



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 6 MAY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Carolyn Buff
Ms Sidney Thompson

For the Registry:

Ms Rosette Muzigo-Morrison
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Shyamala Alagendra
Ms Julia Baly
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Tuesday, 6 May 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:47 5 PRESIDING JUDGE: Good morning. I notice some changes of
6 appearance.

7 MR BANGURA: Yes, good morning, Madam President. Good
8 morning, your Honours. For the Prosecution this morning we have
9 Ms Brenda J Hollis; Ms Julia Baly; myself, Mohamed A Bangura;
09:31:10 10 Ms Shyamala Alagendra; and Ms Maja Dimitrova. Thank you, your
11 Honours.

12 PRESIDING JUDGE: Thank you, Mr Bangura. Yes, Mr Munyard?

13 MR MUNYARD: Good morning, Madam President, your Honours
14 and counsel opposite. For the Defence there's myself, Terry
09:31:28 15 Munyard, and Morris Anyah.

16 PRESIDING JUDGE: Thank you. If there are no other
17 preliminary matters, I will remind the witness of his oath? No.

18 Mr Witness, you recall that yesterday you took the oath and
19 promised to tell the truth. That oath is still binding on you
09:31:46 20 and you must answer questions truthfully. Do you understand?

21 THE WITNESS: Yes.

22 PRESIDING JUDGE: Please proceed.

23 MR MUNYARD: Thank you, your Honour.

24 WITNESS: TF1-143 [on former oath]

09:31:56 25 CROSS-EXAMINATION BY MR MUNYARD [Continued]:

26 Q. Good morning, Mr Witness.

27 A. Good morning.

28 Q. Can I just say this to you that, if I ask you a question
29 that you don't understand, please say so and I'll try to ask it

1 in another way to make it clearer. Going back to where we left
2 off yesterday, you said that the reason that you had told the
3 Prosecution originally that you were present at the explosion
4 which led to SAJ Musa's death was because:

09:32:35 5 "Where the thing happened was not too far away from where I
6 was standing ...", that is where the bomb exploded, "... and we
7 were standing just outside the gates and it was just a roundabout
8 that separated where the ammunition dump was and where we were
9 standing".

09:32:55 10 Do you recall saying that to the Court yesterday?

11 A. Yes.

12 Q. Can you recall, Mr Witness, telling the Prosecutors in
13 2004, that's the second interview that you had with them, that
14 you were in - sorry, that Kabila told you that SAJ Musa was dead
09:33:42 15 and had been killed by bomb fragments because of a fire in the
16 house where ammunitions were being kept?

17 MR BANGURA: May it please, your Honour, I'd be grateful if
18 my learned friend could provide us with the reference. I realise
19 that he's putting to the witness a statement which the witness
09:34:01 20 made to the Prosecution.

21 MR MUNYARD: It's the interview of 9 December 2004 and I
22 believe the page numbers of some of these interviews have
23 changed, but I am going from 00034643:

24 Q. Let me just put that again to you, Mr Witness, so that you
09:34:30 25 fully understand what I'm asking. Can you remember in the second
26 interview you had - and I appreciate it's a long time ago, but
27 can you remember telling the Prosecution that Kabila had told you
28 that SAJ Musa was dead and that he'd been killed by bomb
29 fragments because of a fire in the house where ammunitions were

1 being kept? Can you remember telling the Prosecution that?

2 A. At that time I had made it clear that when they went and
3 met me they said the things that happened they wish it would not
4 recur again, so at that time I was a little afraid. I did not
09:35:31 5 have confidence. And when they told me that it was a Special
6 Court affair I was a little afraid, but later when they gave me
7 confidence they asked me, they said I should explain the things,
8 then I started explaining. And where we were standing and where
9 the ammunition dump was, it was just a roundabout that separated
09:35:58 10 the gate and the ammunition dump and so it was there that the
11 bomb exploded. Myself, I saw it when the bomb exploded. I saw
12 it live.

13 Q. So it would not be right, would it, to say that you were in
14 the bush when the explosion occurred?

09:36:25 15 A. If I were there I would have told them if I had incurred
16 casualty, if I incurred wounding on my body, and if I would have
17 said that Shyamala would have asked me where I incurred injury
18 because I was there when the bomb exploded and hit SAJ.

19 PRESIDING JUDGE: Mr Witness, the question was that it
09:36:53 20 would not be right to say that you were in the bush. It's not
21 about whether you were injured. It's about where you were.

22 THE WITNESS: I was at the gate. I was standing there.

23 MR MUNYARD:

24 Q. Let me just ask that question again, please. If you were
09:37:17 25 at the gate and you were standing there it would not be right to
26 say that you were in the bush when the explosion occurred, do you
27 agree?

28 A. We were all not in the bush, we had all come now into the
29 town, but they did not allow us to enter the barracks. That was

1 where they stopped us, at the gate. We were not in the bush no
2 longer at that time. We were by the gate of the barracks.

3 Q. Thank you. Had there been a fight the night before between
4 the RUF faction and the SLA faction?

09:38:19 5 A. Where are you talking about?

6 Q. The night before the explosion, or even the night of the
7 explosion?

8 MR BANGURA: Your Honour, I believe there's no evidence
9 before this Court that an explosion took place at night. That
09:38:41 10 might be misleading to the witness.

11 PRESIDING JUDGE: First of all, Mr Bangura, counsel for the
12 Defence is entitled to put his case to the witness and, secondly,
13 he didn't actually say the explosion took place at night. He
14 said, "The night before the explosion, or the night that the
09:38:59 15 explosion - or the time the explosion occurred".

16 MR BANGURA: My understanding is that he put it to the
17 witness in two alternatives, the night before or the night of the
18 explosion, and of the explosion - the night of the explosion to
19 me --

09:39:16 20 MR MUNYARD: To take a completely different example we can
21 talk about the night of the coronation, but that doesn't mean to
22 say that the coronation took place at night. It means the night
23 on the day that the coronation occurred.

24 PRESIDING JUDGE: It might be wise to avoid ambiguity. In
09:39:34 25 fact if you are putting two separate days, the night before and
26 the day it occurred, strictly it should be put as two separate
27 issues, Mr Munyard.

28 MR MUNYARD: Yes. I think, Madam President, you appreciate
29 what I'm working from.

1 PRESIDING JUDGE: Yes, I do.

2 MR MUNYARD: And so I'm not entirely clear in my own mind,
3 but I'll clarify it with the witness:

4 Q. Mr Witness, what time of day did the explosion occur?

09:40:04 5 A. Well I did not know the particular day, but it was at night
6 that we got there.

7 Q. You were at the gates on the roundabout, you told us, when
8 the explosion occurred. What time of day or night was that when
9 you were at the roundabout outside the gates when the explosion
09:40:29 10 occurred?

11 A. It was almost in the morning hours.

12 Q. Does that mean in fact that it was at night, but close to
13 morning?

14 A. Yes.

09:40:52 15 Q. So although I didn't actually intend to say that it
16 occurred at night when I asked you the original question, you're
17 now saying that it did actually occur at night, are you?

18 A. It was almost at night. I can say it was in the morning,
19 because it was almost early in the morning. We were there until
09:41:19 20 the morning before we left to go to the bush.

21 Q. Right. Back to the original point of that line of
22 questioning, was there a fight between the SLA faction and the
23 RUF faction around the time of the explosion?

24 A. The time we got there our elders had already taken over the
09:42:05 25 barracks.

26 Q. Was there a fight between the RUF faction and the SLA
27 faction?

28 PRESIDING JUDGE: Mr Witness, do you understand the
29 question?

1 THE WITNESS: Yes. Yes, there was fighting, but before we
2 got there the fighting had subsided.

3 JUDGE SEBUTINDE: I'm not sure which - whether the witness
4 understands. You see, there were soldiers at Benguema barracks I
09:42:41 5 would imagine, I don't know, ECOMOG, SLA, I don't know, but I
6 think the question you're asking, Mr Munyard, is infighting?

7 MR MUNYARD: Yes.

8 JUDGE SEBUTINDE: You're asking about infighting and I
9 think you need to make that distinction.

09:42:54 10 MR MUNYARD: Yes, very well, your Honour, I will. Thank
11 you:

12 Q. When I'm talking about the SLA faction I'm talking about
13 AFRC, do you understand?

14 A. The question that you asked me, the SLA, the Sierra Leone
09:43:16 15 soldiers, used to train at the Benguema barracks, so when we went
16 before we got there our advanced team had already conquered the
17 barracks. They had already taken over the barracks before we got
18 there.

19 Q. So by SLA are you talking about the government soldiers, or
09:43:40 20 are you talking about AFRC soldiers?

21 A. I'm talking about the government soldiers.

22 MR MUNYARD: Right, thank you. Your Honour, Justice
23 Sebutinde, you are quite right that I was working perhaps on a
24 false assumption there:

09:43:55 25 Q. All right. Well, let me just ask you this then. Can you
26 remember saying to the Prosecutors the second time that you saw
27 them, that is December 2004, that the RUF defeated the SLA and
28 entered into Benguema? Can you remember saying that to them?

29 A. Yes.

1 Q. And then saying to them that, "We were in a bush where
2 there is a thick forest for the rest of the day"? Do you
3 remember saying that to them?

09:44:49 4 A. That was at the time we had now left the Benguema barracks.
5 When I said we went to the forest, that was the forest where we
6 were where they buried SAJ.

7 Q. Thank you. Do you remember telling them, "In Benguema we
8 broke into shops and looted"?

09:45:12 9 A. That was after they had buried SAJ. In the evening, whilst
10 we were coming down towards Benguema again, when we got there we
11 started breaking into shops and when we took the highway we went
12 up to Waterloo we did the same and then we went to Freetown.

13 Q. Mr Witness, don't worry about the explanation. I just want
14 to find out from you if you remember saying these things to the
09:45:37 15 Prosecution, do you understand? Do you remember saying, "We
16 spent the night there and in the morning Kabila told us that
17 SAJ Musa was dead"?

18 A. I told them that we were there for the whole day and it was
19 in the evening that we left there and went that we headed for
09:46:02 20 Freetown.

21 Q. Well, I'm just asking if you remember these things that I'm
22 reading from interview notes taken when you were interviewed in
23 December 2004. Can you remember telling the Prosecution that,
24 "... in the morning Kabila told us that SAJ Musa was dead"?

09:46:34 25 A. That was not how it happened.

26 PRESIDING JUDGE: Mr Witness, it is not - counsel is asking
27 about what you told the Prosecutors back in December 2004. He's
28 asking did you say these things, or did you not say these things?

29 THE WITNESS: Which things? Go over that.

1 MR MUNYARD:

2 Q. All right. Mr Witness, I'm not concerned with the story
3 now, with what actually happened, but I just want to know if you
4 remember saying these things to the Prosecution. Can you
09:47:17 5 remember saying to the Prosecution, "... in the morning Kabila
6 told us that SAJ Musa was dead"?

7 A. No.

8 Q. Can you remember saying to the Prosecution, "He was killed
9 by bomb fragments because of a fire in the house where
09:47:41 10 ammunitions were being kept"?

11 A. Yes.

12 Q. Thank you. And can you remember saying to them, "I was in
13 the bush when I heard the explosion"?

14 A. No.

09:48:00 15 Q. And then saying, "SAJ Musa's body was taken to the forest
16 in a hammock by soldiers"? Can you remember telling them that?

17 A. I said - no, I did not say so. That was not what I said.

18 Q. You didn't say that to them?

19 A. No, they were not soldiers. It was those of us that came
09:48:32 20 that took SAJ's body to the forest, not the soldiers who were in
21 the barracks.

22 MR MUNYARD: Madam President, your Honours, I didn't
23 reproduce all of this witness's statements, but I do have a clean
24 copy of most of them, just the one, and I wonder if it would be
09:48:54 25 helpful if it went on to the screen so that the witness can see
26 it? I don't know what the arrangements are in terms of the
27 protective measures here, but I'm in the Court's hands as to how
28 public or otherwise this can be.

29 PRESIDING JUDGE: Is there any indication as to who the

1 witness or the person making that statement is?

2 MR MUNYARD: Well, there is a signature at the bottom.

3 PRESIDING JUDGE: Mr Bangura?

4 MR BANGURA: And the witness's name at the top as well.

09:49:23 5 PRESIDING JUDGE: Oh, is there?

6 MR MUNYARD: Oh, yes, absolutely right. Yes.

7 PRESIDING JUDGE: Then we have a problem.

8 MR MUNYARD: Yes. In that case perhaps I can just have it
9 shown to him, while he follows what I'm saying, and then it can
10 be shown to the Court?

