States dollars, yes?

15:33:48 15 A. Yes.

16 Q. That is a lot of money for Sierra Leonean standards, is it
17 not?

18 A. Yes.

19 Q. People can work a whole year and they won't come close to
15:34:03 20 making 800 and something United States dollars, correct?

21 A. Yes.

22 Q. That money helped you when you just gave birth to your
23 child, did it not?

24 A. Yes.

15:34:26 25 Q. That money helped you when you otherwise could not work,
26 yes?

27 A. Yes.

28 Q. Helped you support yourself, your baby and your family,
29 true?

1 A. Yes.

2 MR ANYAH: Thank you, Madam Witness. I tender the witness.

3 PRESIDING JUDGE: Thank you, Mr Anyah. Yes, Ms Hollis.

4 MS HOLLIS: Very briefly your Honour. For counsel's

15:35:06 5 reference, my first question in my LiveNote is relating to

6 Defence counsel questions and answers from page 106, line 23 to

7 page 107 line 5.

8 RE-EXAMINATION BY MS HOLLIS:

9 Q. Madam Witness --

15:35:20 10 A. Yes.

11 Q. -- Defence counsel asked you some questions about Sergeant

12 Foday's wife Fatty and Defence counsel asked: Did Fatty return

13 to Koidu Town, or did Fatty return and meet you at Superman

14 Ground? And you answered that Fatty met you at Superman Ground.

15:35:44 15 Do you remember saying that?

16 A. Yes.

17 Q. Do you know where Fatty had been before she came to

18 Superman Ground?

19 A. Yes.

15:35:58 20 Q. Where was she before she --

21 A. She was in Giema to Sergeant Foday's mother.

22 Q. And do you know where she travelled from Giema?

23 A. I don't know the time. I don't know the year and the

24 month.

15:36:17 25 Q. Do you know to where she travelled from Giema?

26 A. Where she travelled to? After Giema she went to Superman

27 Ground.

28 Q. Thank you. My second question will relate to questions and

29 answers on my LiveNote from page 73 line 20 to page 75 line 11:

1 Madam Witness, Defence counsel asked you some questions about
2 where you were captured, and Defence counsel asked you if you had
3 told the Prosecution outside of court that you were captured in
4 Koidu Town and you responded that you said Baiama village. You
15:37:08 5 told Defence counsel you did not say you were captured in Koidu
6 Town?

7 THE INTERPRETER: Your Honours, can the witness clarify her
8 answer.

9 PRESIDING JUDGE: I think we have mentioned this before,
15:37:23 10 Madam Witness. Could you please give a definite answer, yes or
11 no?

12 THE WITNESS: No.

13 MS HOLLIS:

14 Q. What does no mean, that you were not captured in Koidu
15:37:42 15 Town?

16 A. I was not captured in Koidu Town; it was in Baiama.

17 Q. Now, Defence counsel then drew your attention to a
18 Prosecution interview record dated 22 August of last year, that
19 is 2008, and that interview record is found at tab 5 and Defence
15:38:02 20 counsel read to you paragraph 1 of that interview record?

21 A. I don't understand.

22 Q. Do you remember Defence counsel reading to you that you had
23 said it was after the overthrow of Johnny Paul, JPK, you were
24 captured by the AFRC/RUF in Koidu Town, Kono? Do you remember
15:38:31 25 Defence counsel reading that to you?

26 A. Yes.

27 Q. Now for completeness, let's look at this same interview,
28 but let's go to page 2 of that interview, paragraphs 8 and 9.

29 Here is what it says that you said in paragraph 8: "Witness and

1 her family left the bush and returned to Baiama village." Did
2 you tell the Prosecution that?

3 A. Yes.

15:39:08

4 Q. "One night the witness was in the house with the father,
5 brother and sisters when the rebels attacked Baiama again." Did
6 you tell the Prosecution that?

7 A. Yes.

15:39:26

8 Q. And then in paragraph 9: "Witness states that one of the
9 rebels called Peppe kicked their door. Peppe is a Krio word
10 meaning pepper." Did you tell the Prosecution that?

11 A. Yes.

12 Q. "Peppe ordered all of them to go outside. Witness states
13 that when they were all outside Peppe said he was going to take
14 the witness as his wife." Did you tell the Prosecution that?

