



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 7 OCTOBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard

1 Tuesday, 7 October 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:49 5 PRESIDING JUDGE: Good morning. Mr Koumjian, it would seem
6 your appearances are as before?

7 MR KOUMJIAN: Good morning, your Honours, yes, we remain
8 the same as yesterday afternoon. Thank you.

9 PRESIDING JUDGE: Thank you, Mr Griffiths. I think I
09:29:07 10 notice some changes.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. Today for the Defence there are myself,
13 Courtenay Griffiths, my learned friend Mr Terry Munyard and we're
14 joined today for the first time by Ms Myriam Delonca of the Bar
09:29:53 15 de Lyon.

16 PRESIDING JUDGE: In France. We welcome Ms Delonca to the
17 Court and hope her experiences with us will be of benefit. If
18 there are no other matters I will remind the witness of his oath
19 and we will proceed with cross-examination.

09:30:09 20 Mr Witness, good morning. I want to remind you that
21 yesterday you took the oath to tell the truth. The oath
22 continues to be binding on you and you must answer questions
23 truthfully. Do you understand?

24 THE WITNESS: Okay.

09:30:30 25 WITNESS: KOMBA SUMANA [On former oath]

26 CROSS-EXAMINATION BY MR GRIFFITHS:

27 Q. Good morning, Mr Sumana.

28 A. How are you?

29 Q. Some five years ago, in September 2003, you first spoke to

1 an investigator in Kono. Do you remember that?

2 A. Yes.

3 Q. And they came to visit you at an address in Kono District,
4 didn't they?

09:31:23 5 A. Yes.

6 Q. And help us, please, how was it that you had come to the
7 attention of the investigators?

8 A. Well, they met me at a place where they built a house for
9 my father. That was the place they met me.

09:31:56 10 Q. Yes, but how did they know to come to you to ask you about
11 your experiences during the war?

12 A. Well, at that time they went there and met us at home.

13 They met my father. They said the victims of this war, they
14 would like to talk to the victims of this war. At that time they

09:32:35 15 met me there. So they asked me at that time and I explained to
16 them what happened to me.

17 Q. Yes, but from what you understand had someone said to these
18 investigators, "Go and see the Sumana family. They might have
19 something interesting to tell about the civil war in Sierra
09:33:01 20 Leone." Is that what happened?

21 A. No, they didn't go to us directly. They went in our area
22 wherein my father was the chairman, so they met us there and had
23 some discussions with us.

24 Q. Your father was chairman of what?

09:33:35 25 A. For the amputees.

26 Q. Was that in Kono District?

27 A. Yes. Yes, where we were.

28 Q. I'm going to come back to that in a moment but I just want
29 to go back a little bit and clarify something. When you said

1 earlier, and I'm looking, for those opposite, at page 2, line 14
2 on a 14 font, that they had built a house for your father. Who
3 had built the house for your father?

09:34:23 4 A. There was an organisation that usually built houses for the
5 amputees.

6 Q. So your father was chairman of a group which represented
7 the amputees. Is that right?

8 A. Yes.

09:34:51 9 Q. And that investigator came to see your father and then
10 decided to take an account from you. Is that right?

11 A. Well, when they went on that day they were two in number.
12 So I was the first one that they asked.

13 Q. Now were you working at the time that they came to see you?

14 A. Yes, I was working.

09:35:23 15 Q. Doing what?

16 A. As a miner.

17 Q. Who for?

18 A. At that time I was in the company.

19 Q. So you were not working for your father at that time?

09:35:49 20 A. No, I was not working for my father at that time. I was
21 working for a company.

22 Q. In any event, from what you told us yesterday, I take it
23 that given what had happened to your father it was important for
24 you to work and bring in money to support your family?

09:36:18 25 A. Yes.

26 Q. And no doubt times were hard?

27 A. Yes.

28 Q. And were you told by the investigators when they came to
29 see you that they would pay you?

1 A. No, they never said that to me.

2 Q. But you have received money from them, haven't you?

3 A. Well, on that day I was not given any money. They only
4 went and asked me.

09:36:58 5 Q. But subsequently you did receive money, didn't you?

6 A. Not until the time they visited us again, they used to give
7 us - give me money sometimes.

8 Q. Now no doubt that money helped to look after your family?

9 A. No, it was not sufficient to help my family because I was
09:37:34 10 not given sufficient money.

11 Q. As far as you - do I understand your evidence correctly, as
12 far as you're concerned 2,821,000 leones is not a lot of money?

13 A. Not at all.

14 Q. It's not a lot of money?

09:38:22 15 A. It's not small money.

16 Q. Well, do you appreciate that's what you've been paid by the
17 investigators?

18 A. Well, in my own part that amount of money has not been
19 given to me yet.

09:38:46 20 Q. Well we may have to come back to that in a bit more detail,
21 but in any event were you grateful to the Prosecutors for the
22 money they gave you?

23 A. Well, I will not feel happy. What happened to me was what
24 they asked me to explain. That was what I explained to them. I
09:39:12 25 don't want it to be in my mind all the time. I did not explain
26 that for me to be paid.

27 Q. Okay. Now the person who interviewed you on that first
28 occasion on 21 and 22 September 2003, do you recall that it was a
29 white woman called Corinne Dufka?

1 A. Yes, it was a white woman.

2 Q. And do you remember her name, Corinne Dufka?

3 A. Yes, that name was shown to me.

4 Q. Have you seen her since September 2003?

09:40:08 5 A. No, I did not see her.

6 Q. You haven't seen her since?

7 A. Since that day I never set eyes on her again.

8 Q. In any event at that meeting in September 2003 apart from
9 Corinne there was also an interpreter present, wasn't there?

09:40:37 10 A. Well, usually visit me there sometimes asking me.

11 Q. There was also an interpreter present, wasn't there?

12 A. Yes, there was an interpreter who interpreted for me.

13 Q. And you understood that the interpreter was there to ensure
14 that you could properly explain yourself. You understood that,
09:41:02 15 didn't you?

16 A. Yes, there was an interpreter.

17 Q. And the interpreter was also there to ensure that you would
18 properly understand the questions being put to you. You
19 appreciated that, didn't you?

09:41:31 20 A. Yes, there was an interpreter.

21 Q. Very well. You appreciated that the interpreter was there
22 to ensure that you understood the questions and could explain
23 yourself properly. You knew that, didn't you?

24 A. Yes, he was there.

09:41:57 25 Q. And no doubt you appreciated that it was vitally important
26 that you told the truth?

27 A. Yes, what happened to me that was what I explained, the
28 events that took place.

29 Q. And you knew that you had to tell the truth and nothing but

1 the truth, didn't you?

2 A. Yes.

3 Q. And do you say that you told only the truth to Corinne
4 Dufka?

09:42:50 5 A. Yes.

6 Q. Now at that time in September 2003 the events you were
7 speaking to Ms Dufka about had happened, what, no more than a
8 couple of years before, would you agree?

9 A. The events that took place in this war, that was what I
09:43:27 10 explained.

11 Q. And those events had only recently occurred at the time
12 that you were being asked about them by Corinne Dufka, don't you
13 agree?

14 A. Yes, the events that I saw and what happened to me, that
09:43:58 15 was what I explained.

16 Q. And those were terrible events, weren't they?

17 A. Yes.

18 THE INTERPRETER: Your Honours, let the witness repeat the
19 last part of the answer.

09:44:19 20 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
21 repeat the last part of your answer. He did not hear it
22 properly. You were asked, you started and you said "Yes". Did
23 you say something else? Please repeat what else you said.

24 THE WITNESS: Repeat the question again. Let me
09:44:41 25 understand.

26 PRESIDING JUDGE: Mr Griffiths.

27 MR GRIFFITHS:

28 Q. What had happened to you was quite terrible, wasn't it?

29 A. Yes, very terrible.

1 Q. And no doubt the scars and pain of that experience were
2 still fresh in your mind?

3 A. Yes.

09:45:16 4 Q. Because if we just put in a nutshell what had happened to
5 you during that two years or so, you'd been captured, is that
6 right?

7 A. Yes, I was captured.

8 Q. You'd been forced to do domestic work for Major Wallace, is
9 that right?

09:45:42 10 A. Yes, at that time they used to send me.

11 Q. You were then recruited and forced to go to the training
12 camp in Buedu, is that right?

13 A. Yes.

09:46:08 14 Q. You'd then been beaten during the training by Monica, is
15 that right?

16 A. Yes, they used to beat us.

17 Q. You were then given a gun - your own gun - is that right?

18 A. Yes.

19 Q. And you were then forced to fight for the rebels?

09:46:34 20 A. Yes.

21 Q. You could not possibly forget any of those events, could
22 you?

23 A. Yes, I cannot remember all the events. All that I could
24 recall was what I explained.

09:46:54 25 Q. But those events were so terrible they'd be impossible to
26 forget, wouldn't they?

27 A. Not at all. Those that I can remember is what I explained.

28 Q. And equally look at what happened to your family. Your
29 brother had been killed, is that right?

1 A. Yes.

2 Q. Your sister had been killed, is that right?

3 A. Yes.

4 Q. Your younger brother Kai had been abducted, is that right?

09:47:45 5 A. Yes.

6 Q. Your father had been amputated. That's right, isn't it?

7 A. Yes.

8 Q. Those kinds of things are not easily forgotten, are they?

9 A. Not at all.

09:48:08 10 Q. Now on that occasion in September 2003 you were interviewed
11 over two days, weren't you?

12 A. Yes, they went there twice.

13 Q. Now I want to move on and deal with matters sequentially,
14 please.

09:48:41 15 A. Okay.

16 Q. And the first thing I want to deal with is your abduction,
17 that is your capture, okay?

18 A. Okay.

09:49:04 19 Q. Now, I want you to be aware right from the outset that the
20 details I'm asking you about are very important and I would like
21 you to try your best to help us. Will you do that?

22 A. Okay.

23 Q. Question number one is in what month were you abducted?

24 A. Well, I cannot recall the month at that time.

09:49:39 25 Q. Have you ever been able to recall the month in which you
26 were abducted?

27 A. Well, at that time it was during the mango season. I
28 cannot remember the exact month, but it was during the mango
29 season.

1 Q. Please listen very carefully to the question. Have you
2 ever at any time been able to recall the month in which you were
3 captured?

4 A. Well, the time I was captured by then we were all driven
09:50:44 5 out of Koidu Town. Only the rebels stayed there at that time.

6 Q. I'm going to try my question again. Have you, Komba
7 Sumana, ever been able to remember the month in which you were
8 captured?

9 A. That is what I'm saying. I said I cannot remember that
09:51:23 10 month.

11 PRESIDING JUDGE: Mr Witness, the question is not whether
12 you can remember the month now as we sit here today. The
13 question is at any time in the past were you able to remember the
14 month. Is that a --

09:51:41 15 MR GRIFFITHS: That is precisely my question, Madam
16 President.

17 THE WITNESS: Well, I used to remember. By then I was a
18 little bit mature. I used to go to school at that time. Some
19 events - I could remember some of the events.

09:52:00 20 MR GRIFFITHS:

21 Q. So, what are you telling us then? That there was a time
22 when you remembered the month, but you've forgotten now. Is that
23 what you're telling us?

24 A. I did not say the time I was captured I knew that time. I
09:52:43 25 said at that time I was a little bit matured. By then I was a
26 school boy. Only that particular month I cannot remember, but
27 then I used to remember some events.

28 JUDGE SEBUTINDE: Sorry, Mr Interpreter, did the witness
29 say a little bit matured or immature?

1 THE INTERPRETER: A little bit matured.

2 MR GRIFFITHS: I don't know if we're having an
3 interpretation problem here. I'm going to try it once more:

09:53:26

4 Q. Was there ever a time when you were in a position to say,
5 "I was captured by the rebels in", for example, "January 2001"?
6 Were you ever able to say that?

7 A. No.

8 Q. It follows then, doesn't it, that you were never in a
9 position to give anyone a specific date?

09:54:13

10 A. Not at all. I cannot remember.

11 Q. Help me with this then. Forget about the month. In what
12 year were you captured?

13 A. I cannot remember that year, but that was the time we were
14 finally driven out of Koidu Town.

09:54:42

15 Q. Let me ask a different question then and appreciate,
16 Mr Sumana, there are very important reasons why I'm asking these
17 questions. The question I want to ask you is this: How old were
18 you when you were recruited and sent for training in Buedu?

09:55:25

19 A. Well, before we were driven out of Koidu Town my father
20 used to tell me that I was 14 years old.

21 Q. So what you're telling us then is when you were recruited
22 and sent to Buedu for training, as far as you are aware, based on
23 what your father has told you, you were 14 years old. Is that
24 right?

09:56:02

25 A. Yes.

26 Q. Very well. Mr Sumana, you did appreciate, didn't you, that
27 when on the several occasions you spoke to investigators they
28 were writing down what you were saying. You appreciated that,
29 didn't you?

1 A. Well, we used to go there. What I explained was written
2 down.

3 Q. Why do you think they were writing down what you were
4 telling them? Why do you think they were doing that?

09:57:01 5 A. Well, I thought that it was just a record.

6 Q. A record of what you had supposedly truthfully told them.
7 Is that right?

8 A. Yes.

9 Q. And you knew that they were writing it down just as you
09:57:30 10 were saying it. Is that right?

11 A. Yes.

12 Q. When they had finished writing it down did they read it
13 back to you and say, "Look, Komba, I want you to listen carefully
14 to what I'm reading back to you because it's a record of what you

09:58:00 15 told us"? Did they do that?

16 A. Yes. There came a time when they returned.

17 Q. And they read it back to you?

18 A. Yes, they went and read it to me.

19 Q. And you knew when they were reading it to you they were
09:58:34 20 reading it to you so that you could check and correct anything
21 that was wrong. You understood that, didn't you?

22 A. Yes, they read it.

23 Q. Now help me with this: Can you read?

24 A. No, I can't.

09:59:15 25 Q. Nonetheless, I do want a record of what you said on that
26 initial occasion put up on the screen, please. I wonder, Madam
27 Court Manager, with your assistance, I wonder if we could go
28 first of all, please, behind divider 1. I hope those opposite
29 have a copy of this bundle. Can we put, please, the first page

1 on the screen.

2 Now, Mr Sumana, what this first page says is this: It
3 gives your name, Komba Sumana; it gives the name of the
4 interviewer Corinne Dufka; the date of the interview 21 and 2
10:00:23 5 September 2003 and where the interview took place. Now I want
6 you to listen very carefully to what Corinne Dufka wrote down.
7 She says this:

8 "Komba Sumana, 18 years, was interviewed by OTP
9 investigator Corinne Dufka on September 21 and 22, 2003. The
10:00:54 10 interview was conducted in Kono District with the assistance of
11 translator Ishmael Daramy. The interview was conducted in both
12 English and Krio. Komba was abducted by RUF rebels in 1998 and
13 spent over two years with them. In the same week, in
14 approximately February 1998, Komba and three of his brothers were
10:01:31 15 abducted."

16 Now help us, please, you, the Komba Sumana who was never
17 able to give a month when you were abducted, did you tell Corinne
18 Dufka that you were in fact abducted in February 1998? Did you
19 tell her that.

10:02:02 20 A. Well, in relation to that --

21 MR KOUMJIAN: The passage that counsel read said
22 approximately February 1998.

23 MR GRIFFITHS: I'm perfectly capable of reading,
24 Mr Koumjian, and I noticed that.

10:02:18 25 MR KOUMJIAN: Your Honour, the question that counsel put to
26 the question did not record the "approximately". He was asked
27 whether he said February. That is in our submission unfair to
28 the witness to read - to put inaccurately this initial paragraph
29 written by Ms Dufka.

1 PRESIDING JUDGE: Mr Griffiths, please put "approximately"
2 February 1998.

3 MR GRIFFITHS: Very well:

10:02:45

4 Q. Did you - let me put the question differently. Did you
5 mention the name of a month of the year, whether it be
6 approximately or otherwise, to Corinne Dufka?

7 A. Well, they asked me and I said I did not know the month.

10:03:16

8 Q. So help me, please: How does the month February come to
9 appear in the record made by Corinne Dufka, whether it be
10 approximate or not? Can you help us?

10:03:44

11 A. Well, at the time that they asked me I said I did not know
12 the month and they said when the month - when the war ended -
13 they asked me if I knew when the war actually started and I said
14 when the war ended my father and others used to sit to talk about
15 when the war started, when - the month that it actually started.

10:04:17

16 Q. I'm going to try once more. Can you help us as to how the
17 word "February" appears in that first paragraph as being the
18 month and the year in which you were captured when you told me
19 earlier this morning that you've never been able to remember.
20 How does it appear in that record?

21 A. Well, I did not know the year at the time they asked me.

22 Q. Precisely. So can you tell us how Ms Corinne Dufka
23 happened to write down the year 1998 and the month "February
24 approximately"? Can you help us?

10:04:50

25 A. Well, at the time there was an interpreter who was
26 interpreting. Whatever I said, he interpreted and she was
27 writing.

28 Q. Right. So help us then, please: Was it you who mentioned
29 February and 1998?

1 A. Well, they asked me and when we sat together with my father
2 and my father was explaining, that was the time that I knew that
3 that was the time we ran away.

4 Q. Was it Corinne Dufka who was doing the writing?

10:05:40 5 A. Yes, she was doing the writing.

6 Q. So she must have been the one who wrote down the word
7 "February" and the year "1998". She must have done that, mustn't
8 she?

9 A. I can't say because they asked me about the year of the war
10:06:02 10 when we ran away. They used to ask me about the year and I used
11 to tell them that I did not know the year.

12 Q. That's the point. So are you saying that Corinne Dufka
13 made up the year 1998 and wrote that down? Is that what you're
14 saying? Because if you didn't tell her, she must have made it
10:06:30 15 up. So did she do that?

16 A. Well, at the time they asked me, and I said I can't tell
17 the year. Then the interpreter who was there asked me when the
18 war ended, if I can't remember any month or year at the time.
19 Then I said maybe it could be, because the war ended and I asked
10:07:00 20 my father and he told me the year. It was at that time that I
21 told the year. I said that this was the year that my father said
22 that we ran away, but I did not know whether they wrote it or did
23 not write it.

24 Q. Understand this, Mr Sumana: To be fair to you, I am not
10:07:25 25 suggesting that you are lying, because let us go, please, to the
26 fourth page behind that divider, which carries the ERN number
27 00000982, and you see in the second paragraph on that page you
28 say, "I can't remember the month I was captured, but it was mango
29 time. The time the mangoes are ripe." So that's what you were

1 telling them, but when we come back to the first page magically
2 someone has written February and 1998. Now, given that you
3 couldn't have given that date, Corinne Dufka must have written
4 that down, mustn't she?

10:08:31 5 A. Well, they used to ask me that and I used to say I did not
6 know the month, but I used to remember and that was the time that
7 I suggested and told them about.

8 Q. Precisely. Because you didn't know the date and you told
9 her plain and square, "I can't remember the month" and somehow
10:08:53 10 she has written down "approximately February 1998". Now that
11 date could not have come from you, could it?

12 A. Well, I said at the time that they asked me if I knew and I
13 said when I asked my father that was what he told me.

14 Q. But what I'm saying is because you weren't in a position to
10:09:24 15 supply a month and year, she must have written that down and
16 attributed it to you, mustn't she?

