



Case No. SCSL-2004-16-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
ALEX TAMBA BRIMA
BRIMA BAZZY KAMARA
SANTI GIE BORBOR KANU

MONDAY, 11 JULY 2005
9.22 A.M
TRIAL

TRIAL CHAMBER II

| | |
|--|---|
| Before the Judges: | Teresa Doherty, Presiding Richard Lussick |
| For Chambers: | Mr Simon Meisenberg |
| For the Registry: | Mr Geoff Walker |
| For the Prosecution: | Mr Jim Hodes Ms Shyamala Alagendra Ms Karen Abugaber (intern) Ms Maja Dimitrova (Case Manager) |
| For the Principal Defender: | No appearances |
| For the accused Alex Tamba Brima: | Ms Glenna Thompson |
| For the accused Brima Bazy Kamara: | Mr Mohamed Pa-Momo Fofanah Mr Ibrahim Foday Mansaray Mr Andrew Daniels |
| For the accused Santigie Borbor Kanu: | Mr Ajibola E Manly-Spain |

1 [TB110705A-SGH]

2 Monday, 11 July 2005

3 [Open session]

4 [The three accused present]

09:19:51 5 [The witness entered court]

6 [Upon commencing at 9.22 a.m.]

7 PRESIDING JUDGE: Good morning. Mr Manly-Spain, you have
8 got your light on.

9 MR MANLY-SPAIN: Yes, Your Honour. Your Honour, on behalf
09:26:07 10 of my three colleagues who practice locally, we would wish to
11 inform the Court and ask the Court's permission to be excused on
12 Friday because we are going to have the --

13 PRESIDING JUDGE: I know about that, I have received an
14 invitation, Mr Manly-Spain. I was going to discuss it with my
09:26:27 15 learned colleagues later on, but perhaps we can deal with that
16 when I have had an opportunity to discuss it with my colleague.
17 I will make a point of doing so at lunchtime and come back to you
18 in the course of the afternoon.

19 MR MANLY-SPAIN: Yes, Your Honour.

09:26:41 20 PRESIDING JUDGE: I note all the accused are present and I
21 assume that they are fit in light of their medical treatment last
22 week. We will proceed on. Mr Hodes, you have a new witness?

23 MR HODES: Your Honour, this is Witness TF1-033.

24 PRESIDING JUDGE: Thank you, Mr Hodes. Ms Alagendra is
09:26:53 25 leading the witness?

26 MR HODES: Yes, Your Honour and he will have voice
27 distortion pursuant to the order that was issued by Trial Chamber
28 I.

29 PRESIDING JUDGE: Mr Court Attendant, is that in order,

1 please.

2 MR WALKER: It is, Your Honour.

3 PRESIDING JUDGE: In that case please swear in the witness.

4 WITNESS: TF1-033 [Sworn]

09:27:50 5 PRESIDING JUDGE: Ms Alagenda, please proceed.

6 MS ALAGENDRA: Thank you, Your Honour.

7 EXAMINED BY MS ALAGENDRA:

8 Q. Good morning, Witness.

9 A. Good morning.

09:28:00 10 Q. Witness, I am going to ask you a few questions.

11 A. Yes.

12 Q. Witness, how old are you?

13 A. I am 45 years plus.

14 Q. Where were you born?

09:28:11 15 A. Songo.

16 Q. Could you spell that for the Court, please?

17 A. S-O-N-G-O.

18 Q. And which district is that?

19 A. Port Loko District.

09:28:36 20 Q. Witness, can you tell the Court what is your level of
21 education?

22 A. High school graduand.

23 Q. Could you repeat that, please?

24 A. High school graduand.

09:28:45 25 Q. After you have finished high school, did you start to work?

26 A. I worked for a local news tabloid, the State News Watch,
27 that was in 1996, as a reporter.

28 Q. Witness, where were you on 25th May 1997?

29 A. I was in Freetown.

1 JUDGE LUSSICK: Before we go any further, What language is
2 the witness giving evidence in?

3 MS ALAGENDRA: Your Honour, the witness will be testifying
4 in English.

09:29:31 5 JUDGE LUSSICK: In English?

6 MS ALAGENDRA: Yes, Your Honour.

7 Q. Witness, you said you were in Freetown on 25th May 1997.
8 Did anything happen?

9 A. On that day, May 25, 1997, there was a military take-over.

09:30:00 10 Q. Could you explain what happened, Witness?

11 A. Well, the government of President Ahmad Tejan Kabbah, which
12 was democratically elected, was overthrown by men of the Sierra
13 Leone Armed Forces.

14 Q. Then What happened after the overthrow?

09:30:27 15 A. Well, there was chaos in the city. The central prison was
16 broken into and then by that time one Johnny Paul Koroma, who was
17 incarcerated for another alleged coup plot before this AFRC coup,
18 was let out of the prison. And he was named to head the military
19 junta by then.

09:31:24 20 Q. And what happened after that?

21 A. Well, Johnny Paul himself called on the leadership of the
22 RUF to come on board their regime -- to be part and parcel of
23 their regime; the AFRC regime. And that leadership -- the leader
24 by then was Foday Sankoh, who was also incarcerated, or he was in
09:32:14 25 custody in the Republic of Nigeria.

26 JUDGE LUSSICK: You do not have to pace your evidence with
27 us. You keep asking the questions, we will get it down.

28 MS ALAGENDRA: Thank you, Your Honour. I will proceed.

29 Q. Proceed witness.

1 A. Through a radio broadcast, Foday Sankoh talked to his men
2 in the jungle to come down to Freetown to heed to the clarion
3 call Johnny Paul Koroma made to them.

4 Q. Witness, how do you know this?

09:32:53 5 A. Through the radio. Through the radio.

6 Q. Proceed, Witness.

7 A. And indeed, the entire RUF hierarchy and their fighters
8 came down to Freetown and joined the military junta and they were
9 seen all over Freetown parading.

09:33:32 10 Q. Witness, did you see them yourself parading?

11 A. I saw Mosquito. That was my first time of seeing him. I
12 saw Denis Mingo, alias Superman. I saw Issa. I saw them. I
13 saw -- the guy who was almost a spokesman to them. I saw the
14 other person like -- I saw Gibril Massaquoi.

09:34:11 15 Q. Could you repeat that name, Witness?

16 A. Gibril Massaquoi.

17 PRESIDING JUDGE: I did not hear it very clearly. Could
18 you please say it again more slowly?

19 THE WITNESS: Gibril Massaquoi.

09:34:24 20 MS ALAGENDRA: Your Honour, if I could ask the witness to
21 spell the names for the Court.

22 Q. Witness, could you spell Gibril Massaquoi.

23 A. G-I-B-R-I-L, Gibril. Massaquoi, M-A-S-S-A-Q-U-O-I.

24 Q. Please proceed, Witness.

09:34:50 25 A. So in that crowd of RUF fighters with the commanders I have
26 just named, Gibril Massaquoi, Issa Sesay, Denis Mingo, alias
27 Superman and Sam Bockarie, alias Mosquito. And I can now recall
28 the name of Collins. Eldred Collins.

29 Q. Could you spell that name, Witness?

1 A. Eldred, E-L-D-R-E-D. CO-L-L-I-N-S.

2 Q. Please proceed, Witness.

3 A. So, they teamed up with the military guys that took over.

4 So there was that alliance between the RUF and the AFRC.

09:35:55 5 Q. Witness, when you say "military guys", who do you mean?

6 A. Well, we are made to understand later those who were

7 involved in the coup plot. They had Zagalo --

8 Q. Could you spell that for the Court, please?

9 A. Z-A-G-A-L-O.

09:36:19 10 Q. And who is Zagalo?

11 A. He was PL01.

12 Q. Witness, can you explain what is PL01.?

13 A. Well, according to them at that time PL01 means public

14 liaison officer one.

09:36:56 15 Q. Who else, Witness?

16 A. PL02 was Tamba Alex Brima, alias Gullit. And PL03 was

17 Ibrahim Bazy Kamara. Other council members that I could recall:

18 Hassan Papah Bangura, alias Bomb Blast; Franklyn Conteh, alias

19 Woyo.

09:38:16 20 Q. Witness, could you spell that for the Court?

21 A. Franklyn?

22 Q. The full name, please.

23 A. Franklyn Conteh. F-R-A-N-K-L-Y-N, Franklyn. Conteh,

24 C-O-N-T-E-H. And he was always known Woyo, W-O-Y-O. Ibrahim

09:39:08 25 Sesay, alias Biyoh.

26 Q. Witness, can you spell Biyoh for the court?

27 A. B-I-Y-O-H. Tamba Gborie.

28 Q. Could you repeat that name?

29 A. Tamba Gborie.

1 Q. Could you spell that name for the Court, please?

2 A. Tamba, T-A-M-B-A. Gborie, G-B-O-R-I-E. Those are names I
3 recall.

4

09:40:14 5 Q. Witness, where were you in February 1998?

6 MS THOMPSON: Your Honour --

7 PRESIDING JUDGE: Just pause, Mr Witness.

8 MS THOMPSON: I rise, Your Honour, because you have heard a
9 lot of evidence about this witness's supposed knowledge of events

09:40:28 10 of May 25th and the people he described as coup plotters and the
11 people who he said made up the AFRC regime. What we have not

12 heard is how this witness came about that knowledge. If my notes
13 are right, the only thing that this witness has -- the only

14 aspect which we have evidence of this witness's knowledge is the

09:40:56 15 people marching on the streets, where he said Mosquito, Denis
16 Mingo, Gibril Massaquoi, Issa, in fact that was the first time I
17 saw Mosquito so from that we can accept that he saw them

18 marching. Apart from that, we have no evidence of how this
19 witness acquired the knowledge of the evidence that he has just

09:41:19 20 given. I think also this witness has said that he worked as
21 local news tabloid reporter. We don't know if that is how he

22 came by his knowledge. That is my objection, Your Honour.

23 PRESIDING JUDGE: Your reply, Ms Alagendra.

24 MS ALAGENDRA: Your Honour, I will clarify that with the
09:41:37 25 witness.

26 PRESIDING JUDGE: Please proceed to do so.

27 MS ALAGENDRA:

28 Q. Witness, you have just told the Court of the rankings and
29 composition of the council of the AFRC.

1 PRESIDING JUDGE: I am not altogether sure that ranking is
2 quite the word I would use. But certainly names we have
3 heard.

4 MS ALAGENDRA: Yes, Your Honour. Your Honour, I will
09:41:55 5 re-phrase the question.

6 Q. Witness, you have told the Court the composition of the
7 council of the AFRC. Can you explain to the Court how you know
8 that this is the composition?