15:39:46

15 A. Yes.

16 JUDGE SEBUTINDE: Sorry, Ms Hollis. What tab are we
17 looking at?

18 MS HOLLIS: Tab 5, and it is the second page, 48252, and we
19 had just looked at paragraph 8 and now we are on paragraph 9:

15:40:09

20 Q. "Witness states the father, mother and the other relatives
21 were ordered by the rebels at gunpoint to go inside whilst the
22 witness stayed outside with Peppe". Did you tell the Prosecution
23 that?

24 A. Yes.

15:40:22

25 MS HOLLIS: I have no other questions for the witness.

26 PRESIDING JUDGE: Thank you, Ms Hollis.

27 JUDGE SEBUTINDE: Madam Witness, you did state, I think
28 when Mr Anyah was questioning you, that your very first interview
29 was at Opera and that it was conducted by a white woman. Do you

1 remember that?

2 THE WITNESS: Yes, the first one, in the barracks.

3 JUDGE SEBUTINDE: Was this woman an employee of the Special
4 Court, or was she an employee of some other organisation?

15:41:07 5 THE WITNESS: I did not know at the time at the Special
6 Court, because that was my first time of seeing her.

7 JUDGE SEBUTINDE: Did she explain to you where she was
8 coming from, or why she was interviewing you?

9 THE WITNESS: She said she had come from Freetown.

15:41:30 10 JUDGE SEBUTINDE: Okay. Thank you.

11 PRESIDING JUDGE: Well, Madam Witness, that brings to an
12 end your evidence. You are free to leave the Court now and
13 before you do I would like to express on behalf of the Trial
14 Chamber our thanks for you coming to court to give evidence.

15:41:54 15 I think the next witness is TF1-278. Is that correct?

16 MS HOLLIS: That is correct, Mr President, and that witness
17 will be led by Mr Koumjian, but before calling that witness in
18 there are two matters that the Prosecution would like to address.

19 PRESIDING JUDGE: Yes, go ahead, Ms Hollis.

15:42:48 20 MS HOLLIS: The first matter relates to the disclosure
21 issue that was raised by the Defence relating to disclosure
22 concerning the witness TF1-303's escape from Kailahun Town. Just
23 so that your Honours are clear and the record is clear as to what
24 disclosures the Prosecution had made, the Prosecution would like
15:43:09 25 to make a record as to those disclosures.

26 PRESIDING JUDGE: Yes, go ahead.

27 MS HOLLIS: And your Honours have those before you. The
28 first is at tab 5 at paragraph 28 and this is at tab 5 is the
29 interview record of 22 August 2008. Paragraph 28 is on page 5.

1 The prior paragraph discussed the witness being taken from Giema
2 and this paragraph 28 states that:

3 "Witness states that one day she and a female friend
4 escaped when they were brought to Kailahun and headed for Kono.

15:44:13 5 Witness and the female friend walked on foot for two days without
6 food to Kono and she later located her mother."

7 The second disclosure relating to her escape is at tab 6
8 and it is part of paragraph 46 which is page 10 and that 10 was
9 the number written on by Defence counsel at the bottom of the
10 page. There is also a 10 shown at the top of the page, 48363,
11 and it is paragraph 46, last two lines:

12 "After the mother's friend succeeded she brought her to
13 Kailahun from where she escaped from the mother's friend to
14 return to Kono. It was in Kailahun Town she met her friend with
15 whom she travelled to Koidu Town."

16 Then the last disclosure is at your tab 8 which is
17 information provided as of a meeting on 24-25 January 2009 and
18 the paragraph reference is paragraph 17 on page 2:

19 "The friend with whom the witnesses escaped was called
15:45:46 20 Bondu. She was from Njafidu, a village near Koidu. She had also
21 been captured. Bondu told the witness she was sure there was a
22 peace and the two of them should go to Kono. They escaped the
23 early morning after a dance was held in Kailahun Town."

24 Those are the disclosures that were made.

15:46:07 25 PRESIDING JUDGE: Yes, thank you, Ms Hollis. Did you want
26 to say anything, Mr Anyah?

27 MR ANYAH: Yes, Mr President. Your Honours will recall I
28 objected when evidence came out about the grandfather, evidence
29 came out about the dog, evidence came out about something to do

1 with alcohol. The evidence to which I objected was evidence
2 dealing with events occurring at a place around this Njafidu and
3 none of that was disclosed to us, as the Prosecution conceded.
4 By no means was I suggesting that the witness's alleged escape
15:46:41 5 with her friend - information about that was not given to us.
6 But when we get to the point where it concerns the grandfather
7 and the like it is imperative that I object.

8 But the more important point is we did not claim prejudice
9 ultimately. We did not seek additional time to undertake our
15:47:00 10 cross-examination and so the matter really is of little moment at
11 this point. Thank you.