17 A. Well, at the time I said that was what my father said and
18 that was what I told them. I did not know whether they wrote it
19 or did not write it.

10:09:50 20 Q. Let us go back to the first page again then. Bearing in
21 mind of course MFI-1, your birth certificate, now your birth
22 certificate gives your date of birth as 10 August 1984. Now
23 let's go back to page 1, please. On page 1 it says, "Komba
24 Sumana, 18 years". If you were born in August 1984, when you
10:10:34 25 were being interviewed in September 2003, you had just passed
26 your 19th birthday. Now help us: Can you help us as to how it
27 comes about that Corinne Dufka has written your age down here as
28 18?

29 A. Well, at the time that they asked me about my year, it was

1 at the time that I told them my age. They did not ask me what my
2 age was when I was captured. At the time they asked me about my
3 age and that was when I told them my age.

10:11:23 4 Q. That's not what I'm asking about. You see, at the time you
5 were being interviewed by Corinne Dufka it was a month and some
6 days after your 19th birthday, but she has written down on this
7 page that you were 18 at the time of the interview. Can you help
8 us as to how that comes about?

9 A. I did not understand.

10:11:55 10 Q. Let me try again. On your birth certificate, Mr Sumana,
11 your date of birth is given as 10 August 1984. Do you follow
12 that?

13 A. Yes, what my father told me after the war.

14 Q. But in any event, in September 2003, when you were speaking
10:12:29 15 to Corinne Dufka, you would have been 19 years old, but she has
16 written on this record that you were 18 at the time. Can you
17 help us as to how that came about?

18 A. Yes. She asked me what my age was at the time that they
19 met me and asked me my age. That was the time that I told them
10:13:07 20 my age.

21 Q. So are you saying that you told her that you were 18?

22 A. Yes, because at the time they met me and asked me I told
23 them I was 18. They did not ask me what my age was when I was
24 captured. They only asked me what my age was and that was the
10:13:33 25 age I told them.

26 Q. But, you see, can you help us as to why you said, "My
27 name's Komba Sumana and I'm 18 years old" when really you should
28 have been saying, "My name is Komba Sumana and I'm 19 years old,
29 Ms Dufka." Can you help us as to why you said 18 and not 19?

1 A. Well, at the time I had not taken my paper. My father had
2 not given me my birth certificate so it was my voter ID card that
3 I had. So the age that was on that ID card was the one that I
4 gave to them.

10:14:23 5 Q. Very well. I'm happy to accept that answer because it's
6 easy to become confused as to how old you are, but can we put it
7 this way: That you're not in a position to say how old you were
8 at the time you were recruited and sent to Buedu to the training
9 camp. You can't really tell us how old you were, can you?

10:14:57 10 A. I did not understand.

11 Q. Can you tell us accurately how old you were when you were
12 sent to the training camp in Buedu?

13 A. Well, I said my father used to explain to me at the time we
14 had not run away. The first paper that he had taken, he said I
10:15:23 15 was 14 years. That was what he used to tell me at the time we
16 were in Koidu.

17 Q. You see, Mr Sumana, the point I'm making is this: If when
18 you were 19 years old you could make a mistake about your age and
19 say you were 18, is it possible that you made a mistake about
10:15:47 20 your age and you were actually 15 and not 14 at the time you were
21 abducted? Is it possible you made another mistake there?

22 THE INTERPRETER: Your Honours, can counsel please ask his
23 question again.

24 THE WITNESS: I have not understood the question.

10:16:05 25 MR GRIFFITHS: Very well:

26 Q. We know that in September 2003, when you were speaking to
27 Corinne Dufka, you made a mistake about your age. You told her
28 that you were 18 when you were in fact 19. Do you agree?

29 A. That is what I am saying. At the time the war was over and

1 they came and asked me. It was at the time that I told them that
2 age because I didn't have my actual paper. So the ID card that I
3 had and the age that it had was what I told them.

4 Q. But you agree now that it was a mistake?

10:16:51 5 A. Yes, because it was my father who took our birth
6 certificates and he didn't hand them over to us. He was the one
7 who kept them. At the time that I went to register the age that
8 was on my ID card was what I told them about.

9 Q. The point I'm making is this: If you could make a mistake
10:17:11 10 about your age then, is it possible that you made a mistake about
11 your age at the time you were captured?

12 A. Well, as to my age I did not know, but the way my father
13 used to tell them, that was what I remembered and when they asked
14 me I told them that that was what my father said and that that
10:17:45 15 was my age.

16 Q. But you did not know; that's right, isn't it?

17 A. When the war was over I was the one who told them my age
18 because before that my father had taken the papers and had not
19 handed them over to us.

10:18:03 20 Q. Very well. Let's move on.

21 PRESIDING JUDGE: Are you moving on to another aspect, Mr
22 Griffiths?

23 MR GRIFFITHS: Yes, I am.

24 PRESIDING JUDGE: I would like to clarify one thing.

10:18:14 25 Mr Witness, when you had this interview on 21 and 22
26 September 2003, how many people were there when you were talking
27 to Ms Dufka?

28 THE WITNESS: I have not understood.

29 PRESIDING JUDGE: You said the interpreter was there,

1 Ms Dufka was there, you were there. Was anyone else there?

2 THE WITNESS: When they were taking my statement?

3 PRESIDING JUDGE: Yes.

10:18:50

4 THE WITNESS: Those who were there, the woman and the
5 interpreter, they were the ones with whom I was sitting at the
6 house.

7 PRESIDING JUDGE: Just three of you?

8 THE WITNESS: Yes.

10:19:06

9 PRESIDING JUDGE: Thank you for allowing me to clarify
10 that.

11 MR GRIFFITHS:

12 Q. Let me move on to another topic. Let's go back to the
13 first page of that interview in September 2003, please. Second
14 paragraph:

10:19:27

15 "In 1997 during the AFRC time my family and I were living
16 in the Tankoro neighbourhood of Koidu Town. During that time the
17 RUF and SLA juntas were working together. My family and I lived
18 among them. Before this time my father was a chiefdom policeman.
19 During the AFRC time things weren't too bad, although sometimes
20 the rebels forced us to get water or beat rice for them."

10:20:11

21 Pause there. That's what Ms Dufka has written down. Did
22 you tell her that?

23 A. Yes.

10:20:33

24 Q. So it's right, is it, that things were not too bad during
25 the AFRC times?

26 A. Well, things were difficult at the time.

27 Q. Let's read the full passage so we get the sense of it:

28 "During the AFRC time things weren't too bad, although
29 sometimes the rebels forced us to get water or beat rice for

1 them. I'm not really sure who was in charge of Koidu during the
2 AFRC days. I was just 13 or 14 then. Then around February 1998
3 the harassment got much worse. The rebels started looting,
4 breaking into houses and even raping women. This was around the
10:21:31 5 time the AFRC were kicked out of Freetown by ECOMOG."

6 Do you remember saying all of that to Corinne Dufka?

7 A. Yes, I explained to her.

8 Q. So just so that we understand, initially after the AFRC
9 took over things weren't too bad, but they suddenly got worse
10:22:03 10 when ECOMOG intervened and kicked them out of Freetown. Is that
11 right?

12 A. Yes. When they went there initially things were not that
13 hard. It came to a time when the things became really difficult
14 for people.

10:22:21 15 Q. And things became really difficult for people because after
16 ECOMOG intervened food became scarce, didn't it?

17 THE INTERPRETER: Your Honours, can he repeat his answer.
18 It's not clear.

19 PRESIDING JUDGE: Mr Witness, the interpreter has not heard
10:22:42 20 you clearly and asks that you repeat your answer.

21 THE WITNESS: I said it was not like that. The question
22 that they asked me was what I answered.

23 MR GRIFFITHS:

24 Q. Well, let's try again then. Initially when the AFRC took
10:23:03 25 over things weren't too bad, were they?

26 A. Yes, the week that they entered there.

27 Q. But then when ECOMOG kicked them out of Freetown things got
28 worse. Is that right?

29 A. Yes, at the time we were in Koidu when we heard that ECOMOG

1 had dislodged them.

2 Q. Because at that time food became really scarce, didn't it?

3 A. Yes.

4 Q. And just so that everyone appreciates that you're not

10:23:44 5 saying this for the first time, can we go, please, behind divider
6 2 and the first page, paragraphs 7 and 8:

7 "When ECOMOG drove the rebels out of Freetown the
8 distinction between the SLAs and the rebels became confused as
9 they were mixed up together. The situation became very tense as
10:24:22 10 there was no commercial activity any more. The food was scarce
11 and people were leaving the town."

12 That's right, isn't it?

13 A. Yes.

14 Q. Now, let's move on to another topic. Is it right that it

10:24:45 15 was some time after the ECOMOG intervention that you were
16 captured?

17 A. Well, at the time they had not captured me yet.

18 Q. But it was some months after the ECOMOG intervention that
19 you were captured, is that right?

10:25:19 20 A. Yes, we had left Koidu. We were no longer there.

21 Q. But you cannot help us --

22 JUDGE SEBUTINDE: Is that really answering?

23 MR GRIFFITHS: No, it's not.

24 JUDGE SEBUTINDE: Does he understand what the ECOMOG

10:25:33 25 intervention is?

26 MR GRIFFITHS: Well, let me try:

27 Q. Let's go back to that page that I just showed you, please.

28 Now, according to this record you told someone on 22 September

29 2004 that ECOMOG drove the rebels out of Freetown. Now, just

1 pause now. Do you actually remember that happening?

2 A. Yes, I can remember.

3 Q. Where were you when it happened?

4 A. Well, we were in Tankoro at the time.

10:26:29 5 Q. And would it be right that it was some months after that
6 happened that you were captured?

7 A. Yes, some months passed.

8 Q. But you can't help us as to how many months had passed?

9 A. No, because we were not in town. We were just in the
10:27:01 10 bushes moving about.

11 Q. In any event you were captured by three rebels, is that
12 right?

13 A. Yes.

14 Q. And they spoke Liberian English, is that right?

10:27:19 15 A. Yes.

16 Q. One was called Wuya?

17 A. Yes.

18 Q. One was called Opong?

19 A. Yes.

10:27:35 20 Q. One was called Alie?

21 A. Yes.

22 Q. And all three of them were former ULIMO fighters who had
23 joined the STF, is that right?

24 A. Yes.

10:27:59 25 Q. They took you to Kissi Town?

26 A. Yes.

27 Q. Kissi Town was one of three rebel bases in that area?

28 A. Yes.

29 Q. You've given us the details of those yesterday and I won't

1 trouble you today to provide them again, but in any event the man
2 who was immediately in charge of you was one Major Wallace?

3 A. Yes.

4 Q. He was part Liberian?

10:29:02 5 A. Yes.

6 Q. He too was former ULIMO who had joined the STF?

7 A. Yes.

8 Q. Next point. The next topic I want to ask you about is
9 training. After your capture you worked for several weeks as a

10:29:35 10 domestic for Major Wallace and his wife, didn't you?

11 A. Yes.

12 Q. Fetching water?

13 A. Yes.

14 Q. Husking rice?

10:29:53 15 A. Yes.

16 Q. Cleaning for them?

17 A. Yes.

18 Q. Doing their laundry?

19 A. Yes.

10:30:04 20 Q. During that time you were not a combatant, were you?

21 A. No.

22 Q. For how long, can you help us in terms of months, were you
23 employed as a domestic for Major Wallace and his wife?

24 A. It was not up to a month, but it took weeks. It took three
10:30:39 25 weeks at the time that we were there.

26 Q. So you were employed as a domestic by them for several
27 weeks, were you?

28 A. Yes, at the time that I was with them there.

29 Q. And it was after several weeks that a meeting was called by

1 General Issa of all the civilians who had been captured and who
2 were living in the three camps?

3 A. Yes.

10:31:24

4 Q. At that large meeting, where hundreds of civilians were
5 present, a screening process took place conducted by Morris
6 Kallon. Is that right?

7 A. Yes.

10:32:02

8 Q. Now, back in September 2003 you spoke to Corinne Dufka
9 about this. Could we go behind divider 1, please, and can we
10 look at the fifth page. There's a handwritten number 5 in the
11 bottom right-hand corner and it bears the ERN number 00000983.
12 Can we look, please, at the very last paragraph on that page,
13 "The meeting took place on a Monday in what I think was probably
14 April 1998." Now, help me. Did you tell Corinne Dufka that this
15 meeting of all the captured civilians took place in April 1998?

10:32:53

16 Did you tell her that?

17 A. Yes, I said maybe at the time.

18 Q. How did you know?

10:33:21

19 A. Well at the time it was the time for mangoes, mangoes had
20 started ripening, so that was why I made that suggestion and told
21 them.

22 Q. So did you tell her mango time, or did you tell her April?

10:33:44

23 A. Well I said I used to look at the mangoes, the time that
24 they were ripening, and I suggested to them that it could be this
25 time.

26 Q. Did you tell her mango time, or did you mention the word
27 "April"?

28 A. Yes, I said that.

29 Q. How did you know it was April?

1 A. I used to look at the mango times at the time.

2 PRESIDING JUDGE: Mr Witness, exactly what did you say?

3 You were given two choices by counsel. Which one?

4 THE WITNESS: I said the reason I showed those times that
10:34:31 5 time was that I used to look at the mangoes and that was why I
6 told them that time.

7 PRESIDING JUDGE: Mr Witness, listen to the question you
8 were asked please. The question was as follows, "Did you tell
9 her mango time, or did you mention the word 'April'?" That is
10:34:46 10 the exact question.

11 THE WITNESS: I told them about the mango time. I said the
12 time the mangoes were ripening.

13 MR GRIFFITHS:

14 Q. So it follows, doesn't it, that Corinne Dufka, as with
10:35:10 15 "approximately February 1998", must also have written in "April"
16 because you didn't tell her that? All you said was "mango time",
17 wouldn't you agree?

18 A. Well, they asked me. I said it was the mango time. They
19 said if I actually knew the time and I said that probably it was
10:35:37 20 in April.

21 Q. I see. So, you did mention April?

22 A. Yes, it was at that time that I mentioned it.

23 Q. Right. So help me, please. When is mango time?

24 A. Well, the mangoes start ripening - I do not know the year,
10:36:09 25 but they ripen at any time.

26 Q. Well, I'm completely baffled now and I'm sure it's my
27 fault. What month of the year, or months, do mangoes ripen?
28 Help us, please, because I've never lived in Sierra Leone.

29 A. I can't tell the month.

1 Q. So, if you can't tell the month you wouldn't have been able
2 to say "April". So, help me. Where does the word "April" come
3 from? It can't have come from you and so it must have come from
4 her, don't you agree?

10:37:04 5 A. Well, they asked me. Then I explained to them.

6 Q. Mr Sumana, let's just take things very, very slowly because
7 it may well be my fault. You don't know the month that mangoes
8 ripen. So you're sitting in front of Corinne and you say to her
9 it was about mango time, and even though that's what you said to
10 her somehow the record of what you said reads "April". So it
11 must mean that you said "mango", she wrote "April". Don't you
12 agree?

13 A. Because the way they asked me, they said when was it, and I
14 showed them the time and they said it was the year and that's the
15 year I showed them, that probably that was the year; the time
16 that I showed them the year.

17 Q. I'm not interested in years, I'm interested in a month.
18 April. And I'll try once more. You said "mango", she said wrote
19 "April". That's what happened, isn't it?

10:38:44 20 A. I did not understand.

21 Q. You weren't able to give a month, so you, trying the best
22 you could, said mango time. She has written April. It means,
23 doesn't it, that the word "April" came from her and not from you.
24 Don't you agree?

10:39:16 25 A. I said something about April.

26 Q. Very well. Let's move on. Can we go back, please, to that
27 page we were looking at, 983. Last paragraph:

28 "The meeting took place on a Monday in what I think was
29 probably April 1998. They gathered all of us in the bush in a

1 coffee farm under the cover of the trees. They held the meeting
2 there so the ECOMOG Alpha Jets couldn't bomb us. The RUF were
3 afraid of ECOMOG soldiers who at that time were based in Kokuima.
4 The meeting lasted for about two hours. There were many rebel
10:40:26 5 big men there. General Issa, Morris Kallon, General Bropleh,
6 Superman, Colonel Banya, Lieutenant Blood and one named
7 Five-Five. I was told there are two commander Five-Fives, the
8 one with us was the RUF Five-Five. Then there is one who was
9 with the SLA. However, I'm not really sure if the Five-Five they
10:41:01 10 referred to was the same or not."

11 Do you remember telling Ms Dufka all of that?

12 A. Well, what I explained, I did not name all of the
13 commanders. They asked me about the commanders. Some commanders
14 I named and I said they were not there and later she asked me and
10:41:27 15 I told her where they were.

16 Q. Was General Issa at that meeting?

17 A. Yes, he was there.

18 Q. Was Morris Kallon at that meeting?

19 A. Yes.

10:41:39 20 Q. Was General Bropleh at that meeting?

21 A. He was not there.

22 Q. Was Superman at that meeting?

23 A. Superman did not go there. We left him in Kissi Town.

24 Q. Was Colonel Banya at that meeting?

10:42:03 25 A. I did not see him there.

26 Q. Was Lieutenant Blood at that meeting?

27 A. Yes, he was there.

28 Q. Now the person who has written this down, just so that you
29 understand, claims that you told her that General Bropleh and

1 Superman were there, but you're now telling us that they weren't
2 in fact there. Is that right?

3 A. Yes, they were not there. They were in - they were in this
4 town --

10:42:52 5 Q. Kissi Town. They were in Kissi Town, you tell us.

6 A. They were in Kurubonla at the time.

7 Q. So can you help us how it is that Corinne Dufka is here
8 saying that you told her that they were present at that meeting?

9 A. Well, at the time they asked me I did not name all of them.

10:43:17 10 Those whom I named, those were the four people and there was one
11 woman who was doing the interpretation at the time.

12 Q. So are you telling us that you never said to anyone that
13 General Bropleh and Superman were at that meeting?

14 A. I did not say so. It was later that I told them that

10:43:49 15 Bropleh and the others were in Kurubonla, that was where we met
16 them.

17 Q. But can you explain how it is that you didn't say they were
18 there, but she claims that you told her that? Can you help us
19 with that?

10:44:09 20 A. Well, at the time they asked me I could name Bropleh, but I
21 said they were not there. I said they were not there. Those who
22 were at the meeting were those I named at the time.

23 Q. In any event, you were thereafter selected and sent for
24 training, weren't you?

10:44:38 25 A. Yes.

26 Q. And the person in charge of training was a woman called
27 Monica?

28 A. Yes.

29 Q. She was a colonel, wasn't she?

1 A. Yes.

2 Q. And her surname was Pearson, wasn't it? Monica Pearson.

3 Colonel Monica Pearson. Do you remember now?

4 A. No, they said Colonel Monica. That was what they called

10:45:18 5 her.

6 Q. But in any event, Colonel Monica was mean, wasn't she?

7 THE INTERPRETER: Your Honours, can the learned counsel
8 repeat his question slowly.

9 MR GRIFFITHS:

10:45:41 10 Q. Colonel Monica was mean, wasn't she?

11 THE INTERPRETER: Your Honours, the interpreter will
12 certainly have problems interpreting "mean". If learned counsel
13 can simplify it for the interpreter.

14 MR GRIFFITHS:

10:46:03 15 Q. Colonel Monica was a nasty piece of work, wasn't she?