9 A. There was a broadcast on the local radios of the hierarchy
09:42:09 10 in the council.

11 Q. And did you hear the broadcast?

12 A. Yes, I am a regular listener to the radio, to the news.
13 Both locally and internationally.

14 Q. Witness, where were you in February 1998?

09:42:52 15 PRESIDING JUDGE: Before you proceed. Ms Thompson, you
16 have heard the reply from the witness?

17 MS THOMPSON: I am not sure that answers my objection, but
18 I will leave it for cross-examination.

19 PRESIDING JUDGE: Very well.

09:43:04 20 MS ALAGENDRA:

21 Q. Witness, can you explain to the Court what was happening in
22 Freetown in February 1998?

23 A. When ECOMOG finally removed the AFRC regime military
24 pro-SLPP sympathisers went on the rampage, doom was unleashed
09:43:46 25 against AFRC sympathisers and by then I was involved during the
26 days AFRC was in power, when they were not yet removed from
27 power, I was involved in public rallies denouncing military
28 intervention. So, my involvements in those rallies pro-SLPP
29 supporters, we recognised -- who recognised me having involved in

1 those rallies. So when the AFRC was militarily removed from
2 power, so all AFRC sympathisers by then were targeted. There was
3 a mob justice. So I narrowly escaped from the mob and took on my
4 heels together with a large crowd of people. There was a great
09:45:03 5 exodus from Freetown heading for the up-country. So that was how
6 I evacuated Freetown because I narrowly escaped because of my
7 involvement in public rallies that denounced a military solution
8 to the AFRC issue.

9 Q. Witness, did you leave Freetown at that time?

09:45:37 10 A. Immediately the AFRC was removed from power, I was on my
11 heels together with a large crowd. There was a great exodus of
12 AFRC sympathisers, soldiers, everybody we are on the run. So I
13 went out of Freetown at that time.

14 Q. Witness, when you went out of Freetown, where did you go
09:46:01 15 to?

16 A. Well, my plan was to go to neighbouring Guinea so I went as
17 far as Kono, precisely Tombodu Town. It was a long trek, so it
18 took me a long time, almost a month before arrival, together with
19 the other people because there was a lot -- everybody was on the
09:46:33 20 run. So, as I arrived at Kono, precisely Tombodu town, there
21 again I met --

22 Q. Witness, can you spell Tombodu Town for the Court?

23 A. T-O-M-B-O-D-U.

24 Q. Witness, what happened when you arrived in Tombodu?

09:47:03 25 A. In Tombodu Town I met a large number of AFRC fighters who
26 were under the command of Gullit and it him that instructed or
27 ordered his fighters to abduct -- to abduct me alongside many
28 other civilians.

29 Q. Witness, how do you know that it was Gullit who ordered for

1 you to be abducted?

2 A. I saw him in person. He ordered his fighters. He said I
3 should be abducted.

4 Q. Did you hear him say that, Witness?

09:47:36 5 A. Yes.

6 Q. What happened after Gullit ordered his fighters to abduct
7 you?

8 A. Well I tried to appeal to them that I also escaped from the
9 mob in Freetown because of -- they branded me as a collaborator
09:48:03 10 or an AFRC sympathiser. So, I appealed to them for them to
11 release me because I said I was going -- I am trying to go to
12 Guinea to seek refuge. But my appeal fell into deaf ears. The
13 only thing I received a death threat for me and his fighters if I
14 attempted to escape from them. At that juncture I had to succumb
09:48:34 15 to them.

16 Q. Witness, who made the death threat to you?

17 A. Gullit and his fighters.

18 Q. Witness, when you say death threat what do mean? Could you
19 explain what he said?

09:48:52 20 A. They said if I attempted to escape from them, then they
21 would kill me.

22 Q. Did you hear him say that?

23 A. Yes.

24 Q. What happened after that, Witness?

09:49:05 25 A. Well, eventually I was in bondage, I was in their hands.
26 But in Tombodu there was a subordinate commander to Gullit by the
27 name of Savage, alias Mr Die.

28 Q. Witness, when you were in Tombodu did you see anything
29 happen?

1 A. Well, through the orders given to Savage by Gullit to kill,
2 burn the town, Savage really adhered to that order he received
3 from Gullit.

09:50:12 4 Q. Witness, how do you know that Gullit gave those orders to
5 Savage?

6 A. It was given in my presence.

7 Q. Did you hear him give the orders?

8 A. I heard them in my presence.

9 Q. Witness, what happened after the orders were given?

09:50:28 10 A. The orders were carried out. There was chaos in the
11 township. Civilians were killed, houses were burnt, hundreds of
12 them, amputations were carried out by the AFRC fighters. Many
13 civilians were locked up in houses and fire set on the houses by
14 Savage and the AFRC fighters.

09:50:59 15 Q. Witness, how do you know this?

16 A. I was present when all those atrocities were carried out.

17 Q. Witness, are you able to tell the Court about how many
18 civilians were killed?

09:51:22 19 A. Hundreds of civilians. Hundreds. I cannot give a precise
20 figure in that -- Tombodu. Hundreds. Hundreds. Hundreds were
21 killed.

22 Q. Are you able to tell the Court how many amputations were
23 carried out on civilians?

24 A. Hundreds also. Hundreds.

09:51:47 25 Q. Witness, were any of the AFRC commanders present in Tombodu
26 during that time?

27 A. Yes.

28 Q. Can you tell the Court who was present?

29 A. Hassan Papa Bangura was there. Five-Five was also there.

1 Q. Witness, when you say Five-Five, who do you mean? Can you
2 tell the Court his full name?

3 A. Santigie Borbor Kanu.

4 Q. Proceed, Witness, who else?

09:52:09 5 A. Franklyn Woyo Conteh, Franklyn Conteh, alias Woyo, was also
6 there. Savage, I said was there, he was the subordinates'
7 commander implementing the orders given to him by Gullit. Bazzy,
8 Ibrahim Bazzy Kamara was also again. Ibrahim Sesay, alias Biyoh,
9 was also there. And Abdul Sesay also.

09:52:54 10 Q. Witness, can you tell the Court when this attack in Tombodu
11 Town took place?

12 A. In Tombodu Town?

13 Q. Yes.

14 A. That was in the month of March.

09:53:00 15 Q. Of what year, Witness?

16 A. 1998.

17 Q. Witness, do you know the reason why Tombodu Town was
18 attacked by the AFRC?

09:53:27 19 A. Well, precisely, according to the AFRC guys under the
20 command of Gullit, Gullit said to them that they all know what
21 befell on their sympathisers, loved ones and colleague soldiers,
22 when ECOMOG militarily removed them from power. Civilian also
23 were involved in the killing -- in the killings of their
24 colleague soldiers, sympathisers and relatives. So, the same
09:54:07 25 fate they are going to return to civilians.

26 Q. Witness, how do you know that this is the reason why
27 Tombodu Town was attacked?

28 A. As per a statement from Gullit.

29 Q. Did you hear the statement yourself?

1 A. Yes. Yes.

2 Q. Witness, what happened after the attack in Tombodu Town?

3 A. Well, way back in April 1998, there was the advancing
4 ECOMOG forces and allies went into a bitter battle between the

09:54:56

5 AFRC, the AFRC and the RUF and Tombodu and Koidu were occupied
6 the entirety of the Kono District to remove them from the
7 township. A bitter battle ensued anyway. But the advance of the
8 ECOMOG forces where they overwhelmed these allied forces, the
9 AFRC and the RUF. They were removed. They were defeated.

09:55:39

10 Finally, Gullit ordered his fighters to go to his home town by
11 the name of Yaya.

12 Q. Witness, can you spell Yaya for the Court?

13 A. Y-A-Y-A.

14 PRESIDING JUDGE: Can I clarify. This battle and they said they
15 were removed. Who was removed?

09:56:00

16 MS ALAGENDRA:

17 Q. Clarify that question.

18 A. Well, the AFRC fighters.

19 Q. They were removed by who, Witness?

09:56:11

20 A. By the ECOMOG.

21 Q. Witness, did you also go to Yaya?

22 A. Well, we as abductees we are under bondage, we are under
23 the orders of Gullit and his fighters. So, the forced all of us
24 to move together to Yaya.

09:56:36

25 Q. And what happened when you reached Yaya?

26 A. Arriving at Yaya, Gullit convened a meeting and during that
27 meeting in the presence of all of us abductees, AFRC fighters,
28 and he clearly gave the message, the speech to all of us present.

29 Q. Witness, do you still remember the speech that Gullit made?

1 A. Yes.

2 Q. Did you hear the speech?

3 A. I heard the speech.

4 Q. Witness, are you able to tell the Court what the speech was
09:57:15 5 about?

6 A. Yes. In quotes, "You all know what befell on us when the
7 ECOMOG forces removed us from power in Freetown. Our colleagues
8 soldiers, sympathisers, relatives, were killed by civilians as
9 well as ECOMOG soldiers. So for that reason we are going back to
09:57:59 10 Freetown. We are going back to Freetown and we should return all
11 that fell on us and our -- and our relatives, sympathisers to the
12 civilians, to what the civilians did unto us. So we are not
13 going to spare any civilian, only those we desire to be with us.

14 Any town or village that we attack we should kill, maim or
09:58:41 15 amputate any civilian who comes in contact and the towns and
16 villages must be burned. Young girls and women are free to
17 satisfy your sexual desire. This is Operation Spare No Soul."
18 Those were -- that was the statement -- the message given

19 Q. Witness, at the meeting about how many AFRC fighters were
09:59:13 20 present.

21 A. About 400 in the AFRC fighters.

22 Q. And how many civilians were present?

23 A. About 700.

24 Q. What happened after Gullit made this speech?

09:59:38 25 A. His fighters were splitted [sic] into battalions or
26 companies.

27 Q. How many battalions were they split into?

28 A. Into companies, not battalions, into companies.

29 Q. How many?

1 A. Into four companies. And each company was headed by a
2 subordinate commander and they were Foday Bah Marah, George
3 Johnson, alias Junior Lion. Arthur, one Arthur. Salifu
4 Mansaray, alias Tito. They were the company commanders.

10:00:22 5 PRESIDING JUDGE: Would you please repeat the names, Mr Witness?

6 THE WITNESS: Foday Bah Marah.

7 MS ALAGENDRA:

8 Q. Witness, could you spell that name for the Court?

9 A. Foday Bah Marah. F-O-D-A-Y B-A-H M-A-R-A-H.

10:00:47 10 Q. Please can you repeat the three names and also spell them
11 for the Court?