12 PRESIDING JUDGE: Yes, Ms Hollis?

13 MS HOLLIS: Mr President, the second matter the Prosecution
14 would like to raise is this: As you have noted our next witness
15:47:14 15 is TF1-278. This is the last witness scheduled by the
16 Prosecution to testify in its case in chief. That being the
17 case, the Prosecution would request that after this witness has
18 completed his testimony that we have a status conference. We
19 believe that that could be held next week because we believe this
15:47:38 20 witness will be finished tomorrow or Monday and we believe there
21 are several matters that could be discussed that would be of
22 benefit certainly to the Prosecution and we believe to everyone
23 in terms of how we proceed from here. So we would request that
24 the Trial Chamber schedule a status conference after TF1-278
15:47:57 25 completes his testimony. Thank you, Mr President.

26 PRESIDING JUDGE: Yes, thank you, Ms Hollis. We will
27 certainly consider that. But one matter I wanted to raise with
28 you is if there is any prospect of this witness being completed
29 tomorrow it would obviously be redundant of us to not sit in the

1 afternoon. We are prepared to do that if that prospect is a real
2 one.

3 MS HOLLIS: We believe it is possible. The Prosecution
4 direct evidence as far as we understand it will not be very
15:48:36 5 extensive and so depending on the cross-examination we believe it
6 is possible for tomorrow, but that would depend upon how things
7 actually progress.

8 PRESIDING JUDGE: Well, I thought I would mention it at
9 this stage just to put the parties on notice that that will be a
15:48:53 10 possibility. We will use our own judgment as the evidence runs
11 as to whether there is any prospect of finishing in the
12 afternoon. If there is we will sit. Does that cause you some
13 difficulties, Mr Griffiths?

14 MR GRIFFITHS: It does cause us some difficulties,
15:49:11 15 Mr President, for this reason: You will recall that I indicated
16 to the Court that Mr Taylor would not be in attendance tomorrow
17 and I would be loath to move to any formal closure of the
18 Prosecution case, or indeed to proceed to any status conference
19 without him being in attendance.

15:49:32 20 I can indicate to the Court and to those opposite that my
21 cross-examination of the coming witness will be extremely short,
22 perhaps no more than ten minutes or so, and I wonder whether in
23 the circumstances it might not be a more economic use of time to
24 adjourn until Monday this particular witness? I don't know
15:49:55 25 whether that causes those opposite any difficulties?

26 PRESIDING JUDGE: I take it there won't be any formal
27 closure of the Prosecution case. This is simply the last witness
28 at this stage, is that right, Ms Hollis?

29 MS HOLLIS: That is absolutely correct, Mr President. We

1 will not formally close our case.

2 PRESIDING JUDGE: Yes, because there are other matters to
3 be decided before it's possible for the Prosecution to close its
4 case. As for a status conference, that certainly wouldn't be
15:50:28 5 occurring tomorrow. That would be some time next week. But if
6 there are other difficulties obviously we are aware that we
7 didn't give the Defence any notice that we were contemplating
8 sitting in the afternoon, but in view of what I have said,
9 Mr Griffiths, do I take it you would still prefer to adhere to
15:50:54 10 the normal procedure on Fridays?

11 MR GRIFFITHS: Well, what I would respectfully suggest in
12 the circumstances then is that we could conclude this witness
13 tomorrow and then any further business with regard to a status
14 conference, for example, could be canvassed on Monday.

15:51:13 15 PRESIDING JUDGE: Yes. Is there any problem with that,
16 Ms Hollis?

17 MS HOLLIS: Not at all. We certainly would like to proceed
18 tomorrow with this witness and then when the witness is completed
19 then scheduling for a status conference can be discussed.

15:51:29 20 PRESIDING JUDGE: All right. We will proceed on that basis
21 then. If we do conclude the witness tomorrow we will make some
22 appropriate orders applicable to next week.

23 MR GRIFFITHS: Very well.

24 PRESIDING JUDGE: Yes.

15:51:48 25 MS HOLLIS: Thank you, Mr President.

26 PRESIDING JUDGE: Thank you, Ms Hollis. Can we have that
27 witness brought in, please.

28 MR KOUMJIAN: Your Honour, before the witness is brought
29 in, just a formality in these circumstances. The witness

1 previously enjoyed protective measures and that was from - in
2 fact testified in front of your Honours with pseudonym and that,
3 as far as I have determined, is from the 5 July 2004 decision in
4 the Sesay et al case. The witness has indicated he is willing to
15:52:33 5 testify open without pseudonym or screening. There is only one
6 question that we will ask to put into private session for the
7 privacy of other individuals, but he is prepared to testify open.