09:49:37

11 MR BANGURA: Your Honours, it has - it was not fully
12 established in examination-in-chief the level of education of
13 this witness in English. Prior to commencing my
14 examination-in-chief I did ask the witness whether he could read
15 and write English and he said "Yes", but it may be that that was
16 only for the limited - to a limited extent. I personally
17 understand his level to be one that is --

09:50:03

18 MR MUNYARD: Well I'm going to stop my learned friend there
19 for various reasons, not least of which I don't want him giving
20 indications to the witness intentionally or by accident. I can
21 establish with questions the capacity of the witness to follow
22 what is written down.

09:50:24

23 MR BANGURA: Very well, your Honour.

24 MR MUNYARD: Can I also add that I'm told that in the past
25 the AV booth has managed to operate the system whereby what's on
26 the screen isn't broadcast. I mean I'm personally happy to adopt
27 the procedure I've suggested, showing it to him and then showing
28 it to the Court so that you can see that I'm reading accurately
29 from the statement, but if the AV booth is able to use the screen

09:50:41

1 without broadcasting the document then that may be the simplest
2 way of dealing with it.

09:51:16 3 PRESIDING JUDGE: The other matter that I have not had
4 clearly established is what language this record of interview was
5 conducted in and whether it was subsequently interpreted and, if
6 so, by who.

7 MR MUNYARD: It was conducted in Krio and there was an
8 interpreter called Teresa Kargbo. Madam Court Officer is finding
9 out if it can be broadcast on the screen without going beyond the
09:52:01 10 courtroom.

11 MS IRURA: Your Honour, the relevant technician is not
12 there right now, but they are trying to contact him.

13 PRESIDING JUDGE: I think we will proceed on without
14 putting it on the screen.

09:52:10 15 MR MUNYARD: Yes, I was just going to say let's go on
16 without that. I'm not proposing spending a great deal of time on
17 this. Thank you, Madam Court Officer:

18 Q. Now, Mr Witness, if you look at that page in front of you
19 can you see your name at the top left-hand corner of the page?

09:52:40 20 A. Which one? Which number?

21 Q. Madam Court Officer will point to your name at the top of
22 the page.

23 A. Yes.

24 Q. And can you see a sentence at the top of the page that
09:52:54 25 starts, "In another village ..."? It is the very first sentence
26 just underneath your name.

27 A. Yes.

28 Q. And can you just - sorry, I think that was the interpreter.
29 Can you just read that sentence out to us?

1 A. Yes.

2 Q. Can you read it out loud to us?

3 A. "In another village Kabila said that O-Five had ordered to
4 kill all the people captured from now".

09:53:41 5 Q. Right. Can I ask the interpreter not to interpret at this
6 moment, because I would like - the witness is reading in English
7 and I'd just like him to read the next sentence also in English.
8 Would you carry on from where you left off where you finished
9 "captured from now on"?

09:54:02 10 A. "One woman, two old men and two child where killed".

11 Q. Yes, two children were killed. Yes, thank you. So you
12 don't have any difficulty reading that English, do you?

13 A. Yes.

14 Q. Thank you. I'm going to take you to the - do you see a big
09:54:29 15 paragraph with a lot of words in it starting, "When we reached
16 Benguema ..."?

17 A. Yes.

18 Q. And I'm going to take you through that paragraph, but I'm
19 going to start halfway down. Five lines from the beginning of
09:54:59 20 that paragraph there is a sentence that starts on the right-hand
21 side with the words, "The RUF ..." Do you see that? Madam Court
22 Officer will show it to you. Do you see that, Mr Witness? Can
23 you just tell us that you've seen it? I'm going to ask you to
24 read it out. Mr Witness, would you read that out to the Court?

09:55:54 25 A. "The RUF defeated the SLA and entered into Benguema".

26 Q. Thank you. Just carry on until I ask you to stop.

27 A. "We were in a bush, it's a thick forest, for the morning
28 Kabila told us ..." --

29 Q. No, I think you've gone one line too far. "We were in a

1 bush where is a thick forest ..."?

2 A. "And this" --

3 Q. Just carry on after "thick forest".

4 A. "... in a thick forest of the day in Benguema".

09:56:50 5 Q. No, let's just try that sentence again. Does it read - let
6 me read it to you and you tell me if you agree.

7 A. Okay, read it.

8 Q. "We were in a bush where is a thick forest for the rest of
9 the day." Is that what it says?

09:57:13 10 A. I had made correction on this page.

11 Q. Mr Witness, we'll come on to that in a moment. I just want
12 you to tell me if what I'm reading out is the same as what is
13 written on that page. Do you understand?

14 A. Okay.

09:57:31 15 Q. Now, I will read it out and would you tell me if I'm
16 reading it correctly. Look at the page, not at the Prosecution:

17 "We were in a bush where is a thick forest for the rest of
18 the day. In Benguema we broke into shops, looted."

19 Is that correct?

09:58:00 20 A. Yes.

21 Q. "We spent the night there and in the morning Kabila told us
22 that SAJ Musa was dead", is that correct?

23 A. Yes, yes.

09:58:20 24 Q. Thank you. "He was killed by bomb fragments because of a
25 fire in the house where ammunitions were being kept", is that
26 correct? Have I read that correctly?

27 A. Yes.

28 Q. "I was in the bush when I heard the explosion." Have I
29 read that correctly?

1 A. Yes.

2 Q. "SAJ Musa's body was taken to the forest in a hammock by
3 soldiers." Have I read that correctly?

4 A. Yes.

09:58:56 5 Q. "I did not see SAJ Musa die myself." Have I read that
6 correctly?

7 A. Yes.

8 Q. All right. Now, you've said that you made corrections to
9 this. When did you make the corrections?

09:59:26 10 A. It was in December 2007 that I made correction regarding
11 this page.

12 Q. All right. Well, we'll look at December 2007. Now you
13 were indeed interviewed in December 2007, on 7 December 2007, and
14 you did say some things about the time that SAJ Musa was killed,
10:01:22 15 but unless I have got it wrong you didn't actually correct the
16 part that we - the passage that we've just been looking at. As
17 far as I can see, the only thing that you said about the time of
18 SAJ Musa's death when you were questioned in December 2007 was
19 that the captured priest did prayers when SAJ Musa died. Now,
10:02:05 20 are you saying that you did some other corrections in December
21 2007 to the passage that we've been looking at? Mr Witness, did
22 you understand my question? Are you saying that you made some
23 other corrections in December 2007 that don't appear in the
24 written record of what you told the Prosecution in 2007?

10:02:46 25 A. Yes.

26 Q. All right. Do you understand that I'm reading from the
27 notes of your interviews and that, if I'm saying anything that's
28 wrong, members of the Prosecution will interrupt and point out my
29 mistake? Do you understand that?

1 A. Yes.

2 Q. All right. Now in 2008, about three weeks ago, in the
3 middle of April, you did indeed clarify some of the things that
4 you'd said in your very first statement, that's to say the 7
10:03:29 5 April 2003 account, and you said - and I'm looking at page
6 00100482. You said:

7 "Witness states he was not present at the scene himself
8 when the explosion that killed SAJ Musa occurred at Benguema
9 barracks. His narration of events was based on information he
10:03:56 10 received from Kabila, who was present."

11 Do you think that's maybe what you're thinking of when you
12 say you corrected something closer to the present time?

13 A. Yes.

14 Q. But what you were correcting close to the present day was
10:04:22 15 your original statement where you had told the Prosecution that
16 you were present when SAJ Musa - when the explosion occurred that
17 eventually led to SAJ Musa's death?

18 A. Yes.

19 Q. And that was what I first started asking you about
10:04:49 20 yesterday afternoon, because in that very first statement what
21 you're recorded as telling the Prosecution was that:

22 "After ammunition was looted at Benguema, fire was set on
23 what remained and that SAJ came upon the scene and peeped and
24 enquired who did it. As he was being given the answer by Junior
10:05:18 25 Lion, a bomb exploded and killed SAJ Musa. Witness said he was
26 present and was standing behind Kabila at the time in a very big
27 store."

28 You corrected that later, but you corrected that just three
29 weeks ago. Can you remember the first time you give an account

1 of these events actually telling the Prosecution that you were
2 present standing behind Kabila in a very big store?

3 A. That was at the gate. The roundabout separated us. My
4 boss stood around the roundabout and I said I just stood behind
10:06:11 5 him. That was where we were.

6 Q. In a very big store? Do you remember saying that to them?

7 A. Yes.

8 Q. Right. Now that's different from saying, "I was in the
9 bush when I heard the explosion", isn't it?

10:06:41 10 A. Yes, because we were not in the bush. We were by the gate.

11 Q. So why is it that you told them in the second interview, "I
12 was in the bush when I heard the explosion"?

13 A. Well I had said at that time I did not recall all the
14 events that happened, but whilst I went over them on and again I
10:07:14 15 recalled most of the things that I went through and so I was able
16 to tell them the facts.

17 Q. Do you agree, Mr Witness, that you have told the
18 Prosecution contradictory stories of your being near the
19 explosion that occurred that led to SAJ Musa's death?

10:07:53 20 A. At that time, yes, I told them that and I later made the
21 correction.

22 Q. So, why did you tell them that you were in the bush when
23 the explosion occurred if you weren't in the bush?

24 A. Benguema is not a bush. It was a barracks.

10:08:29 25 Q. Let me just ask that question one final time. Why did you
26 tell them that you were in the bush when you heard the explosion
27 if that's not true?

28 A. At that time I did not have much confidence, because I
29 thought they were hunting those of us who had taken part in the

1 war, or because they had said that the things that we went
2 through we should not recall them in mind again and more or less
3 they were trying to bring peace so that nothing of the sort would
4 reoccur again. It was after they gave me confidence that I was
10:09:25 5 able to tell them exactly what happened.

6 Q. So the first story that you told them was untrue and the
7 second account was true, is that what you're saying?

8 A. The second one?

9 Q. The second one is true, is it?

10:09:50 10 A. Which second one? At that time I did not recall all the
11 things that happened to me and it was only when I went - when I
12 thought over it over and again that I was able to put things in
13 place.

14 Q. Right. So the first time what you told them wasn't right
10:10:15 15 and then when you gained confidence you then told them the truth,
16 did you?

17 A. Yes.

18 Q. So the second account, which is that you were in the bush
19 when the explosion occurred, is the correct account, is it?

10:10:37 20 A. We were not in the bush when the explosion took place. We
21 had all come trying to enter the barracks.

22 Q. Mr Witness, the time when you told the Prosecution that you
23 were in the bush is more than 18 months later than the first time
24 you were interviewed by the Prosecution. It is the time by which
10:11:14 25 you had gained confidence in them, isn't it, and were willing
26 then to tell the truth? Is that not right?

27 A. I have taken my oath. I will not come here to tell lies.
28 Where I am seated here right now, I am saying the truth.

29 Q. Had you gained confidence in the Prosecution in the 18

1 months since the first interview? Don't look at the Prosecution.
2 They won't help you. Just look at the judges, please.

3 PRESIDING JUDGE: Mr Witness, remember what I told you
4 yesterday about your looking.

10:12:08 5 THE WITNESS: Yes, it will not happen again. Yes, I gained
6 confidence to explain everything because they had told us that
7 the things that happened in our lives should not recur, so I also
8 decided to say the truth so that we would have peace reign in our
9 lives.

10:12:39 10 MR MUNYARD:

11 Q. Right. I'm going to ask you about something else now,
12 please. When did you first meet and see Adama Cut Hand?

13 A. I saw Adama Cut Hand the time I came to Allen Town.

14 Q. So the first time you see her is when you're in Freetown,
10:13:07 15 is that right?

16 A. Yes.

17 Q. And you didn't see her at Koinadugu?

18 A. No.

19 Q. And you didn't see her at Benguema?

10:13:37 20 A. Not at all.

21 Q. Or Waterloo?

22 A. I did not see her there. I said it was when I got sick and
23 when I went to Allen Town I was seated by a house and it was her
24 boys that took me to their own house where they were.

10:14:07 25 Q. Thank you. Can you remember in the first interview with
26 the Prosecution saying that Adama Cut Hand was your immediate
27 boss at Koinadugu?

28 A. You said - please, go over the question.

29 Q. Can you remember telling the Prosecution the first time

1 they interviewed you that Adama Cut Hand was your immediate boss
2 at Koinadugu?