12 A. Arthur. A-R-T-H-U-R. Arthur. George Johnson, alias
13 Junior Lion. G-E-O-R-G-E J-O-H-N-S-O-N. Lion, L-I-O-N. Junior
14 Lion. J-U-N-I-O-R L-I-O-N, Junior Lion. And Salifu Mansaray,
10:01:33 15 also known as Tito. S-A-L-I-F-U, Salifu. M-A-N-S-A-R-A-Y,
16 Mansaray. Tito, T-I-T-O.

17 Q. Witness, what happened after they were divided into the
18 four companies?

19 A. Well, in the evening of that the day, the entire group was
10:02:06 20 ordered by Gullit to start moving. For the journey of atrocities
21 destined for Freetown started that evening.

22 Q. Witness, how did you know that Gullit gave those orders?

23 A. He was at the helm of [indiscernible]. Your heard that
24 when he said move, everybody was on his toes.

10:02:43 25 Q. What happened after that, Witness?

26 A. The roving started and the very first town we arrived at
27 was Yiffin.

28 Q. Can you spell that for the Court, Witness?

29 A. Y-I-F-F-I-N. That was in the month of April.

1 Q. Of what year, Witness?

2 A. 1998.

3 Q. Witness, did you go to Yiffin as well?

4 A. I was under bondage. I was with the group. We all moved
10:03:14 5 together.

6 Q. Witness, what happened when you arrived in Yiffin?

7 A. The town was attacked. Civilians were killed. About 60 of
8 them and the town also was partly burnt through the orders of
9 Gullit to his fighters. His fighters carried out exactly what he
10:03:42 10 ordered them to do.

11 Q. Witness, besides civilians who were killed and the town
12 burnt --

13 A. There were rapes. Some of his fighters did involve in
14 raping.

10:03:58 15 Q. How do you know?

16 A. Of young girls and women.

17 Q. How do you know they were raped, Witness?

18 A. From the screaming. The screaming of the ladies in their
19 bedrooms who were raped. You can hear -- one can hear them

10:04:18 20 Then some women who later escaped after having been raped, you
21 can see signs of blood on their dresses as they were running
22 away.

23 Q. Witness, did you see this blood yourself?

24 A. I saw, yes. I saw it.

10:04:50 25 Q. Witness, during the attack in Yiffin were any commanders of
26 the AFRC present?

27 A. Everybody was present. Their formation commanders were all
28 present.

29 Q. What happened after the attack in Yiffin, Witness?

1 A. Well, the roving started again through the orders of Gullit
2 that we should continue roving. And that day we left after the
3 attack, we left Yiffin and we went on roving again.

4 Q. Where did you go to from Yiffin?

10:05:29 5 A. I came down to Sama Bendugu.

6 Q. Can you spell that for the Court please?

7 A. S-A-M-A B-E-N-D-U-G-U.

8 Q. Did you all go to Sama Bendugu?

9 A. Yes.

10:05:49 10 Q. What happened when you arrived in Sama Bendugu?

11 A. The same thing that -- a similar thing that happened to
12 Yiffin also happened at Sama Bendugu. The town was attacked.
13 Civilians were killed. About 40 were killed. The town was
14 partly burnt and rapes were also carried out by some of the AFRC
15 fighters. It was a similar scenario.

16 Q. Apart from the killings, the rapes and the burning of the
17 town --

18 A. Yes.

19 Q. -- were there any other atrocities that took place?

10:06:30 20 A. Amputations were also carried out.

21 Q. Are you able to say about how many amputations were carried
22 out in Sama Bendugu?

23 A. No.

24 Q. Witness, were any of the commanders present in
10:06:48 25 Sama Bendugu?

26 A. The formation commanders were entered.

27 Q. Witness, what happened after the attack in Sama Bendugu?

28 A. Well, after the attack in Sama Bendugu we had a long roving
29 again. We passed through small towns and villages, which I do

1 not recall. You see and the same fate -- the same fate befell on
2 those small villages that we passed through until we arrived at
3 Bonoya and Karina.

4 Q. Witness, can you tell the Court the month and the year in
10:07:37 5 which you arrived in Bonoya and Karina?

6 A. It was in the month of June.

7 Q. Of what year, witness?

8 A. 1998.

9 Q. Witness, can you spell for the Court Bonoya and Karina?

10:07:48 10 A. B-O-N-O-Y-A. Karina. K-A-R-I-N-A.

11 Q. In which district is Bonoya and Karina?

12 A. The Bombali district.

13 Q. Are you able to tell the Court what is the distance between
14 Bonoya and Karina?

10:08:23 15 A. From Bonoya to Karina, it is about three-quarters of a mile
16 to a mile, you see. Three-quarters of a mile to a mile between
17 those two towns.

18 Q. Did you also go to Bonoya and Karina?

19 A. Yes.

10:08:40 20 Q. What happened when you arrived in Bonoya?

21 A. In fact, before arriving at that point, Gullit and his
22 henchmen alleged that that was -- that place was the birthplace
23 of -- Karina was the birthplace of President Ahmad Tejan Kabbah.

24 Q. How do you know that Gullit said that?

10:09:06 25 A. He altered his statement in my presence concerning the
26 town.

27 Q. Did you hear him say that?

28 A. Yes. So, being that President Kabbah forced them from
29 power and the AFRC sympathisers, relatives and friends suffered a

1 lot from President Kabbah, so they are going to return the same
2 fate to the people of Karina and Bonoya where they alleged that
3 it was the birthplace of Kabbah. And indeed, there I saw the
4 worst atrocities ever meted out on civilians.

10:09:53 5 Q. Witness, can you tell the Court what were the atrocities
6 that you saw being meted out to the civilians?

7 A. In both towns over -- on about 500 civilians were killed.
8 And about 300 were also amputated in both towns. Many rapes,
9 over 200 -- over hundreds of women were raped in that town.

10:10:33 10 Houses were set on fire with people in them. In both towns.
11 Women were abducted, about 200 of them were abducted and stripped
12 naked.

13 Q. Witness, why were they stripped naked; the women?

14 A. Well, I don't know the reason for that. They were stripped
15 naked.

10:10:58 16 Q. And who stripped the women naked?

17 A. Gullit had ordered his fighters to strip them all naked.

18 Q. How do you know that Gullit ordered his --

19 A. Well, I was present when he uttered the statement. Rapes
10:11:15 20 were carried out.

21 Q. What happened after that?

22 A. Well, after they attacked --

23 MR FOFANA: Excuse me. Sorry. May it please Your Honours,
24 before the witness goes further, the witness has given categorical
10:11:35 25 figures, I mean, which we don't know how he came by them. He talked
26 about 500 civilians were killed, about 300 were amputated and so forth.
27 A foundation has to be laid for that. That is our objection.

28 MS ALAGENDRA: Your Honour, what I started off --

29 PRESIDING JUDGE: [Microphone not activated]

1 MS ALAGENDRA: When I started off this line of questioning,
2 Your Honour, I asked the witness what did you see happen in these
3 two places, but I will go ahead to clarify.

4 PRESIDING JUDGE: Thank you.

10:12:05

5 MS ALAGENDRA:

6 Q. Witness, you have told the Court that in Bonoya and Karina
7 there were about 500 civilians killed.

8 A. Yes.

9 Q. 300 civilians amputated. There were hundreds of rapes?

10:12:17

10 A. Yes.

11 Q. Houses were set on fire?

12 A. Yes.

13 Q. Witness, how are you able to give these figures?

14 A. Well, it is just an approximation because I saw a large

10:12:28

15 number of civilians being killed, amputations, being amputated.

16 This is an approximation. It could be more than or less than.

17 But there was a large number of civilians killed and amputated.

18 Q. Witness, what happened after the attacks in Bonoya and
19 Karina?

10:12:57

20 A. Then Gullit again ordered the group, the entire group, to
21 move to a village called Mandaya.

22 Q. Could you spell Mandaya, Witness?

23 A. M-A-N-D-A-Y-A, Mandaya.

24 Q. How do you know that it was Gullit who gave the orders for
25 his men to move to Mandaya?

10:13:15

26 A. As I said before, he was always at the helm of our affairs
27 when he says "move" everybody is on his toes.

28 Q. How do you know he said "move"?

29 A. He ordered. He gave the order and he said "let's move".

1 Q. Were you present when he gave the orders?

2 A. I was always with him

3 Q. Witness, did you go to Mandaya?

4 A. I was always with him

10:13:51 5 Q. What happened when you arrived in Mandaya?

6 A. Well, he said we should rest in that place for a while. It
7 took us three days. We rested in that village for three days,
8 but we are surprisingly attacked in that village by CDF forces.
9 But that attack was quickly repelled by the Gullit AFRC fighters.

10:14:23 10 Four CDF fighters were killed. On the third day before we left
11 the town, Gullit ordered to burn the entire town and one boy who
12 was captured in the town was killed before we left Mandaya.

13 Q. Why was the boy killed?

14 A. Well, he was just an unfortunate boy because he fell into
10:14:50 15 the hands and the guys were bent to kill anybody, anything that
16 they came in contact with.

17 Q. What happened after Mandaya was burned down?

18 A. Well, the roving started again and before leaving Mandaya
19 Gullit thought it ideal that we should have to rest because --
10:15:16 20 for the rainy season because at that time there was a heavy
21 down-pour of rain. He says so we should find --

22 MS THOMPSON: Your Honour, before this witness finishes,
23 the witness has just said "Gullit thought it". I am not sure,
24 but I don't believe that this witness can speak for anybody other
10:15:33 25 than himself. That is my objection.

26 PRESIDING JUDGE: The witness should not speculate. Facts
27 in his knowledge.

28 MS ALAGENDRA: I will re-phrase the question, Your Honour.

29 Q. Witness --

1 A. Yes.

2 Q. -- how do you know that Gullit wanted his group to rest for
3 three or four days?

4 A. He said because of the heavy downpour of rain we should not
10:15:59 5 be roving under heavy downpour of rain. So we should go to that
6 place, Rosos, and rest so that when the heavy rain subsides, then
7 says -- when the season, the rainy season subsides, then we
8 should continue with our roving.

9 Q. Did you hear him say that?

10:16:17 10 A. Yes.

11 Q. So, did you go to Rosos, Witness?

12 A. Yes.

13 Q. What happened when you arrived in Rosos?

14 A. Well, arriving at Rosos we rested there. But, you know,
10:16:45 15 this is a group, the Gullit group -- I say group, when we arrived
16 at Rosos we never had food to eat, so that time he ordered his
17 fighters to go on food finding missions.

18 Q. How do you know Gullit ordered his fighters to go on food
19 finding missions?

10:17:08 20 A. Because everybody in the camp or at Rosos needed food to
21 eat. So we need food to eat so that is why he gave the order
22 that they should go and find food.