16 A. Yes.

17 Q. Now there was a reason why I used the word "mean". Let's
18 go to the next page please, 6 of 10, bearing the reference
19 00000984. Let's start with the second to last line:

10:46:39 20 "Most the training however was done with sticks they
21 pretended were guns. We never received any training about how to
22 treat or not treat civilians. Monica was mean. She and the
23 others would beat us if we didn't perform well enough."

24 MR KOU MJIAN: Your Honour, I could wait for counsel to
10:47:04 25 complete his question but, since the interpreters have already
26 indicated they cannot translate that word, I'm wondering how the
27 witness will be able to understand the question.

28 PRESIDING JUDGE: Perhaps when the interpreters hear it in
29 context they might be able to interpret it and if they have a

1 problem they can let us know.

2 JUDGE LUSSICK: Counsel has also given the interpreters an
3 equivalent meaning of "nasty piece of work", which they were able
4 to interpret.

10:47:33 5 MR GRIFFITHS:

6 Q. And that was a fair description of Monica, wasn't it? She
7 was a wicked individual, wasn't she?

8 A. Yes.

9 Q. Now there's one other matter that I want you to help us
10:47:53 10 with in that regard. You say that this training camp was in
11 Buedu, don't you?

12 A. Yes.

13 Q. And that was where you were trained by the wicked Monica?

14 A. Yes.

10:48:21 15 Q. The reason why I'm asking you, you see, is this: At or
16 about that time the wicked Monica was working in a training camp
17 in Bunumbu, not Buedu. Now help me: Was the camp in Buedu or
18 was the camp in Bunumbu?

19 A. Well, she was in Buedu. That was what they used to say.

10:49:01 20 We were in the bush. We did not go to Buedu.

21 Q. Now I have very good reason for making that suggestion to
22 you, because we know that in 1994 Monica was training at Camp
23 Matru Jong in Sierra Rutile, and for everybody's benefit the
24 reference is transcript page 4826, line 22 to 23. Also in 1994
10:49:45 25 she was a trainer at Camp Lion in Zogoda on the Kenema Highway,
26 reference page 4851, line 24 to 25. In 1998 she was at Camp Lion
27 in Bunumbu, reference page 4867, lines 16 to 18. Then in early
28 1999 she was in Yengema in Koidu, on the Koidu Highway, reference
29 page 4916, line 16.

1 What I'm suggesting to you, you see, is that she never
2 worked in a camp in Buedu. Now, was the camp in Buedu or wasn't
3 it?

4 A. Well, that was where we were trained and she was the one
10:50:54 5 who trained us there. There was a camp there where she trained
6 us.

7 Q. Are you sure you went to a training camp in Buedu where a
8 female Liberian, Monica, trained you? Are you sure?

9 A. Yes.

10:51:20 10 Q. Because what I'm suggesting is that that Monica was nowhere
11 near Buedu training recruits; she was in Bunumbu which is about
12 14 miles from Buedu. Now I want to be as fair to you as I can.
13 Is it possible you made a mistake and the camp was in Bunumbu and
14 not Buedu?

10:51:56 15 A. Well, we were trained in Buedu and that was where I saw
16 her.

17 Q. Were you really trained?

18 A. Yes, at the time.

19 Q. And according to you you were trained in a camp in Buedu by
10:52:17 20 Monica, Colonel Monica?

21 A. Yes, she trained me.

22 Q. Now yesterday you told us that at your passing out parade
23 you were given a gun, yes?

24 A. Yes, they gave me a gun.

10:52:50 25 Q. This was your own gun?

26 A. Yes, they gave me there.

27 Q. What type of a gun was it?

28 A. It was an AK.

29 Q. And everyone knows how the military operate. When they

1 gave you that gun, did they take down the serial number to say
2 AK-47 serial number so and so has been given to Komba? Did they
3 write down the serial number?

10:53:36

4 A. No, they did not tell me about number and I did not see
5 them writing it down.

6 Q. But in any event would it be fair to say that nothing like
7 this had ever been done to you before, being given a gun, your
8 own gun?

9 A. I was given a gun.

10:53:59

10 Q. At the passing out parade, following the training for two
11 months?

12 A. Yes, when we finished.

13 Q. And just so that we fully understand the situation, this
14 was the occasion when you're all passing out and so you're

10:54:22

15 gathered on a parade ground, is that right?

16 A. Yes, it was at that time that they brought the guns, at our
17 passing out.

18 Q. And a truck turned up?

19 A. Yes.

10:54:41

20 Q. Driven by some men wearing red military caps?

21 A. Yes.

22 Q. How many of them?

23 A. Well, at the time I saw three of them on board the truck.

24 Q. And they unloaded the truck, did they?

10:55:10

25 A. Yes.

26 Q. Wearing their - just help us with the description of this
27 men. They were wearing red military hats, is that right?

28 A. Yes, a military cap, a red one. That was what they were
29 wearing.

1 Q. And they were wearing something around their necks?

2 A. Yes.

3 Q. What was it?

4 A. A green muffler.

10:55:40 5 Q. And were they wearing uniforms as well?

6 A. Yes.

7 Q. What colour uniforms?

8 A. Well, the uniform - the colour of the uniform was black and

9 green mixed, a combat colour.

10:56:00 10 Q. So it was like a camouflage colour?

11 A. Yes, that was what it was like.

12 Q. Were they wearing boots? Army boots?

13 A. Yes.

14 Q. And you have told us there were three of them, they

10:56:19 15 unloaded the truck and was it one of them who handed you your own
16 gun?

17 A. No, not the three of them. There were some people who were
18 selected from the lines and they off-loaded these things.

19 Q. So was it the three men in the red hats who unloaded the
10:56:43 20 truck?

21 A. Not the three people. Those of us who were in the lines,
22 they selected some people among us and those were the people who
23 off-loaded the truck. They were just standing aside.

24 Q. Very well.

10:57:07 25 A. Yes.

26 Q. Did you have cause to speak to any of them?

27 A. No, I was not able.

28 Q. So who physically handed you, Komba Sumana, his gun?

29 A. Well the person who gave me was Monica, because she was the

1 one who took them at the time all the others were standing by.

2 Q. So we have this mental picture, do we, of you standing
3 there - were you standing to attention?

4 A. Yes, we were just standing in the line.

10:57:51 5 Q. And then Monica, that woman who had beaten you for two
6 months, came up and handed you your own AK-47. Is that right?

7 A. Yes, they came through the queue and they were giving each
8 and every one of us our own guns.

9 Q. Now given what you'd experienced at the hands of Monica,
10:58:21 10 that's not an event you were likely to forget, is it?

11 A. No, I can't forget that.

12 Q. Help us, please. Can we go behind divider 2 and can we go
13 to page 6, please. 6, bottom right-hand corner, ERN number at
14 the top 00035350. Now just so that we all know what we're

10:59:13 15 looking at here, we're looking at proofing notes from 5 October
16 2004. Paragraph 49:

17 "The weapons we received after the pass out parade were
18 new weapons. Before receiving the weapons we were tested and
19 only those who could shoot received weapons. I did not receive
10:59:45 20 any weapon because I could not shoot."

21 Did you say that to an investigator?

22 A. Well, what I explained was that they did not give me a gun
23 that was large.

24 Q. No, no, no, I don't care how big the gun was. Do you
11:00:20 25 appreciate that there's a huge difference between, "Monica gave
26 me my own AK", and, "I did not receive a weapon because I could
27 not shoot"? There's a big difference between those two things,
28 isn't there?

29 A. There is a difference, but they gave me a gun at the time.

1 Q. So can you help us, please, as to why in October 2004 you
2 told the investigators, "I did not receive any weapon because I
3 could not shoot"? Can you help us as to why you told them that?

11:01:17

4 A. Well, at the time that they asked me I told them that I was
5 given a gun.

6 Q. But according to them, Mr Sumana, in October 2004 they came
7 back to you and were asking you again and you told them, "I did
8 not receive any weapon because I could not shoot". Now, why did
9 you tell them that?

11:01:46

10 A. Well, at the time when they took my statement down they
11 went back. What I did not explain they read to me. What I
12 explained --

13 THE INTERPRETER: Your Honours, can he kindly repeat his
14 answer slowly.

11:02:01

15 PRESIDING JUDGE: Yes, Mr Witness, you are speaking too
16 quickly for the interpreters, who must understand what you're
17 saying. Please repeat your answer and speak more slowly and pick
18 up where you have said, "What I explained --" Continue from
19 there.

11:02:22

20 THE WITNESS: I said what I used to explain was what they
21 wrote, but there came a time when they went again with these
22 papers and they read them to me. The mistakes that they made -
23 the mistakes that the interpreter used to make in relation to
24 those I did not say I used to say, "I did not say that". At the
25 time that they went back to read them to me that was what I used
26 to do.

11:02:44

27 MR GRIFFITHS:

28 Q. This is the second time - no, no, no, this is the third
29 time in fact that you were meeting with them and according to

1 them on this occasion you tell them that you didn't in fact get a
2 weapon because you couldn't shoot. Now according to what you're
3 telling us today that is a lie, isn't it?

11:03:23

4 A. Well, I did not come here to tell lies. I can't take an
5 oath to tell lies.

6 Q. No, but what is here written on this page where it says, "I
7 did not receive any weapon at the pass out", that's a lie, isn't
8 it?

9 A. They gave me a gun. I told them that.

11:03:42

10 Q. Try my question, please. What is written down here that
11 you didn't receive a weapon, that is a lie, isn't it?

12 MR KOUMJIAN: Objection, your Honours. I believe the
13 witness has answered the question, because he said he told the
14 investigators that. He cannot comment on - other than to say
15 whether he told the investigators, or did not tell the
16 investigators.

11:04:04

17 PRESIDING JUDGE: Counsel is entitled to put the question
18 in the form he's putting it, Mr Koumjian. I allow the question.

19 MR GRIFFITHS: I'm grateful, Madam President:

11:04:22

20 Q. Let us just take this slowly. Yesterday you told us on
21 oath that you received a gun. According to this record in
22 October 2004 this document says, "I did not receive a gun". Now
23 that must be a lie, mustn't it?

24 A. Well, what I explained to them was that I received a gun.

11:04:55

25 They wrote this and I did not - I don't know how to write.

26 Q. But this must be a lie, mustn't it?

27 A. Well, what I explained to them I thought that was what they
28 were writing.

29 Q. No, no, no. Do you agree with me that it's a total

1 contradiction? One is "I got a gun" and the other is "I didn't
2 get a gun". Do you agree with that? They're totally different?

3 A. Well, they went and asked me. There was an interpreter
4 present. They asked me and I said, "I received a gun".

11:05:44 5 Q. Let me try my question again. Do you agree that "I
6 received a gun" and "I did not get a gun" are complete opposites?
7 Do you agree?

8 A. Yes, what I agreed to was that I received a gun and that
9 they gave me a gun.

11:06:06 10 Q. So the opposite of receiving a gun, "I didn't get a gun",
11 that must be a lie, mustn't it?

12 A. What I said was that they gave me a gun.

13 Q. I'm going to try once more. The opposite of getting a gun
14 is not getting a gun, so the latter must be a lie, mustn't it?

11:06:44 15 MR KOUMJIAN: Your Honour, I believe the question is unfair
16 to the witness. He has answered what he has told the
17 investigators. To ask - counsel is trying to get him to say this
18 was a lie. He said he never said it. The wording may be that
19 these are different things, contradictory. I think we all know
11:07:01 20 that. Obviously, it is contradictory. It doesn't serve your
21 Honours any purpose in understanding that. The witness has said
22 he never told the investigators he did not get a gun.

23 PRESIDING JUDGE: Mr Griffiths, you've heard the objection.

24 MR GRIFFITHS: Madam President, I think I'm entitled to ask
11:07:20 25 the question because the writer of this record is attributing to
26 this witness these words. This is his opportunity on oath to
27 either accept or refute the suggestion. For my part, I really
28 can't understand the logical basis for my learned friend's
29 objection.

1 PRESIDING JUDGE: I will allow the question. Please
2 proceed.

3 MR GRIFFITHS: Thank you, Madam President. I'll try once
4 more:

11:07:52 5 Q. You told us yesterday that you were given a gun on pass
6 out, didn't you?

7 A. Yes.

8 Q. According to this record you were supposed to have told
9 people in 2004 that you didn't get a gun. Now that must be a
11:08:10 10 lie, mustn't it?

11 PRESIDING JUDGE: Which one must be a lie?

12 MR GRIFFITHS:

13 Q. The second one, "I did not get a gun", that must be a lie,
14 mustn't it?

11:08:33 15 A. I received a gun. I don't know whether it's the
16 interpreter made this mistake, because at the time that they
17 asked me I used to explain in Kono, so I told them that I was
18 given a gun.

19 Q. So can you help us as to how it comes about that in this
11:08:53 20 record you're supposed to have told them that you didn't? Can
21 you help us with that?

22 A. Well, I can't help, because when they asked me what I've
23 said was what I've explained.

24 Q. Now, to be fair to you, the fact of the matter is initially
11:09:26 25 you told the investigators something completely different. Can
26 we go, please, behind divider 1. Can we look at handwritten
27 number 7 of 10, ERN number 00000985. Second paragraph:

28 "After our training was complete they held a pass out
29 parade which was like a graduation. Both Issa and Mosquito were

1 there. Mosquito picked one young man named Alie, who was an
2 abductee from Kono, to be our battalion commander. Alie was a
3 Mende and very fit and active. At the pass out Mosquito told us
4 that now that we were soldiers we were going to go with Issa to
11:10:49 5 Kono and attack ECOMOG. He said that when we reach Kono, Issa
6 was going to call him, Mosquito, on the radio set to tell him
7 that we'd arrived safely. Before the pass out I saw a truck
8 drive up and from inside the truck the RUF rebels took out many,
9 many guns. Then during the pass out we, the new recruits, were
11:11:24 10 given our guns. Some were new, some were old. I got an old AK.
11 Before this I never saw any guns coming into Kailahun from
12 anywhere so I don't know where the guns came from."

13 Now this is what you told Corinne Dufka in September 2003,
14 and we know that in October 2004 you said something completely
11:12:06 15 different. Can we just put the two accounts up side-by-side,
16 please. So can we have page 7 from behind divider 1, and can we
17 also have at the same time page 6 from behind divider 2. Let's
18 put them side-by-side, if that's possible. So what we see then
19 is this: In September 2003 you get a gun, in October 2004 you
11:12:56 20 don't. In September 2003 the guns were some new, some were old.
21 In October 2004 they're new weapons. Can you please help us,
22 which of those two accounts do you want us to accept? September
23 2003 or October 2004? Which one do you want us to take as the
24 truth?

11:13:38 25 A. Well, I said they trained us and they gave me a gun there.

26 Q. But which of these two accounts? In September 2003 you get
27 a gun and it's old. In October 2004 you don't get a gun and
28 they're all new. All I'm simply asking is: Which of those two
29 accounts do you want us in this Court to accept, please?

1 MR KOUMJIAN: Your Honour, asked and answered. This
2 witness has stated, I don't know how many times, that he did not
3 make this statement attributed in the 2004 statement. It's the
4 same question. It's simply badgering the witness over and over
11:14:24 5 again with the same question.

6 PRESIDING JUDGE: We're on to another aspect. We're on to
7 old and new weapons now.

8 MR KOUMJIAN: This question I believe is whether he
9 received a weapon or not. He did say in his testimony he
11:14:35 10 received an old weapon. If your Honour's referring to the old
11 and new, that point I don't believe was put in this long
12 question. The end of the question was whether he received a gun
13 or not. Perhaps then the question is a compound question.

14 MR GRIFFITHS: The question I asked, Madam President, which
11:14:57 15 of these two accounts in September 2003 you get a gun and it's
16 old, in October 2004 you don't get a gun and they're all new.
17 Different point al together.

18 PRESIDING JUDGE: Yes, I'm allowing the question. I
19 consider it is a different point.

11:15:22 20 MR GRIFFITHS:

21 Q. So can you help us? Were the guns all new or were there
22 some old, some new? Can you help us?

23 A. New ones and old ones.

24 Q. Now you notice, don't you, that in - can we put up, please,
11:16:04 25 September 2003's account. Now this is the first time you're
26 speaking to the investigators. What you told them was this: "I
27 don't know where the guns came from." Do you remember telling
28 them that?

29 A. Yes.

1 Q. However, today you tell us the truck carrying the guns was
2 driven by three Liberians, Charles Taylor's soldiers. That's
3 what he said yesterday, Madam President.

4 PRESIDING JUDGE: Yesterday, because you mentioned today.

11:17:02 5 I don't recall hearing it today.

6 MR GRIFFITHS:

7 Q. Yesterday you told us that the men wearing the red military
8 hats were Charles Taylor's soldiers. So help us: Why in
9 September 2003 did you tell the investigators, "I don't know
10 where the guns came from"?

11:17:25

11 A. Well, at the time that they asked me I said I saw vehicles
12 but I did not know where the vehicles had come from. So there
13 came a time when they asked me again. They asked whether the
14 vehicles that came, what they were like and I said that they were
15 Liberian people because they were speaking Liberian English.

11:17:53

16 They asked me how I knew. I said because the way they were
17 speaking English, the way they were speaking. So they used to
18 ask me those questions and at that time I explained.

19 Q. In fact, Mr Witness, the very first time you mentioned
20 Charles Taylor was 27 September this year, five years after you'd
21 first spoken to the OTP. Look behind divider 7, please.
22 Proofing on 27 September 2008.

11:18:22

23 "When asked if he ever heard the name Charles Taylor when
24 he was with the rebels the witness said that Liberian soldiers
25 came to the training camp and he was told they were
26 Charles Taylor's soldiers. They were in uniforms and wearing red
27 hats. These same soldiers came with the weapons that were handed
28 out at the end of training."

11:19:06

29 27 September, a couple of weeks ago, here in The Hague.

1 Ten days ago. So help me with this: Ten days ago when you
2 arrived here in The Hague who did you meet with and tell this to?

3 A. Well, when I came here my lawyer was here and he asked me.
4 We used to meet.

11:19:53 5 Q. Who is that lawyer? Is he in court?

6 A. He is here in court. He was the one I explained to when I
7 came here.

8 Q. Which lawyer in court is the one you spoke to and mentioned
9 for the first time in five years Charles Taylor? Point him out
10 to us, please. Which lawyer is it?

11 A. He is here.

12 Q. Which one? Is it the one without hair or the one with
13 hair?

14 A. The one without hair is the one I explained to.

11:20:42 15 Q. So you spoke to Mr Koumjian on 27 September of this year
16 and miraculously remembered for the first time in five years that
17 it was Charles Taylor's soldiers who had brought the guns. Is
18 that right?

19 A. Yes, he was the one I explained to.

11:21:12 20 Q. Help me, please: What question did Mr Koumjian put to you
21 which elicited the answer Charles Taylor's soldiers wore red
22 hats? What did he ask you, that man over there?

23 A. Well, he asked me when we were in Buedu - when they brought
24 the guns whom did I actually see, and I said I saw soldiers
11:21:39 25 dressed and he asked me how they were dressed and I explained to
26 him how they were dressed. So he asked me again how were they
27 speaking and I said they were speaking Liberian English. Then he
28 asked me how I knew. He said, "Do you know where they came
29 from"? Then I told him that I just saw them coming in the

1 vehicles from the end of - from the town end. Then he said - he
2 asked me if I actually knew where the soldiers had come from.
3 Then I told him that one of my friends was there, those whom we
4 met there, the one who was standing close to me. It was at the
11:22:30 5 time that I asked him. Then I told him - I asked him which
6 soldiers these were. This, my friend, told me that they were
7 Charles Taylor's soldiers. So that was how he asked me and I
8 explained to him.