8 So we would ask the Court to revoke for the purposes of
9 this trial the protective measures ordered on 5 July 2004. He
15:53:03 10 was one of this Category 1 witnesses of fact group and that would
11 be paragraphs (a) through (f). We would ask that all of that be
12 revoked. This refers to having the witness screened, a pseudonym
13 and not appearing in the records of the Court, other than the
14 current address of the witness that should remain confidential.

15 PRESIDING JUDGE: Thank you, Mr Koumjian. Just before the
16 witness comes in, is there any problem with that, Mr Griffiths?

17 MR GRIFFITHS: Of course we welcome that change in
18 position, Mr President.

19 PRESIDING JUDGE: Thank you.

15:53:47 20 [Trial Chamber conferred]

21 We note the Prosecution application for a rescission of the
22 protective measures which were granted by a Trial Chamber I
23 decision of 5 July 2004 and we make an order rescinding
24 protective measures (a) to (f) of that decision, but the
15:54:17 25 witness's current address is an exception in that it will remain
26 confidential.

27 Mr Koumjian, what language will he be testifying in?

28 MR KOUMJIAN: The witness will testify in Krio.

29 PRESIDING JUDGE: Thank you.

1 WITNESS: ALUSINE CONTEH [Sworn]

2 EXAMINATION-IN-CHIEF BY MR KOUMJIAN:

3 Q. Sir, would you tell the Court your name?

4 A. Well, my name is Alusine Conteh.

15:57:26 5 Q. Mr Conteh, can you tell us how old you are now?

6 A. Well, I am 59.

7 Q. Mr Conteh, can you tell us where you were born?

8 A. I was born in Kabonka village.

9 Q. In which district is that?

15:57:53 10 THE INTERPRETER: Your Honours, can he kindly repeat the

11 name of the place.

12 PRESIDING JUDGE: Can you repeat that name of the village
13 again, please, Mr Witness?

14 THE WITNESS: Kabonka village.

15:58:06 15 MR KOUMJIAN: Your Honours, our spelling for that is

16 K-O-B-O-N-K-A:

17 Q. Sir, is that in Sierra Leone?

18 A. It is in Sierra Leone. It is a village.

19 Q. And which district is that in?

15:58:24 20 A. It is in the Tonkolili District.

21 Q. Sir, have you ever --

22 JUDGE SEBUTINDE: Mr Koumjian, did you give us a correct
23 spelling?

24 MR KOUMJIAN: K-A-B-O-N-K-A. Thank you. That is phonetic,
15:58:54 25 your Honours. I have not been able to find it on a map:

26 Q. Sir, did you ever have the opportunity to go to school?

27 A. No.

28 Q. Can you read or write?

29 A. When you don't go to school you can't write.

1 Q. Sir, can you tell us which languages you speak?

2 A. Well, my natural language spoken in my village, that is
3 Limba. I do speak Krio and Temne.

4 Q. Sir, what tribe or ethnicity are you?

15:59:36 5 A. I am a Limba. My father is Limba. My mother is Limba.

6 Q. Have you ever lived in Freetown, sir?

7 A. Yes, sir.

8 Q. And can you tell us, Mr Conteh, when you first came to live
9 in Freetown?

15:59:55 10 A. Well, I came to Freetown since 1976.

11 Q. Did you continue to live in Freetown between 1976 and 1999?

12 A. Yes, sir.

13 Q. Did you have any occupation during that time?

14 A. Well, at the time that I came in 1976, because I hadn't any
16:00:30 15 job, we used to go to government wharf to off-load ice.

16 Q. Did you do any other work in subsequent years?

17 A. When I knew that that was a painful job, I learnt how to
18 cook.

19 Q. Were you ever able to find a job as a cook?

16:00:53 20 A. Yes, sir.

21 Q. Where did you work, Mr Conteh?

22 A. I worked for Sierra Fisheries for Jamile Sahid Mohamed.

23 MR KOUMJIAN: Your Honours, the spelling we have of that is
24 J-A-M-I-L-E, Jamile, Sahid S-A-H-I-D and Mohamed the normal
16:01:17 25 spelling:

26 Q. How long did you have that job, sir?

27 A. Well, I worked there for 18 years.

28 Q. And what happened when you stopped? Why did you stop
29 working there?

1 A. Well, you know, on the job, if you don't die, they will
2 sack you.

3 Q. Did Mr - okay, did anything happen that caused that job to
4 come to an end that you recall now? Let me strike that question.