23 Q. Witness, how do you know that Gullit gave those orders?

24 A. In my presence he gave the orders.

10:17:22 25 MR MANLY-SPAIN: I am sorry, Your Honour.

26 PRESIDING JUDGE: Mr Manly-Spain [Microphone not activated]

27 MR MANLY-SPAIN: We are sorry, Your Honour -- [microphone
28 not activated]

29 PRESIDING JUDGE: You know that is not permissible. Is

1 this a member of your team, Mr Manly-Spain?

2 MR MANLY-SPAIN: No, he appears in the Trial Chamber I in
3 the other matter.

4 PRESIDING JUDGE: Well, he should be able to explain for
10:17:43 5 himself and apologise for himself.

6 MR NICOL-WILSON: I apologise profusely, Your Honour.

7 [Microphone not activated]

8 PRESIDING JUDGE: We have already reprimanded others for
9 this type of behaviour. There will be proper respect,
10:18:02 10 particularly for a sworn witness and particularly for the Bench.
11 If you have a message you come properly into this Court.

12 MR MANLY-SPAIN: We are sorry, Your Honour.

13 PRESIDING JUDGE: It is not your fault, Mr Manly-Spain.
14 Proceed.

10:18:35 15 MS ALAGENDRA:

16 Q. Witness, what happened after Gullit gave his orders for his
17 men to go on food finding missions?

18 A. Before giving the orders -- before giving the orders for
19 the food finding missions, all these civilians we came in contact
10:18:53 20 with at Rosos, Gullit ordered his fighters to kill all of them.

21 Q. How do know Gullit ordered his fighters to kill the
22 civilians?

23 A. I was present when he gave the orders. And his reason for
24 that was he did not want any civilian to escape from that camp
10:19:15 25 and give information to ECOMOG that the AFRC fighters were
26 present at Rosos.

27 Q. Witness, how do you know that was his reason for ordering
28 the killings?

29 A. That was what he told every fighter in the entire group

1 present.

2 Q. Did you hear him say that?

3 A. Yes.

4 Q. Witness, were Gullit's orders carried out?

10:19:43 5 A. Yes, they were carried out, yes. On the food finding
6 missions, when these fighters went to find food, when coming with
7 abducted civilians to carry the loot for them, immediately they
8 arrived back at Rosos, upon the depositing the looted items from
9 their head to the ground, Gullit also ordered his fighters to
10:20:22 10 kill them. His reason was he did not want them to escape from
11 the camp and go back elsewhere to report to ECOMOG that AFRC
12 fighters were present at Rosos.

13 Q. Witness, how do you know that Gullit ordered for the
14 civilians who carried the food to be killed, and his reason for
10:20:41 15 doing that?

16 A. I was present when he was giving the orders.

17 Q. Witness, how long were you in Camp Rosos?

18 MR FOFANA: May it please Your Honours, at this stage
19 again I think foundation has not been laid before my learned
10:21:03 20 colleague moves forward. The witness has just told this Court
21 that all the civilians who were brought to Rosos were ordered,
22 according to him, by Gullit to be killed. Now he is telling the
23 Court again about civilians who went on a search for food. So we
24 don't know where those civilians came from.

10:21:20 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: Indeed, Ms Alagendra, there has been a
27 reference to civilians in an amorphous group. So we really need
28 to distinguish who was killed and where they came from.

29 MS ALAGENDRA: I will clarify that with the witness, Your

1 Honour.

2 Q. Witness, you have told the Court that civilians were killed
3 on the orders of Gullit in Rosos --

4 A. Yes.

10:21:52 5 Q. -- after the food finding missions?

6 A. I said on the day we arrived at Rosos, the civilians
7 that -- we came in contact at Rosos, that the people we came in
8 contact with at Rosos. Rosos is a town. People were living
9 there. The people whom the town were there. Immediately we
10:22:20 10 arrived there they were captured by the AFRC. Gullit ordered his
11 fighters -- the unfortunate ones were captured. After their
12 capture he ordered his fighters to kill them, he said because he
13 didn't want them to escape from the place -- from the camp and go
14 to ECOMOG and tell them about the presence of the AFRC at Rosos.

10:22:49 15 Q. Witness, then you have told the Court that after the food
16 finding missions other civilians were killed. Can you explain
17 who were those civilians who were killed?

18 A. I didn't say after. The day we arrived at Rosos the people
19 of Rosos who were unfortunate to escape, who were captured, at
10:23:11 20 that juncture Gullit ordered his fighters keep -- to eliminate
21 all of them because they were not part and parcel of the group.

22 Q. Witness, after the killing of civilians when the group
23 entered Rosos --

24 A. Yes.

10:23:30 25 Q. -- you told the Court that Gullit had ordered his men to go
26 on food finding missions?

27 A. Yes, that was after that action. There was no food for us
28 at Rosos. Rosos village, there was no food there. So he ordered
29 the fighters to go on food finding mission in the environs of

1 Rosos.

2 Q. And what happened after they returned from these food
3 finding missions?

10:24:08

4 A. When they returned they came along with civilians who
5 carried the food or the loot.

6 Q. These civilians who carried the food and the loot, Witness,
7 where were they from?

8 A. They were from the environs of Rosos: Maki na, Katempi,
9 Mateboi and Kantia.

10:24:30

10 Q. And what happened after they returned; the civilians
11 carrying the food?

12 A. Immediately, they deposited the food at the Camp Rosos,
13 Gullit ordered his fighters to kill all of them because he does
14 not want them to escape from the camp and give information to
15 ECOMDG that AFRC fighters are at Rosos.

10:24:50

16 Q. Witness, how do you know Gullit ordered them to be killed?

17 A. I was present when the orders was given.

18 Q. How do you know the reason why Gullit wanted them to be
19 killed was because he did not want them to give information?

10:25:07

20 A. That is what he said in my presence that "these people, I
21 don't want them to escape from this place and give information to
22 ECOMDG of our presence here, so they should be killed".

23 Q. Witness, how long were you and the group based at Rosos?

10:25:39

24 A. We arrived in Rosos at -- in the month of June. Well,
25 finally we had to evacuate Rosos during the month of August 1998
26 owing to heavy bombardment from ECOMDG and we were also
27 air-raided in the camp for almost two -- for almost two weeks
28 during the month of August. We are raided by an ECOMDG fighter
29 aircraft alpha jet. Mortar bombs were sent at the camp and also

1 missiles were sent at the camp. So there was -- everybody in the
2 camp was panic-stricken. There was confusion. There was great
3 fear. Even Gullit himself was confused. Rosos became --

10:26:36 4 MS THOMPSON: Again, Your Honour, please, I am sorry, Your
5 Honour. This witness cannot actually speak for anybody else's
6 state of mind save for himself.

7 PRESIDING JUDGE: He can explain why he has said it,
8 Ms Thompson. Give him an opportunity.

9 MS ALAGENDRA:

10:26:51 10 Q. Witness, why do you say that Gullit was confused during the
11 situation?

12 A. He himself was confused. He clearly spoke to everybody he
13 said, "Well, now this has become very unsafe for us all. So we
14 need to relocate to find another location." And he gave the
10:27:13 15 order. He gave the order that we should vacate Camp Rosos. And
16 upon that order we vacated.

17 MS THOMPSON: Your Honour, I renew my objection. The
18 witness has tried to clarify and in fact what he has said is a
19 certainty of mind as opposed to a confused mind.

10:27:37 20 PRESIDING JUDGE: Ms Thompson, could you get a little
21 closer to mic.

22 MS THOMPSON: I am sorry. I am sorry, Your Honour.

23 PRESIDING JUDGE: I would be grateful.

10:27:44 24 MS THOMPSON: Your Honour, I renew my objection. The
25 witness cannot speak for anybody else except himself. When I
26 first objected Your Honour said the witness can clarify why he
27 has come to that conclusion. He has done and in fact his
28 clarification to my mind is with someone who is certain because
29 he has actually said he would give orders and was not -- the

1 explanation he has given does not explain a confused mind. That
2 is my objection, Your Honour.

3 PRESIDING JUDGE: Your reply to counsel's objection.

4 MS ALAGENDRA: Your Honour, the witness has explained that
10:28:25 5 Gullit had given certain orders after the attacks had taken
6 place. And that could be the reason why he has come to the
7 conclusion that that was his state of confusion on the part of
8 Gullit.

9 JUDGE LUSSICK: Yes, I don't think what the witness has
10:28:41 10 said has justified the conclusion that Gullit was confused. I
11 think the objection should be upheld.

12 MS ALAGENDRA: Your Honour, I will just move on to another
13 question because the witness obviously can't explain that. Thank
14 you, Your Honour.

10:29:34 15 Q. Witness, you told the Court that you were in Camp Rosos
16 from June to August.

17 A. August, yes.

18 Q. Can you tell the Court that during those two months on how
19 many food finding missions did Gullit's group go on?

10:29:49 20 A. [Microphone not activated]

21 THE INTERPRETER: The witness's microphone is not on.

22 PRESIDING JUDGE: Start your answer again please,
23 Mr Witness, we didn't hear the beginning.

24 THE WITNESS: Food finding missions were carried on a
10:29:57 25 weekly basis.

26 MS ALAGENDRA:

27 Q. Are you able to tell the Court within two months about how
28 many food finding missions took place?

29 A. About eight.

1 Q. You explained to the court that civilians would carry back
2 food and loot after the food finding missions were killed. Are
3 you able to tell the Court how many civilians were killed in this
4 way?

10:30:52 5 A. About 200.

6 Q. Witness, between June and August when the AFRC group was
7 based in Rosos, did they at any point leave Rosos and go on any
8 other?

9 A. Yes, owing to the heavy bombardment from ECOMOG and the
10:31:18 10 air-raid, that forced Gullit to order everybody to leave the camp
11 because the camp was not safe for anybody.

12 Q. Witness, in the month of July 1998 did the AFRC group go to
13 any other place?

14 A. Yes. In the month of July 1998, Gullit ordered Five-Five,
10:31:52 15 with some fighters to go to Gbinti in the Port Loko District to
16 attack ECOMOG forces that were deployed there in order to obtain
17 arms and ammunitions. He also -- that was the order he gave to
18 Five-Five.

19 Q. How do you know that Gullit gave these orders to Five-Five?

10:32:21 20 A. It was said in an open arena.

21 Q. Were you present there, witness?

22 A. Yes. He also ordered me to kill the entire civilian
23 population that they may come in contact in that town and also to
24 burn the town.

10:32:37 25 Q. How do you know Gullit gave those orders, Witness?