3 A. No, it was Kabila who was my boss since the day I was
4 captured up to the time we went to Freetown.

10:14:55 5 MR MUNYARD: Your Honours, for the purpose of the record
6 I'm going to read something from page 00034646, and again so that
7 the witness is not disadvantaged I will provide a clean copy of
8 that page.

9 JUDGE SEBUTINDE: This is the interview of when,
10:15:24 10 Mr Munyard?

11 MR MUNYARD: 7 April 2003, your Honour:

12 Q. Now, Mr Witness, I'll do the same as I did before. I will
13 read out various sentences and Madam Court Officer will show you
14 where they are and you tell me if I'm reading correctly what is
10:15:48 15 written on the printed page. We'll start on the very first line,
16 about two-thirds of the way along, with a sentence that reads as
17 follows, "Witness said whilst they were in Koinadugu they had two
18 camps." Have I read that correctly?

19 A. Yes.

10:16:22 20 Q. "They split into two. One group mixed with AFRC and RUF
21 camped in the upper part of Koinadugu and were headed by SAJ Musa
22 ..." Have I read that correctly?

23 A. Yes.

24 Q. "... whilst the group in which the witness was and led by
10:16:47 25 0-Five stayed in the lower section of Koinadugu after climbing
26 the hill into the town." Have I read that correctly?

27 A. Yes.

28 Q. "The next person to 0-Five in their own group was Kabila."
29 Have I read that correctly?

1 A. Yes.

2 Q. "And the next to him was one Mohamed, who was a lieutenant
3 and an AFRC." Have I read that correctly?

4 A. Yes.

10:17:26 5 Q. "Witness said Adama Cut Hand was next to Mohamed and that
6 she was in charge of the small boys group that was known as Cut
7 Hand Group ..." Have I read that correctly?

8 A. Yes.

9 Q. And that sentence carries on, "... the group that was known
10:17:50 10 as Cut Hand Group to which witness said he belonged." Have I
11 read that correctly?

12 A. I had made correction regarding all these ones. You read
13 it correctly.

14 Q. Thank you. And does the next sentence read, "Adama Cut
10:18:15 15 Hand was witness's immediate boss." Have I read that correctly?

16 A. Yes.

17 Q. And do you then go on in the next sentence to say that,
18 "Witness said their group had communicated to other groups and it
19 was Junior Lion who was in charge of the communication set"?

10:18:48 20 A. Yes.

21 Q. So you're dealing there with events at Koinadugu in what
22 I've read out, aren't you?

23 A. Well, when we went to Koinadugu and it was - the questions
24 were about Freetown, Allen Town, but the boys with whom we went
10:19:14 25 to Koinadugu, some of them were with Adama. It was those boys
26 who took me and said, "This is Kabila's own boy". And later the
27 next boss who took me up was, like I said, Adama, but from the
28 time I was captured the man who captured me was Kabila and he was
29 my boss up to the time we went to Freetown.

1 Q. So I'm right, aren't I, that in that passage that we've
2 been looking at you're dealing with events at Koinadugu, yes?

3 A. You know when they interviewed me at a point in time the
4 next time they come they would interview me again, so at that
10:20:02 5 time what I told them was not the correct thing and then when
6 they read it over to me I told them - I said, "No". At that time
7 I did not even know most of these people. The group that O-Five
8 headed was the group that captured us and we went to Koinadugu.

9 Q. Mr Witness, when you told them about Adama being your
10:20:26 10 immediate boss next to Mohamed at Koinadugu were you just mixed
11 up or confused, or were you telling them something that you knew
12 wasn't true?

13 A. At that time I was not having the peace of mind, because
14 when at any time I recalled the things that I went through I felt
10:21:01 15 it so much, even when as I am speaking now.

16 Q. Let me try that again. When you gave them that account in
17 the first interview were you just mixed up, or were you
18 deliberately telling them something that you knew was not the
19 truth about Adama Cut Hand being at Koinadugu?

10:21:30 20 A. If I told them deliberately? Go over that.

21 Q. In that first account when you were putting Adama Cut Hand
22 at Koinadugu was that because you were just confused or mixed up,
23 or was it because you were deliberately telling them something
24 that you knew wasn't true?

10:21:56 25 A. That was the - those were the last things that happened to
26 me that I recalled. Like when we came to Freetown, the things
27 that happened to me there were the last things and so they were
28 the things I recalled very swiftly.

29 MR MUNYARD: Well, I'm going to move on from that. I don't

1 know if the Court wants that pursued? I wasn't planning on
2 pursuing it.

3 PRESIDING JUDGE: Very well, Mr Munyard, please proceed.

4 MR MUNYARD:

10:22:28 5 Q. I'm now going to ask you about another passage in that same
6 interview on page 00045569 - sorry, it's now in its third
7 incarnation in terms of the numbers. It's actually now page
8 00034647. The page I'm going to hand to the witness has got two
9 totally different numbers on it, but it is the same page and it's
10:23:11 10 actually the very next page of the same interview for the
11 purposes of the record.

12 Mr Witness, this is the next page of the record of what you
13 have said to the Prosecution in April of 2003 and I'm going to
14 ask you about a passage just over halfway down the page. On the
10:23:45 15 right-hand side there is a line that has "Lieutenant Mohamed" in
16 it, which I think is an easy name to spot. Immediately below
17 that, on the next line, there's a sentence at the very end of the
18 next line that starts, "Witness said when they got to Waterloo
19 ...". Do you see that.

10:24:12 20 A. Yes, here.

21 Q. And I am going to ask you about that passage now and tell
22 me if I'm reading correctly, please:

23 "Witness said when they got to Waterloo there was a fight,
24 but not a big one as there was little resistance from the Sierra
10:24:29 25 Leone Army."

26 Is that correct? I mean, have I read that correctly?

27 A. Yes.

28 Q. "Many people were captured and houses burned and that they
29 went to the Benguema military training centre where they looted

1 arms and ammunition." Have I read that correctly?

2 A. Yes.

3 Q. "At this juncture witness said another group, which
4 included Gullit, Five-Five and Superman, came from Makeni to join
10:25:08 5 them." Have I read that correctly?

6 A. Yes.

7 Q. "Witness said the group told them they had come all the way
8 from Makeni to join, but does not know whether there was
9 communication with them from his own group." Have I read that
10:25:30 10 correctly?

11 A. Yes.

12 Q. "At that time witness said he saw most of the commanders
13 together ..." Have I read that correctly?

14 A. Yes.

10:25:46 15 Q. And does that sentence carry on, "... including Junior
16 Lion, Gullit, O-Five, Five-Five, Superman, Kabila, Adama Cut
17 Hand, Lieutenant Mohamed and Lieutenant Komba so far as he could
18 remember." Have I read that correctly?

19 A. Yes.

10:26:17 20 Q. And does that page end with a sentence that I've already
21 read to you, "Witness said after ammunition was looted at
22 Benguema, fire was set on what remained and that SAJ came upon
23 the scene"? Well you won't have the next page, but that's the
24 passage we looked at earlier. Is that how that page ends?

10:26:41 25 A. Yes.

26 Q. So when you were telling the Prosecutors in April of 2003
27 that you saw Adama Cut Hand at Waterloo were you just mixed up,
28 or were you telling them something that you deliberately knew
29 wasn't true?

1 A. Well, I had put all the command - the names of the
2 commanders on a list and when we went up there now, when we went
3 to Freetown, I was just calling the names of the commanders that
4 I knew. So, these are the names that I called.

10:27:26 5 Q. But when you were being asked questions about these events
6 in 2003 that was much closer to the time that these events had
7 happened than we are at the present time, wasn't it?

8 A. Yes.

9 Q. And when you were being asked questions about who you met
10:27:59 10 at Koinadugu and at Waterloo you were having to go back in your
11 mind to remember who was there and what they were doing, weren't
12 you?

13 A. Yes.

14 Q. And so you weren't just listing all the names of commanders
10:28:23 15 you knew. You were listing the names of people who you claimed
16 to remember being at either Koinadugu or Waterloo, weren't you?

17 A. Yes.

18 Q. So, why did you include Adama Cut Hand in both Koinadugu
19 and Waterloo when your memory could not have put her there if in
10:28:54 20 fact you didn't meet her until later when you got to Freetown?

21 A. The place where I joined her was in Freetown, that was the
22 last area where I joined her, and she was my last commander
23 there. That is in fact why the incidents that we passed through
24 with her, those are the ones I recalled.

10:29:25 25 MR MUNYARD: Well again, Madam President, I'm not going to
26 pursue that unless the Court wishes me to? No. Thank you:

27 Q. Did you actually see Superman at Koinadugu?

28 A. No.

29 Q. Did you see Superman at Waterloo?

1 A. No, it was my boss that told me that he was amongst the
2 group that came. That is Kabila.

3 Q. So what you said about him back in April of 2003 wasn't
4 true either, is that right?

10:30:30 5 A. How?

6 Q. By saying in that list of people who you saw at Waterloo
7 that Superman was amongst them?

8 A. I said it was a group that came and joined us at Waterloo,
9 when they came from Makeni, and at that time we had now moved
10:30:58 10 from Benguema when the group came. When we came from Benguema,
11 by the time we got there at the junction we saw that shops were
12 now on fire and there were lootings going on.

13 Q. Mr Witness, I'm only asking you about whether or not you
14 saw Superman at Waterloo. You've told us that you didn't,
10:31:28 15 although it appears that you told the Prosecution in April 2003
16 that you did. I'm not asking you about what was happening, just
17 who was there. Do you understand?

18 A. Yes.

19 Q. And just help us with this. How was it that when the
10:31:56 20 ECOMOG soldiers captured you from the mosque in Allen Town that
21 you managed to in effect escape?

22 A. I was in the mosque and the Pa who owned the mosque, when
23 he came and opened the mosque he saw me in there and he locked it
24 again and went and invited the Nigerians.

10:32:25 25 MR BANGURA: Your Honours, my learned friend makes mention
26 of the fact that the witness escaped. I don't think there is
27 evidence before this Court that the witness did escape.

28 MR MUNYARD: I'll clarify. I accept my learned friend's
29 point. I will clarify it:

1 Q. How was it that after you had been handed over to the
2 ECOMOG forces that you ended up being released?

3 A. When they brought me they were about to go and kill me and
4 the head of the officers who was at the checkpoint, the Sierra
10:33:11 5 Leone Police, they called him. They said before - he told them
6 that before they could do anything to me let them take me to him
7 so he would conduct some investigation.

8 MR MUNYARD: I see. Would your Honour give me just a
9 moment?

10:33:39 10 PRESIDING JUDGE: Yes.

11 MR MUNYARD: Thank you very much. Those are my questions.

12 PRESIDING JUDGE: Thank you. Mr Bangura, re-examination?

13 MR BANGURA: Yes, your Honour, just a few questions.

14 RE-EXAMINATION BY MR BANGURA:

10:34:24 15 Q. Mr Witness, in answer to questions put to you by counsel
16 for the Defence you did make reference to corrections that you
17 had made to statements - to your previous statements - that you
18 made in your first and second statement. Do you recall that?

19 A. Yes.

10:34:47 20 Q. In relation to the incident regarding the death of SAJ Musa
21 at Benguema, do you recall making a correction --

22 A. Yes.

23 Q. -- of your previous statement on that point?

24 A. Yes.

10:35:20 25 PRESIDING JUDGE: Incidentally, Mr Bangura, we've just been
26 informed that the technician who can show the documents in the
27 courtroom only is now in place. We've just been given that
28 information, so if you want to display something --

29 MR BANGURA: Yes, that would be helpful, your Honour.

1 PRESIDING JUDGE: Unfortunately, Mr Munyard, he wasn't in
2 position whilst you were cross-examining.

3 MR BANGURA: That would be most helpful. Your Honours, I
4 will be seeking to show the witness a statement, or an interview
10:36:13 5 note, but we are trying to get a clean copy of it. We have a
6 difficulty in getting a clean copy. I shall try to read to the
7 witness and I believe my learned friend has got a copy of the
8 last interview notes that we took from this witness.

9 PRESIDING JUDGE: Have you a date?

10:36:42 10 MR MUNYARD: Madam President, I seem to have everything
11 twice, but with a whole series of different numbers, and so if my
12 learned friend can indicate to me a date?

13 MR BANGURA: Well, I shall be dealing with the additional
14 information provided that covered an interview with the witness
10:37:00 15 on 16, 17 and 18 April 2008. My learned friend referred to it.