16:01:56 5 Did Mr Jamile Sahid Mohamed stay in Sierra Leone?

6 A. No, he went out. He is not even alive; he died.

7 Q. Sir, I want to now bring you to January 1999. Do you
8 remember what happened in January 1999?

9 A. Well, January 1999, nobody can tell me because I knew what
16:02:34 10 actually happened.

11 Q. Can you tell us in January, as that month began, where did
12 you live?

13 A. I was at Falcon Street, Kissy, up the mental home.

14 Q. When you say Kissy, is that part of Freetown?

16:02:54 15 A. Yes, it is part of Freetown, the Western Area.

16 Q. The western area, sir?

17 A. Yes, sir. Not east, western area.

18 Q. And you said up the mental home. Can you explain what you
19 mean about the mental home?

16:03:19 20 A. That was - that is opposite the mental home, Crazy Yard
21 because Kissy and Falcon Street.

22 Q. Okay. Is the mental home known by another name?

23 A. They call there Kissy Crazy Yard. I was at Falcon Street.

24 Q. At that time did you have - were you doing anything for
16:03:52 25 money, to make money?

26 A. Yes, I had a bar that I had and a house which I had rented.

27 Q. Where was the bar?

28 A. The bar was close to the house because I had a booth there.

29 Q. When you say close to the house, do you mean the house you

1 were living in on Falcon Street?

2 A. Yes.

3 Q. And what was your status in that house? Were you the
4 owner?

16:04:31 5 A. I was not the owner. It was owned by one Mr Adam Smith,
6 but I was the caretaker for the house.

7 Q. What does that mean, that you were the caretaker? Can you
8 explain that to us, sir?

9 A. Well, when you rent a house, and the people find out that
16:04:56 10 you are honest to him, the people would designate you to be
11 collecting monies from the tenants who were there and bring that
12 money to him. That is the caretaker.

13 Q. Was anyone living in your house with you, any family of
14 yours?

16:05:13 15 A. My children, my sisters, my sister and her children, we
16 were all living there, together with some other tenants.

17 Q. When you say your children were living with you, can you
18 tell us which children were living with you?

19 A. Well, because in the first place I had one child, Karim
16:05:44 20 Conteh. Then, from there, my sister's children and my wife's
21 sister was also with me, plus my wife, Marie, my wife Aminata.
22 Then there was another who was Tenneh Conteh. Yes, then another
23 one who was - what do they call that person? Other children,
24 small children, but they were all with me.

16:06:25 25 MR KOUMJIAN: Your Honours, the spelling Tenneh Conteh,
26 Conteh is spelt C-O-N-T-E-H but Tenneh T-E-N-N-E-H.

27 Q. Sir, how old was your son Karim.

28 A. He was four years old.

29 Q. Now, you have mentioned Marie. What was your relationship

1 with Marie?

2 A. Marie was my wife's younger sister, but she was staying
3 with me.

4 Q. How old was Marie in January 1999, about?

16:07:45 5 A. Well, she was about 16 years.

6 Q. What was your relationship to Tenneh? Who was Tenneh?

7 A. Well, Tenneh was my elder sister's daughter, but I was
8 taking care of her together with her mum.

9 Q. So Tenneh's mother was living with you also?

16:08:12 10 A. Yes, sir.

11 Q. And was it - did Tenneh have any brothers or sisters?

12 A. Yes, she only had a sister.

13 Q. Was the sister living with you?

14 A. Yes, yes. They call her --

16:08:31 15 THE INTERPRETER: Can he kindly repeat the name of the
16 sister.

17 MR KOUMJIAN:

18 Q. Can you repeat the name of the sister, please?

19 A. My sister?

16:08:43 20 Q. No, the sister of Tenneh?

21 A. Naniyor.

22 MR KOUMJIAN: Your Honours, our spelling N-A-N-I-Y-O-R:

23 Q. Sir, do you recall the 6th of January 1999?

24 A. Well, yes.

16:09:12 25 Q. Can you tell us what you remember about that day? What you
26 were doing?

27 A. Well, on that day I was at home because I was doing my
28 petty business in my house.

29 Q. Did anything happen that was unusual that day or evening?

1 A. No. Day broke. 6 January I took out my wares and I was
2 selling. I was there for the whole day and in the evening,
3 because I do not pack my wares early. After people leave the
4 workplace, that is the time I make sales. We were there up to
16:10:03 5 12. After 12, I packed my wares. When I packed them I took them
6 inside. After that I closed, but we had a policeman who had
7 rented with us called Alimamy, he was a policeman, but he had
8 gone for late duty.