26 A. I was present when those orders were given.

27 Q. Did Five-Five carry out the orders of Gullit?

28 A. Yes.

29 Q. Witness, can you spell Gbinti for the Court, please?

1 A. G-B-I-N-T-I.

2 Q. Witness, did you also go to Gbinti?

3 A. No, I didn't go.

4 Q. What happened after the orders were given?

10:33:21 5 A. When Five-Five and the fighters that went with him to
6 Gbinti returned back to Gbinti, they came along with some amount
7 of arms and ammunitions which he reported to Gullit that they
8 got -- they obtained them from the two-storey building in Gbinti
9 when the ECOMOG troops that were deployed in Gbinti were on the
10 run.

11 Q. Witness, how do you know that Five-Five reported this back?

12 A. I was present when he was reporting. Then he also told him
13 that the there was no civilian in the town. So there were no
14 killings. And he reported also the death of three fighters he
10:34:13 15 went along with. The AFRC fighters who drowned on their return.
16 They drowned in the river. And the most renowned among them was
17 Oga.

18 Q. Can you spell that name for the Court, please?

19 A. O-G-A.

10:34:36 20 Q. Witness, did Gullit say anything after Five-Five reported
21 back to him?

22 A. Yes.

23 Q. What did he say?

24 A. He commended Five-Five for a job well done.

10:34:49 25 Q. Were you present when he commended Five-Five?

26 A. I was present. In fact, the entire group was present.

27 PRESIDING JUDGE: Ms Alagendra, this is the time that this
28 Court normally has a break. Are you moving into another aspect
29 of your evidence?

1 MS ALAGENDRA: Yes, I am, Your Honour.

2 PRESIDING JUDGE: Perhaps it will be appropriate to adjourn
3 now. Mr Court Attendant, please adjourn court for 15 minutes.

4 [Break taken at 10.32 a.m.]

10:37:25 5 [TB110705B - SV]

6 [On resuming at 10.50 a.m.]

7 MS ALAGENDRA: Your Honour, the witness's mic is not on.

8 Q. Witness, you told the Court that you were in Camp Rosos?

9 A. Yes.

10:53:05 10 Q. Until August?

11 A. Yes.

12 Q. Where did you go after that?

13 A. Well, when the bombardment and the air raid from ECOMOG
14 fighter aircrafts was so heavy on the camp, Gullit then ordered
10:53:30 15 the entire group to move from Rosos to a new location.

16 Q. Witness, how do you know that Gullit gave those orders to
17 move to a new location?

18 A. Gullit is always at the helm of our affairs. Everybody
19 listen to him. When he says moves, everybody moves.

10:53:49 20 Q. Witness, did you hear him say to move?

21 A. Yes.

22 Q. Witness, where did the group move to?

23 A. We went to a village called Gberemantmatank.

24 Q. Witness, can you spell that for the Court?

10:54:10 25 A. G-B-E-R-E-M-A-N-T-M-A-T-A-N-K.

26 Q. Witness, in which district is Gberemantmatank?

27 A. It is in the environs of Sendugu and Gbane Loko in the Port
28 Loko District.

29 Q. Witness, did you also go to Gberemantmatank?

1 A. Yes.

2 Q. Can you tell the Court what happened at Gberemantmatank?

3 A. When we arrived at Gberemantmatank the civilians numbering
4 about 40 we came in contact with, Gullit ordered the fighters to
10:55:00 5 kill all of them.

6 Q. Witness, how do you know Gullit ordered his fighters to
7 kill them?

8 A. I was present when he gave the order.

9 Q. Witness, were his orders carried out?

10:55:14 10 A. The orders were carried out by the fighters.

11 Q. What else happened in Gberemantmatank?

12 A. After the civilians had been killed he told everybody
13 present, the entire group, he said, "This time, there is going to
14 be no joke. You know what forced us from Rosos so by reason of
10:55:44 15 ordering you to kill the civilians, we don't want this new
16 location to be disclosed to ECOMOG".

17 Q. Did you hear Gullit say that?

18 A. Yes.

19 Q. What happened after that, Witness?

10:56:02 20 A. We arrived at Gberemantmatank in the month of August 1998.
21 Gullit gave a task, he ordered Salifu Mansaray and Arthur to
22 attack Gbendembu Town.

23 Q. Witness, can you spell Gbendembu Town?

24 A. GBENDEMBU.

10:56:31 25 PRESIDING JUDGE: Could I also have the two names of the
26 persons that were ordered to do this.

27 THE WITNESS: Salifu Mansaray, also as known as Tito.

28 MS ALAGENDRA:

29 Q. And who was the other person?

1 A. And Arthur.

2 MS ALAGENDRA: Your Honour, the witness had spelled these
3 names previously.

4 Q. Witness, what were the orders that were given to Tito and
5 Arthur?

10:57:05

6 A. He ordered them to attack Gbendembu Town because there was
7 a heavy deployment of ECOMOG and loyal SLA soldiers.

8 Q. Witness, did you hear Gullit give the order -- -

9 A. Yes.

10:57:17

10 Q. -- to Tito and Arthur to attack?

11 A. Yes.

12 Q. And how do you know that that was the reason why he ordered
13 the attack?

14 A. Because he said it in my presence.

10:57:27

15 Q. Witness, can you repeat what was the reason again?

16 A. He ordered them to attack Gbendembu because there was a
17 heavy deployment of ECOMOG forces and loyal Sierra Leone Army
18 soldiers and his purpose of attacking Gbendembu, as he ordered
19 Arthur and Tito, was to obtain arms and ammunition and to kill
20 the civilians they may come in contact with and also to burn the
21 town. Those were the orders.

10:58:01

22 Q. Witness, did you hear all these orders that were given by
23 Gullit?

24 A. Yes.

10:58:19

25 Q. Witness, can you tell the Court about how many AFRC
26 fighters were assigned to this attack?

27 A. About 300.

28 Q. Were Gullit's orders carried out?

29 A. Yes.

1 Q. Witness, did you go to Gbendembu?

2 A. No.

3 Q. So how do you know the orders were carried out?

4 A. When Tito returned from the attack on Gbendembu he

10:58:59 5 regrettably reported the death of his colleague subordinate

6 Commander Arthur. He said he died during the battle. But he

7 came along with a large cache of arms and ammunitions and he

8 reported also that 25 civilians were killed and 20 loyal SLA

9 soldiers were also killed. He also said that the town was also

10:59:30 10 partly burnt.

11 Q. Witness, were you present when Tito was reporting this back
12 to Gullit?

13 A. Yes.

14 Q. And did you hear this?

10:59:45 15 A. Yes.

16 Q. Witness, did you hear what Gullit said after the report was
17 made to him?

18 A. Yes.

19 Q. What did he say, Witness?

10:59:52 20 A. He commended Tito for a job well done but regretted the
21 death of Arthur.

22 Q. Witness, what happened after the attack in Gbendembu Town?

23 A. Well, 0-Five came to join Gullit with -- he came all the
24 way from Mongoh with 400 AFRC fighters.

11:00:29 25 Q. Witness, can you spell Mongoh for Court, please?

26 A. Mongoh Bendugu, M-O-N-G-O-H B-E-N-D-U-G-U.

27 Q. Witness, who is 0-Five?

28 A. 0-Five is a soldier.

29 Q. Did he belong to any group?

1 A. AFRC.

2 Q. Witness, you said 0-Five came with about 300 AFRC armed
3 fighters?

4 A. 400, 400.

11:01:20 5 PRESIDING JUDGE: 400.

6 MS ALAGENDRA: I apologise, Your Honour, 400.

7 Q. Did he come with any other people?

8 A. Yes, he came along with civilians, whom he abducted with
9 his fighters, numbering about 500.

11:01:36 10 Q. Witness, do you know why --

11 MR MANLY-SPAIN: May it please Your Honour, just for
12 clarification, we don't know whether the total number of people
13 who came with 0-Five was 500 or there were 500 civilians apart
14 from the soldiers, the fighters.

11:02:01 15 PRESIDING JUDGE: Please clarify that.

16 MS ALAGENDRA: I'll clarify that, Your Honour.

17 Q. Witness, can you tell the Court in total the AFRC fighters
18 and civilians?

19 A. Armed AFRC fighters --

11:02:15 20 Q. Yes, Witness.

21 A. -- were 400 plus 500 civilians. Armed AFRC fighters, 400.
22 Unarmed civilians, 500.

23 MS ALAGENDRA: Your Honour, if that clarifies the issue
24 I'll proceed.

11:02:40 25 Q. Witness, do you know why 0-Five came to join Gullit's
26 group?

27 A. Yes, when he came he said he decided to come and join
28 Gullit's group because they were poised to come down to Freetown
29 to overthrow again the government of President Tejan Kabbah.

1 Q. How do you know this, Witness?

2 A. I was present when he was reporting to Gullit.

3 Q. Witness, do you know how O-Five knew the whereabouts of
4 Gullit in order to join him?

11:03:19 5 A. Yes, through the radio communication set.

6 Q. How do you know this, Witness?

7 A. Well, I used to sit by the guys. They call them, their own
8 military term, signalers or prontos. They had a radio set,
9 Gullit's men had a radio set and those in charge were called

11:03:39 10 pronto's or signalers. So they used to communicate.

11 Q. How do you know that they were communicating, Witness?

12 A. I used to sit by and listen when the communication was
13 flowing.

14 Q. Witness, what happened after O-Five joined Gullit's group?

11:03:59 15 A. The town is meant to Gullit to be under Gullit's command
16 and he himself became under the command of Gullit.

17 Q. How do you know this, Witness?

18 A. I was present.

19 Q. What happened after this, Witness?

11:04:25 20 A. It was in September also when Gullit also ordered
21 Abdul Sesay to attack Mange Bureh.

22 Q. Witness, how do you know Gullit ordered Abdul Sesay to
23 attack Mange Bureh?

24 A. I was present when the orders were given to him.

11:04:53 25 Q. Witness, can you spell Mange Bureh for the Court, please?

26 A. M-A-N-G-E B-U-R-E-H.

27 Q. Witness, were there any AFRC fighters assigned?

28 A. Yes.

29 MR FOFANAH: Excuse me, can we get the year? He said

1 September.

2 THE WITNESS: September 1998. September 1998.

3 MS ALAGENDRA:

4 Q. Witness, how many AFRC fighters were assigned for this
11:05:28 5 attack?

6 A. About 500.

7 Q. Witness, do you know what was the purpose of the attack in
8 Mange Bureh?

9 A. Gullit ordered Abdul Sesay to attack Mange Bureh because
11:05:47 10 there was also an ECOMOG deployment at Mange Bureh. And he
11 ordered him also to go on out to obtain arms and ammunitions from
12 Mange Bureh and also to burn down the town and also to kill the
13 civilian population they may come in contact in the town.