16 PRESIDING JUDGE: Which of the three days, or they're all
17 in one piece?

18 MR BANGURA: All of these are in one document, your Honour.

19 PRESIDING JUDGE: I see.

10:37:16 20 MR MUNYARD: Yes, while I look for that can I also correct
21 one thing. When I was giving the list of occasions on which the
22 witness was interviewed I omitted corrections that he made on 19
23 March 2008, so that was another occasion on which he was
24 interviewed. I will just look and see if I've got the April --

10:37:40 25 MR BANGURA: To assist my learned friend, it's - the first
26 page ERN number is 00100481 and it runs for nine pages ending at
27 00100489.

28 MR MUNYARD: It looks as though that is the only thing that
29 I haven't got twice, I'm afraid. I've got everything else up to

1 the 18 and 19 March 2008.

2 PRESIDING JUDGE: At least, Mr Bangura, if you can read
3 whilst --

10:38:14

4 MR BANGURA: Well, my learned friend was reading from this
5 very statement this morning.

6 MR MUNYARD: Yes, I'm saying I haven't got that one twice.
7 I've got a marked copy. I thought I was being asked for an
8 unmarked copy.

10:38:27

9 PRESIDING JUDGE: It's a clean copy you're looking for,
10 Mr Bangura, and since we haven't got a clean copy to hand I'm
11 saying read.

12 MR BANGURA: Yes, your Honour:

10:38:46

13 Q. Mr Witness, first in relation to the death of SAJ Musa, and
14 I'm reading from page 2 of this document, ERN page number
15 00100482, did you make this correction to the Prosecution and I'm
16 reading the part of this document that makes that correction,
17 "clarification of statement dated 7 April 2003", and the
18 clarification is in respect of page ERN 00034648. Your
19 clarification related to lines 2 to 5 on that page. Did you make
20 this statement, that you were not present - I will read
21 specifically:

10:39:32

22 "The witness states that he was not present at the scene
23 himself when the explosion that killed SAJ Musa occurred at
24 Benguema barracks. His narration of events was based on
25 information he received from Kabila, who was present."

10:39:50

26 Did you make that correction to your statement?

27 A. Yes.

28 MR MUNYARD: I have actually read all of that word for word
29 to the witness earlier and he agreed. I don't know if this is

1 going to be developed, but I think we have covered that point.

2 PRESIDING JUDGE: It has been put, Mr Bangura.

3 MR BANGURA: It has been put, your Honour, but the position
4 where we are left at is one where it is not clear what the

10:40:21 5 witness's final position has been on this point.

6 PRESIDING JUDGE: Very well, ask the question.

7 MR BANGURA: It needs clarification:

8 Q. With regards to Adama Cut Hand, counsel asked you questions
9 about whether Adama Cut Hand was your immediate boss at

10:40:43 10 Koinadugu. Do you recall that?

11 A. Yes.

12 Q. And you said she was not your immediate boss, do you recall
13 that?

14 A. Yes, that's what I told him.

10:40:58 15 Q. You agreed with him that the statement - you agreed with
16 him that this fact appeared in a statement which you made before,
17 is that right?

18 A. Yes.

19 Q. Now, I'll read to you what you gave to the Prosecution in
10:41:21 20 your interview running through 16, 17 and 18 April regarding this
21 point.

22 JUDGE SEBUTINDE: Of which year?

23 MR BANGURA: Of April 2008, your Honour:

24 Q. Now, you corrected your statement dated 7 April 2003 and
10:41:48 25 the page you corrected is page ERN 00034646. Now, do you recall
26 saying this to the Prosecution and I read, "Witness only met and
27 worked with Adama Cut Hand when the group entered Freetown.
28 Before that time he had only heard her name"? Do you recall
29 saying that to the Prosecution?

1 A. Yes.

2 MR MUNYARD: I'm sorry, I'm following but not following
3 because I'm looking at a correction that says, "Witness only met
4 with Adama Cut Hand for the first time when they entered
10:42:32 5 Freetown. He heard her name, but had never seen or met her
6 before this time." Are we on that one, or are we on another one?

7 MR BANGURA: I'm reading from the first page and I'll read
8 - I'll be reading from page 00100481.

9 MR MUNYARD: I'm sorry, I was looking at 483 where he
10:42:54 10 corrects another placing of her at Koinadugu cooking for SAJ
11 Musa.

12 MR BANGURA: Yes, I'll go on to read that as well. Your
13 Honour, that will suffice. That makes the point about his
14 knowledge of Adama Cut Hand.

10:43:17 15 MR MUNYARD: Well my learned friend has said he will read
16 that one as well, so I'd be grateful if we could have that one
17 dealt with as well. It's originally page 34642.

18 MR BANGURA: Very well, I'll deal with that.

19 MR MUNYARD: And if that can be read out and the correction
10:43:36 20 that's on 10483 can then be read out.

21 MR BANGURA:

22 Q. You also corrected your statement dated 9 December 2004,
23 Mr Witness, and the page you corrected dealing with Adama Cut
24 Hand is page ERN 00034642. Is that correct?

10:43:57 25 A. Yes.

26 Q. And line 16 to 17 of that page is what was corrected. Do
27 you recall saying this to the Prosecution that:

28 "Witness only met with Adama Cut Hand for the first time
29 when they entered Freetown. He heard her name, but had never

1 seen or met her before this time"?

2 Do you recall saying that to the Prosecution?

3 A. Yes.

4 Q. Thank you.

10:44:27 5 MR MUNYARD: And can we have the passage then that is being
6 corrected with what's just been read out; the passage in the
7 middle of page 34642.

8 MR BANGURA: I believe the reference has been given, the
9 page and the lines, or the statement, the page and the lines that
10:44:45 10 are corrected by this statement which the witness made. I shall
11 go over that if --

12 PRESIDING JUDGE: Mr Munyard, are you directing
13 re-examination, or are you objecting?

14 MR MUNYARD: No, my learned friend said he would deal with
10:45:00 15 the second correction and it doesn't make sense just to read out
16 the correction. What should be read out is the first account and
17 then the correction. Otherwise the correction is pretty
18 pointless, with respect, and my learned friend did say he would
19 deal with it.

10:45:19 20 MR BANGURA: Your Honours, I propose and I have been
21 dealing with matters to do with the witness's prior contact and
22 knowledge of Adama Cut Hand and the fact that she was - it is
23 stated in a previous statement that she was the witness's boss.
24 The first correction has clearly dealt with the fact that the
10:45:38 25 witness never saw Adama Cut Hand before.

26 PRESIDING JUDGE: It was a reference to a previous
27 statement that Mr Munyard says has not been put.

28 MR BANGURA: I am not very clear with what my learned
29 friend is getting at, but I have made references to --

1 MR MUNYARD: I can deal with it very shortly indeed. It is
2 just two lines, "It is in Koinadugu that I saw Adama Cut Hand for
3 the first time. She was cooking for SAJ Musa. I saw her again
4 in Benguema. In Freetown she was in charge of cutting hands",
10:46:10 5 and then the correction is the correction that my learned friend
6 has just read out. That's all. I haven't - there are numerous
7 of these points. I have chosen not to go into all of them, but
8 just to present as global a picture as possible. As this one has
9 been raised, I thought it only right to have it dealt with
10:46:31 10 properly.

11 MR BANGURA: Your Honours, for correct references I have
12 said that the subsequent - the second of these corrections that I
13 read to the witness referred to or deals with a statement which
14 the witness made on the --

10:46:51 15 PRESIDING JUDGE: Mr Bangura, you have the record of
16 interviews. You and counsel for the Defence have the record of
17 interviews in front of you. We do not. From what we are now
18 told what was originally said has not been brought out either in
19 evidence-in-chief, or cross-examination, and there is a
10:47:05 20 correction. Therefore, we now note what was originally said and
21 note it and you put what the revised addition was so that the
22 witness can comment.

23 MR BANGURA: It has been put already, your Honour.

24 PRESIDING JUDGE: So, the two parts have now been put to
10:47:24 25 the witness?

26 MR BANGURA: Yes, your Honour.

27 PRESIDING JUDGE: Well, the witness has not commented on
28 the part that Mr Munyard has read out.

29 MR BANGURA: Your Honour, I have only dealt with the fact

1 that Adama Cut Hand was not the boss of this witness and that the
2 witness never met Adama Cut Hand before. That settles all of the
3 other issues contingent on this.

10:47:56 4 JUDGE SEBUTINDE: Mr Bangura, I sit here as one of the
5 judges on this Bench utterly confused at this procedure that
6 counsel have chosen to adopt where the Bench has no reference,
7 we're not looking at these statements, neither does the witness
8 and the two of you are not even agreed on the version that you're
9 reading. I just wonder where that leaves the record as far as
10:48:19 10 this witness's credibility is concerned. You are saying that
11 you're trying to re-examine this witness, but honestly speaking
12 this really leaves a lot to be desired with the Bench not having
13 access to these statements that you're reading out to the
14 witness, the witness himself not having access and the two of you
10:48:43 15 not agreeing on the text. I sit here and I'm just keeping quiet
16 wondering what to make of the whole of the last three pages of
17 this record really. An improvement has to be done.

18 MR BANGURA: Your Honour, a better way we can deal with it
19 is by putting to the witness without reading necessarily text,
10:49:03 20 unless my learned friend disagrees on what --

21 JUDGE SEBUTINDE: That is precisely my point. The two of
22 you have not agreed. The two of you that do have these records
23 don't agree and you cannot even come up with one clean record
24 that can be put on the overhead for the benefit of the judges and
10:49:22 25 the witness. What are we doing?

26 MR MUNYARD: Your Honour, I have a clean copy of all but
27 that last correction interview and here is the page that I was
28 referring to that was corrected in April of this year. I'm
29 afraid again the number is different from the final ERN number,

1 but it is I believe 00034642. I have got clean copies of
2 everything but that final correction interview.

3 PRESIDING JUDGE: Mr Bangura, what's happening?

10:50:49

4 MR BANGURA: Your Honours, the best way we would have gone
5 about this is to put the document up so that everyone can see,
6 but the problem is I have a copy which is marked. My learned
7 friend - oh, we've got a clean copy finally.

10:51:08

8 PRESIDING JUDGE: Again, I would remark that we still don't
9 know what language this record of interview was conducted in and
10 whether it was interpreted.

10:51:26

11 MR MUNYARD: Your Honour, this is the one that was
12 interpreted - it was in Krio and it was interpreted by Teresa
13 Kargbo on 9 December 2004 and I have supplied a clean copy. The
14 only question is the number at the top of the page, or numbers,
15 but --

16 PRESIDING JUDGE: Well, as long as you're ad idem that it's
17 the same record of interview.

10:51:37

18 MR BANGURA: Your Honours, we started off initially with my
19 learned friend putting these questions to the witness and for the
20 best part where those statements that were put to the witness
21 were correct the Prosecution did not take an issue with them. So
22 far what I have been trying to do is to ensure that where the
23 witness corrected those previous statements the corrections --

10:51:56

24 PRESIDING JUDGE: Mr Bangura, I'm clear what you're trying
25 to do. We're wasting a lot of time on trying to get the
26 information before us. As Justice Sebutinde has correctly
27 pointed out, we don't have these records. We need to know what
28 was said. I have already pointed that out also.

29 MR BANGURA:

1 Q. Mr Witness, in a previous statement which you made and
2 which counsel read to you it is stated in the statement that:

3 "It is in Koinadugu that I saw Adama Cut Hand for the first
4 time. She was cooking for SAJ Musa. I saw her again in
10:53:09 5 Benguema. In Freetown she was in charge of cutting hands."

6 Now do you recall that being put to you by counsel for
7 defence?

8 A. Yes, he asked me and I told him that Adama Cut Hand was my
9 last boss in Freetown.

10:53:30 10 Q. You did make the point that you did not see Adama Cut Hand
11 in Koinadugu, you did not meet her in Koinadugu, correct?

12 A. Yes.

13 Q. And that you had corrected your previous statement on this
14 point, correct?

10:53:51 15 A. Yes, I had made that correction.

16 MR BANGURA: Can the witness be shown the additional
17 information dated 16, 17 and 18 April 2008, page 00100481, the
18 portion which starts with page ERN 00034646, second point:

19 Q. Mr Witness, in your correction that you made to the
10:54:34 20 Prosecution did you say this:

21 "Witness only met and worked with Adama Cut Hand when the
22 group entered Freetown. Before that time he had only heard her
23 name."

24 Did you say that to the Prosecution?

10:54:53 25 A. Yes.

26 MR BANGURA: Can the witness be shown page 00100483 and I'm
27 reading under page ERN 00034642, the fourth line or fourth point:

28 Q. Did you also say further to the Prosecution the following:

29 "Witness only met with Adama Cut Hand for the first time

1 when they entered Freetown. He heard her name but had never seen
2 her before this time."