9 When he knocked the door I opened. That was around
16:10:29 10 half-past-1. When I opened for him he entered. As he was going
11 he told me not to close the door, let me wait for him, he was
12 coming to buy something from me, and I said, "Okay, I will be
13 waiting for you outside in the living room." So when he took off
14 his uniform he came back, he met me and he bought some alcohol.
16:10:55 15 This alcohol that he bought we sat and he asked for a tumbler and
16 I gave it to him and he put some in it and he gave me and I said,
17 "No, I am all right. I don't want any more." He said, "Okay",
18 but he can't finish it. Then I said, "Okay, if you can't, you
19 can come for it in the morning."

16:11:20 20 So he was sitting there drinking. When we were sitting
21 there it was approaching quarter-to-2 when we heard the sound of
22 a gun by that Crazy Yard area. Then I said, "Oh, Alimamy, I have
23 heard the sound of a gun." Then Alimamy said, "Maybe it is for
24 security reasons." Then I said, "Oh, well, okay." Then I told
16:11:36 25 him, "Let's listen."

26 It was not long and then we heard another gunshot again.
27 Then he said, "Mm, we don't know what is happening." So we were
28 sitting down, we were sitting down there and he said he was going
29 up, and I said okay. It was not long, then we heard voices.

1 Some people were singing [Temne spoken].

2 THE INTERPRETER: Your Honours, can he kindly repeat that
3 song. That is a Temne song. I cannot interpret that in English.

16:12:12

4 PRESIDING JUDGE: Mr Witness, for one thing, you are
5 talking a little too quickly for the interpreter.

6 THE WITNESS: Okay.

7 PRESIDING JUDGE: Because your evidence is not only being
8 interpreted, it is being written down as well.

9 THE WITNESS: Okay.

16:12:26

10 PRESIDING JUDGE: But you mentioned a Temne song a little
11 while ago. Could you repeat the name of that, please, for the
12 interpreter.

13 THE WITNESS: When the two gunshots - when we heard the two
14 gunshots we heard another voice, when they sang [Temne spoken].

16:12:54

15 They said, "We have come. Fatherland, motherland, nobody will be
16 able to drive us away".

17 MR KOUMJIAN: Okay, thank you:

18 Q. Now, sir, you sang in Temne, is that correct, just now?

19 A. Yes.

16:13:09

20 Q. What languages do you speak?

21 A. That was why I said that I am a Limba, I can speak Temne, I
22 speak Krio. I speak three languages.

23 Q. Now, can you also interpret for us into Krio what it was
24 that the people were singing that you heard. Tell us in Krio now
16:13:32 25 what it was that - the words of the song?

26 A. Okay, that song that they sang they said, "We have come.
27 You have said - you have refused us. We will never neglect you.
28 We are coming. We have come. We were born there and we did
29 everything there". Nobody would be able to drive them away from

1 the country, so they have come. They have come for peace.

2 Q. Thank you. Now, just to make sure we understand what you
3 have told us, you said on 6 January you sold your goods after
4 work and that you packed up your things at 12. Is that 12 noon

16:14:19 5 or 12 midnight?

6 A. Midnight.

7 Q. So when you heard these gunshots you said that was about --

8 A. About 2.30.

9 Q. Is that in the afternoon or in the early morning?

16:14:41 10 A. Towards dawn.

11 Q. Thank you. Now, this Mr Alimamy, what kind of policeman
12 was he?

13 A. He was a regular police.

14 Q. Was he the kind of police that carried guns?

16:15:00 15 A. No, he was a normal police.

16 THE INTERPRETER: A correction, interpreter. He was a
17 numbered policeman.

18 MR KOUMJIAN:

19 Q. Sir, can you repeat. What kind of policeman was Alimamy?

16:15:22 20 A. Well, the tribe you mean?

21 Q. No, sir. No, just was he --

22 A. He was a regular policeman.

23 Q. Thank you. Sir, these people that you heard singing the
24 songs, could you tell where they went?

16:15:41 25 A. Well, I was not bold enough to come out, but we used to see
26 them passing by. I did not know whether they were looking for
27 the city.