9 Q. Mr Sumana, if, as you're now telling us, a truck arrives
11:23:00 10 carrying weapons and it's driven by Charles Taylor's soldiers,
11 wouldn't it be logical for someone to think these arms come from
12 Charles Taylor? Do you think that would be logical?

13 A. Well, I asked my friend because they were the ones we met
14 there. That was what he told me. I asked him where these
11:23:32 15 soldiers had come from, these soldiers who are dressed like this,
16 and he said they were Charles Taylor's soldiers.

17 Q. Try my question now. Don't you think it would be pretty
18 simple logic that if a truck full of arms arrives driven by
19 Charles Taylor's soldiers that it's a pretty fair assumption that
11:23:56 20 the arms must have come from Mr Taylor. Don't you agree?

21 A. I did not understand it properly. You are explaining it
22 very fast and you are interpreting it to me very fast.

23 Q. Okay. My fault. There you are, Mr Sumana, you're standing
24 on a parade ground in Buedu, yes?

11:24:31 25 A. Yes.

26 Q. It's passing out day.

27 A. Yes.

28 Q. We are supposed to get our guns today, yes?

29 A. I did not understand that.

1 Q. We are to get our guns today on pass out day, aren't we?

2 A. Yes.

3 Q. A truck arrives, yes?

4 A. Yes.

11:25:04 5 Q. This truck is loaded with AK-47s, whether they're old or
6 they're new, but it's loaded with guns, yes?

7 A. Yes.

8 Q. That truck is being driven by one of Charles Taylor's
9 soldiers and there are two more Charles Taylor soldiers in the
10 truck, yes?

11:25:32

11 A. Yes.

12 Q. Me, standing on that parade ground, would think those arms
13 have come from Charles Taylor, don't you agree?

14 MR KOU MJIAN: Objection. What Mr Griffiths would think
15 standing on the parade ground, I think that it's irrelevant and
16 speculative.

11:25:54

17 PRESIDING JUDGE: Obviously, Mr Griffiths, you will have to
18 ask the witness what he thought.

19 MR GRI FFITHS:

11:26:07

20 Q. So there you are, Mr Sumana, thank you, Mr Koum jian,
21 standing on the parade ground thinking - sit down - those arms
22 must have come from Charles Taylor, mustn't they?

23 PRESIDING JUDGE: Excuse me, Mr Griffiths. Mr Koum jian.

24 MR KOU MJIAN: I have a question, your Honour. In all of my
25 practice in various jurisdictions the rule was that counsel
26 should address the Bench and not address opposing counsel; is
27 that the rule in this Chamber, please?

11:26:27

28 PRESIDING JUDGE: That has been the rule in this Chamber.

29 MR GRI FFITHS:

1 Q. Surely standing there on that parade ground, Mr Sumana, you
2 thought those arms must have come from Charles Taylor. Didn't
3 you think that?

4 A. Well, I did not think that way. I asked. Those whom I met
11:27:03 5 there were the ones I asked. They explained to me. I was not
6 the one who just stood there and suggested that it had come from
7 there. I asked.

8 Q. So help us, please: Having been told why did you tell the
9 investigators in September 2003 that you didn't know where the
11:27:20 10 arms came from? Why did you tell them that?

11 A. Well, the way they asked me the question was the way I
12 answered it.

13 Q. Don't you agree, based on what you were told, you should
14 have said, "I think those arms came from Charles Taylor, because
11:27:43 15 they were - the people who drove the truck were Charles Taylor's
16 soldiers." That's what you should have told them, don't you
17 agree?

18 A. I used to tell - I told them, but they asked me and I told
19 them that I saw soldiers who were dressed. So the way they asked
11:28:08 20 me the question when I came here was the way I answered it here.
21 The way I was asked was the way I answered it.

22 PRESIDING JUDGE: Mr Griffiths, unfortunately we are out of
23 time, and I will have to adjourn court for the mid-morning break.
24 Mr Witness, it's now 11.30 and we take our half hour break at
11:28:30 25 this time. We will be resuming court at 12 o'clock. Please
26 adjourn court until 12.

27 [Break taken at 11.30 a.m.]

28 [Upon resuming at 12.00 p.m.]

29 PRESIDING JUDGE: Mr Griffiths, please proceed.

1 MR GRIFFITHS:

2 Q. If I understand what you are telling us, Mr Sumana, some
3 time after that parade you spoke to Alie. Is that right?

4 A. I did not understand.

12:00:05 5 Q. The pass out parade where you received the gun, are you
6 telling us that some time after that parade you spoke to Alie who
7 told you that the three men in the red hats were Charles Taylor's
8 soldiers? Is that right?

9 A. At the time it was my friend who was standing by me. He
12:00:40 10 explained to me.

11 Q. And he told you at the time, did he?

12 A. Yes, at that time. When I asked him, he explained.

13 Q. So by the time September 2003 comes along, and you spoke to
14 Corinne Dufka, Alie had already told you that the men in the red
12:01:10 15 hats were Charles Taylor's soldiers. Is that right?

16 A. Yes, Alie told me and they asked me and I explained.

17 Q. So, help me, please. When you spoke to Corinne Dufka in
18 September 2003, why did you tell her, "I don't know where the
19 guns come from"? Why?

12:01:47 20 A. Well, at the time I did not know where the guns had come
21 from. I did not know. That was why I told her that I did not
22 know where the guns had come from and I did not know.

23 PRESIDING JUDGE: Mr Griffiths, in a previous answer the
24 witness said, "Yes, Alie told me and they asked me and I
12:02:08 25 explained". I am not sure who "they" is?

26 MR GRIFFITHS:

27 Q. Who asked you and you explained?

28 A. I did not understand.

29 Q. You said earlier that Alie had told you and then they asked

1 you and you explained. To whom did you explain?

2 A. Well, the lawyers who asked me at the time. I explained to
3 them.

4 MR GRIFFITHS: Sorry to bother you again, Madam Court
12:02:49 5 Manager, but I wonder if we could put up again, please, the
6 record of interview of 21 September behind divider 1, page 7,
7 please. Can we have up the second paragraph:

8 Q. I just want to take us back for the final time to this
9 paragraph and can we pick it up, please, just below halfway down
12:03:29 10 the paragraph:

11 "Before the pass out I saw a truck drive up and from inside
12 the trucks the RUF rebels took out many, many guns. Then during
13 the pass out we the new recruits were given our guns; some were
14 new, some were old. I got an old AK. Before this, I never saw
12:03:59 15 any guns coming into Kailahun from anywhere so I don't know where
16 the guns came from."

17 Now, help me with another detail: Why is it that there is
18 no mention in this passage of three soldiers wearing red military
19 hats? Why is there no mention of that in this passage?

12:04:31 20 A. Well, the way they asked me was the way I answered and they
21 asked me again that those who were - who brought the guns - how
22 were they dressed and I explained to them.

23 Q. If you note in the passage I have just read out you
24 describe RUF rebels unloading the truck, but help me: Alie
12:04:59 25 having already told you about Charles Taylor's soldiers, why
26 didn't you mention it then?

27 THE INTERPRETER: Your Honours, can counsel repeat his
28 question slowly.

29 MR GRIFFITHS:

1 Q. Why did you not mention to Corinne Dufka in September 2003
2 that there were three Charles Taylor soldiers present wearing red
3 military hats? Why didn't you?

12:05:41 4 A. Well, the way I explained, she asked me, "Who did you see
5 bring the guns?", and I said, "I saw soldiers dressed." I said,
6 "I saw them. They brought the guns." I said I did not know
7 where they had come from. I just saw them come. That was where
8 we stopped. So, when I came here, the way they asked me, that
9 was why I explained that part, how it all happened.

12:06:12 10 Q. But you didn't mention anything to Corinne Dufka about
11 soldiers coming and that is all I am asking. Why didn't you
12 mention it to her?

13 A. I explained that soldiers came with the guns.

14 Q. No, you didn't and that is why I am asking, why didn't you?

12:06:48 15 A. That is what I am saying. I said I said it. They asked my
16 where the guns had come from and I explained how the guns came.

17 Q. No, you didn't.

18 MR KOU MJIAN: Excuse me, your Honours, unless counsel is
19 testifying, he cannot be continually contradicting the witness.

12:07:06 20 The witness has given his testimony.

21 PRESIDING JUDGE: Counsel is entitled to put a prior
22 inconsistent statement, Mr Koumjian.

23 MR GRIFFITHS:

12:07:24 24 Q. In this statement which I have read out, Mr Sumana, there
25 is no mention of soldiers bringing the truck with the arms and
26 the simple question I am asking you is: Why did you not mention
27 it to Corinne Dufka in September 2003?

28 A. Well, the way she asked me was the way I answered what
29 happened there.

1 Q. Very well. Help me with this then. During the whole time
2 that you were involved with the rebels, how many times did you
3 hear the name Charles Taylor?

4 A. I heard it there when they told me.

12:08:13 5 Q. Did you ever hear the name Charles Taylor again?

6 A. Well, when I left there I did not hear it again.

7 Q. So you only ever heard the name Charles Taylor mentioned
8 once?

9 A. Yes, I heard it there.

12:08:37 10 Q. And you heard it from Alie and from no-one else?

11 A. Yes, because he was the one I asked. He said that they
12 were his soldiers.

13 Q. And when, for example, you were bodyguard to Blood, who was
14 Superman's radio officer, you did not hear the name Charles

12:09:03 15 Taylor?

16 MR KOU MJIAN: Objection, I believe that misstates the
17 evidence.

18 THE WITNESS: No.

19 MR KOU MJIAN: I believe that misstates the evidence. I
12:09:15 20 don't believe the witness has stated that Blood was Superman's
21 radio officer.

22 PRESIDING JUDGE: I don't recall. Mr Griffiths, are you
23 putting to the witness that Blood was Superman's radio officer,
24 or - is that what you are putting?

12:09:34 25 MR GRIFFITHS: I will pose the question differently:

26 Q. There was a time, was there not, when you were bodyguard to
27 Blood, a radio operator?

28 A. Yes.

29 Q. Were there any other radio operators in Superman's group?

1 A. The one that I knew was Blood. He was the only one that I
2 saw.

3 Q. So the only radio operator with Superman's group was a man
4 called Blood. Is that right?

12:10:22 5 A. He was the one who carried the radio when we were
6 travelling. There were other radios with other people, but I
7 didn't have time for them much.

8 Q. How many other radios were there in Superman's group?

9 A. Well, at the time I used to see two.

12:10:46 10 Q. Who had the other radio?

11 A. One was with Superman.

12 Q. Was that a radio which Superman operated for himself?

13 A. Yes, it was larger so they used to put it in the veranda.

14 Q. Right. So there were two radios, one which Blood had and
12:11:17 15 the other one which Superman had himself, yes?

16 A. Yes, it used to be there in his veranda.

17 Q. Who operated the larger radio on the veranda?

18 A. Well, I did not know the person's name, but I used to see
19 people sitting by the radio.

12:11:48 20 Q. Very well. But in any event were you ever present when
21 Blood received messages over the radio that Blood had?

22 A. Except the time that we were moving to Makeni. That was
23 when I followed him. It was not that I was following him
24 permanently.

12:12:12 25 Q. For how long did you follow him?

26 A. Well, at the time that I was with him we spent three days
27 when we were coming. That was when they told me to follow him.

28 Q. And how many messages, just roughly, did Blood have to deal
29 with during those three days or so?

1 A. Well, I know about only one.

2 Q. And that was a message from whom?

3 A. It had come from Issa.

4 Q. To whom?

12:12:55 5 A. They said Superman. He said he wanted to talk to him.

6 Q. And did you listen in on that conversation?

7 A. Well, when they went, when they were speaking I listened to
8 what he told me that they discussed, what he told me.

9 Q. And, from what he told you, was there any mention of the
12:13:21 10 name Charles Taylor?

11 MR KOUMJIAN: Objection. I think it is confusing at least
12 to me who "he" is. When "he told me"?

13 PRESIDING JUDGE: The answer was, "I listened to what he
14 told me what they discussed." Is he referring - it could be - in
12:13:49 15 fact, it is somewhat ambiguous as to who exactly "he" is.

16 MR GRIFFITHS: Very well:

17 Q. Who told you about what had been discussed?

18 A. It was Superman after they had discussed what he told me.

19 Q. And when Superman was telling you, did he make any mention
12:14:13 20 of Charles Taylor?

21 A. No.

22 Q. Now there was a later stage, was there not, when you
23 discovered that SAJ Musa had invaded Freetown along with
24 Five-Five?

12:14:42 25 A. Yes.

26 Q. Were you still with Blood at that time?

27 A. Well, at the time we were not together.

28 Q. Where were you at the time that SAJ Musa and Five-Five
29 invaded Freetown?

1 A. At the time we were now in Makeni. They left us in
2 Kurubonla when they went - when Five-Five went. SAJ Musa and
3 Five-Five went. They left us in Koinadugu.

12:15:28 4 Q. Now just taking matters slowly so that we fully understand,
5 did you know Five-Five by any other name?

6 A. No, I only knew that Five-Five name.

7 Q. Did you ever hear the name Gullit?

8 A. Well, they were in Freetown when I heard that name.

9 Q. Aren't Gullit and Five-Five the same person?

12:16:05 10 A. No, I do not know whether they were the same persons, but
11 that's the Five-Five name that I knew.

12 Q. Very well. How did you come to know that SAJ Musa and
13 Five-Five had invaded Freetown?

14 A. Well, we were - because we were first in Koinadugu when SAJ
12:16:33 15 Musa left us there and he went with Five-Five. So we were there
16 when we got information that they were together with Five-Five
17 going to Freetown.

18 Q. Now in connection with that move by SAJ Musa and Five-Five
19 to Freetown, did you ever hear anyone mention the name Charles
12:16:57 20 Taylor?

21 A. Well, I said I did not hear that name any longer since I
22 last heard it in Kailahun.

23 Q. So, just so that I am perfectly clear on what it is you're
24 telling us, Superman of course was a Liberian, wasn't he?

12:17:24 25 A. Yes, he used to speak Liberian English.

26 Q. And in Superman's group there were many, many former ULIMO
27 soldiers who had moved to the STF, weren't there, Liberians?

28 A. Yes.

29 Q. And from the moment you were captured by Liberians until

1 demobilisation, you had spent most of your time in this Liberian
2 dominated group led by Superman, hadn't you?

3 A. Yes.

4 Q. And yet you only ever heard the name Charles Taylor
12:18:09 5 mentioned once. Is that right?

6 A. Yes.

7 Q. Thank you. Tell me something, Mr Sumana. When did you
8 first learn that your presence was required here in The Hague to
9 give evidence?

12:18:49 10 A. Well, they just went to me and informed me. I did not
11 actually know the time.

12 Q. Was it some time recent?

13 A. Well, it was a long time before I came.

14 Q. How long?

12:19:13 15 A. Well, it took a month.

16 Q. So about a month before you arrived in The Hague you were
17 told, "We would like you to go to The Hague and give evidence".
18 Is that right?

19 A. Yes, it was up to a month when they told me that I should
12:19:35 20 be getting ready to come.

21 Q. All right. So that would have been, would this be fair,
22 just before your birthday this year?

23 A. I did not understand that.

24 Q. You were told that you would be travelling to The Hague,
12:19:55 25 would this be fair, round about the time of your birthday this
26 year?

27 A. I still have not understood it properly. You are speaking
28 very fast.

29 Q. Let me slow down. Some time this year someone told you,

1 "We want you to travel to Holland in Europe to give evidence."

2 That's right, isn't it?

3 A. Yes, they told me.

4 Q. When was that?

12:20:43 5 A. That's what I'm saying. I said I did not date it.

6 Q. Was it about one month before you arrived?

7 A. Yes, when they informed me it took a month.

8 Q. I want to move on and deal with another matter, please.

9 Tell me, Mr Witness, are you able to read maps?

12:21:20 10 A. No, I can't.

11 Q. Well, for the assistance of others who are present in this
12 Court, what I would like, please, is if a map of Sierra Leone is
13 put up on the projector, because what I would like us to look at
14 and understand are the relationships between the various places

12:21:46 15 where you were either trained or fought with the rebels. Do you
16 follow me? So what I want to put up, please, is the map of
17 Sierra Leone which bears the ERN number 00029857. The reference
18 is P-5, or is it S1?

19 MS IRURA: P-5 I believe it would be.

12:22:45 20 MR GRIFFITHS: Yes, can we arrange it in such a way that we
21 all have the map on the - we have the totality of the map on the
22 screen, if that is possible. Right, okay:

23 Q. Firstly, you were captured in - let me ask the question -
24 where were you captured?

12:23:41 25 A. They captured me at a place in the bush.

26 Q. What was the nearest town to there?

27 A. They said Benguema.

28 Q. In any event, listen, let's move on. You were then taken
29 you say to a training camp in Buedu, yes?

1 A. That was where they took us.

2 Q. And we can see Buedu to the right of the map just below
3 halfway, okay? Now following the training for two months in
4 Buedu, the next thing that occurred was an attack on Kono. Is
12:24:51 5 that right?

6 A. Yes, they went there. After that we came back to go and
7 attack Kono.

8 Q. Now Kono, is that close to Koidu Sefadu?

9 A. Kono is Koidu Town itself.

12:25:12 10 Q. And we can see where that is just above and to the left of
11 Buedu, okay? Now thereafter, there was an attack on Kurubonla,
12 wasn't there, yes? And I don't know, and I will be corrected if
13 I am wrong, if one goes directly north from Koidu Sefadu there is
14 a place called Kurubonla. I don't know if that is the same place
12:25:56 15 and I will be corrected if I am wrong.

16 MR KOU MJIAN: The witness may be confused because the
17 evidence was they based there, not that they attacked Kurubonla.

18 MR GRIFFITHS:

19 Q. Then after they were based in Kurubonla - you were based in
12:26:16 20 Kurubonla for a while, weren't you?

21 A. Yes.

22 Q. And then the next place that was attacked was Mongo
23 Bendugu?

24 A. Yes.

12:26:33 25 Q. Where you captured some - a lot of arms. Now, if we look
26 at this map, there are two Bendugus. There is a Bendugu directly
27 above Kurubonla and there is another Bendugu, do we see, just to
28 the left and below Kurubonla. Now, the Mongo Bendugu that you
29 attacked, was it close to the Guinean border?

1 A. That was what they told me, that it was on the border.

2 Q. Okay. Okay.

3 A. Yes, they said it was a border.

4 Q. Now after that, there was an attack on Kabala, wasn't
12:27:21 5 there?

6 A. Yes.

7 Q. And if we go to the left of the Bendugu near the border we
8 see Kabala and Koinadugu. How far was Kabala from Mongo Bendugu?

9 A. It is a long distance, because when we left Mongo we
12:27:52 10 returned to Kurubonla. It was there that we left and went
11 towards Kabala.

12 Q. And did you also attack Koinadugu?

13 A. Yes, but we did not meet ECOMOG there - the enemy there.
14 There were only civilians there.

12:28:15 15 Q. Right. Now, following the attack and capture of Kabala, am
16 I right that it is about that time that you heard that SAJ Musa
17 was going to attack Freetown?