3 Did you also say that again?

4 A. Yes.

10:55:58 5 Q. Now further counsel asked you questions about Superman,
6 whether you had seen Superman at Koinadugu and later at Benguema.
7 Do you recall that?

8 A. Yes.

9 Q. He read to you a statement in which it is stated that you
10:56:26 10 had seen Superman at Benguema and at Koinadugu. Do you recall
11 that?

12 A. Yes.

13 Q. You denied that you had not met Superman yourself before,
14 neither at Koinadugu or at Benguema. Do you recall?

10:56:44 15 A. Yes.

16 Q. Did you make a correction of this statement to the
17 Prosecution?

18 A. Yes, I made corrections about them.

19 MR BANGURA: Can the witness be shown page 00100482.

10:57:04 20 JUDGE SEBUTINDE: Are you talking about the same statement?
21 It would help if for the record you could say the statement of
22 such and such a date, page such and such.

23 MR BANGURA: Thank you, your Honour. I'm dealing with
24 statement dated 16, 17 and 18 April 2008, page 00100482, at the
10:57:31 25 top of the page under page ERN 000346447:

26 Q. Mr Witness, did you make the following correction to the
27 Prosecution and I read: "Witness never saw Superman as stated.
28 He had only heard about Superman before but never seen or met
29 him." Did you make that correction to the Prosecution?

1 A. Yes.

2 MR BANGURA: Thank you. Your Honours, that will be all for
3 the witness in re-examination.

4 PRESIDING JUDGE: Mr Witness, I have one question. Just
10:58:21 5 let me find the record. On more than one occasion in answering
6 questions you said - I'm going to try and find a correct
7 quotation. You were being asked about previous statements that
8 you had made to the Office of the Prosecutor and you said, "They
9 told us, they had said that the things that we went through we
10:59:10 10 should not recall them in mind again." You said that more than
11 once. Who is the "they" that you are referring to in that
12 answer?

13 THE WITNESS: I said because I hadn't any confidence about
14 the issues that they were asking me. I was afraid. The police
10:59:38 15 officer who interviewed me told me that I should not have any
16 fear, I should just say the truth and explain what had gone on
17 with me and it was - they were fighting for things that had
18 happened to us never to recur in our country, so that was why he
19 was asking me to just explain everything that happened to me
11:00:01 20 without fear.

21 PRESIDING JUDGE: Any questions arising, counsel?

22 MR MUNYARD: No, thank you, your Honour.

23 MR BANGURA: None, your Honour.

24 PRESIDING JUDGE: Mr Witness, that is the end of your
11:00:14 25 evidence. We thank you for coming to court and giving your
26 evidence and we wish you a safe journey back. The blinds will
27 now be closed in order to allow the witness to move in the
28 courtroom. Please sit where you are until the blinds are in
29 position. The blinds will be opened as soon as the witness

1 Leaves the Court.

2 MR BANGURA: Your Honours, the next witness for the
3 Prosecution will be led by my colleague Ms Julia Baly.

11:02:03

4 PRESIDING JUDGE: Thank you, Mr Bangura. What is the
5 pseudonym for the witness?

6 MR BANGURA: Your Honours, the next witness will be
7 TF1-215.

8 PRESIDING JUDGE: Thank you. Ms Baly can deal with
9 languages, et cetera.

11:02:46

10 MS BALY: Good morning, your Honours.

11 PRESIDING JUDGE: Good morning, Ms Baly. Please proceed.

11:03:10

12 MS BALY: Your Honours, witness TF1-215 will testify in the
13 Krio language. He has been granted protective measures by Trial
14 Chamber I on 5 July 2004 and that is in the same decision that
15 you were referred to yesterday for the previous witness. The
16 protective measures that he has been granted are the use of a
17 pseudonym as well as a screen during his testimony. Your Honour,
18 he was categorised as a category 1 witness, if I could refer to
19 it as an ordinary fact witness.

11:03:53

20 PRESIDING JUDGE: There appears in the order or in the
21 decision I have at page 3 to be three subcategories within
22 category 1.

11:04:12

23 MS BALY: He's not in one of those subcategories. He's
24 just an ordinary category 1 witness, a witness of fact, not a
25 category within that group. So on page 15 it was ordered that he
26 could be known by a pseudonym at all times during the course of
27 proceedings, whether during the hearing or in documents including
28 the transcript of the proceedings and also at that same
29 paragraph, subsection (e), that he testify using a screening

1 device.

2 PRESIDING JUDGE: Ms Baly, one of the drawbacks of this
3 decision that you have referred us to and your colleague referred
4 us to yesterday, I have been unable to ascertain a list of the
11:05:04 5 witnesses to which it relates and whilst I do not contradict what
6 you say it's not so easy to check these things when you do not
7 have such an annex or list.

8 MS BALY: Yes, your Honour, I agree with the comment that
9 your Honour has made and I have received instructions that this
11:05:27 10 witness fell within a category 1 witness and that's what I'm
11 relying upon.

12 JUDGE SEBUTINDE: Are you saying you yourself don't have a
13 list, but you've just been told so?

14 MS BALY: Your Honour, I personally do not have a list. I
11:05:46 15 have been instructed that the witness was granted - that this
16 particular decision dealt with all of the witnesses.

17 MR ANYAH: Well --

18 PRESIDING JUDGE: We realise you're trying to make a point,
19 Mr Anyah. Just allow Justice Sebutinde to complete the
11:06:12 20 clarification she's seeking.

21 JUDGE SEBUTINDE: Ms Baly, are you saying the Prosecution
22 is not able to provide the Court with a list of the witnesses to
23 which this order applies?

24 MS BALY: Would your Honour excuse me while I just seek
11:06:26 25 some clarification of that point.

26 I am further instructed that in April of 2004 a list was
27 filed with the Trial Chamber and there were 260 --

28 JUDGE SEBUTINDE: Our Trial Chamber?

29 MS BALY: No, your Honour, 2004, Trial Chamber I. There

1 were 266 witnesses listed in that particular decision or document
2 and the Trial Chamber apparently requested more detail and a
3 categorisation of the witnesses and so --

11:08:00 4 PRESIDING JUDGE: Ms Baly, when you say in the decision,
5 this decision is dated July. Is there another decision in April
6 or was there an application in April?

7 MS BALY: There was both, your Honour. I don't have that
8 to hand, I can obtain it if necessary.

11:08:16 9 JUDGE SEBUTINDE: What would assist this Trial Chamber is
10 for the Prosecution in this case to provide us with such a list,
11 because I would imagine these were confidential applications to
12 which we are not privy. But we need, in order to do our work, a
13 copy of this list, a comprehensive list, so that we know what
14 we're dealing with. We cannot just take everybody's word for it.
11:08:32 15 We have a duty to be accurate in what we do.

16 MS BALY: I accept that, your Honour.

17 JUDGE SEBUTINDE: And how soon can we get this list?

18 MS BALY: Just pardon me for a moment.

11:09:00 19 Your Honours, it's a very large document. It can be
20 printed and our case manager is attempting to do that now, to
21 print the document.

22 PRESIDING JUDGE: Mr Anyah, you were trying to make a
23 point.

24 MR ANYAH: Yes. Good morning, Madam President. Good
11:10:06 25 morning, your Honours. I will be examining this witness for the
26 Defence.

27 I don't know if an application is being made by the
28 Prosecution of any nature, I don't think so, I think they're just
29 apprising the Court of the current status vis-a-vis the

1 protective measures. I wish to make an application given the
2 practice the Prosecution has adopted in this case which is to
3 make oral applications to rescind or vary these measures. I wish
4 to make an application that these measures be rescinded and the
11:10:37 5 basis is this:

6 We were disclosed a DVD about this witness. I believe it's
7 a public video from the Open Society. I have watched the video
8 during the testimony of the prior witness. The video was
9 disclosed to us in the year 2007. As your Honours noted, this
11:10:58 10 decision dates from 2004. I am not in a position to tell the
11 Chamber whether or not this video was made subsequent to the
12 entry of this decision as in vitiating any protective measures
13 that the witness was granted by virtue of him having appeared in
14 the video, subsequent to the decision that is, but I do know we
11:11:24 15 do have a video disclosed to us by the Prosecution in March 2007.
16 It was one of 32 videos disclosed to us in a three day period and
17 I believe it's a public document.

18 I intentionally am being vague in order not to
19 inadvertently disclose the date of publication of the video and
11:11:49 20 the entity from which it originates so that I do not in any way
21 interfere with the Chamber's ruling, but counsel opposite can
22 confirm the disclosure of this video to us. It's referred to in
23 the witness's statement and he does say in his statement that,
24 yes, he is the person shown in the video talking about the events
11:12:14 25 we anticipate him testifying about. The only issue for the
26 Chamber I suspect is was this video done after this decision by
27 Trial Chamber I on 5 July 2004.

28 So I do make an application on that grounds and I would
29 just add this, your Honours, if it please the Chamber, that in

1 particular respect to this decision, and I listened carefully to
2 the arguments made by counsel opposite, I'm referring to the
3 decision of 5 July 2004, so much time has transpired between now
4 and then. We're speaking of four years and when you consider
11:12:49 5 that the events in question - most of the factual events actually
6 occurred in the late 1990s we're now talking about 10 years hence
7 and a question arises for measures such as voice distortion,
8 which is not relevant to this discussion, and even face
9 distortion and the like, people's appearances change over the
11:13:13 10 course of 10 years, some of these witnesses were relatively young
11 in the late 1990s and appearances have changed, people have moved
12 from one locale to another and the continuing viability of these
13 requests and measures should be revisited.

14 There should be some obligation on the part of the
11:13:41 15 Prosecution to revisit these issues and show the necessity for
16 continuing these measures, albeit that Rule 75 does say that the
17 measures remain in force until an application is made and a new
18 order is made by the second Trial Chamber. Thank you.

19 PRESIDING JUDGE: Ms Baly, you've heard the application.

11:14:06 20 MS BALY: I have, your Honour. I have three points to make
21 in response to the application.

22 The first point is that this is not a timely application by
23 the Defence. It is quite a different thing for the Prosecution
24 to ask that protective measures be rescinded, but it is a
11:14:23 25 different matter entirely for the Defence to come along at the
26 last moment and ask that protective measures be rescinded,
27 particularly as they have had ample notice of the fact that these
28 protective measures do exist.

29 The second point, your Honour, is that there is a video in

1 existence. It is a video that does not disclose in any way that
2 the person shown on the video is to be a witness in proceedings
3 and so it's not relevant in our submission to make an application
4 based on the fact that this particular man has shown himself in a
11:15:04 5 video. It doesn't indicate that he is going to be a witness at
6 all in the video.

7 The third issue that I wish to address is the current
8 security situation and the interplay of Rule 75. It has to be
9 shown - the measures continue except if it can be shown that
11:15:30 10 there has been a change. Your Honours as recently as January
11 this year made a finding in a decision of - I'm sorry, 10 January
12 2008 your Honours made a decision and a finding that you were
13 satisfied that the potential threats to the security of witnesses
14 still exist and that is as at January 2008.

11:15:57 15 This proposed witness does hold fears. He holds fears for
16 himself and his family and as your Honours have already decided
17 that the security situation that existed at the time still
18 existed as at January this year. Those are my submissions.

19 MR ANYAH: Can we get this decision, the CMS number? She's
11:16:24 20 referring to a decision from this Chamber.

21 PRESIDING JUDGE: Mr Anyah, please do not refer to counsel
22 as she. She is the cat's mother.

23 MR ANYAH: I apologise, Madam President. I apologise,
24 I earned counsel.

11:16:40 25 PRESIDING JUDGE: However, please give the reference.

26 MS BALY: I'm quite happy for Mr Anyah to --

27 JUDGE SEBUTINDE: For the record to state what this
28 decision is. You did mention January, but it would help if you
29 gave the decision's title, please.

1 MS BALY: This is a decision of 10 January 2008 of your
2 Honours and it is decision 14365 to 14366. I'm quite happy to
3 allow my learned friend to see the decision.

11:17:39

4 PRESIDING JUDGE: Thank you, Ms Baly. We will consider the
5 application.

6 Ms Baly, the Bench requires this list before we fully
7 consider the application and your reply so we intend to take an
8 early break in order to allow the Prosecution to get these
9 documents together. That will also then allow us to consider and
10 deliberate on the application, so we will adjourn early.