14 Q. Witness, how do you know that Gullit gave these orders?

11:06:18 15 A. I was present.

16 Q. Witness, were Gullit's orders carried out?

17 A. They were carried out.

18 Q. How do you know they were carried out, Witness?

19 A. Well, Abdul Sesay and the SLA fighters returned back to
11:06:36 20 Gberemantmatank and when they came he reported to Gullit. They
21 came along with two prisoners of war. One, a Guinean soldier and
22 the other a Nigerian soldier. Their names are -- the Guinean was
23 Staff Sergeant Kondeh and the Nigerian Lawal. He also reported
24 to Gullit that 70 -- about 70 civilians were killed and the town
11:07:11 25 was also partly burned.

26 Q. Witness, how do you know that Abdul Sesay returned with two
27 prisoners of war and he reported this?

28 A. I saw the two prisoners of war and I was present when he
29 was making his report.

1 Q. Witness, did Gullit say anything after he received this
2 report?

3 A. Yes.

4 Q. What did he say?

11:07:37 5 A. He commended Abdul Sesay for a job well carried out.

6 Q. Were you present when he commended him?

7 A. Yes.

8 Q. What happened after this, Witness?

9 A. Well, during -- okay, Abdul Sesay also regretted to report
11:07:58 10 the death of one notorious fighter by the name of Mark Fish. He
11 was a student and he was a notorious troublemaker during riots in
12 Freetown.

13 Q. Witness can you spell Mark Fish?

14 A. M-A-R-K F-I-S-H.

11:08:26 15 Q. What happened after this, Witness?

16 A. Upon the report of Mark Fish's death Gullit really
17 regretted his death.

18 Q. How do you know this, Witness?

19 A. He showed signs of remorse. He spoke, "Oh, really we've
11:08:44 20 lost a fine fighter". So he regretted -- he said he regretted
21 his death.

22 Q. Did you hear him say that?

23 A. Yes.

24 Q. What happened after this?

11:08:59 25 A. Again in October, same at Gberemantmatank, SAJ Musa also
26 came all the way from Mongoh Bendugu again and joined Gullit at
27 Gberemantmatank with 500 armed AFRC fighters and about 400
28 unarmed civilians whom they confirmed that also fled from
29 Freetown. They were relatives, friends and wives of the AFRC

1 fighters that came along with SAJ Musa.

2 Q. Witness, you told the Court --

3 PRESIDING JUDGE: Just a moment. Could we have the
4 spelling of the place that SAJ Musa came from?

11:10:00

5 MS ALAGENDRA:

6 Q. Witness, can you spell the place that you said SAJ Musa
7 came from?

8 A. Mongoh Bendugu, M-O-N-G-O-H B-E-N-D-U-G-U.

9 PRESIDING JUDGE: Thank you.

11:10:27

10 MS ALAGENDRA:

11 Q. Witness, I'm going to take you back a little back. You
12 told the Court that when the group was based at Gberemantmatank
13 Gullit had ordered an attack on Mange Bureh.

14 A. Yes.

11:10:40

15 Q. Did he order an attack on any other place after Mange
16 Bureh?

17 A. After Mange Bureh, yes.

18 Q. Can you tell the Court what place that was.

19 A. That was Kukuna and Madina.

11:10:59

20 Q. What were Gullit's orders in relation to Kukuna and Madina,
21 Witness?

22 A. Well, he ordered Hassan Papah Bangura, also known as Bomb
23 Blast, to attack -- with some fighters to go and attack Kukuna
24 and Madina because there was a deployment of ECOMOG in the towns,
11:11:34 25 in those two towns.

26 Q. Witness, can you spell Kukuna and Madina for the Court?

27 A. K-U-K-U-N-A, Kukuna. Madina, M-A-D-I-N-A.

28 Q. Witness, can you tell the Court in which district these
29 towns are in?

1 A. Kambia District.

2 Q. Witness, were you present when Gullit gave the orders to
3 Hassan Papah Bangura?

4 A. Yes.

11:12:08 5 Q. Did you hear the orders that were given?

6 A. Yes.

7 Q. Witness, can you tell the Court if Gullit's orders were
8 carried out in relation --

9 A. They were carried out. They were carried out, yes.

11:12:24 10 Q. How do you know they were carried out, Witness?

11 A. When Papah and the rest of the AFRC fighters that went to
12 attack Kukuna and Madina came back to Gberemantmatank, Papah
13 reported to Gullit that 40 civilians -- about 50 civilians were
14 killed and he came along with a prisoner of war, a Guinean

11:12:53 15 soldier in ECOMOG by the name of Lieutenant Kondeh, another
16 Kondeh but this one was a lieutenant. And he reported that 40
17 civilians were killed and the Kukuna Town was partly burned.

18 They were unfortunate to go over to attack Madina because the
19 troop, the ECOMOG troops that were at Madina, quickly came and

11:13:27 20 reinforced their colleague at Kukuna so the AFRC forces could not
21 penetrate to Madina. So they were forced to come back. But
22 before they left they said the town was partly burnt.

23 Q. Witness, how do you know that this was what was reported
24 back to Gullit by Hassan Papah Bangura?

11:13:56 25 A. I was present when he was reporting.

26 Q. Witness, did Gullit say anything after Hassan Papah Bangura
27 reported to him?

28 A. Yes, he commended Papah Hassan Bangura for a job well done.

29 Q. How do you know he commended him?

1 A. I was present when he commended him

2 Q. Witness, you have told the Court that in October of 1998
3 SAJ Musa came along with about 500 AFRC fighters?

4 A. Yes.

11:14:26 5 Q. And he joined Gullit?

6 A. Yes.

7 Q. Do you know why SAJ Musa came to join Gullit?

8 A. Yes.

9 Q. Can you tell the Court why?

11:14:38 10 A. When SAJ came he told him that he came to join him but at
11 that juncture Gullit recognised SAJ Musa as his superior. So he
12 had wanted to hand over command leadership to SAJ Musa. But
13 SAJ Musa refused. He told him that, "I don't come here to take
14 command -- for you to hand over your command to me. I come to
11:15:11 15 work with you in one accord". He said, "But what I want to
16 advise you is you should stop ordering the fighters, the AFRC
17 fighters -- stop ordering them to kill innocent civilians". He
18 said, "The maiming must stop, the raping of young girls and women
19 must be stopped". He said, "This should not be our agenda".

11:15:39 20 Q. Witness, how do you know SAJ Musa said this?

21 A. I was present when SAJ Musa was talking to him

22 Q. Witness, what happened after this?

23 A. Well, I forgot to mention something. SAJ Musa also came
24 along with one reverend father, a Roman Catholic priest, Father
11:16:06 25 Mario.

26 Q. Can you spell that for the Court, please?

27 A. Father Mario, the name Mario, M-A-R-I-O.

28 Q. What nationality was Father Mario?

29 A. An Italian. SAJ Musa said that they took Father Mario

1 hostage in a town called Kamalo.

2 Q. Can you spell Kamalo for the Court, Witness?

3 A. Kamalo, K-A-M-A-L-O. SAJ Musa also commended Gullit for
4 sparing the lives of the three prisoners of war in the camp, Camp
11:17:09 5 Gberemantmatank, the two Kondehs and the Nigerian Lawal.

6 Q. How do you know this, Witness?

7 A. Because I was present when he commended him. And he went
8 on to say they are going to use Father Mario to get -- plus the
9 three prisoners of war as a bargaining chip during peace talks.

11:17:28 10 Q. Did you hear him say that, Witness?

11 A. Yes.

12 Q. What happened after that?

13 A. Well, in the month of November --

14 Q. Of?

11:17:47 15 A. -- of 1998 SAJ Musa and Gullit agreed that we should go
16 and -- the entire troop should move from Gberemantmatank and
17 start roving for the Freetown attack.

18 Q. How do you know this, Witness?

19 A. Well, we were there when the two ordered the entire group
11:18:16 20 to move.

21 Q. What happened that?

22 A. In the month of October we finally left Gberemantmatank.
23 The roving started all over again under the command of both SAJ
24 Musa and Gullit because both of them were working in one accord.

11:18:41 25 Q. From Gberemantmatank where did you go, Witness?

26 A. We arrived at Mange Bureh and there was a deployment of
27 ECOMOG in the town. So there was a heavy battle between the AFRC
28 fighters and the ECOMOG, but eventually the AFRC fighters
29 overwhelmed the ECOMOG fighters. About 40 civilians were killed

1 in that battle during the crossfire and the town was partly
2 burnt.

3 Q. Witness, can you spell Mange Bureh for the Court?

4 A. M-A-N-G-E B-U-R-E-H.

11:19:33 5 Q. Witness, how do you know that they were about 40 civilians
6 killed in Mange Bureh?

7 A. I saw them. I was present when the battle was fought and I
8 saw the dead bodies.

9 Q. Were any of the commanders of the AFRC present during this
11:19:58 10 battle?

11 A. Everybody was present. All their formation -- previously
12 mentioned commanders were intact. The entire group was moving.
13 Plus the new arrivals, the O-Five who came to join and SAJ Musa
14 who came to join us. Everybody was present at that time.

11:20:17 15 Q. What happened after that, Witness?

16 A. The roving continued.

17 Q. Where did you go to next?

18 A. We came over to a village called Melekuray.

19 Q. Can you spell that for the Court, please?

11:20:30 20 A. M-E-L-E-K-U-R-A-Y.

21 Q. Did anything happen in Melekuray?

22 A. Yes.

23 Q. Can you tell the Court what happened?

24 A. At Melekuray we were surprisingly attacked by CDF fighters
11:20:54 25 and there was a battle between the AFRC and the CDF fighters. At
26 the end of it all the AFRC fighters overwhelmed the CDF fighters.
27 About 30 CDF fighters were killed. Then about six AFRC fighters
28 were also killed, including one renowned officer, Lieutenant
29 King.

1 Q. Can you spell that for the Court, Witness?

2 A. King, K-I-N-G. He was a regular officer in the Sierra
3 Leone Army but -- he was a lieutenant in the Sierra Leone Army
4 but the rank he attained in the jungle before he died, he was a
11:21:51 5 colonel.

6 Q. Witness, were there any civilian casualties?

7 A. No, no, no, no.

8 Q. Where did you move to from Melekuray, Witness?

9 A. Well, we came -- went over to a village which was off the
11:22:20 10 Mamusa-Lunsar Highway and in that village one fighter by the name
11 of Kabila killed a breastfeeding mother and also about 10 people
12 in the house -- in the house in that village. When this report
13 was brought to Gullit and SAJ Musa, SAJ Musa decided that Kabila
14 must be killed immediately.

11:22:58 15 Q. How do you know this, Witness?