18 A. Well, at the time we came from Kurubonla end, Mongo. We
19 left Mongo and returned to Kurubonla. It was at that time that
12:28:51 20 it was suggested and they sent some groups.

21 Q. And it was SAJ Musa who left to go and attack Freetown with
22 Five-Five, yes?

23 A. He went and met them on the way.

24 Q. Let me put the question differently: Where were you when
12:29:12 25 SAJ Musa and Five-Five went to attack Freetown?

26 MR KOUMJIAN: I think the question may be confusing,
27 because the witness has said that - testified that they left at
28 different times, Five-Five and SAJ Musa. That is the testimony.

29 PRESIDING JUDGE: Well, the witness - if the witness is

1 confused I am sure he will tell us.

2 MR GRIFFITHS:

3 Q. At the time of the attack on Freetown, where were you?

12:29:57

4 A. Well, when they were going, they left us on the way. At
5 the time we were in Koinadugu, that was where they left us when
6 they moved.

7 Q. And was Superman in Koinadugu with you when they moved?

8 A. Yes, we went there together.

12:30:22

9 Q. So you were in the north of the country in Koinadugu led by
10 Superman at the time that the attack on Freetown was launched,
11 yes?

12 A. Yes, they left us there and they went to Freetown.

13 Q. And there was thereafter a radio message from Five-Five
14 saying that SAJ Musa had been killed and asking for

12:30:50

15 reinforcements, is that right?

16 A. Yes, at that time we were now in Makeni.

17 Q. And from Makeni - and we can see Makeni if we go southeast
18 from Kabala, Koinadugu, passing through the "E" in northern,
19 going, continuing down southeast we can see Makeni just below
20 Binkolo. Now, you also went to Binkolo, didn't you?

12:31:28

21 A. Yes, we passed through there.

22 Q. And there came a time when there were problems between Issa
23 and Superman when one of them had to withdraw to Magburaka, is
24 that right?

12:32:01

25 A. Yes.

26 Q. Who withdrew to Magburaka?

27 A. Issa.

28 Q. And we can see Magburaka just to the southwest of Makeni on
29 our map. Now when the message came for reinforcements to go to

1 Freetown, as you have told us you were in Makeni. Is that right?

2 A. Yes, at the time we were in Makeni. At that time that
3 fighting had not taken place.

12:32:35

4 Q. And General Issa was busily rounding up fighters off the
5 street to put in three trucks to send to Freetown to reinforce
6 Five-Five, is that right? Is that right?

7 A. I did not understand.

8 Q. There came a time when you were in Makeni, when you were
9 grabbed and put in a truck to be sent to Freetown as
10 reinforcement, is that right?

12:33:08

11 A. Yes.

12 Q. But the nearest you got to Freetown was Lunsar, is that
13 right?

14 A. Yes, that was where I stopped. That was where we
15 disembarked at the time.

12:33:26

16 Q. And if we look at our map, continuing southwest from Makeni
17 we see Lunsar, just to the right of Port Loko. That is the
18 nearest you got to Freetown during the war, isn't it?

19 A. Yes, that was where I stopped, Lunsar.

12:33:56

20 Q. So, if we look at the map and just track your movements, we
21 see you starting off in Buedu for training, there is the attack
22 on Kono, we have Kurubonla, then Mongo Bendugu, Kabala, Koinadugu
23 and then we come down to Makeni, Binkolo, Magburaka and Lunsar.
24 So your journey took you all around northern Sierra Leone, didn't
25 it, whilst you were with the rebels? Would you agree?

12:34:37

26 A. Yes, because when they captured us they took us to Kailahun
27 and then we returned to Kono before we could do all of those
28 journeys.

29 Q. But in any event, dealing with each in turn, firstly the

1 attack on Kono, which came shortly after you passed out following
2 your training, where did the arms come from which were used for
3 that attack?

12:35:32 4 A. Well, we met some guns with them there. Those were the
5 ones they used to go.

6 Q. Which guns?

7 A. Well, I used to see them with guns. Small guns, big guns,
8 they had them there at the time.

9 Q. Do you have any idea where the arms and ammunition came
12:35:49 10 from which were used to attack Kono?

11 A. Well, I don't have an idea, because --

12 THE INTERPRETER: Your Honours, can he repeat his answer.

13 PRESIDING JUDGE: Mr Witness, the interpreter needs you to
14 repeat your answer because you are going a bit too quick for him

12:36:17 15 and I think you need to speak more clearly also. You said,
16 "Well, I don't have an idea because" - please continue from
17 there.

18 THE WITNESS: I said I cannot say, because we met them
19 there. So I can't say where they had got them from.

12:36:39 20 MR GRIFFITHS:

21 Q. In any event, the next stage on your journey is when you
22 travelled to Kurubonla, is that right?

23 A. Yes, we went there.

24 Q. And when you say, "We went there", you went with Superman's
12:37:05 25 group to Kurubonla, is that right?

26 A. Yes, we were together.

27 Q. At that stage - no, taking things in stages, you met up
28 with SAJ Musa in Kurubonla, didn't you?

29 A. Yes, we met them there.

1 Q. At the stage when you met up with SAJ Musa in Kurubonla,
2 did you also meet General Bropleh?

3 A. Yes.

4 Q. Now at that stage neither Superman, SAJ Musa or General
12:37:52 5 Bropleh had much in the way of ammunition, did they? There was a
6 shortage?

7 A. Yes, that was what they told me.

8 Q. That is why the decision was taken to attack Kabala in
9 order to capture arms and ammunition, is that right?

12:38:23 10 A. Well, they did not say Kabala, they said Mongo.

11 Q. But in any event, when you attacked Kabala lots and lots of
12 arms and ammunition were captured from the ECOMOG, weren't they?

13 A. Well, at that time we had not yet gone to Kabala, we had
14 gone to Mongo. From there we went to Kabala.

12:38:51 15 Q. Okay, my fault. You first went to Mongo Bendugu in order
16 to capture arms, didn't you?

17 A. Yes.

18 Q. And in Mongo Bendugu you managed to capture a large
19 quantity of arms and ammunition from the Guineans?

12:39:15 20 A. Yes.

21 Q. Following that attack on Mongo Bendugu there was a further
22 attack on Kabala, wasn't there?

23 A. Yes.

24 Q. And during that attack further quantities of arms and
12:39:35 25 ammunition were captured from ECOMOG. Is that right?

26 A. Yes, they captured some there.

27 Q. And it was the arms and ammunition captured in Mongo
28 Bendugu, and later in Kabala, which SAJ Musa and Five-Five used
29 to attack Freetown. Is that right?

1 A. Yes.

2 Q. And that was also, those captured arms and ammunition, what
3 Superman used to launch the Fitti-Fatta mission against Makeni?

4 A. Yes.

12:40:30 5 Q. So all throughout that period when you were fighting with
6 Superman the arms and ammunition that were being used were
7 captured arms and ammunition. That's right, isn't it?

8 A. Well, at the time that was what they did. They will attack
9 some places to get arms.

12:40:59 10 Q. Tell me - let me put the question differently. You have
11 told us of one occasion when a truck arrived with arms at your
12 pass out parade. Did you ever see another truck arrive with arms
13 for Superman, SAJ Musa, Five-Five, or any of the other generals
14 you associated with?

12:41:31 15 A. Well, when I used to be with them they were the ones who
16 used to go take them themselves.

17 Q. Let me put the question differently and hopefully in much
18 more simple terms. Apart from that truck you saw with arms at
19 the training ground in Buedu, did you see another truck with arms
12:41:58 20 apart from the arms you captured?

21 A. I did not see it again.

22 Q. So you only ever saw one truck loaded with arms and
23 ammunition?

24 A. Yes.

12:42:23 25 Q. And that was in Buedu at the time when you passed out?

26 A. Yes.

27 Q. Now it was SAJ Musa's decision to attack Freetown, wasn't
28 it?

29 A. Yes, they held a meeting and he was the first to speak

1 about going.

2 Q. Superman did not order SAJ Musa to attack Freetown, did he?

3 A. I did not see him order him because at that time they were
4 all senior men.

12:43:17 5 Q. But in fact SAJ Musa was senior to Superman, wasn't he?

6 A. They sat together to plan.

7 Q. SAJ Musa was superior to Superman, wasn't he?

8 A. I did not understand.

9 Q. Was SAJ Musa Superman's superior officer?

12:43:58 10 A. Yes, because we met them there and he was leading them
11 there.

12 Q. And he turned round one day and said effectively to
13 Superman, "I am going to attack Freetown", yes?

14 A. That day they sat together and planned it at that meeting
15 before the selected people. It was Five-Five and others that
16 moved and left us there.

12:44:25

17 Q. Yes, but it was SAJ Musa who said he was going to Freetown,
18 wasn't it?

19 A. They said so. They said they were going to Freetown.

12:44:50

20 Q. Did SAJ Musa give a reason why he wanted to go to Freetown?

21 A. Well, that day he himself did not move. They selected
22 groups and they went together with Five-Five to go and attack
23 Freetown.

24 Q. Did SAJ Musa give a reason why he wanted to go to Freetown?

12:45:27

25 A. Well, they did not tell me the reason.

26 Q. You later discovered, did you not, that SAJ Musa was
27 killed?

28 A. We knew later that he has been killed.

29 Q. How was he killed?

1 A. They said he was killed by a bomb, a fragment.

2 Q. No, the reason why I ask, you see, is that yesterday you
3 said you had heard he had been shot. But you heard that he had
4 been killed in an explosion, didn't you?

12:46:19 5 A. That is what we called it. That was why I said he was
6 shot, but that was what we used to describe it.

7 Q. But it was actually an explosion and a fragment hit him?

8 A. Yes, those who were there explained to me.

9 Q. And did you hear that that was when he had captured a lot
12:46:45 10 of arms and he was blowing up some of them and accidentally he
11 got killed? Did you hear that?

12 A. Well, they did not explain that to me.

13 Q. Very well. Let us move on to another topic, please. There
14 was quite a bit of infighting involving the rebels and the former
12:47:22 15 SLA, wasn't there?

16 A. Yes.

17 Q. The first you told us about was when Mosquito had a problem
18 with Superman's mixed heritage girlfriend who was half Lebanese
19 and half Sierra Leonean. That's right, isn't it?

12:47:51 20 A. Yes.

21 Q. In effect Mosquito was saying that Superman was being
22 distracted by this woman, who was extremely attractive. Is that
23 right?

24 A. Yes, she was beautiful.

12:48:16 25 Q. In fact she was so special to Superman that she didn't walk
26 on foot like the rest of you. She had to be carried in a
27 hammock. Is that right?

28 A. Yes, because sometimes when she walks she had a swollen
29 leg. That was why they carried her.

1 Q. So, what, was it civilians or soldiers who would have to
2 carry her?

3 A. Well, the civilians who were captured were the ones who did
4 that.

12:49:01 5 Q. In any event there came a time when Mosquito sent word that
6 he wanted Superman to go to Kailahun to discuss his girlfriend
7 with Mosquito?

8 A. Well, we did not hear it that way. What we heard was that
9 Issa had sent a message that Mosquito wants to see Superman and
10 his wife in Kailahun. That was the news we heard.

11 Q. And Superman refused to go?

12 A. Yes.

13 Q. Why?

14 A. Well, he did not tell me the reason.

12:49:50 15 Q. Was it not discussed?

16 A. No, at that time we did not stay long there and then we
17 left.

18 Q. Now, help us. At the time when Superman refused to follow
19 that order, where were you?

12:50:12 20 A. At that time we were in Kissi Town.

21 Q. So the attack on Kono had not yet taken place?

22 A. That attack had taken place.

23 Q. And you had returned to Kissi Town, had you?

24 A. Yes.

12:50:35 25 Q. So this argument was before you went to Kurubonla?

26 A. Yes, it was between them then.

27 Q. So that at the time when Superman's group went to join up
28 with SAJ Musa and General Bropleh in Kurubonla, there was this
29 dispute going on between Superman and Mosquito. That's right,

1 isn't it?

2 A. Well, that was what I thought, because when we received the
3 message he refused to go. So when we moved I did not see them
4 talking to each other. He was just there and the programmes just
12:51:25 5 existed between himself and SAJ Musa.

6 Q. Right. Now, the next dispute that I want to ask you about:
7 Having had this dispute with Mosquito, Superman joins up with SAJ
8 Musa and there is a further dispute between Superman and SAJ Musa
9 when one of Superman's bodyguards is shot by SAJ Musa. That's
12:51:55 10 right, isn't it?

11 A. Yes.

12 Q. And both sides drew guns on each other?

13 A. Yes, at the time we were home when we heard gunshots.

14 Q. And in fact SAJ Musa's men fled into the forest, didn't
12:52:17 15 they?

16 A. Yes, it was at that time that they moved.

17 Q. And it was about to turn into a full fledged battle between
18 Superman's group and SAJ Musa's SLA soldiers. That's right,
19 isn't it?

12:52:46 20 A. Yes, at the time there was fighting because we were all
21 scattered.

22 Q. Now the next internal dispute that I want to talk about was
23 a dispute between Issa and Superman which resulted in Rambo being
24 killed. You remember that, don't you?

12:53:12 25 A. Yes.

26 Q. Now, let me see if I can put the picture together with your
27 assistance. You have already told us about the problems Mosquito
28 had with Superman over Superman's girlfriend and what happened
29 was, because that dispute had not been resolved, Mosquito told

1 General Issa to arrest Superman, didn't he?

2 A. I did not understand. It's too fast. I did not
3 understand.

12:53:56

4 Q. It is my fault. You have already agreed with me that there
5 was this dispute between Mosquito and Superman over Superman's
6 girlfriend, yes?

7 A. Yes, there was a dispute.

8 Q. And that dispute had taken place before you had even gone
9 to Kurubonla?

12:54:21

10 A. Yes.

11 Q. That dispute was still ongoing even after you had left
12 Kurubonla?

13 A. Yes, it was between them when we went.

12:54:45

14 Q. And what happened was there came a time in Makeni when an
15 order was given for Superman to be arrested and brought to
16 Mosquito, wasn't there?

17 A. Well, I did not hear that he was to be arrested to be taken
18 to Mosquito.

19 Q. Let me approach it differently. How did Rambo get killed?

12:55:16

20 A. Well, we were in Lunsar. There came a time when we and
21 Superman - at the time we were there with Wallace and others.
22 There came a time when Rambo left Makeni and went to Lunsar and
23 did some shooting at Superman's place. It was at that time there
24 was panic and everybody was in disarray. There came a time when
25 he called a meeting and mobilised people to come to Makeni. That
26 was the cause of the fighting that I knew about.

27 Q. Yes, but had Rambo gone to Superman's house when the
28 shooting occurred in order to arrest Superman?

29 A. Well, I did not know that. We were there when we just

1 heard the shooting.

2 Q. But in any event Rambo got killed?

3 A. Yes, he was killed.

4 Q. And that was in Makeni, wasn't it?

12:56:46 5 A. Yes.

6 Q. And also at about that time some of the SLAs left Makeni to
7 become the West Side Boys?

8 A. Yes, it was during that fighting that everybody went their
9 separate ways.

12:57:08 10 Q. And the SLAs went off to form the West Side Boys?

11 A. Well, it was at that time that we were in Makeni that we
12 used to hear "West Side, West Side".

13 Q. Now, I want to move on to another topic, please. Is this
14 right, "I never saw Superman do any bad things to civilians"? Is
12:57:59 15 that right?

16 A. Yes, when I was there I did not witness that.

17 Q. And just so that you appreciate where I get that from, can
18 we look, please, behind divider 1. Behind divider 1 can we have
19 a look, please, at the fourth page which bears the ERN number
12:58:40 20 00000982. The second paragraph on that page, second line from
21 the bottom - well, third line:

22 "I used to see Superman, the top man inside the Kissi Town
23 camp all the time but I never saw him do any bad things to
24 civilians."

12:59:09 25 Do you remember telling Corinne Dufka that?

26 A. Yes, they asked me and I explained it.

27 Q. Now not only that, but there was an occasion when SAJ Musa
28 was killing civilians, wasn't there, and Superman complained to
29 him about that?

1 A. I did not understand.

2 Q. Let's do it a different way. It might be easier. Let's go
3 behind divider 2, please. Behind divider 2, page 8, bottom
4 right-hand corner, ERN number 00035352, paragraph 69: "I heard
13:00:13 5 Superman complaining that Musa was killing people abruptly.
6 Bropleh took side with Superman against SAJ Musa." Is that true?

7 THE INTERPRETER: Your Honours, can the learned counsel
8 repeat the question.

9 MR GRIFFITHS:

13:00:37 10 Q. Paragraph 69 on that page: "I heard Superman complaining
11 that Musa was killing people abruptly. Bropleh took side with
12 Superman against SAJ Musa." Do you remember telling the
13 investigators that?

14 A. I have still not understood it properly. Take it slowly.

13:01:11 15 Q. Let me read a passage from an interview conducted with you,
16 it's called a proofing session, on 8 October 2004. You are
17 recorded as having told the investigators this: "I heard
18 Superman complaining that Musa was killing people abruptly." Is
19 that true?

13:01:51 20 A. I want to know the part you are reading from.

21 Q. I am reading from a record of a proofing conducted with you
22 on 8 October in the year 2004 and you are supposed on that
23 occasion to have told the investigators that Superman was
24 complaining about Musa killing people. Now do you remember
13:02:22 25 Superman complaining about Musa killing people?

26 A. Well, that happened around Koinadugu at the time that we
27 were there. That's where I heard this news.

28 Q. So it did occur, did it, that Superman was complaining?

29 A. Yes, they were just sitting together whilst he was

1 explaining.

2 Q. And whilst we are on this same topic can we move on a few
3 pages, please, to page 13 in the bottom right-hand corner,
4 00035357 is the ERN number, paragraph 115: "I never saw or
13:03:31 5 witnessed any killings in Superman's camp." Is that true?

6 A. Yes.

7 Q. And you continue: "I saw two young boys killed by ECOMOG's
8 jet bombs." Is that true?

9 A. Yes, at the time that we were there a jet came there.

13:04:02 10 Q. Let's go on a couple of pages to page 15, please?

11 A. I want to ease myself.

12 PRESIDING JUDGE: Can you please assist the witness.

13 Please have a seat, Mr Griffiths.

14 Mr Griffiths, please proceed.

13:08:01 15 MR GRIFFITHS: I am grateful:

16 Q. Before we go on with the assistance of Madam Court Officer
17 to page 15, can I ask you this: Where were you when the ECOMOG
18 jets killed the two boys?

19 A. Well, we were in Kissi Town at the time when the jet came.

13:08:31 20 Q. And was that during the time that you were receiving
21 training?

22 A. Well, we had not yet gone.

23 Q. Now, let's go to page 15 please. We are still on this same
24 theme. Have a look at paragraph 131:

13:09:06 25 "When we left to Koinadugu with Superman I can say that
26 Superman was kind with the civilians. Indeed, on our way to
27 Koinadugu, men wanted to put civilians in a house and set fire to
28 the house. Superman ordered his boys not to do that. I never
29 saw Superman being cruel with civilians."

1 Is that true?

2 A. Yes, when we were going I never witnessed that.

3 Q. But that overall statement that you made that he was never
4 cruel to civilians, is that true?

13:10:02 5 A. I do not know. Maybe in my absence, but when I was
6 present, no.