11:21:53

11 Before I do so I note that we have also been informed
12 through our senior legal officer that WWS have said that the next
13 two witnesses want the support of an officer to accompany them in
14 court. This has not been the usual method of witnesses during
15 this trial and therefore we seek clarification as to why this is
16 required and what exactly is intended to implement this if
17 agreed.

11:22:14

18 We will adjourn now until 12 or whatever time - Ms Baly,
19 you're on your feet.

11:22:48

20 MS BALY: Your Honour, apparently 026 did have a support
21 person in court when she testified some months ago.

22 PRESIDING JUDGE: I think I recall that was a lady witness
23 giving evidence and that was to - if it occurred, and I must
24 admit I didn't see it because my line of vision is not clear
25 there, then I wasn't aware of it, but this is the first time
26 we've been formally asked. I'm just seeking to clarify if you
27 can get that clarification.

11:23:18

28 We will therefore adjourn until 12 or if we have not
29 deliberated we will inform the parties. You are going to find

1 out about --

2 MS BALY: I can find out.

3 PRESIDING JUDGE: Thank you. There has not been any
4 application, Ms Baly.

11:23:59 5 MS BALY: No, your Honour. I have not made an application
6 because I did not have those instructions previously. The first
7 I heard of it was when your Honour mentioned it.

8 PRESIDING JUDGE: I see. We will adjourn until 12 unless
9 we don't have the information in which case we will inform
11:24:23 10 counsel.

11 [Break taken at 11.25 a.m.]

12 [Upon resuming at 12.58 p.m.]

13 PRESIDING JUDGE: The Bench has considered the documents
14 that have been supplied to us by the Prosecution in relation to
12:59:06 15 the application. There are points of clarification which we
16 require and my learned colleague Justice Sebutinde will now ask
17 for those points of clarification.

18 JUDGE SEBUTINDE: Now just before we broke - Ms Baly, you
19 want to say something?

12:59:25 20 MS BALY: No, my Lord.

21 JUDGE SEBUTINDE: You can have a seat because this is quite
22 lengthy. Just before we broke we asked for a list annexed or a
23 list that indicates the witnesses to whom the protective measures
24 in the 5 July 2004 decision related. Now during the break a
12:59:49 25 number of documents were brought to the attention of the Court.
26 The first of course was the decision itself entitled "Decision on
27 Prosecution motion for modification of protective measures for
28 witnesses" dated 5 July 2004.

29 In addition, we were given the documents that shed some

1 light on the history of this decision. The first of them was a
2 document entitled "Materials filed pursuant to order to the
3 Prosecution to file disclosure materials and other materials in
4 preparation for the commencement of the trial of 1 April 2004".

13:00:34 5 This document is dated 26 April 2004 and this document contains
6 in its annex a witness list of a total of 266 witnesses
7 apparently.

8 Now the other document we were provided with is a document
9 entitled "Order to the Prosecution for renewed motion for
13:01:02 10 protective measures" dated 2 April 2004. The third document that
11 we were provided with was a document entitled "Renewed
12 Prosecution motion for protective measures pursuant to order to
13 the Prosecution for renewed motion for protective measures" dated
14 2 April 2004. Now this fourth document is dated 4 May 2004 and
13:01:31 15 gives rise to the decision that we are now looking at.

16 Now on the face of this decision, reading it in conjunction
17 with the renewed Prosecution motion, it appears to us that the
18 sum total of the witness list is reduced into annexes A and B of
19 the so-called renewed Prosecution motion. Annex A being the
13:02:04 20 annex containing the names of witnesses of fact. These witnesses
21 are in three categories: category A being victims of sexual
22 violence; category B being children; and category C being insider
23 witnesses. Annex B has not been provided to the Bench, but I
24 imagine that is the annex dealing with expert witnesses.

13:02:30 25 Now the decision in question was made in light of these two
26 annexes, annex A and annex B, and it appears on the face of it
27 that the orders made by the Court, Trial Chamber I, on 5 July
28 2004 were made in respect of the witnesses contained in annex A
29 and annex B that I have recited above.

1 Now on the face of it we fail to find witness TFI-215,
2 which is the witness in question. Now these are the documents
3 that we have been provided by the Prosecution and we would like,
4 before we finally rule on this matter, to say to the Prosecution
13:03:24 5 can you show cause why we should not ask this witness to testify
6 publicly?

7 MS BALY: Your Honour, your reading of the materials and in
8 particular the renewed Prosecution motion for protective measures
9 dated 4 May 2004 and the judgment that followed the motion of the
13:03:59 10 5 July 2004 is, with respect, incorrect. In the renewed motion
11 the Prosecution pointed - at paragraph 20 there was an
12 application for all witnesses of fact or lay witnesses and the
13 Prosecution requested various protective measures including that
14 witnesses of fact, that is all witnesses, testify in Court using
13:04:31 15 pseudonyms and from behind a screen that will shield them from
16 the public view. Those two are the measures that are relevant
17 for what is being argued today. Again --

18 JUDGE SEBUTINDE: Witnesses of fact being what? Being who
19 exactly?

13:04:49 20 MS BALY: Being all witnesses.

21 JUDGE SEBUTINDE: Where? Defined where?

22 MS BALY: Defined by the witness list that was filed as
23 witnesses of fact and then --

24 JUDGE SEBUTINDE: Where are you referring? Just point us
13:05:08 25 to that part. Where in this renewed motion do you define your
26 group 1 witnesses? That is really where this matter turns.

27 MS BALY: Your Honour, paragraph 2 of the motion which
28 states this:

29 "In compliance with the order to the Prosecution to file

1 disclosure materials and other materials in preparation for the
2 commencement of trial dated 1 April 2004, on 26 April the
3 Prosecution filed a Prosecution witness list of 266 witnesses.
4 This motion provides an overview of the reasons for the
13:05:44 5 protective measures sought for those witnesses."

6 That is for all 266 witnesses. The Prosecution then went
7 on to seek for all witnesses of fact in paragraph 20 to which I
8 have already referred, all lay witnesses, the screen and
9 pseudonym together with some other protective measures that are
13:06:10 10 not relevant for today and then later --

11 JUDGE LUSSICK: Ms Baly, just before you go off that point,
12 what does paragraph 4 of the motion mean?

13 MS BALY: They are the pseudonyms of - they are the special
14 categories that were then annexed to the motion; categories A, B
13:06:38 15 and C. A being victims of sexual violence.

16 JUDGE LUSSICK: Well, I can read that, but it then gives a
17 list of pseudonyms which one would presume are the subject matter
18 of this motion.

19 MS BALY: The subject matter refers to all of the
13:06:56 20 witnesses. All of the witnesses, the 266 witnesses, the
21 pseudonyms of which were filed previously, and then the motion
22 goes on to divide the group and to categorise some special
23 groups, but all witnesses - it was sought for all witnesses that
24 certain protective measures be granted.

13:07:24 25 JUDGE SEBUTINDE: Who are witnesses of fact, if I may ask
26 it that way? If you are looking at the list filed on 26 April
27 2004, which of these is a witness of fact? In the 266 witnesses,
28 who are witnesses of fact?

29 MS BALY: Your Honour, they are all witnesses of fact, but

1 some of them are special witnesses to which the categories apply
2 and that's made clear by a reading of paragraph 2 and 3 of the
3 motion where the Prosecution said at paragraph 3:

4 "The Prosecution notes that in its order the Trial Chamber
13:08:14 5 has found that reference to specific categories of witnesses may
6 facilitate this task. Accordingly the Prosecution has divided
7 the 266 witnesses into two groups: (i) Witnesses of fact; (ii)
8 Experts, those who have waived their right to protection."

9 JUDGE SEBUTINDE: Where can we find these two groups?

13:08:38 10 Where in the documents do we find these two groups?

11 MS BALY: Your Honour, I can't answer that question.

12 JUDGE SEBUTINDE: Then I suggest that annex A contains
13 group 1 and annex B contains group 2. Logically that's what it
14 seems to me. Annex A contains group 1, namely witnesses of fact,
13:09:41 15 and annex B is expert witnesses. There isn't a third category,
16 surely?

17 MS BALY: Would your Honour just allow me to confer on that
18 point? Well, your Honour, the Prosecution's position is that
19 annexure A relates to the three categories of group 1 witnesses,
13:11:51 20 that is all of the witnesses that were the special categories.

21 JUDGE SEBUTINDE: In other words, group 1, witnesses of
22 fact.

23 MS BALY: Yes, some of them, but not all of them, because
24 the three subgroups or subcategories were the ones who required
13:12:09 25 additional protective measures.

26 JUDGE SEBUTINDE: I am asking you in the context of your
27 renewed motion where is the rest of group 1?

28 MS BALY: The rest of group 1 are all of the fact or lay
29 witnesses to which the Prosecution refers at paragraph 20 and for

1 which the Prosecution refers back to the list that was already
2 filed, the 266 witnesses, and paragraph 20 seeks the protective
3 measures and again at paragraph 35 in the order sought where it
4 is:

13:12:51 5 "In order to provide protection for witnesses called by the
6 Prosecution during the trial, the Prosecution requests the Trial
7 Chamber to issue the following orders. All witnesses shall be
8 referred to by pseudonyms at all times during the course of their
9 testimony."

13:13:10 10 JUDGE SEBUTINDE: Yes, but that has to be read in context,
11 Ms Baly, and right now we are struggling to understand what these
12 categorisations comprise. What is group 1 comprised of? For me
13 I am going by the reading in the motion, paragraph 3, the renewed
14 motion, and the categories are there plainly. Category 1 is
13:13:33 15 stated plainly and I do not see the words, "And the balance of
16 the witnesses in the original witness list". I don't see those
17 words there. I clearly see the following:

18 "The Prosecution has divided the 266 witnesses into two
19 groups. Group 1, witnesses of fact. Group 2, experts who have
13:14:00 20 waived their right to protection."

21 And then within group 1 the witnesses are further
22 subdivided into three categories A, B and C, that I referred to
23 above earlier and I read that in connection with paragraph 4
24 which says:

13:14:18 25 "Annexed to this motion and marked as annex A are the
26 pseudonyms of group 1 witnesses in their three divided categories
27 and group 2 witnesses are listed in annex B."

28 Now when I read or when I count the number of witnesses in
29 both A and B they do not amount to 266 and the question then begs

1 is what happened to the balance? But I see my answer in
2 paragraph 5 which says: "Therefore the actual number of
3 witnesses who will be subject to the protective measures if
4 granted will be less than 266." To me that then accounts for the
13:14:57 5 balance of everyone who I do not see in annex A or B.

6 MS BALY: Well, with respect, your Honour, that's not the
7 way we read this motion. We read the motion as the witnesses,
8 all 266, divided into two groups, group 1 being witnesses of fact
9 which includes the current witness, group 1 further divided into
13:15:26 10 A, B and C, the special categories of witnesses, and group 1
11 witnesses are all - for all witnesses of fact or lay witnesses.
12 The Prosecution then went on to seek for all those witnesses, all
13 of those group 1 witnesses, the measures of a pseudonym and a
14 screen which were granted. Now this witness, your Honour, did
13:15:55 15 testify with a pseudonym in the previous trial.

16 JUDGE SEBUTINDE: I really am not concerned, Ms Baly, with
17 what this witness did or didn't do in another Court or by what
18 means. We have the documents in front of us and we are trying to
19 make a decision based on the reading of the documents before us.

13:16:15 20 JUDGE LUSSICK: Ms Baly, you would help my understanding if
21 you could explain to me what is the purpose of annex A that
22 specifies certain witnesses if in fact you are not really dealing
23 with just those witnesses, but with 266 witnesses? Why put that
24 annex in at all?

13:16:35 25 MS BALY: Because that was for the special categories of
26 witnesses, extra measures that were sought. For example, closed
27 session and other measures that were sought for those particular
28 witnesses and some were asking to be testifying in closed
29 session, some were seeking to testify by video link, for those

1 particular witnesses.

2 JUDGE SEBUTINDE: And of course we mustn't lose sight the
3 order of the Court to the Prosecution for renewed motion was
4 precisely intended to ask the Prosecution to justify their
13:17:13 5 reasons. Instead of lumping witnesses together in a list, a
6 common list, to separate them into categories and justify the
7 measures sought for each category. That would seem to me to make
8 logical sense. There should have been a fourth or a third annex
9 if you like of witnesses that don't fall into either categories A
13:17:32 10 or B or C. There should have been a list annexed. There isn't.