16 A. I was there when he gave that order. I was present. But
17 Gullit did not agree to SAJ Musa's order. He said, "No, let him
18 not be killed". So he said he should be given another punishment
19 and the punishment which was later given to Kabila was he was
11:23:31 20 disarmed.

21 Q. Did anything happen -- did anything else happen there?

22 A. Yes. And it was in that village, I don't know -- I don't
23 recall the name of the village but the village is off Mamusa and
24 Lunsar Highway.

11:23:58 25 Q. Can you spell Lunsar for the Court, please?

26 A. L-U-N-S-A-R.

27 Q. And Mamusa, Witness, please spell that.

28 A. M-A-M-U-S-A.

29 Q. Please proceed, Witness. What else happened in that

1 village?

2 A. It was in that village SAJ Musa and Gullit ordered 0-Five,
3 Baski --

4 Q. Can you spell Baski?

11:24:42 5 A. B-A-S-K-I and Papah 17 to attack Lunsar Town.

6 Q. How do you know that SAJ Musa and Gullit ordered the attack
7 on Lunsar Town?

8 A. I was present when they gave the orders.

9 Q. Were the orders carried out, Witness, to attack Lunsar
11:25:16 10 Town?

11 A. Yes, the orders were carried out.

12 Q. Witness, can you tell the Court if the commanders went for
13 the attack on Lunsar Town?

14 A. Yes, they went for the attack on Lunsar Town.

11:25:25 15 Q. Do you know who were the commanders that went?

16 A. Yes.

17 Q. Can you tell the Court?

18 A. 0-Five, Papah 17 and Baski.

19 Q. Did you go, Witness?

11:25:39 20 A. No, I didn't.

21 Q. Witness, do you know if the orders of SAJ Musa and Gullit
22 to attack Lunsar Town were carried out?

23 A. Yes.

24 Q. How do you know this, Witness?

11:25:54 25 A. Well, when they turned back to this village which I cannot
26 recall its name, they came along because at -- their main purpose
27 of going to attack Lunsar, there was a large deployment of ECOMOG
28 at Lunsar Town.

29 Q. How do you know that was the purpose?

1 A. That was the order Gullit and SAJ Musa gave to the
2 commanders.

3 Q. And did you hear this?

4 A. I heard it. So they came along with a large cache of arms
11:26:38 5 and ammunition and they even came along with cartons of military
6 outfits. And they reported also that the town was partly burnt
7 and about 40 civilians were also killed in the town.

8 Q. Witness, how do you know this was what was reported back?

9 A. I was present when they were giving the report to Gullit
11:27:06 10 and SAJ Musa.

11 Q. Did Gullit and SAJ Musa say anything after they heard the
12 report?

13 A. Yes, they commended them for a job well done, especially
14 when they came with a large cache of arms and ammunition and the
11:27:20 15 military outfit they come with.

16 Q. What happened after that, Witness?

17 A. Well, most of the soldiers were cladded in those military
18 outfits, including SAJ Musa himself -- were neatly cladded in the
19 new military outfit. Then the roving started again. They
11:27:44 20 ordered us to keep on trekking, moving on.

21 Q. Where did you move to from this village?

22 A. Well, from that village we came -- we arrived at a village
23 called Madigba.

24 Q. Can you spell that for the Court please, Witness?

11:28:06 25 A. M-A-D-I-G-B-A.

26 Q. Witness, did you also go to Madigba?

27 A. Yes.

28 Q. Can you tell the Court what happened when you arrived at
29 Madigba?

1 A. Well, at Madigba -- Madigba is very close to Masiaka. It
2 was there again SAJ Musa and Gullit ordered for the attack on
3 Masiaka because there was a large deployment of ECOMOG.

4 Q. Witness, can you spell Masiaka for the Court?

11:28:55 5 A. M-A-S-I-A-K-A.

6 Q. Witness, how do you know that SAJ Musa and Gullit ordered
7 the attack on Masiaka?

8 A. I was present when they were giving the orders.

9 Q. Witness, did SAJ Musa and Gullit assign any AFRC fighters
11:29:15 10 for this attack?

11 A. Yes.

12 Q. Can you tell the Court who was assigned?

13 A. Yes. Papah 17, Junior Lion and Baski.

14 Q. Witness, are you able to tell the Court how many other AFRC
11:29:44 15 fighters were assigned to go with them?

16 A. Well, it was about 500.

17 Q. Witness, were the orders of SAJ Musa and Gullit to attack
18 Masiaka carried out?

19 A. Yes.

11:29:57 20 Q. Did you go to Masiaka, Witness?

21 A. No.

22 Q. How do you know the attack was carried out?

23 A. Well, when they returned back from the attack on Masiaka
24 they came and reported.

11:30:15 25 Q. Did you hear what was reported, Witness?

26 A. Yes.

27 Q. Can you tell the Court what was reported back?

28 A. Yes. They came along with a large cache of arms and
29 ammunition and they reported the death of Papah 17, one of the

1 commanders who were assigned for the attack. His colleague
2 commanders reported his death. And also they reported about the
3 burning of the town and they also reported the number of people
4 who were killed during the battle, about 40 of them

11:30:56 5 Q. Witness, did you hear if SAJ Musa or Gullit said anything
6 after the report was made?

7 A. Yes.

8 Q. What did you hear them say, Witness?

9 A. They commended the fighters and the commanders that went
11:31:09 10 with them for a job well done.

11 Q. What happened after this, Witness?

12 A. Well, both SAJ and Gullit ordered the entire group with
13 them to continue moving.

14 Q. How do you know this, Witness?

11:31:35 15 A. I was present when the orders were given.

16 Q. What happened after that?

17 A. Well, we started moving on again and arrived at RDF camp
18 which is at Sumbuya.

19 Q. Witness, can you spell Sumbuya?

11:31:52 20 A. S-U-M-B-U-Y-A.

21 Q. And can you tell the Court what RDF stands for?

22 A. It's a military -- RDF is a military -- it's an acronym
23 that stands for Rapid Deployment Forces.

24 Q. Witness, did you also go to the RDF?

11:32:19 25 A. Yes, the entire group was on the roving again.

26 Q. Did anything happen when you arrived at the RDF?

27 A. Yes. There was loyal SLAs -- SLA army soldiers, deployed
28 there and some ECOMOG. But there was a gun battle -- arriving
29 there there was a gun battle between the AFRC fighters and the

1 troops that the ECOMOG and the loyal SLA troops that were there.

2 Q. Did anything else happened at the RDF?

3 A. Yes. The AFRC group quickly overwhelmed them and the
4 soldiers there, the ECOMOG and SLAs, took on to their heels.

11:33:14 5 Then Gullit and SAJ then ordered for the burning of the camp, RDF
6 Camp. It was burnt.

7 Q. Witness, how do you know that SAJ Musa ordered the burning
8 of the RDF camp?

9 A. I was present.

11:33:39 10 Q. What happened after this, Witness?

11 A. We kept on roving again.

12 Q. Where did you go to after that?

13 A. We came all the way -- we arrived at Brama Junction. Brama
14 is on the highway to Freetown. So we diverted into the Koya
11:33:57 15 Chiefdom in the Port Loko District to Masenk and Makabi.

16 Q. Witness, can you spell that for the Court, Masenk and
17 Makabi villages?

18 A. Masenk, M-A-S-E-N-K. Makabi, M-A-K-A-B-I.

19 Q. Witness, can you spell -- you said Brama Junction. Can you
11:34:24 20 spell that for that the Court?

21 A. Brama, B-R-A-M-A.

22 Q. Witness, what happened when you arrived at Masenk and
23 Makabi villages?

24 A. SAJ and Gullit ordered us to rest in those two villages.

11:34:51 25 Q. Did anything happen while you were resting at the two
26 villages?

27 A. Yes.

28 Q. What happened, Witness?

29 A. Well, during our resting period the villagers were set at

1 because ECOMOG noticed that we were there in those two villages.
2 So they sent mortar bombs again against us in those two villages.
3 So that made SAJ and Gullit to order us again to vacate the
4 village because, according to them, they said the place was no
11:35:32 5 longer safe for us.

6 Q. Were the orders to vacate carried out, Witness?

7 A. Yes.

8 Q. Where did you go to from there, Witness?

9 A. Well, we moved to another village called Madonkeh in the
11:35:58 10 environs of Newton.

11 Q. Witness, when you say "we moved", who do you mean? Who is
12 "we"?

13 A. The group; the AFRC fighters together with we the
14 abductees.

11:36:12 15 Q. Did all the commanders also move?

16 A. Everybody. The whole group. It is a group movement.

17 Q. And you said you moved to a place called?

18 A. Madonkeh.

19 Q. Can you spell that for the Court, please?

11:36:26 20 A. M-A-D-O-N-K-E-H.

21 Q. Witness, can you spell the Court when you moved to
22 Madonkeh, the month and the year?

23 A. It was in the month of December, 1998.

24 Q. Do you remember the date, Witness?

11:36:43 25 A. It was on 21st December we arrived at Madonkeh.

26 Q. Witness, what happened when you arrived in Madonkeh?

27 A. So SAJ and Gullit agreed that we should rest there for the
28 day.

29 Q. How do you know that SAJ and Gullit agreed that?

1 A. That was the order they gave to the entire group.

2 Q. Were you present when the orders were given?

3 A. I was present, yes.

4 Q. What happened after that, Witness?

11:37:22 5 A. SAJ and Gullit also agreed that the -- they ordered some

6 AFRC fighters under the command of -- one commander -- Rhino.

7 Rhino.

8 Q. Can you spell the name for us, Witness?

9 A. R-H-I-N-O.

11:38:09 10 Q. Witness, can you repeat what was the order given to Rhino?

11 A. They ordered Rhino and some fighters to lay ambush at the

12 highway -- that Newton Highway for any military vehicle plying

13 that route.

14 Q. How do you know that this was what was ordered to Rhino?

11:38:36 15 A. I was present when the orders were given.

16 Q. Who gave the orders, Witness?

17 A. It was Gullit and SAJ Musa.

18 Q. Were these orders carried out?

19 A. Yes, they were carried out.

11:38:52 20 Q. How do you know they were carried out?

21 A. Well, Rhino and the fighters succeeded in ambushing a

22 military vehicle belonging to ECOMOG with about seven -- between

23 seven to 10 ECOMOG soldiers were ambushed in that vehicle and all

24 of them were killed.

11:39:18 25 Q. How do you know they were killed, Witness?

26 A. They came and reported.

27 Q. Were you present when they reported?

28 A. Yes.

29 Q. And who did they report to?

1 A. To both Gullit and SAJ Musa.

2 Q. Did SAJ Musa or Gullit say anything after they were
3 reported that?

4 A. Yes, they commended them. They even came along with some
11:39:46 5 arms and ammunitions they retrieved from the vehicle.