7 Q. Now before we go on and deal with one or two other
8 examples, can we just go back please to page 8 in that same
9 divider, and it bears the ERN number 00035352 at the top. Now,
10 do you recall me asking you, about 30 minutes ago, whether SAJ
11 Musa had a reason for going to Freetown? Do you remember me
12 asking you that?

13 A. Well, I said at that moment he had not gone. It was
14 Five-Five and others who went.

13:11:15 15 Q. Do you remember me asking you if SAJ Musa had a reason for
16 wanting to go to Freetown?

17 A. I can't remember.

18 Q. Page 8, ERN35352, paragraph 66. Let me read out what you
19 are supposed to have said to the investigators and then I will
20 ask you whether you agree that you said it or not:

13:11:49 21 "Before the conflict between SAJ Musa and Superman I heard
22 from Alabama, one of SAJ Musa's bodyguards, that SAJ Musa's men
23 would go to Freetown. I heard as well that SAJ Musa had lost his
24 personal documents and wanted to go to Freetown to get new
13:12:18 25 documents."

26 Do you remember saying that to the investigators?

27 A. Yes, that one, I told them that.

28 Q. And was it the truth?

29 A. Yes, but it was not at that moment.

1 Q. But in any event, we are still on this theme of Superman's
2 attitude towards civilians. Can we go behind divider 1, please,
3 and I wonder if our helpful Court Manager could please put up for
4 us page 4. Now, it should bear the ERN number 00000982 at the
13:13:26 5 top. Do you remember telling us about an instance when General
6 Issa killed some civilians whilst you were on your way to collect
7 rice?

8 A. Yes.

9 Q. Your immediate boss, Major Wallace, was very unhappy about
13:13:49 10 that, wasn't he?

11 A. Yes, because when we went and when we were coming back,
12 that was what he said.

13 Q. And if we look three lines from the bottom of the page to
14 which Madam Court Manager will now direct our attention, you will
13:14:15 15 see, "Wallace later told me he wasn't happy about that killing
16 there", and you are talking about the killing of the five people
17 and that is true, isn't it?

18 A. Yes, he told me he was not happy.

19 Q. And Wallace, of course, was a Liberian, yes?

13:14:40 20 A. Yes, he was a Liberian soldier.

21 Q. Now, you also told us yesterday about killings by a man
22 called Savage?

23 A. Yes.

24 Q. Savage was an SLA officer, wasn't he?

13:15:00 25 A. Yes, he was an SLA.

26 Q. And he was the one who led an advanced party, didn't he?

27 A. Yes, when we were going.

28 Q. When you were going to where?

29 A. Koinadugu.

1 Q. And whilst he was leading that advanced party Savage
2 engaged in killings, didn't he?

3 A. Well, when we were going, those of us who at the back used
4 to come across corpses who have just been killed.

13:15:41 5 Q. What did Superman do about that?

6 A. When we went and after some time they stopped them. They
7 called them and advised them to stop, that they should not kill
8 anybody.

9 Q. Who told whom not to kill anybody?

13:16:08 10 A. Well, because when we were moving, when we reached a town
11 they told Savage that all those who were in the advanced team
12 should not kill anybody. That was the advice he gave at the
13 time. It was Superman who said so on that day.

14 Q. So in effect Superman was stopping the killings by Savage,
13:16:41 15 wasn't he?

16 A. Yes, because they were in the advanced team, so whatever
17 happened there he was their leader so he advised them. It was
18 then that we stopped seeing corpses on our way.

19 Q. Another instance. After the 1998 ECOMOG intervention in
13:17:09 20 Freetown, and before you left for the bush, you did not see
21 yourself any raping and looting in Koidu, did you?

22 A. Yes, because at the time we were in the bush we just used
23 to hear.

24 Q. But before you left you did not see any raping, or looting,
13:17:37 25 or killing, did you?

26 A. No, we just used to hear the news. People used to tell us.

27 Q. Also, after the capture of Kabala, you did not see the
28 rebels do anything bad to civilians, did you?

29 A. No, they used to just capture them - the youths.

1 Q. And just so that you know where I get that reference from,
2 let's go behind divider 1, shall we, and handwritten page 8 at
3 the bottom, ERN 00000986, okay? The third paragraph on that
4 page. This is an interview conducted with you in September 2003:

13:18:47

5 "From our base in Kurubonla we the rebels attacked several
6 places. I participated in the attacks against Mongo Bendugu and
7 Kabala Town. In fact the attack on Mongo was led by Major
8 Wallace who was one of Superman's mission commanders. In Kabala
9 we got lots and lots of arms and ammo from the ECOMOG soldiers
10 there. I didn't see the rebels do any bad things to civilians
11 during these attacks although I saw a lot of dead civilians after
12 we attacked Kabala, but I think they were killed in the
13 crossfire. Also, once, Wallace and I ran into three rebels
14 raping a few girls inside a house in Furawa village. The girls
15 complained to Wallace and right there he shot two of the rebels
16 dead."

13:19:10

13:19:43

17 Is that true?

18 A. Yes, that happened.

19 Q. Why did Wallace shoot the two rapists dead?

13:20:08

20 A. Well, it was on one evening when we were passing at the
21 back of one house we met the children crying. Then Wallace asked
22 them what had happened and they explained that these men had
23 raped them. It was at that time that he became angry and shot
24 them; he said because they had raped the children.

13:20:41

25 Q. And he thought that was a bad thing, did he?

26 A. That was a bad thing. They had said nobody should rape.

27 Q. Who had said nobody should rape?

28 A. Well, at the time that we were leaving, those were the
29 orders they gave.

1 Q. Leaving where?

2 A. Tombodu.

3 Q. When was the first time you heard the order that people
4 should not rape?

13:21:23 5 A. Well, it was Superman who used to give the order at the
6 time.

7 Q. When was the first time you heard Superman give that order?

8 A. Well, that day they had assembled us, that evening, for us
9 to leave.

13:21:45 10 Q. Where?

11 A. To go to Kurubonla.

12 Q. So it is before you left Kissi Town to go to Kurubonla?

13 A. He said this in Tombodu.

14 Q. And that was the policy, was it, which was enforced by
13:22:10 15 Superman thereafter?

16 A. Well, that law was made.

17 Q. Who made that law?

18 A. It was Superman who said there should be no raping.

19 Q. And in fact, later when you went to Makeni, again various
13:22:43 20 laws were enacted by the rebels, weren't they?

21 A. Yes. When we were in Makeni laws were enacted as well.

22 Q. Laws which outlawed rape, is that right?

23 A. Yes, there was a law against that during the ceasefire.

24 Q. Well, wasn't it before the ceasefire as well?

13:23:15 25 A. Well, it was during the ceasefire that they said that when
26 this continued, enacting these laws.

27 Q. But you were actually in Makeni for about a year or so
28 prior to the ceasefire, weren't you?

29 A. Yes, it took a year before I heard about the ceasefire. At

1 that time we were there now.

2 Q. Let us go please to divider 1, page 9 of 10 handwritten
3 bottom right, ERN number 00000987. The third paragraph from the
4 bottom of the page:

13:24:08 5 "I stayed in Makeni for about one year, until just after
6 the problem with the UNAMSIL peacekeepers. I didn't go through
7 the DDR program and was always under Wallace's command.
8 Throughout the time I was in Makeni, General Issa was the top,
9 top commander. I didn't see the RUF do any bad things to people
13:24:35 10 during that time?"

11 Is that correct?

12 A. Yes, at the time that we were there I did not see that.

13 Q. So during the year that you were there you never saw that?

14 A. Yes, because we were divided at the time.

13:25:02 15 Q. In fact when you invaded Makeni there was no burning of
16 houses, was there?

17 A. Well, they burnt down some houses at the time.

18 Q. When you invaded Makeni?

19 A. Yes.

13:25:27 20 Q. I just want to be sure. When you attacked Makeni and
21 captured it you actually burnt down houses, did you?

22 A. Yes, in their barracks, Teko Barracks, some houses were
23 burnt there.

24 Q. What about in Makeni itself, were houses burnt there?

13:25:50 25 A. Well, I did not see burnt houses. It was Teko Barracks
26 where I was that I saw burnt houses.

27 Q. You see, the reason why I am being very careful in asking
28 you about this is let's turn, please, behind divider 2, page 9
29 bottom right, ERN number 00035353, paragraph 79, third from the

1 bottom:

2 "When we entered Makeni we called civilians and fighters
3 all around to come to Makeni. We did not burn houses but we
4 looted and ordered people to carry loots."

13:26:51 5 Is that true?

6 A. Please repeat. I did not understand.

7 THE INTERPRETER: Your Honours, can the learned counsel
8 repeat the question?

9 MR GRIFFITHS:

13:26:58 10 Q. I am quoting from an interview conducted with you on 20
11 October 2004 where it is suggested that you said:

12 "When we entered Makeni we called civilians and fighters
13 all around to come to Makeni. We did not burn houses but we
14 looted and ordered people to carry loots."

13:27:30 15 Is that true?

16 A. Yes, looting happened, but it was in the barracks that
17 burning of houses took place, but in Makeni Town itself I did not
18 see houses burnt.

19 Q. Thank you. And in fact whilst you were in Makeni for that
13:27:56 20 year the Military Police did a very good job in maintaining order
21 and discipline, didn't they?

22 A. Please repeat that.

23 Q. When you were in Makeni for that year, the Military Police
24 set up by the RUF did a good job in maintaining law and order and
13:28:26 25 discipline, didn't they?

26 A. An MP office was there.

27 Q. And they did a good job, didn't they?

28 A. Yes, they used to work, because whoever did bad things,
29 that was where they took him.

1 Q. And the MPs effectively prevented bad things from happening
2 in Makeni whilst you were there, didn't they?

3 A. Yes, that was the work they did.

4 MR GRIFFITHS: Would that be a convenient point?

13:29:14 5 PRESIDING JUDGE: If it is a good point in your
6 cross-examination, because I note the time, Mr Griffiths, so if
7 this is convenient. Mr Witness, we are now going to take the
8 lunchtime adjournment. We will be adjourning for one hour and
9 starting again at 2.30.

13:29:27 10 MR GRIFFITHS: Madam President, can I mention, just for
11 efficiency's sake this afternoon, I anticipate I should be no
12 more than another 30 to 40 minutes, so perhaps another witness
13 can be made available for this afternoon.

14 PRESIDING JUDGE: Thank you. I am sure counsel for the
13:29:45 15 Prosecution will have noted that. Thank you. Please adjourn
16 court.

17 [Lunch break taken at 1.30 p.m.]

18 [Upon resuming at 2.30 p.m.]

19 PRESIDING JUDGE: Mr Griffiths, please proceed.

14:29:12 20 MR GRIFFITHS:

21 Q. Now, you told us before lunch about various attacks in
22 which you participated. You were involved in the attack on
23 Kabala, weren't you?

24 A. Yes.

14:29:36 25 Q. And on the attack on Koinadugu?

26 A. Yes, we went there.

27 Q. Which other places were you - at which other places were
28 you actually involved in military action?

29 A. Well at the time I was with Wallace, wherever he went I was

1 there with him.

2 Q. So you agree, do you, that you fought as a RUF rebel?

3 A. Well, they captured me and I was with them.

4 Q. And you fought for them?

14:30:36 5 A. Well I was just with them, going about.

6 Q. And you fought for them?

7 A. Well, I was with them. Wherever they went, I used to go.

8 PRESIDING JUDGE: Mr Witness, the operative and important
9 word in these questions is "fought", "Did you fight for them?"

14:31:04 10 Is that correct, Mr Griffiths?

11 MR GRIFFITHS: Totally accurately, Madam President.

12 THE WITNESS: Yes, because wherever they went I will be
13 there, so I fought.

14 MR GRIFFITHS:

14:31:20 15 Q. Thank you. And during that fighting did you ever kill
16 anyone?

17 A. No.

18 Q. Did you ever amputate anyone?

19 A. No.

14:31:33 20 Q. Did you ever burn houses?

21 A. I myself did not burn a house.

22 Q. Did you ever loot?

23 A. No.

24 Q. Did you ever rape?

14:31:50 25 A. No.

26 Q. In fact you knew that all of those things, killing,
27 amputating, burning houses and rape, you knew that people like
28 Superman disagreed with that kind of thing, didn't you?

29 A. Yes, because where we were I did not see amputations being

1 done there.

2 Q. Now, another matter. Your father had been engaged in
3 mining in Kono, hadn't he?

4 A. Yes, he was mining.

14:32:45 5 Q. Now at the time that you were captured by the rebels,
6 during that time there was no mining going on run by the rebels,
7 was there, in Kono?

8 A. Yes, the time I was captured I did not see them mining.

9 Q. In fact any mining that they engaged in, that started
14:33:20 10 months after your capture, didn't it?

11 A. Well, the month that they captured me I did not see them
12 mining.

13 Q. And my question is that that kind of mining did not start
14 until months after you were captured?

14:33:51 15 A. I had gone to look for my father. When I came back, I met
16 them mining.

17 Q. Let me show you where it is I got that precise phrase from.
18 Can we go please, Madam Court Manager, behind divider 1. Could
19 we look at the fourth page, please, which bears the ERN number
14:34:35 20 00000982 in the top right-hand corner. The second paragraph on
21 that page which begins, "I can't remember the month ...", last
22 two lines, "During that time there was no mining going on. That
23 didn't start until months later." Do you remember telling the
24 investigator that?

14:35:04 25 A. Yes, that there was no mining.

26 Q. And it didn't start until months later? That's right,
27 isn't it?

28 A. Yes, I did not see them.

29 Q. Right. Now, let's move on to virtually the last topic that

1 I want to ask you about and it's this. You've already agreed
2 that the three rebels who captured you were all former Liberian
3 fighters?

4 A. Yes, they were Liberian soldiers from what they said.

14:36:02 5 Q. And they had fought for ULIMO and then had been
6 incorporated into the STF?

7 A. Yes, that was what they called them. They were the same
8 soldiers.

9 Q. Now the STF were recruited by - were Liberians recruited by
14:36:31 10 the Sierra Leonean Army to fight against the RUF, is that right?

11 A. I did not know that.

12 Q. And then at the time of the coup in May 1997, those former
13 ULIMO fighters who were now STF and part of the Sierra Leonean
14 Army joined in the coup and suddenly found themselves on the same
14:37:16 15 side as the RUF. Did you know that?

16 A. Well, I did not know because I saw all of them there.

17 Q. But you did know, did you not, that ULIMO was a force which
18 had been created to fight Charles Taylor in Liberia? You knew
19 that, didn't you?

14:37:42 20 A. Well, they did not explain that to me.

21 Q. Have you subsequently discovered that these men who
22 captured you from ULIMO-K - let me start again. Have you heard
23 the name ULIMO-K?

24 A. Yes, they told me, Wallace and others.

14:38:10 25 Q. And they were called ULIMO-K because they followed one
26 Alhaji Koroma, is that right?

27 A. Yes, at the time they were in Liberia.

28 Q. Right. And then they came to Sierra Leone and became part
29 of the Sierra Leonean Army with the special title STF. That's

1 right, isn't it?

2 A. Well, from what he told me, when I asked him, he explained
3 when we were sitting down. When we were discussing he said that
4 they were in Liberia as ULIMO. He said so. They came to Sierra
14:39:00 5 Leone. That was where he joined the military. That was where he
6 was when the fighting occurred.

7 Q. Right. Now, what do you understand the words STF to stand
8 for?

9 A. I did not know its meaning. They just used to say STF, STF
14:39:27 10 group.

11 Q. Now, not only were those three members of the STF, was
12 Wallace an STF soldier as well?

13 A. Yes.

14 Q. And you also mentioned someone called Rubber-Rubber. Was
14:39:50 15 he STF as well?

16 A. Yes.

17 Q. And so was also former ULIMO?

18 A. Yes.

19 Q. And in fact there were many of these former ULIMO fighters
14:40:12 20 who were commanded by Superman, weren't there?

21 A. Yes, there were many.

22 Q. When you say many, are we talking about hundreds of them?

23 A. There were more than hundred.

24 Q. And did you come across one of them called Abu Keita?

14:40:47 25 A. No.

26 Q. What about one of them called Senegalese?

27 A. I used to hear his own name.

28 Q. You heard the name Senegalese. From who?

29 A. Wallace.

1 Q. And what did Wallace tell you about Senegalese?

2 A. Well, at the time when we were sitting down, he said those
3 were their bosses. They were the ones who came. He said when
4 the fighting started they went in disarray.

14:41:25 5 Q. I'm sorry, it's my fault, I don't understand that. What
6 did Wallace tell you about Senegalese?

7 A. When, sometimes when we were discussing and when he was
8 talking about their squad he mentioned his name once. He said he
9 was one of their senior men. He said but the war sent them their
10 separate ways. It was then that I heard his name.

11 Q. Now, when Wallace said that Senegalese was one of their
12 senior men, was that one of their senior men in ULIMO?

13 A. Well, I asked him and he said before they were sent their
14 separate ways they were all in ULIMO.

14:42:30 15 Q. Right. So Senegalese was also in ULIMO with Wallace?

16 A. Yes, he said he was a ULIMO soldier.

17 Q. Now, did you at any stage appreciate that ULIMO were anti
18 Charles Taylor forces?

19 A. Well, I did not know that, whether they were fighting
14:43:11 20 against him.

21 Q. Very well. Major Wallace, who took you under his wing and
22 looked after you, he is now a lieutenant in the Sierra Leone
23 Army, isn't it?

24 A. Yes, he was a lieutenant but he's retired.

14:43:32 25 Q. He's retired now. But after the war he joined the new
26 Sierra Leonean Army, was made a lieutenant and was based at
27 Lungi, wasn't he?

28 A. Yes.

29 Q. And in fact after you were demobilised you met Wallace on

1 more than one occasion, didn't you, in Freetown?

2 A. Yes, I went there.

3 Q. And in fact to this day you regard that Liberian man
4 Wallace as being your protector, don't you?

14:44:17 5 A. Yes, because he used to advise me up to the time I found my
6 people and nothing happened to me.

7 Q. And he looked after you extremely well, didn't he?

8 A. Yes, nothing happened to me until I found my people.

9 Q. In fact for that time you spent with the rebels, Wallace
14:44:46 10 acted like a father to you, didn't he?

11 A. Yes.

12 Q. One final matter and it's this: It's just a little detail
13 and I wonder whether you might be able to help us. Could we,
14 Madam Court Manager, please - for the final time I ask you to get
14:45:10 15 up. It's behind divider 1, and it's page 7 of 10, with the ERN
16 number 00000985 at the top. Now let me read out to you what the
17 first paragraph on this page says and then I want some help. You
18 were talking about the training and Monica and you said this:

19 "Would beat us if we didn't perform well enough. However,
14:45:54 20 I never saw the RUF trainers kill any of us recruits. All of us,
21 the boys, girls and men were all trained together. There was no
22 special training for children. During those two months we slept,
23 ate and did everything in the training base. There wasn't a lot
24 of food."

14:46:20 25 You agree with all of that?

26 A. Well, there was food but it was rationed at a particular
27 time.

28 Q. And then this: "They never gave us drugs although
29 Liberians would come around selling jamba, marijuana." Is that

1 true?