11 MS BALY: No, there isn't.

12 JUDGE SEBUTINDE: And so I find it difficult to start now
13 assuming or imagining that from the old list that was thrown out
14 by the Court and the Prosecution asked to file a new renewed list
13:17:53 15 I must now go back to that list, the old list, and somehow do the
16 mathematics and glean out the remainder of those witnesses and
17 read them into this protective measures decision.

18 MS BALY: Well, with respect, your Honour, it's not a
19 matter of reading them in. The Court did grant the motion and
13:18:11 20 granted the motion in accordance with the order sought by the
21 Prosecution.

22 JUDGE SEBUTINDE: That is precisely the crux of this
23 matter. It all turns on the definition of these groups. The
24 order is not in the air. The order is made in relation to the
13:18:27 25 renewed motion and as to the renewed motion, along with these
26 annexes, these measures in our view so far appear to have been
27 directed at the witnesses in the annex, in the annexes to the
28 motion, as they stood on 5 July 2004. But I want to give an
29 opportunity to the Defence.

1 PRESIDING JUDGE: Ms Baly, the motion at paragraph 2 refers
2 to an order for the Prosecution to file a preparation for
3 commencement of trial dated 1 April on 26 April. Now is that the
4 order of 2 April?

13:19:33 5 MS BALY: Yes.

6 PRESIDING JUDGE: It says here dated 1 April, because I
7 have an order dated 2 April.

8 MS BALY: It was ordered - that is the document of 2 April.

9 PRESIDING JUDGE: Because it has got a different title.
13:19:57 10 Because that appears to be another order and the paragraph refers
11 to protective measures for those witnesses. Who are those
12 witnesses?

13 MS BALY: The witnesses in the list to be filed which was
14 subsequently filed on 26 April 2004, the list of witnesses.

13:20:24 15 PRESIDING JUDGE: But is the 26 April 2004 not a disclosure
16 to the Defence of their witnesses?

17 MS BALY: It is a list of witnesses filed pursuant to the
18 order that the Court made on 2 April to file their witness list.

19 JUDGE LUSSICK: Ms Baly, I'm still trying to get my hands
13:21:16 20 around this problem, but that witness list remains what it is
21 labelled, a witness list. You are not seeking protective
22 measures for 266 witnesses and you indicate that in paragraph 5
23 of your motion. It could be less than 266 witnesses. From my
24 understanding this upcoming witness who will be coming into Court
13:21:48 25 very soon is classified as a witness of fact?

26 MS BALY: Yes.

27 JUDGE LUSSICK: Now you say in paragraph 3 of your motion
28 that witnesses of fact are subdivided into three other
29 categories; that is victims of sexual assault, child witnesses

1 and insider witnesses. Then in paragraph 4 you say that the
2 pseudonyms of group 1 witnesses are listed in annex B. Now the
3 group 1 witnesses are the witnesses that fall into those three
4 categories. You don't say there is a fourth category of
13:22:37 5 witnesses of fact. There are only three categories and the
6 witnesses that fall into those three categories you say are
7 contained in annex A. But what you're saying to the Court is,
8 yes, they are, but there are more witnesses that we didn't
9 mention that fall as witnesses of fact but outside those three
13:23:05 10 categories. Is that what you're saying?

11 MS BALY: No, your Honour. What we say is what the motion
12 says. Within group 1 there are three - a further divider, but
13 that's not exclusive.

14 JUDGE LUSSICK: Well, that's exactly what I just put to
13:23:20 15 you. You are saying that there are three categories plus some
16 other category that falls outside of those three categories.

17 MS BALY: What we are saying is that there are some in
18 group 1 that don't fall into A, B and C. Some in group 1 which
19 were ordinary fact witnesses, not further divided. Within group
13:23:38 20 1 the witnesses are further divided. We say that doesn't mean
21 there are no other witnesses apart from A, B and C. There are a
22 number of witnesses in group 1, some of which fall into A, B or
23 C, but some of which do not. That's the way we read that motion.

24 JUDGE LUSSICK: Well, you say in paragraph 4 - if I wanted
13:23:58 25 to know who were the witnesses in group 1 there it is in
26 paragraph 4. You say the pseudonyms of group 1 witnesses divided
27 into the three categories mentioned above are in annex A, but now
28 you are saying to me they're not all in annex A, there are some
29 other witnesses that aren't in annex A, but they are still

1 members of group 1.

2 MS BALY: Yes, that is what we are saying. That is the way
3 the Prosecution reads the motion and the order.

4 PRESIDING JUDGE: If I could just follow on from my last
13:24:31 5 question. I note that in the recital of the decision of 5 July
6 there is no reference to this document dated 26 April 2004. I
7 accept that it's referred to in the motion, paragraph 2, but it
8 is not recited as a document that the Court took into account in
9 the recital of their decision. So how do I know that this is the
13:25:03 10 document that is being referred to?

11 MS BALY: On page 3 of the order it says the Prosecution
12 divides its witnesses into two groups based on the witness list
13 filed on 26 April 2004.

14 JUDGE SEBUTINDE: What does "based" mean? It simply means
13:25:25 15 they come out of that disclosed list, because as you know you
16 cannot have additional witnesses without leave of Court. All it
17 is saying is that out of that list we have not introduced any new
18 witnesses that we have now included in our categories, they all
19 emanate from that one list that the Defence already has. That's
13:25:44 20 what "based" means.

21 MS BALY: Yes.

22 JUDGE SEBUTINDE: But the duty still remained on the
23 Prosecution to actually identify who these witnesses were that
24 they were seeking measures for and to justify the measures sought
13:25:58 25 for each category.

26 So this other category, Ms Baly, that you are mentioning, I
27 have been scanning through the motion to even see where you
28 justify the reasons that you seek protective measures for and
29 there isn't a paragraph. All the justifications relate to each

1 one or other of those specific categories outlined, A, B or C or
2 indeed annex B. There isn't a single submission in the motion
3 that deals with these other witnesses of fact that you now allege
4 were intended to be covered.

13:26:36 5 MS BALY: Your Honour, can I take you to page 3 of the
6 renewed motion, paragraph 15, which reads:

7 "While consideration specific to each category of witness
8 are presented below, the Prosecution maintains that conditions in
9 Sierra Leone create difficulties for all witnesses and victims",
10 and then they go on.

11 They are referring to all witnesses as well as those in the
12 categories, all witnesses, And then specific to each category
13 additional issues.

14 PRESIDING JUDGE: Mr Anyah, I wanted to invite your reply.
13:27:23 15 I am a little concerned about the time. I know the accused for
16 example and others are limited.

17 JUDGE LUSSICK: You have got about 100 seconds, Mr Anyah.
18 Can you deal up your argument in that time, or --

19 MR ANYAH: Well, I do have obviously some arguments to make
13:27:40 20 and some observations as well. I do see the issue the Court is
21 grappling with and I think in the documents there is perhaps some
22 clarity on some of these issues and I would ask to address the
23 matter when we come back after the break, but before the break I
24 would point the Chamber and counsel opposite to footnote 6 of the
13:28:05 25 decision of 5 July 2004. I think that provides some clarity.

26 The Prosecution's motion was not properly drafted, I am
27 referring to the renewed motion in question, and this is the
28 source of the whole dilemma. I think Justice Sebutinde is
29 absolutely right in saying that you cannot read the Trial

1 Chamber's order beyond what was requested in the motion. What
2 was requested in the motion and as defined as category 1
3 witnesses is limited to these three expressly stated categories
4 and that's the problem with which the Prosecution is faced.

13:28:42 5 If I could take the Chamber to the first order in question,
6 because this is what set the whole thing in motion. Trial
7 Chamber I had a status conference where the Prosecution orally
8 suggested that certain witnesses would need additional
9 protections. Trial Chamber I then issues a decision saying,
13:29:03 10 well, with respect to this suggestion you have raised can you put
11 it in writing? That is essentially what this order of 2 April
12 2004 means.

13 There is a paragraph there where the Chamber says:

14 "Recalling further the submissions from the Prosecution
13:29:17 15 that certain categories of witnesses including victim witnesses
16 or insider witnesses may require greater levels or forms of
17 protection than other categories of witnesses", and then it goes
18 on in the final paragraph where it issues its order: "Directing
19 the Prosecution to file by 3 May 2004 for each witness which
13:29:41 20 appears in its list what specific protective measures it is
21 seeking."

22 What does the Prosecution do? It files its witness list,
23 266 witnesses, and then it files this renewed motion trying to
24 comply with the Trial Chamber's order and it essentially leaves
13:29:59 25 vague what happens to another category of witnesses beyond the 87
26 that fall in these three categories. The Chamber notes the fact
27 in its decision, counsel for Morris Kallon points it out, it's in
28 the footnote, that there is confusion in the Prosecution's
29 submission and then we get to the final portion of the Chamber's

1 decision where it says - and this is the decision of 5 July 2004
2 and the Chamber says, "Disposition" - it's on page 15. It says,
3 "hereby grants the motion and orders for all witnesses in group 1
4 witnesses of fact." The group 1 there is referring to the group
13:30:46 5 1 as defined in the Prosecution's renewed motion. It cannot be
6 stretched beyond that. Therefore I propose to you - indeed I
7 submit to the Chamber that witness 215 who is up next is not
8 covered by this order.

9 PRESIDING JUDGE: Thank you, Mr Anyah. That is your reply?

13:31:09 10 MR ANYAH: Yes.

11 PRESIDING JUDGE: Yes, very well. We will take the
12 lunchtime adjournment. We will obviously have to consider these
13 further submissions and I am not going to say 2.30. I will say
14 when parties are notified.

13:31:24 15 JUDGE LUSSICK: And, Mr Anyah, I was being very
16 lighthearted when I said you only had 100 seconds. I hope you
17 didn't limit your address to finishing before lunch, because I
18 didn't mean that.

19 MR ANYAH: When I started talking I took the liberty to
13:31:42 20 extend beyond 100 seconds after reading the demeanour of the
21 Bench. Thank you, your Honours.

22 MR MUNYARD: Madam President, in terms of our returning to
23 Court will it be acceptable to the Court that we assemble within
24 the precincts rather than sitting here as we did do because that
13:31:59 25 would actually enable those of us on the Defence to consult with
26 our client if need be.

27 PRESIDING JUDGE: That was my attention in saying that. I
28 don't expect you to be sitting here at 2.30.

29 MR MUNYARD: Very well.

1 PRESIDING JUDGE: We will give at least five to ten minutes
2 notice of the intention to resume Court when we reach a decision.

3 MR MUNYARD: I am grateful.

4 PRESIDING JUDGE: Thank you. Please adjourn Court to a
13:32:24 5 time to be fixed.

6 [Lunch break taken at 1.32 p.m.]

7 [Upon resuming at 3.28 p.m.]

8 PRESIDING JUDGE: This is a ruling on an application. The
9 Defence have opposed and applied to rescind the purported
15:29:20 10 protective measures for witness TF1-215. The Prosecution submit
11 that the witness is protected by an order of Trial Chamber I of 5
12 July 2004, entitled "Decision on Prosecution motion for
13 modification of protective measures for witnesses", which the
14 Prosecution submits applies to 266 witnesses of fact including
15 witness TF1-215.

16 The decision of 5 July 2004 ruled on a 5 May motion filed
17 by the Prosecution and entitled "Renewed Prosecution motion for
18 protective measures pursuant to order to the Prosecution for
19 renewed motion for protective measures", dated 2 April 2004. It
15:30:20 20 was filed pursuant to an order of the Trial Chamber on 2 April
21 2004; the order being entitled "Order to the Prosecution for
22 renewed motion for protective measures".

23 After careful consideration of that decision and the
24 submissions of counsel, we find nothing in the decision which
15:30:42 25 would entitle witness TF1-215 to any protective measures. In our
26 view, the decision relates solely to those witnesses listed in
27 annexes A and B of the renewed Prosecution motion for protective
28 measures. Witness TF1-215 is not among those witnesses listed in
29 the annexes. Accordingly, the witness will testify in open court

1 and the Defence application to rescind the protective measures of
2 this witness is now moot.

3 Ms Baly?

15:31:19

4 MS BALY: Your Honour, the Prosecution does not intend to
5 call witness TF1-215. The next witness will be witness TF1-028,
6 to be led by my colleague Ms Alagendra.

7 PRESIDING JUDGE: Thank you, Ms Baly. What language will
8 the witness speak?

15:31:42

9 MS ALAGENDRA: Your Honours, the witness will testify in
10 Krio. Also, your Honour, this witness is again subject to
11 protective measures granted by Trial Chamber I and it's the same
12 decision that your Honours were looking at today. This witness,
13 your Honour, is a group 1, category A witness, and the protective
14 measures afforded to this witness previously were for her to
15 testify using a pseudonym, behind a screen and with voice
16 distortion, your Honour.