28 Q. What kind of people - did you see them? You said you saw
29 them looking out. Did you see what they looked like?

1 A. Well, it was still dawn, but we were able to see people
2 through the windows as they were passing by.

3 Q. Can you describe what you saw?

16:16:29

4 A. What I saw - because there was another morning. The other
5 morning, the next morning, I was sitting down.

6 Q. Sir, I am going to come to the next morning in just a
7 second. I just want to make sure I understand what happened when
8 the people came by singing Temne songs. Could you tell in which
9 direction they were going? Which direction they came from and
10 which direction --

16:16:49

11 A. Well, they had come from the Crazy Yard area. They were
12 going to towards town.

13 Q. Did they stop on your street, Falcon Street?

14 A. No, they passed by.

16:17:10

15 Q. So now, sir, tell us what happened the next day?

16 A. Well, the next day in the morning somebody who was a worker
17 was going to Crazy Yard, that was where that person worked. The
18 person came out wanting to wait for their bus to go, but when
19 this person reached at Upgun turntable --

16:17:41

20 THE INTERPRETER: Your Honours, can the witness slow down
21 his pace and clarify the gender.

22 PRESIDING JUDGE: Mr Witness, I am going to have to
23 interrupt you again. The interpreter is having trouble keeping
24 up with you. Can you please slow down your evidence.

16:17:55

25 THE WITNESS: Okay. Yes, sir.

26 PRESIDING JUDGE: Now, the last thing that was recorded is
27 that you said, "The person came out wanting to wait for their bus
28 to go, but when this person reached Upgun turntable --" Could
29 you continue from there.

1 THE WITNESS: Okay. That was one of our workers who worked
2 at Cape Sierra. This person used to go to me to drink. Early in
3 the morning - he used to go early in the morning, but when this
4 person got to Upgun turntable this person saw people returning
16:18:41 5 home. Everybody was running. Then this person came and said,
6 "Mr Alusine, don't take out your goods. People are running
7 helter-skelter in town" and this person said he or she was going
8 home. I hope you have got that clearly.

9 MR KOUMJIAN:

16:19:01 10 Q. Mr Conteh, I am going to ask you a couple of questions
11 about that and just so you know we have plenty of time, take your
12 time. We were writing down everything you say and we are very
13 interested in hearing it, but there is no rush. If you speak
14 slowly and clearly we will get it correctly. Now, what was
16:19:23 15 written down, and maybe you can clarify, you said that, "One of
16 our workers who worked at Cape Sierra". What is Cape Sierra?

17 A. It's a hotel.

18 Q. Thank you. Now what was written down was that you said,
19 "This person used to go to me to drink". What did you say? What
16:19:46 20 did you mean?

21 A. He is a friend. He used to go to me to drink and I knew
22 where he was working.

23 Q. Okay, thank you. Then what happened?

24 A. It was not long and then we heard the message that they
16:20:13 25 have opened up Pademba Road.

26 Q. What is Pademba Road?

27 A. Pademba Road is where they jail people.

28 Q. When you heard they had opened up Pademba Road, who did you
29 hear had opened up Pademba Road?

1 A. Well, I think it's the group that passed, that is the next
2 day.

3 Q. Okay. After you heard about Pademba Road, what did you do
4 then?

16:20:49 5 A. Well, what I did, I saw people advancing. They said there
6 is a problem in town that they have opened up Pademba Road and I
7 said I had given somebody money to buy my alcohol to bring and I
8 said I was going to check on that.

9 Q. Okay, thank you. So again speak slowly and as clearly as
16:21:17 10 you can. What happened --

11 A. Okay.

12 Q. Thank you. What happened to the person you had given money
13 to go buy alcohol to bring to you?

14 A. Well, when I got to the Shell Company Old Road, on my way I
16:21:38 15 met some people sitting on top of the bonnet.

16 Q. Sorry to stop you. Now you said you gave money to another
17 man to buy alcohol to bring. That alcohol was for what purpose?

18 A. Yes.

19 Q. What was that alcohol for?

16:21:53 20 A. To be sold.

21 Q. Where? To sell where?

22 A. At my house.

23 Q. Okay, thank you. Now the man you gave money to go buy the
24 alcohol, did he go and buy alcohol for you or not?

16:22:14 25 A. Because when he comes in the evening - he will bring it in
26 the morning for me. In the evening he will come for his money,
27 the money that I had to pay him, and then I will give him money
28 to go and buy for me because in the morning I don't get up early.
29 On that day he was unable to buy it, but I met some --

1 THE INTERPRETER: Your Honours, can the witness kindly
2 repeat his answer slowly.

3 PRESIDING JUDGE: Mr Witness, once more I am going to have
4 to remind you to slow down. Please talk a little bit more
16:22:52 5 slowly. The interpreter can't possibly keep up with you and, as
6 I say, this is the all being recorded in writing as well.