2 A. Yes. Some Liberians who were speaking Liberian English
3 used to sell them there.

4 Q. The reason I am asking you about this, and we need to take
14:47:02 5 it in stages, those Liberians who were selling the jamba, were
6 they soldiers themselves or were they just civilian traders who
7 were looking to make some money?

8 A. Well, they used to come. Some would be in civilian
9 clothing while others would be wearing military trousers and
14:47:24 10 civilians clothes. That was how we saw them.

11 Q. Now were they actually - those Liberians who were selling
12 the jamba, were they actually members of Superman's group?

13 A. Well, I used to see them. I did not know which exact group
14 they were.

14:47:45 15 Q. The reason I'm asking you about this is because earlier we
16 looked at a map and you told us that the camp was in Buedu, which
17 is very close to the Liberian border. Was it the case that there
18 was a lot of trading going on across that border between
19 Liberians and Sierra Leoneans, including the selling of jamba?

14:48:16 20 A. Well, I did not know whether it was a long distance or not,
21 but I knew that their base was there. Whether - they were not
22 based there, they just used to come to sell where we were.

23 Q. And that's all they did. They came to sell jamba and then
24 they went. Is that right?

14:48:40 25 A. Yes, they were there.

26 Q. Did they come to sell anything else apart from jamba, like
27 food, Maggi, anything like that?

28 A. No, I did not see those foods.

29 THE INTERPRETER: Your Honours, can he kindly repeat his

1 answer.

2 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
3 you clearly. Please repeat your answer and pick up, you said, "I
4 did not see those foods." Continue from there, please.

14:49:20 5 THE WITNESS: I said I did not see them selling food. They
6 only used to sell those things in the evenings.

7 MR GRIFFITHS:

8 Q. Sell what things in the evenings?

9 A. They just used to bring the jamba in the evening.

14:49:45 10 Q. Did they sell anything else apart from jamba?

11 A. Well, where we were, they only brought jamba there. I did
12 not know whether they brought others, because we were many. I
13 did not know whether they used to bring other things there. I
14 can't tell.

14:50:07 15 MR GRIFFITHS: Very well. That's a fair answer and that in
16 fact is the last thing I ask.

17 PRESIDING JUDGE: Thank you, Mr Griffiths. Mr Koumjian,
18 have you any re-examination of the witness?

19 MR KOUMJIAN: Yes, your Honour, just a few questions.

14:50:20 20 RE-EXAMINATION BY MR KOUMJIAN:

21 Q. Sir, I would like to go to tab 1. You were asked some
22 questions on page 4 of that tab. The second paragraph was read
23 to you where you talked about seeing Superman inside Kissi Town
24 but never saw him do any bad things to civilians. The next
14:50:44 25 paragraph says:

26 "But Issa was another matter. I saw this because of what I
27 heard and what I saw on one occasion. For example, one day when
28 I was sitting around talking to Wallace, one of his bodyguards
29 named Alie who that day had gone to Issa's camp came and reported

1 to Wallace that Issa was doing bad things to civilians. He said,
2 'Oh boss, the killing in Issa's camp is too much. That man do
3 kill civilian oh'."

4 Did you tell that to the investigators?

14:51:27 5 A. Yes. At the time that that we were in Kissi Town that
6 happened there.

7 Q. Now, sir, you also mentioned, moving to another topic, you
8 were asked this afternoon about see mining and you talked about
9 when you went to look for your brother. You just mentioned that.

14:51:45 10 Can you tell us what you saw regarding mining when you went back
11 to Koidu to look for your brother Kai?

12 A. At the time that I went in search of my brother, in Koidu,
13 they were doing mining there when I went in search of my brother.

14 Q. What did you see?

14:52:14 15 A. Well, I saw them going to the mines to mine. Sometimes in
16 the morning, when I was going in search of my brother, I used to
17 see them with their shakers and shovels and some civilians would
18 be in front of them as they went to do that work.

19 Q. You said civilians, do you know who was actually doing the
14:52:38 20 mining?

21 A. I used to see the rebels with pickaxes because there was
22 one place which they called Kaisambo. There was a population
23 there. It's close to the main road. That was where they mined.

24 Q. Were the civilians accompanied by anyone?

14:53:08 25 A. I used to see them together. Some with shakers and shovels
26 as they went. We used to meet them - I used to meet them on the
27 way when I was going in search of my brother.

28 Q. Was anyone armed?

29 A. It was the rebels who carried guns. Some, they have guns

1 when I saw them going.

2 Q. Just so we are clear, you said, "Some of the rebels were
3 carrying guns when we saw them going." Going where?

14:53:57

4 A. I said when they were going to the mines it was the rebels
5 who carried the guns when their workers, the civilians, were
6 being taken to the mines.

7 Q. Now, Mr Witness, you were asked this afternoon some
8 questions about ULIMO and Charles Taylor. Do you know which side
9 ULIMO-K fought on in the battles between Charles Taylor and
10 ULIMO-J?

14:54:14

11 A. I don't understand.

12 MR KOUJIAN: I have no further questions.

13 PRESIDING JUDGE: Thank you, Mr Koumjian.

14:54:44

14 JUDGE SEBUTINDE: Mr Witness, I have one or two questions
15 for you. What languages do you speak?

16 THE WITNESS: I speak Kono and Krio.

17 JUDGE SEBUTINDE: You are fluent in Krio?

18 THE WITNESS: Yes, I speak Krio.

14:55:08

19 JUDGE SEBUTINDE: I said are you fluent in Krio? Do you
20 speak it well?

21 THE WITNESS: Yes.

22 JUDGE SEBUTINDE: Now when Ms Dufka - Corrine Dufka - was
23 interviewing you, what language was she speaking in to you?

24 THE WITNESS: She spoke English.

14:55:27

25 JUDGE SEBUTINDE: And the interpreter, what language was he
26 speaking or interpreting to you?

27 THE WITNESS: Well, when she was explaining she interpreted
28 - the interpreter interpreted in Kono.

29 JUDGE SEBUTINDE: And what language were you speaking to

1 the interpreter?

2 THE WITNESS: At the time I spoke Kono.

3 JUDGE SEBUTINDE: Okay, thank you. Now, perhaps one final
4 question. How long or how many years or months did you spend

14:56:07 5 with the rebels altogether?

6 THE WITNESS: It took long, because I did not check it at
7 the time because I was captured in the bush and I was there up to
8 the time of after the war when I discovered my people.

9 JUDGE SEBUTINDE: And when did you discover your people?

14:56:32 10 Which year?

11 THE WITNESS: We were in Makeni in 1999. It was at that
12 time that I started going in search of my people.

13 JUDGE SEBUTINDE: At the end or at the beginning of 1999?

14 THE WITNESS: Well we were in the middle of it, towards the
15 end. That's when I went.

14:57:01

16 JUDGE SEBUTINDE: And of all the time that you spent with
17 the rebels, how much of that time did you spend in Superman's
18 camp?

19 MR KOUMJIAN: Your Honour, if I could just ask, the witness
14:57:19 20 may be confused because when you used the word "camp" he talked
21 about three different camps. He didn't use that name in Kono in
22 court.

23 JUDGE SEBUTINDE: Well, if he is confused he will tell me.

24 MR KOUMJIAN: Thank you.

14:57:32

25 JUDGE SEBUTINDE: Please answer my question. Of that time
26 which you spent with the rebels, how much time did you spend in
27 Superman's camp?

28 THE WITNESS: When we were in Kono?

29 JUDGE SEBUTINDE: Yes.

1 THE WITNESS: Well, I took long there a little.

2 JUDGE SEBUTINDE: How long?

3 THE WITNESS: Well, they captured me and I spent a week
4 there. Up to four weeks.

14:58:07 5 JUDGE SEBUTINDE: Okay, thank you. That will be all for
6 me.

7 PRESIDING JUDGE: Questions arising from the Court's
8 questions?

9 MR GRIFFITHS: Not from me.

14:58:20 10 PRESIDING JUDGE: Mr Koumjian?

11 MR KOUMJIAN: Yes.

12 FURTHER RE-EXAMINATION BY MR KOUMJIAN:

13 Q. Mr Witness, I'm just trying to understand your evidence.
14 You talked about going to see your father and you also talked
14:58:31 15 about the UNAMSIL peacekeepers being taken.

16 PRESIDING JUDGE: I said questions arising, Mr Koumjian. I
17 don't remember hearing about UNAMSIL in Justice Sebutinde's
18 questions.

19 MR KOUMJIAN: Your Honour, I am dealing with the timing of
14:58:50 20 when he went to look for his people:

21 Q. The question is, sir, did you go to look for your people
22 before or after the taking of the UN peacekeepers - the UNAMSIL
23 peacekeepers?

24 A. They captured them first before I went in search of my
14:59:13 25 people.

26 MR KOUMJIAN: Thank you.

27 PRESIDING JUDGE: Now that appears to be the end of the
28 witness's testimony, Mr Koumjian?

29 MR KOUMJIAN: Yes, thank you, your Honour. The Prosecution

1 would move into evidence MFI-1 and 2.

2 PRESIDING JUDGE: Mr Griffiths?

3 MR GRIFFITHS: No objection.

14:59:43

4 PRESIDING JUDGE: Very well. MFI-1, this is a one-page
5 document headed "Republic of Sierra Leone CR Form LB3". It is a
6 birth certificate of the witness, Komba Sumana, and it is dated
7 22 June 2003. It becomes Prosecution exhibit I think it's P-184,
8 am I correct, Madam Court Officer?

9 MS IRURA: Your Honour, P-185.

15:00:06

10 PRESIDING JUDGE: 185, thank you. And it is an actual copy
11 of the original which the Court has seen.

12 [Exhibit P-185 admitted]

13 MR KOUJIAN: Thank you. Nothing else, your Honour.

15:00:23

14 PRESIDING JUDGE: You are only tendering this one document,
15 Mr Koumjian?

16 MR KOUJIAN: I am actually indifferent to the other
17 document, as your Honours wish.

18 JUDGE LUSSICK: But your application was to tender both.

19 MR KOUJIAN: That is correct, your Honour. Thank you.

15:00:37

20 JUDGE LUSSICK: That is all we need to ascertain.

21 PRESIDING JUDGE: Yes, my apologies, Mr Koumjian. I
22 misheard your reference to MFI-2. Mr Griffiths?

23 MR GRIFFITHS: I have no objection to that document.

15:00:49

24 PRESIDING JUDGE: Very well. This is a one-page document,
25 a photocopy of a document headed "Republic of Sierra Leone,
26 National Electoral Commission Voter ID Card", the original of
27 which the Court has seen. It becomes Prosecution exhibit P-186.

28 [Exhibit P-186 admitted]

29 Mr Witness, that is the end of your testimony here in court

1 today. We thank you for coming and giving your evidence and we
2 wish you a safe journey home. We will ask someone to assist you
3 to leave the court.

15:02:17 4 MS HOLLIS: Madam President, your Honours, the next witness
5 the Prosecution will call is TF1-305. This is a witness that
6 will speak in the Kono language and the witness is protected as a
7 Category 1A witness. The basic protection was in the RUF
8 decision of 5 July 2004 and then after that it was clarified the
9 witness was a Category A witness, so in addition to the screen
15:02:52 10 and pseudonym the witness was granted voice distortion
11 protection.

12 PRESIDING JUDGE: Secondary voice distortion. Was that in
13 a separate ruling? A separate decision?

14 MS HOLLIS: Yes, yes, and I believe you were provided with
15:03:11 15 that in a prior trial - prior testimony. Actually, I think what
16 was provided to you was reference to page 53 of 27 July 2004 RUF
17 proceedings. The pages according to what I printed out should be
18 pages 48 to 49 where that was raised and the witness was granted
19 voice distortion in agreement to the screen and pseudonym.

15:03:39 20 PRESIDING JUDGE: When you say pages 48 and 49, is that a
21 transcript?

22 MS HOLLIS: That is a transcript of 27 July 2004 and we do
23 have copies if your Honour wishes to see the copies.

24 MR MUNYARD: Madam President, I rise. I am going to be
15:04:00 25 dealing with this witness. I am grateful to Ms Hollis for
26 indicating where in the 2004 proceedings the decision was set
27 out. Unfortunately, my print starts at page 51. I don't deny -
28 I don't dispute what my learned friend is saying, but I do not
29 have 49 and 50. I accept that this witness was in Category 1A of

1 5 July 2004 RUF decision. I would just be grateful of sight of
2 those two pages. I don't think there is going to be any argument
3 about this witness's protections.

15:04:51 4 MS HOLLIS: Madam President, just to reiterate that we do
5 have copies of those pages if your Honours wish them and we would
6 ask that the Court Officer assist us to provide one to the
7 Defence. It's pages 48 and 49.

8 PRESIDING JUDGE: I would be grateful for them, Ms Hollis.
9 I'm looking through my accumulated documents. I haven't found
15:05:08 10 them immediately.

11 Mr Munyard, you have been able to read the relevant
12 documents?

13 MR MUNYARD: I have, thank you very much, and again the
14 position is that the Defence are in agreement with the
15:06:37 15 Prosecution on the nature and number of protective measures that
16 this witness enjoys the benefit of.

17 PRESIDING JUDGE: Thank you.

18 MR MUNYARD: Could I just enquire, while I am on my feet,
19 that having seen pages 48 and 49 there is a passage halfway down
15:06:54 20 page 49. I don't propose to read it out, but I wonder if the
21 witness will require breaks? I thought it appropriate to raise
22 it.

23 PRESIDING JUDGE: Yes, I have noted that. Ms Hollis, it is
24 four years ago and we don't know if the same condition applies.

15:07:11 25 MS HOLLIS: We had discussed that with WVS. It was my
26 understanding it had been raised with your Honours. It is a
27 continuing medical condition that could require breaks during the
28 regularly scheduled sitting times.

29 PRESIDING JUDGE: If it was then either I have forgotten

1 it, or it was related to - I know certainly certain witnesses. I
2 do not recall this one. It may well have been. However, we have
3 noted what you said and we will deal with them if and when the
4 occasion arises.

15:07:41 5 MS HOLLIS: Thank you, Madam President.

6 PRESIDING JUDGE: Madam Court Officer, you have heard that
7 this witness will have a screen, voice distortion and a
8 pseudonym. Can you implement those. We will, in fact, need to
9 close the windows entirely for the witness coming into the Court.

15:08:25 10 MS IRURA: Your Honour, for the purposes of voice
11 distortion the AV booth requires 30 minutes in order to set up.

12 PRESIDING JUDGE: I don't think it will be very productive
13 if we all sit for 30 minutes while this is being implemented, so
14 I would ask that this be implemented. We will adjourn

15:09:01 15 temporarily to allow that to be done and as quickly as possible
16 we will then reconvene. Please adjourn Court temporarily to
17 allow voice distortion to be put in place.

18 [Break taken at 3.10 p.m.]

19 [Upon resuming at 3.30 p.m.]

15:31:12 20 PRESIDING JUDGE: Are the Kono interpreters in position,
21 please?

22 THE INTERPRETER: Yes, your Honour.

23 WITNESS: TF1-305 [Sworn]

24 PRESIDING JUDGE: Ms Hollis, please proceed. Incidentally
15:32:27 25 I note a change of appearance, Ms Hollis. I will record that.

26 MS HOLLIS: Yes, thank you, Madam President.

27 THE WITNESS: Can I start explaining?

28 MS HOLLIS: No, Madam Witness. Just wait, please.

29 Madam President, I would ask that we go into private

1 session for identifying information about the witness.

2 PRESIDING JUDGE: Mr Munyard, you have heard the
3 application.

4 MR MUNYARD: That must be right.

15:32:54

5 PRESIDING JUDGE: Thank you. For purposes of record and
6 the rules, any members of the public or monitors listening, we
7 are now going into a brief private session to adduce matters that
8 may go to the security of the witness. Please implement
9 that.

10 [At this point in the proceedings, a portion of
11 the transcript, pages 18094 to 18096, was
12 extracted and sealed under separate cover, as
13 the proceeding was heard in private
14 session.]

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1 [Open session]

2 MS HOLLIS:

3 Q. Could you please tell the judges your tribe?

4 A. I am Kono. I speak Kono and Krio.

15:39:24 5 Q. And have you had any formal education?

6 A. I did not go to school.

7 Q. You've told the judges that you speak Kono and Krio. Are
8 you able to read or write in any language?

9 A. No.

15:39:55 10 Q. After you had gone back to the place where you were born,
11 did anything happen after you went back there?

12 A. Yes.

13 Q. And this thing that happened, do you recall when it
14 happened?

15:40:18 15 A. Yes.

16 Q. And when was that?

17 A. It was in 1998.

18 Q. And do you recall what time of the year in 1998 this thing
19 happened?

15:40:36 20 A. The year or the day? Because I do not know the day or the
21 month. I know - it's the year that I know and that's what I've
22 said.

23 Q. And do you recall this thing that happened, was it close in
24 time to any holiday that you celebrated?

15:41:01 25 A. Well, before this happened Christmas had passed, the New
26 Year had passed.

27 Q. Would you please tell the judges what it was that happened
28 after the New Year had passed?

29 A. Well, we were in our town when we heard gunshots at Mambudu

1 checkpoint area. It was not long when we saw people coming.
2 They had come from that end and they came to our town. They came
3 and told us that well, the rebels are coming. They were coming
4 with their leader. They were taking their leader to Koidu.

15:41:58 5 PRESIDING JUDGE: Madam Witness, it's very good that you
6 are speaking nice and clearly, but could you speak a little more
7 slowly because the interpreters also needs to interpret what you
8 are saying and someone is also writing down what you're saying.

9 THE WITNESS: That's not bad. That is okay.

15:42:14 10 MS HOLLIS: Your Honours, the checkpoint that the witness
11 referred to should be spelt M-A-M-B-U-D-U:

12 Q. Now you said that they said that rebels are coming and that
13 they were taking their leader to Koidu. Did these people say who
14 this leader was that they were taking to Koidu?

15:42:43 15 A. Well, those who came, who came running and met us they were
16 the ones who explained to us. They said they were taking their
17 leader and his name was Johnny Paul Koroma.

18 Q. Thank you, Madam Witness, and again just remember to speak
19 slowly. Now after these people came and told you these things,
15:43:05 20 what happened next?

21 A. Well, we were there. After four days we were there in our
22 town when we heard gunshots. When we heard these gunshots we ran
23 away into the bush together with my relatives.

24 Q. Now, you said that you heard gunshots and without naming
15:43:27 25 the place, can you tell us these gunshots were coming from where?

26 A. That gunshot was coming from the town, the town where we
27 were.

28 Q. Were you able to see who was shooting?

29 A. I did not see who was shooting.

1 Q. Now, without giving us names or relationships, can you tell
2 us how many people ran away with you?

3 A. Yes.

4 Q. How many people?

15:44:10 5 A. Those of us who went our own way, we were four in number.

6 Q. Now, after you had run away into the bush, did anything
7 happen while you were in the bush?

8 A. Yes.

9 Q. And how long had you been in the bush when this thing
15:44:31 10 happened?

11 A. Well, we were in the bush for two weeks before this thing
12 happened.

13 Q. Tell the judges what happened while you were in the bush.

14 A. Well, we were in the bush. After two weeks we saw people
15:44:57 15 who came. They came and they were dressed and they had guns.
16 They captured us and they asked us if we had seen rebels and we
17 said, "We do not know rebels". They said, "You do not know
18 rebels?", and they said, "Here we are. We are the rebels. We
19 are here in this country today. If you don't want to see us, you
15:45:22 20 will see us. We are in charge of this country. We now have the
21 government". Can I continue.