15:32:06

17 PRESIDING JUDGE: Thank you, Ms Alagendra. In that case -
18 sorry, I'm just having a look at category A. Yes, I see it in
19 front of me.

15:32:49

20 MS ALAGENDRA: Your Honours, if I can assist you further,
21 this particular witness is listed as number 16 in the annexure A,
22 under the category A, your Honour.

15:33:20

23 PRESIDING JUDGE: Thank you, Ms Alagendra. It will be
24 necessary to have the screens completely closed in order to allow
25 the witness to be brought into court, so the court will appear to
26 be closed for a few moments while the witness is moving in the
27 courtroom.

28 MS MUZIGO-MORRISON: May it please the Court, your Honour
29 it would require 30 minutes to enable the technical people to set

1 up the voice distortion before the witness can start.

2 PRESIDING JUDGE: If it requires 30 minutes there seems to
3 be little to be gained by us all sitting here looking at each
4 other. I'm sure we can all do something a little more productive
15:34:41 5 in 30 minutes and so we will adjourn for that time and please
6 notify us as soon as the distortion is in place.

7 [Break taken at 3.35 p.m.]

8 [Upon resuming at 4.12 p.m.]

9 PRESIDING JUDGE: Ms Alagendra, I see there is no witness
16:12:24 10 in the box and I understand that the voice distortion is in
11 place. Could you let us know what's happening, please?

12 MS ALAGENDRA: Your Honours, I'm not sure what's happening
13 at all. I did not go ahead to check about the witness being
14 brought in myself because I thought there were people responsible
16:12:41 15 for that.

16 PRESIDING JUDGE: I see. Is one of our CMS Officers aware
17 of the situation?

18 MS MUZIGO-MORRISON: Good afternoon, your Honour. The
19 witness is experiencing some difficulties and would like some
16:13:01 20 time to be composed before she can come into court. We've been
21 informed by the Witness and Victim Support Section that she's a
22 little upset and needs to calm down before she can come to
23 testify.

24 PRESIDING JUDGE: Have you been given an estimate of how
16:13:27 25 long this will take?

26 MS MUZIGO-MORRISON: Yes, your Honour, approximately -
27 well, it was five minutes then. It should be about three minutes
28 more.

29 PRESIDING JUDGE: Ms Alagendra, if we continue to have a

1 problem with the witness being brought into court in view of her
2 state is there a back-up witness available?

3 MS ALAGENDRA: Your Honours, it's my understanding that
4 there will be a back-up witness for tomorrow, but not for today,
16:14:02 5 your Honour.

6 PRESIDING JUDGE: I see. Perhaps we can ask if the
7 witness's present condition can be checked.

8 MS MUZIGO-MORRISON: May it please the Court, the witness
9 is now being brought in and she will be supported by a support
16:14:56 10 staff from the Witness and Victims Section. Thank you.

11 PRESIDING JUDGE: In that case, we will have the shutters
12 closed so that she is able to walk around the court. I'm not
13 sure if there are any members of the public present, but for
14 purposes of record I note we are closing the curtains to allow a
16:15:23 15 protected witness to come within the well of the court.

16 Mr Anyah?

17 MR ANYAH: Yes, Madam President. May it please the Court,
18 I will be examining this witness on behalf of the Defence, but as
19 a matter of procedure I don't know if the Prosecution went ahead
16:15:48 20 and made an application for the support staff of the Witnesses
21 and Victims Section to sit next to the witness? Now, I recall
22 this being --

23 PRESIDING JUDGE: Just pause, Mr Anyah, because I haven't
24 heard the words "sit next to the witness" being mentioned and
16:16:05 25 there is a difference between them sitting somewhere in the back
26 of the court and beside the witness and before you proceed I will
27 clarify exactly what is meant.

28 MR ANYAH: Yes, Madam President.

29 PRESIDING JUDGE: Ms Alagendra?

1 MS ALAGENDRA: Your Honours, I thought you were going to
2 clarify it with me.

3 PRESIDING JUDGE: Yes, I'm looking to you.

4 MS ALAGENDRA: Yes. Your Honours, unfortunately I'm not
16:16:30 5 able to comment on the issue of the support staff because it was
6 not the Prosecution that brought it to the attention of the
7 Court. So, I'm in the Court's hands on this issue.

8 PRESIDING JUDGE: Is Court Management aware of what exactly
9 has been asked?

16:16:46 10 MS MUZIGO-MORRISON: Your Honours, my recollection of the
11 discussion surrounding this issue that we had on 28 November
12 during the trial management meeting was that it was agreed that
13 the Witness and Victims Support Section staff members would not
14 sit in the courtroom all the time as is the practice in Freetown,
16:17:14 15 but where a witness is fragile or vulnerable and requires support
16 a member of the Witness and Victims Support Section would sit at
17 the Registry Bench, which is on the left-hand side of the Bench,
18 and support the victim. Thank you. And the parties - your
19 Honour, the Defence and the Prosecution all agreed to this
16:17:44 20 procedure and I haven't received anything contrary to that.
21 Thank you.

22 PRESIDING JUDGE: Mr Anyah, you have heard the
23 clarification. The victims support officer will not be sitting
24 next to the witness.

16:18:16 25 MR ANYAH: And I was just indicating, at least amongst the
26 Defence Bar, that the Chamber was right in noting no application
27 had been made and to the extent there isn't one then there is no
28 issue before the Court.

29 PRESIDING JUDGE: We'll have the side blinds open, please.

1 Good afternoon, Madam Witness. I hope you're feeling
2 better now.

3 THE WITNESS: No.

4 PRESIDING JUDGE: I would like to reassure you that your
16:19:59 5 face and your body will not be seen by anyone outside the Court
6 and your voice will not be heard by anyone outside the Court, so
7 I hope that makes you feel a little easier. I will now ask our
8 Court Officer to read the oath to you and I would ask you to take
9 the oath. Please proceed.

16:20:26 10 WITNESS: TF1-028 [Sworn]

11 MS ALAGENDRA: Your Honours, if I may?

12 PRESIDING JUDGE: I am sorry, Ms Alagenda, please proceed.

13 MS ALAGENDRA: Thank you, your Honours.

14 EXAMINATION-IN-CHIEF BY MS ALAGENDRA:

16:21:55 15 Q. Good afternoon, Madam Witness.

16 A. Yes, how are you, sir?

17 Q. Madam Witness, I'm going to ask you a few questions.

18 A. Yes, sir.

19 Q. And I'm going to ask that you answer the questions slowly,
16:22:12 20 okay?

21 A. Okay, sir.

22 Q. Can you tell the Court when you were born?

23 A. I was born in 1965.

24 Q. Do you know how old you are now?

16:22:37 25 A. Yes, sir.

26 Q. How old are you?

27 A. 42 years.

28 Q. Which country do you come from?

29 A. Sierra Leone.

- 1 Q. What is your ethnicity?
- 2 A. I am a Mandinka.
- 3 Q. Witness, what languages do you speak?
- 4 A. I do speak Krio and Mandinka and Temne.
- 16:23:18 5 Q. Are you married?
- 6 A. I've separated with my husband.
- 7 Q. Do you have children?
- 8 A. Yes, sir.
- 9 Q. How many children do you have?
- 16:23:36 10 A. My biological children, I have four, and the other children
11 from my late brothers are three.
- 12 Q. Witness, have you been to school?
- 13 A. No, sir.
- 14 Q. Are you able to read, or write?
- 16:23:58 15 A. No, sir.
- 16 Q. What do you do for a living?
- 17 A. I do petty trading to survive together with my children.
18 I'm also a farmer.
- 19 Q. Witness, do you remember the year 1998?
- 16:24:28 20 A. Yes, sir.
- 21 Q. Do you recall if anything happened in that year?
- 22 A. Yes, sir.
- 23 Q. What do you recall happening?
- 24 A. During the intervention, my people moved from Freetown at
16:24:55 25 can [sic] Karina --
- 26 THE INTERPRETER: Your Honours, correction interpreter.
- 27 PRESIDING JUDGE: Just pause, Madam Witness. The
28 interpreter needs to correct something. Mr Interpreter, what did
29 you want to say?

1 THE INTERPRETER: The witness said, "My people moved from
2 Freetown and came to Karina".

3 PRESIDING JUDGE: Please continue, Madam Witness.

4 THE WITNESS: When my people left Freetown, in three days'
16:25:29 5 time the juntas entered Karina.

6 MS ALAGENDRA:

7 Q. Witness, I am going to stop you here. I am going to stop
8 you here.

9 A. Okay, okay.

16:25:40 10 Q. Now, you have told the Court that in 1998 there was an
11 intervention. What do you mean by that?

12 A. It was the time Tejan Kabbah was overthrown, when he was
13 moved from another country to come to Sierra Leone.

14 Q. And when you say "intervention", what exactly are you
16:26:05 15 referring to?

16 A. What I meant by intervention it was the time Tejan Kabbah
17 was returned to Sierra Leone together with ECOMOG, so many people
18 left Freetown and went to Karina.

19 Q. Witness, did anything happen in Karina during this time?

16:26:42 20 A. Yes, sir.

21 Q. What happened?

22 A. The junta went to the town in the morning hours. In the
23 evening - at night they came to the town at about 9 at night.

24 Q. When you say "junta", who are you referring to?

16:27:10 25 A. The soldiers.

26 Q. Which soldiers?

27 JUDGE SEBUTINDE: Ms Alagenda, her testimony is that her
28 people left Freetown and went to Karina. Is the assumption that
29 this witness also went to Karina?

1 MS ALAGENDRA: Your Honours, I will clarify where she was
2 at the time:

3 Q. Witness, during the time of the intervention where were
4 you?

16:27:36 5 A. I was in Karina.

6 Q. Witness, you were explaining that when you say "junta"
7 you're referring to soldiers. Are you able to clarify what
8 soldiers you're referring to?

9 A. Well the soldiers that I saw, some had combat, some had
16:27:58 10 civilian clothing.

11 Q. Do you know if they belonged to any group?

12 A. At that time I was unable to tell their leader - who their
13 leader was. We only saw them with guns in the town.

14 Q. Did anything happen when the soldiers - when the junta came
16:28:27 15 to Karina?

16 A. Yes, sir.

17 Q. What happened?

18 A. They started beating people in the town. My elder brother
19 was beaten and his foot was broken and they sprinkle plastic on
16:28:49 20 his body.

21 Q. Apart from your elder brother, do you know anyone else who
22 was beaten? And at this point, witness, I just want to remind
23 you not to mention any names of persons that may identify you, do
24 you understand?

16:29:11 25 A. Yes, sir.

26 Q. Please proceed, witness. Did they beat anyone else, apart
27 from your brother?

28 A. Yes, sir, his child also was beaten.

29 Q. How old was his child that was beaten?

1 A. He's about 12 years.

2 MS ALAGENDRA: Your Honours, I'm just noting there's one
3 minute left and she may go into substantial detail at this point.

16:30:18

4 PRESIDING JUDGE: Well as you correctly say, Ms Alagendra,
5 we note the time and we will adjourn. On a very practical point,
6 I've been advised that when voice distortion is in place you need
7 to switch off your microphone when asking - when the witness is
8 speaking. It's some technical point that's beyond me.

16:30:44

9 MS ALAGENDRA: I recall that was the situation before, your
10 Honour. It's my mistake as well, I'm sorry.

16:31:03

11 PRESIDING JUDGE: Madam Witness, this is the time of the
12 day that we normally stop in court and we start again tomorrow at
13 half-past-9. So, we will break now and I must remind you that
14 now that you've come into court and taken the oath you shouldn't
15 discuss your evidence with anyone else until all your evidence is
16 finished. Do you understand?

17 THE WITNESS: Yes, sir.

16:31:22

18 PRESIDING JUDGE: Very well. Please adjourn court until
19 9.30 tomorrow. Just a minute, Madam Witness, I want you to sit
20 there so that you can be moved out of court when the blinds are
21 down. You stay where you are.

22 THE WITNESS: Yes, sir.

23 [Whereupon the hearing adjourned at 4.30 p.m.
24 to be reconvened on Wednesday, 7 May 2008 at
25 9.30 a.m.]

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28

29

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-143	9065
CROSS-EXAMINATION BY MR MUNYARD	9065
RE-EXAMINATION BY MR BANGURA	9089
TF1-028	9127
EXAMINATION-IN-CHIEF BY MS ALAGENDRA	9127