7 THE WITNESS: I am sorry. It's the tongue.

8 PRESIDING JUDGE: That's quite all right. You will get
9 used to it in time, but make an effort to slow down, please.

16:23:13 10 THE WITNESS: Okay.

11 PRESIDING JUDGE: The last thing on record that you said
12 was you were talking about the person who was going to buy
13 alcohol for you and you said, "I will give him money to go and
14 buy for because in the morning I don't get up early. On that day
16:23:36 15 he was unable to buy it, but I met some -- " and could you
16 continue from there.

17 THE WITNESS: So when I came down I went to Shell Company
18 where I usually collected it. I met six jerry cans there. I
19 took some wheelbarrow men and asked them to bring them for me and
16:24:06 20 he said, "No, that is not your own palm wine". And I told them,
21 "No, there is problem here. I am not going to wait here. What I
22 have met here, I will take away" and they did not refuse. They
23 unloaded these things in the wheelbarrow and we came. On our way
24 coming I saw one man coming - I saw one man standing, he had two
16:24:25 25 guns, one here and one there. Then he halted us. Then he asked
26 what was there. "Is that fuel?" I said, "No, it's not fuel.
27 It's palm wine". And he asked me if I could open it up and I
28 said, "Of course" and I opened it. So when he smelt it he said,
29 "Okay, okay, you can go".

1 MR KOUMJIAN:

2 Q. Now, sir, you said you went by the Shell Company. Where
3 was the Shell Company? Where is the Shell Company?

4 A. New Road by the Waterloo Highway.

16:25:01 5 Q. In what part of - is that in Freetown?

6 A. It is in Freetown.

7 Q. In what part of Freetown? What is that considered?

8 A. All this area is the Kissy area.

9 Q. On your way to that area did you see any men with guns
16:25:22 10 besides this man that stopped you?

11 A. Before I went down I met people standing by the Shell
12 Company Old Road and every one of them had arms and I recognised
13 one man among them whom they had released from the Pademba Road.
14 He was there on the highway. He was tying a red piece of cloth.

16:25:51 15 But they did not assault me. I just passed through.

16 Q. Okay, I will come to the man with the red piece of cloth in
17 a minute. First the man that stopped you, do you recall what he
18 was wearing; whether he was in civilian clothes or a uniform?

19 A. Well, he had on a combat trousers and he was wearing a
16:26:21 20 kaftan, something like red.

21 Q. The man that you said had the red piece of cloth, did you
22 know a name that people called him?

23 A. The one I saw on the bonnet?

24 Q. Yes, sir. Yes, Mr Conteh.

16:26:42 25 A. Highwayman. Mr Highway. They called him --

26 THE INTERPRETER: Can he kindly repeat this last one.

27 MR KOUMJIAN:

28 Q. Can you please repeat, sir?

29 A. They called him Highway.

1 Q. Sir, you said that he was one man among them who had been
2 released from Pademba Road. What made you think that this man
3 Highway had been released from Pademba Road Prison?

16:27:29

4 A. Well, because he had a crime that he had committed, that
5 was a murder case.

6 Q. Was this person known or unknown to the people in the Kissy
7 area?

8 A. The entire Freetown, I know that the entire city knows him
9 because he was a popular man.

16:27:55

10 PRESIDING JUDGE: We are just about out of tape.

11 MR KOUMJIAN: Thank you, Mr Conteh.

12 PRESIDING JUDGE: Mr Witness, we are going to adjourn the
13 Court for today and we will resume with your evidence at 9.30 in
14 the morning. Before we adjourn, I have to point out to you that
15 because your evidence has not been completed we are ordering you
16 not to discuss your evidence or the case with any other person.

16:28:16

17 Is that clear?

18 THE WITNESS: Yes, sir.

19 PRESIDING JUDGE: Thank you. We will adjourn the Court
20 now.

16:28:34

21 THE WITNESS: Okay, thank you, sir.

22 [Whereupon the hearing adjourned at 4.30 p.m.
23 to be reconvened on Friday, 30 January 2009 at
24 9.30 a.m.]

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I N D E X

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CROSS-EXAMINATION BY MR ANYAH	23889
RE-EXAMINATION BY MS HOLLIS	23967
ALUSINE CONTEH	23976
EXAMINATION-IN-CHIEF BY MR KOUMJIAN	23976