22 Q. Let's just wait for a moment and let's just clarify some of
23 the things you have said. You said that some people came. How
24 many people came to where you were in the bush?

15:45:38 25 A. Well, I saw ten people.

26 Q. You said they were dressed. How were they dressed?

27 A. They wore combat. Even their faces, nobody - you cannot
28 see their faces. No part of them. Nobody could see any part of
29 their body, except their eyes and their noses.

1 Q. Now, what did they have on their faces that you could only
2 see their eyes and noses?

3 A. Well, they were dressed. They had on caps that they wore
4 right across their face; those caps that you could only see
15:46:33 5 somebody's eye. You could not see his other parts. That was
6 what they were wearing.

7 Q. You said they were wearing combat. Can you tell the judges
8 what you mean by combat?

9 A. Well, that was the kind of dress I saw on them. One colour
15:46:53 10 was like brown and the other like green. It was mixed like that.

11 Q. Now, you have told the judges that these people came and
12 asked if you had seen a rebel and then identified themselves as
13 rebels and they said that, "If you do not want to see us, you
14 will see us. We are now in charge of the government". Did they
15:47:19 15 say anything else to you when they came to where you were in the
16 bush?

17 A. After that they asked us to bring out our belongings.

18 Q. And did they say or ask anything else of you?

19 A. Yes, they asked us if we had jamba bullets and if Kamajors
15:48:05 20 were with us. We told them, "All those things that you are
21 talking about, we don't have them. We don't have jamba, we do
22 not have bullets and we have not seen Kamajors around us here".

23 Q. You told the judges that these people told you they were
24 rebels. Did they call themselves by any other names?

15:48:29 25 A. Well, when they were there after they had captured us they
26 used to call names - they used to call one another names. They
27 used to call one another Liberian Boy, Killer, Corporal,
28 Sergeant. That was how they were calling one another.

29 Q. When these rebels were asking you these questions and

1 saying these things to you, do you know what language they were
2 speaking?

3 A. Well, I heard only two languages from them.

4 Q. And what did you hear? What languages?

15:49:10 5 A. They spoke English and Liberian English.

6 Q. You said they spoke to you in English and in Liberian
7 English. Is that correct?

8 A. They used to speak that.

9 Q. Now, they were speaking to you in English and Liberian
15:49:32 10 English. Did you understand what they were saying?

11 A. Yes.

12 Q. How were you able to --

13 A. Well, for the English I used to understand, but that other
14 language that they were using I did not understand. They had to
15:49:48 15 explain to me.

16 Q. And how were you able to understand the English language?

17 A. Well, I can understand English. I can speak some English,
18 but that Liberian language I did not understand. I did not
19 understand what language it was. They explained to me what the
15:50:11 20 language was.

21 Q. And who was it who explained to you what the Liberian
22 language was?

23 A. Their commander who was leading them.

24 Q. And when their commander explained this to you what
15:50:27 25 language was the commander speaking?

26 A. He was speaking English to me.

27 Q. Now, this person, you said one of them was the commander.
28 How did you know this person was the commander?

29 A. Because when they reached us, whatever he told them to do

1 they will do. Whatever he told them to do they will do. And
2 that was what they were calling him in our presence.

3 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt, the
4 Liberian language that the commander explained to the witness,
15:51:11 5 what explanation did he give to her? What language was it?

6 MS HOLLIS:

7 Q. Madam Witness, you said that the commander explained to you
8 in English about the Liberian --

9 A. In English, yes.

15:51:26 10 Q. About the Liberian language. What did the commander tell
11 you about the Liberian language?

12 A. Well, he just said - he asked me if I understood what they
13 were speaking and I said, "No, I did not go to school. I do not
14 understand what you are saying." He said it's the Liberian

15:51:48 15 language, that's what they were saying. What they were saying
16 was not what he explained to me. He just told me about the
17 language.

18 Q. So while he was explaining this to you he was talking what
19 language?

15:52:06 20 A. He spoke English to me. He was saying all this in English.

21 Q. Now, after they had said these things to you - well, before
22 we go to that, how many of these people were speaking this
23 Liberian language?

24 A. Two of them.

15:52:38 25 Q. Now, after they had said these things to you, and they had
26 told you to bring your property out, what happened after that?

27 A. After that they told me that they were taking me or will
28 kill me or will turn me into their wife, they will have sex with
29 me.

1 Q. And what happened after they told you this?

2 A. When they said that to me, after that they took me - the
3 hut where we were at the back of the house, that was where they
4 took me.

15:53:16 5 Q. And how many of them took you to the back of this hut?

6 A. Eight of them.

7 Q. And what happened?

8 PRESIDING JUDGE: I didn't hear the answer, Mr Interpreter.

9 THE INTERPRETER: Eight of them.

15:53:36 10 MS HOLLIS:

11 Q. And what happened after these eight rebels took you to the
12 back of this hut?

13 A. They took me at the back of the hut and they asked me to
14 strip naked and I stripped naked. I was pleading with them, but
15:53:55 15 they said if I cry they will kill me. And they asked me to strip
16 naked and I stripped myself naked and they told me to lie down
17 and I laid down. Then one of them removed his trousers and laid
18 on top of me.

19 Q. And, Madam Witness, you don't have to go into detail, but
15:54:14 20 when he laid on top of you, what did he do then?

21 A. When he laid on top of me, he started moving his waist --

22 THE INTERPRETER: Your Honours, can she kindly repeat her
23 answer slowly.

24 MR MUNYARD: Madam President, we will not be disputing that
15:54:40 25 this witness says she was raped and raped by all eight of those
26 people. If my learned friend wishes to lead on that we have no
27 difficulty with that at all.

28 PRESIDING JUDGE: Thank you. That is most helpful,
29 Mr Munyard. Ms Hollis, you have heard Mr Munyard and I will ask

1 Madam Court Attendant to assist the witness.

2 Madam Witness, we understand you are upset. Do you need to
3 take a little time or are you all right now?

4 THE WITNESS: I just want to drink some water.

15:56:12 5 PRESIDING JUDGE: You drink the water slowly and take a
6 deep breath and take your time.

7 Madam Witness, you are looking a little better. Are you
8 feeling a little better now?

9 THE WITNESS: Let's continue.

15:57:24 10 PRESIDING JUDGE: Thank you. Ms Hollis.

11 MS HOLLIS: And thank you to Defence counsel for allowing
12 me to lead the witness on this matter:

13 Q. Madam Witness, this first man who laid down on top of you,
14 did he rape you?

15:57:42 15 A. Yes.

16 Q. And did he say anything after he had raped you?

17 A. Well, when he finished, he got up and told his companion,
18 one of his companions who was standing and he said, "Oh, there is
19 something better there."

15:58:08 20 Q. Now after he said that, these other seven rebels, did each
21 one of them rape you?

22 A. All of them.

23 Q. And while each of them was raping you, what were the others
24 doing?

15:58:26 25 A. They all stood there with the guns in their hands. When I
26 wanted to scream they said if I screamed they would kill me.

27 Q. Now, while these eight rebels were doing this to you, where
28 were the two other rebels?

29 A. Well, the other three people whom they had left there, the

1 other two people were guarding them.

2 Q. And while these eight men were doing this to you, where was
3 the commander?

4 A. Where the three people were, that was where he was.

15:59:21 5 Q. Now, can you tell us, you said you were taken to the back
6 of a hut and the other people you were with were in another
7 location with two other rebels. How far from you were these
8 other people and the two rebels? How far away were they?

9 A. Well, it was a hut that we built. They were sitting in
10 front. They took me from there to the back of that hut.

11 Q. Are you able to give us any idea at all how far away you
12 were from the people sitting in the front when these eight men
13 were doing this?

14 A. Well, it was - the distance was like where I am sitting
15 here and the distance between myself and these people who are
16 sitting in front of me, the distance was like that.

17 Q. And you mean the judges?

18 A. Yes, the way this distance is, that was how the distance
19 was. It was the hut that we built and it was not big.

16:00:46 20 MS HOLLIS: Madam President, I must confess I am very bad
21 at estimating distances.

22 PRESIDING JUDGE: I think we have a real tape measure.
23 Once we get this measured let us all try and remember it.

24 MS IRURA: Your Honour, the distance is 289cm.

16:01:52 25 PRESIDING JUDGE: Thank you.

26 MS HOLLIS:

27 Q. Madam Witness, you said that while this was happening they
28 told you that they would kill you if you screamed or cried out
29 did you cry out while this was happening?

1 A. I cried. I screamed. They said if I did they would kill
2 me and I should shut up.

3 Q. And when you cried and screamed did either of the two
4 rebels who were in the front of the hut - did either of them come
16:02:37 5 to see what was happening?

6 A. They did not come there.

7 Q. Now, what happened after these eight men had raped you?

8 A. Well, when they had sex with me and left me they said they
9 work by time, that their commander who was leading them said they
16:03:16 10 were working by time. I was standing there and I heard them
11 speaking. And they said they should go, they took our
12 belongings, our clothings and they went with all of them.

13 Q. Did any of these rebels say anything to you when they left
14 with your belongings?

16:03:37 15 A. Well, they said where they were leaving us they should meet
16 us there. Whenever they came back they should meet us there. If
17 we leave and we go anywhere and they see us they will kill us.

18 Q. Now you said they took your belongings. What kind of
19 belongings was it that they took with them?

16:04:01 20 A. Our clothes. The clothes that we had. Those that we had
21 run away with.

22 Q. Now, after this had happened to you, could you tell the
23 judges your physical condition?

24 A. Well, the condition in which I was, when they did that
16:04:29 25 thing to me I was unable to get up. I was just lying there.
26 They came and helped me up. There was warm water and they placed
27 me in that warm water.

28 Q. Why did they place you in warm water?

29 A. Well, when they did that to me, I was bleeding, I was

1 bleeding for up to three days.

2 Q. And in addition to the bleeding for three days did you have
3 any other physical problems during the time you were there in the
4 bush?

16:05:08 5 A. Yes. Once I had been bleeding for three days, when it
6 stopped something started coming up like pus. I would just be
7 standing and urinating on myself.

8 Q. Now, how long did you stay in the bush after these things
9 happened to you?

16:05:41 10 A. Well, when this thing happened to me I was unable to walk
11 for long. When I pulled together a little I started walking a
12 little. We took some time there.

13 Q. And where did you go from this area in the bush?

14 A. We went to the Kamajors in Kangama.

16:06:13 15 Q. Now, Kangama, where the Kamajors were, this was in what
16 district, if you know?

17 A. It's in Ngorama district.

18 Q. Is that Ngorama district or chiefdom?

19 A. Chiefdom. Chiefdom.

16:06:37 20 Q. And in what district?

21 A. In Kono.

22 Q. Why did you go to the Kamajors in Kangama?

23 A. Well, they said that the Kamajors were protecting
24 civilians, so when that thing met us in the bush, when I pulled
16:06:57 25 through, we went to them and that was where we were.

26 Q. Can you tell the judges how long you were with the Kamajors
27 in Kangama?

28 A. Well, we stayed long there because we were there with them
29 up to the time ECOMOG came and they introduced themselves and

1 they said they had captured Freetown, Bo, Kenema and now they
2 were going to capture Kono.

3 Q. So after these people came and introduced themselves and -
4 who did they tell you they were?

16:07:42 5 A. They said they were ECOMOG.

6 Q. And after they came and told you these things, what did you
7 do then?

8 A. Well, when they said that, they went into our town. Then
9 we followed them to go to us.

16:08:10 10 Q. And when you say "our town", are you referring to the town
11 where you were born?

12 A. Yes.

13 Q. And how long did you remain in your town with ECOMOG?

14 A. Well, we stayed long there again at that time. We were
16:08:38 15 there when the rebels came again and attacked there. The ECOMOG
16 people took us and as we were going there was a town at the back
17 of Kangama called Pewahun. That was where we were when we
18 entered the new year.

19 MS HOLLIS: Your Honours, I could only give a phonetic
16:09:05 20 spelling for what the witness just said, unless the Kono
21 interpreters could assist us with the town. I understood her to
22 say Pewahun.

23 PRESIDING JUDGE: Mr Interpreter, first of all the name of
24 the town, and secondly can you help us with spelling.

16:09:24 25 THE INTERPRETER: The name of the town is Pewahun and the
26 phonetic spelling we have for it is P-E-W-A-H-U-N.

27 MS HOLLIS:

28 Q. Now you said you were in Pewahun when you entered the new
29 year. What year, do you know?

1 A. 2009.

2 Q. Well, we are not yet in 2009. Are you sure it's 2009?

3 MR MUNYARD: Again I am happy for her to be led on this.

16:10:06

4 THE WITNESS: I mean at the time that ECOMOG was taking us
5 along, it was at that time that we entered into this 2009.

6 MS HOLLIS:

7 Q. Madam Witness, do you mean 1999?

8 A. 1999, mm-hmm.

9 Q. And where did you go from Pewahun?

16:10:35

10 A. When we left Pewahun, ECOMOG took us up to Kenema.

11 Q. Where did you stay in Kenema?

12 A. We were in a camp.

13 Q. And what kind of a camp was it?

14 A. Lebanese camp.

16:11:01

15 Q. And the people in the camp, why were they there, do you
16 know?

17 A. Well, they said they too had been driven away by the war.
18 That was why they were there.

19 Q. How long did you remain in this camp in Kenema?

16:11:21

20 A. I was there for three years.

21 Q. How many people were in this camp when you were there?

22 A. Well, people were many there.

23 Q. Did you learn where any of these people were from
24 originally?

16:11:43

25 A. Well, some said they had come from Kailahun District.

26 Q. And did the others say they were from a different place?

27 A. Well, it was during the war. The place they told me they
28 came from is what I have told you.

29 Q. While you were in this camp in Kenema, did you learn of any

1 other camps in Kenema?

2 A. Yes.

3 Q. And what other camp or camps did you learn about?

16:12:40

4 A. Well, we were there when they said they had brought some
5 other people and they built another camp for them, but we were
6 not in the same place.

7 Q. And the people in this other camp, do you know where these
8 people came from?

9 A. They said they had come from Liberia.

16:12:57

10 Q. Did you ever speak with any of these people in the other
11 camp?

12 A. Well, except that sometimes we met in the marketplace or
13 when we went to fetch water at the tap.

14 Q. Do you know what language these other people spoke?

16:13:26

15 A. Well, I did not know the language they were speaking but I
16 asked. I asked people.

17 Q. And what were you told?

18 A. Well, they said these people were speaking Liberian
19 language.

16:13:43

20 Q. And why did you ask what language these people were
21 speaking?

22 A. Well, it's a language. These people met - at the time
23 these people met us in the bush, those two people, the language
24 they were speaking was similar to the one these other ones were
25 speaking. That is why I inquired and they told me it was the
26 Liberian language. It was that curiosity that caused me to ask.

16:14:04

27 MS HOLLIS: Madam President, at this time the Prosecution
28 would ask to go into private session again. It is to elicit
29 information that would identify the witness as well as

1 information that is very sensitive to the witness.

2 PRESIDING JUDGE: Mr Munyard?

3 MR MUNYARD: No objection.

4 PRESIDING JUDGE: Thank you. For purposes of the rules and
16:14:43 5 those members of the public or monitors who may be listening, the
6 Court will go into a private session for reasons of security of
7 the witness and for the witness's own well-being.

8 [At this point in the proceedings, a portion of
9 the transcript, pages 18112 to 18118, was
10 extracted and sealed under separate cover, as
11 the proceeding was heard in private session.]

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20 **[OPEN SESSION]**

21 We are now adjourning court because it is 4.30. Sorry,
22 Mr Munyard.

23 MR MUNYARD: Sorry, Madam President. Can I just enquire of
24 my learned friends opposite who - and by number will do - they
25 intend to call tomorrow, because as of this morning we received a
26 different notification? We would simply like to know who is
27 likely to be up tomorrow.

28 PRESIDING JUDGE: If you could assist, Ms Hollis.

29 MS HOLLIS: That's what I was about to rise to inform your

1 Honours. Unfortunately, we have no witnesses available for
2 tomorrow. We have had difficulties getting passports and visas
3 in time for people to travel. People will be arriving tomorrow
4 on tomorrow morning's flight, but I regret to say we have no-one
5 here.

6 PRESIDING JUDGE: Mr Munyard, you've heard the implied
7 application.

8 MR MUNYARD: I would not expect anyone who has travelled
9 overnight from Sierra Leone by whatever means to come straight
10 into court and give evidence, having done that journey myself,
11 and we support any application implied or explicit by the
12 Prosecution.

13 PRESIDING JUDGE: Well, obviously it is unfortunate that
14 this has occurred. I think the Prosecution are aware of the
15 mechanics - or maybe not the Prosecution, maybe the Witness and
16 Victims Section are the more appropriate person to comment upon
17 the time it takes for visas, et cetera, to be brought into - to
18 be issued in the Schengen area and this is unfortunate.

19 THE WITNESS: Are you talking to me?

20 PRESIDING JUDGE: No, Madam Witness, all the talk with you
21 is finished now, thank you very much, but I am asking that you
22 stay there a little while so we can lower the curtains to let you
23 out, so if you could be a little bit patient.

24 THE WITNESS: Okay.

25 MS HOLLIS: I just want to inform the Court our
26 understanding is that it was a problem with DHL bringing the
27 visas in a timely way. They have been tracking them, but there
28 was a problem with that.

29 PRESIDING JUDGE: We accept that explanation and I am

1 grateful for it, Ms Hollis. It shows that there was no fault in
2 the part of any of the organs of the Court.

3 Counsel, we will have to adjourn tomorrow. I am sure we
4 will all be able to put our time to good use. I will also remark
5 the following day is a holiday within the Court as you are aware
6 some time ago this Court fixed the half day on Friday, 10
7 October, I think it is, as a sort of mid-session break to allow
8 parties to take as much benefit from the ICC holiday as they
9 could. So we will therefore be resuming on Monday.

10 As it happens I will not be here on Monday. I am away for
11 a few days, I have to attend some meetings and a conference and
12 my learned colleague Justice Lussick will be presiding. I have
13 no doubt that you will extend to him the same courtesy as you
14 have extended to me. I hope to be back early on Thursday.

15 MR MUNYARD: And I will not be making any arguments about
16 the relevant rule on this occasion.

17 PRESIDING JUDGE: I think you received the appropriate
18 ruling, Mr Munyard.

19 Thank you. In the circumstances, Madam Court Officer, if
20 you would please adjourn Court until Monday at 9.30.

21 [Whereupon the hearing adjourned at 4.33 p.m.,
22 to be reconvened on Monday, 13 October 2008 at
23 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

| | |
|---------------------------------------|-------|
| KOMBA SUMANA | 18000 |
| CROSS-EXAMINATION BY MR GRIFFITHS | 18000 |
| RE-EXAMINATION BY MR KOUMJIAN | 18084 |
| FURTHER RE-EXAMINATION BY MR KOUMJIAN | 18088 |
| TF1-305 | 18092 |
| EXAMINATION-IN-CHIEF BY MS HOLLIS | 18093 |

EXHIBITS:

| | |
|------------------------|-------|
| Exhibit P-185 admitted | 18089 |
| Exhibit P-186 admitted | 18089 |