6 Q. What happened after that, Witness?

7 A. Well, in the evening of that day, around 10.00 in the
8 evening, we left Madonkeh for the attack on Benguema Barracks.

9 Q. Can you spell Benguema for the Court, please?

11:40:16 10 A. B-E-N-G-U-E-M-A.

11 Q. Witness, did you also go to Benguema Barracks?

12 A. Yes.

13 Q. Did any of the commanders go to Benguema Barracks?

14 A. All of them. The whole group.

11:40:37 15 Q. What happened when you arrived at Benguema Barracks?

16 A. Well, there was a heavy gun battle between the AFRC
17 fighters, the ECOMOG and the loyal Sierra Leone military
18 personnel that were deployed at Benguema.

19 Q. Did anything else happen?

11:41:03 20 A. Yes. Fortunately -- it was in that battle I saw for my
21 first time SAJ Musa actively took part, he actually took part in
22 the battle, and eventually the AFRC fighters overwhelmed ECOMOG
23 and allies.

24 Q. Apart from SAJ Musa did any other commanders take part in
11:41:32 25 that battle?

26 A. Well, commanders like Junior Lion, Foday Bah Marah, they
27 were all there, you see. They all took part.

28 Q. What else happened there, Witness?

29 A. There was a communication. After the AFRC had already

1 overwhelmed the opposing forces they met in the ground SAJ Musa
2 established a communication with Maxwell Khobe.

3 Q. Can you spell Maxwell Khobe?

4 A. M-A-X-W-E-L-L K-H-O-B-E.

11:42:23 5 Q. Witness, who is Maxwell Khobe?

6 A. By then Maxwell Khobe was the head of the ECOMOG forces in
7 Sierra Leone as well as the loyal SLA soldiers.

8 Q. Witness, how do you know that this communication took
9 place?

11:42:40 10 A. I was present when the communication was flowing.

11 Q. Did you hear what they spoke about?

12 A. Yes. SAJ Musa informed Maxwell Khobe that their forces,
13 that is the AFRC forces, have taken Benguema Barracks from ECOMOG
14 and allies. But in that response from Maxwell Khobe he said that

11:43:18 15 SAJ Musa was kidding, he was lying.

16 Q. How do you know that was his response?

17 A. I heard it.

18 Q. Witness, in these radio communications you heard were you
19 able to hear both sides of the communication?

11:43:32 20 A. Yes, yes.

21 Q. What happened after that?

22 A. At Benguema -- okay, SAJ did tell him that in 48 hours time
23 the AFRC force and fighters will be in Freetown. But in response
24 again Maxwell Khobe said SAJ Musa was lying, he didn't have that
11:44:07 25 capability to enter Freetown or to invade Freetown.

26 Q. What happened after that, Witness?

27 A. There was a block at Benguema or a building. In it there
28 was a large cache of arms and ammunition which was left behind by
29 ECOMOG and allied forces. So the AFRC and fighters hadn't

1 figured on that. So SAJ Musa and Gullit ordered the fighters to
2 take the arms and ammunitions that were found in that building.
3 So they took all they could carry but somebody willfully -- some
4 arms and ammunition were left in the block, so somebody willfully
11:45:09 5 set fire on the building. But SAJ Musa was very close to that
6 building and there was a heavy explosion. The whole building was
7 shattered.

8 Q. Witness, did you see this happen?

9 A. I was present. I was present when it happened. So it was
11:45:29 10 there SAJ Musa met his maker. What I mean, through that
11 explosion SAJ Musa died. That was on 22nd December 1998.

12 Q. What happened after that, Witness?

13 A. Well, the body of SAJ Musa was taken to a nearby village in
14 the hills surrounding Hastings called Koba Town.

11:46:01 15 Q. Can you spell that for the Court, Witness, Koba Town?

16 A. K-O-B-A, yes.

17 Q. Did you also go to Koba Town?

18 A. Yes. It was at Koba Town SAJ Musa's remains were laid to
19 rest.

11:46:30 20 Q. What happened after that, Witness?

21 A. Well, during that moment everybody was saddened, including
22 me also, you see, because the death of SAJ Musa shocked
23 everybody. And from that point when we moved Gullit was in full
24 control again. Because when SAJ Musa was around both of them
11:47:02 25 were doing things in common. So when he died Gullit was there at
26 the head of the AFRC so he was in full control again. Then
27 ordered us to move deep into the hills, you see, surrounding
28 Hastings.

29 Q. Surrounding?

1 A. Hastings.

2 Q. Can you spell that for the Court, please, Witness?

3 A. H-A-S-T-I-N-G-S.

4 Q. What happened after that?

11:47:42 5 A. It was in the hills surrounding Hastings that Gullit again
6 ordered Junior Lion and Baski to attack Hastings.

7 Q. How do you know this, Witness?

8 A. I was present when the orders were given.

9 Q. Were the orders carried out, Witness?

11:48:02 10 A. Yes.

11 Q. How do you know they were carried out?

12 A. Well, Junior Lion and Baski --

13 MR MANLY-SPAIN: Your Honour, sorry to disrupt the
14 examination-in-chief but one of the accused persons wants to use
11:48:20 15 the toilet.

16 PRESIDING JUDGE: He should be escorted out,

17 Mr Manly-Spain. Please continue, Ms Alagenda.

18 Q. Witness, can you repeat again how do you know that the
19 orders were carried out to attack Hastings?

11:48:46 20 A. Well, before -- let me say before they went on to attack
21 Hastings Gullit ordered them to go and attack Hastings because
22 there were new arrivals of Nigerian soldiers at Hastings
23 airfield. So the purpose of going to attack Hastings airfield
24 was to obtain arms and ammunitions.

11:49:17 25 Q. How do you know that these were the orders given and how do
26 you know that this was the reason for the attack, Witness?

27 A. I was there when the orders were given and I was there when
28 he told them that that was the reason for you to go and attack
29 Hastings, precisely the airfield.

1 Q. Witness, do you know if Gullit's orders were carried out to
2 attack Hastings?

3 A. Yes.

4 Q. How do you know they were carried out?

11:49:46 5 A. When Junior Lion and Baski, together with the fighters that
6 were assigned to them, returned back to the hills they came along
7 with a large cache of arms and ammunitions and they reported also
8 that they burnt down two aircraft at Hastings airfield and
9 about -- between 20 to 25 Nigerian soldiers were killed. And
11:50:20 10 they also reported that while the others drowned themselves at
11 the nearby Rokel River.

12 Q. Witness, how do you know that this was what was reported
13 back to Gullit?

14 A. When they came back -- when Junior Lion and Baski came back
11:50:45 15 that was the report they brought to Gullit.

16 Q. How do you know this?

17 A. I was present.

18 Q. Did Gullit say anything after he heard the report?

19 A. Yes.

11:50:53 20 Q. What did he say, Witness?

21 A. He commended them for the good job they went to do.

22 Q. Were you present when --

23 A. I was present, yes.

24 Q. Witness, do you remember what date the attack was at
11:51:16 25 Hastings?

26 A. No, I can only recall the month.

27 Q. Could you tell the Court, please, and the year?

28 A. That was in December 1998.

29 Q. What happened after that, Witness?

1 A. Well, it was -- still in the hills on 4th January we were
2 surprisingly attacked in the hills by CDF forces. During that
3 attack three AFRC soldiers, fighters, were killed and the most
4 senior man among them who was killed was called Son Siama.

11:52:04 5 Q. Can you spell that for the Court, Witness?

6 A. S-O-N S-I-A-M-A.

7 Q. What happened after that?

8 A. Well, in the evening of that day, 4th January, Gullit again
9 ordered the entire group to now move down to Hastings to continue
10 down to Freetown invasion.

11:52:35

11 Q. Witness, how do you know that Gullit ordered the entire
12 group to Hastings?

13 A. I was present when the orders were given by him.

14 Q. What happened after that?

11:52:51

15 A. That evening we left the hills and came down to Hastings
16 where again we met a large deployment of ECOMOG who had already
17 regrouped again after that attack carried out by O-Five -- sorry,
18 Junior Lion and Baski. And there was a heavy gun battle. And
19 before that a Nigerian soldier who was trying to escape was
20 captured by one of the AFRC fighters. In fact, he was naked. He
21 did that for him not to be identified as a soldier.

11:53:27

22 Q. How do you know this, Witness?

23 A. Well, through his confession because his accent also
24 helps to betray him. He had that hard Nigerian accent. He
25 confessed that he was one of the new arrivals in Sierra Leone to
26 help prosecute the war, but he said he has never fired a shot
27 since he arrived. He said he arrived about three or four days
28 ago before he was captured. So he pleaded for his safety, but to
29 no avail. It was Gullit himself that gunned him down.

11:53:58

1 Q. How do you know this, Witness?

2 A. I was present.

3 Q. What else happened, Witness?

4 A. Well, the battle between the AFRC fighters and ECOMOG was
11:54:45 5 really a very stiff one. There came a point in time when Gullit
6 almost ordered us to retreat because of the heavy fighting, the
7 heavy firing power, from ECOMOG. But he again said men should
8 stood their ground, so they should fight harder and the fighting
9 went on, went on. And, finally, the AFRC fighters were able to
11:55:15 10 overwhelm the ECOMOG.

11 Q. What happened after that, Witness?

12 A. Well, the following day, that was 5th January 1999, we went
13 over to Allen Town in the outskirts of Freetown.

14 Q. Witness, can you repeat the year again, 5th January --

11:55:41 15 A. 5th January.

16 Q. -- of what year?

17 A. 1999.

18 Q. You said you moved to Allen Town?

19 A. Allen Town, yes.

11:55:48 20 Q. Can you spell that for the Court, please?

21 A. A-L-L-E-N T-O-W-N.

22 Q. Witness, can you tell the Court who moved to Allen Town?

23 A. The entire group. The AFRC under the commandership of
24 Gullit.

11:56:07 25 Q. What happened when you arrived in Allen Town, Witness?

26 A. Well, Gullit decided that we -- ordered that we should rest
27 there for the rest of the day.

28 Q. Were you present when he ordered that?

29 A. Yes.

1 Q. What happened after that?

2 A. Around 5.00 in the evening we were raided again by Alpha
3 jets, fighter aircrafts, ECOMOG fighter aircrafts, Alpha jet. A
4 bomb was dropped at our point which caused the death of four AFRC
11:56:50 5 fighters. But the most renowned among them was called Colonel
6 Chuks.

7 Q. Can you spell Chuks for the Court, please, Witness?

8 A. C-H-U-K-S.

9 Q. What happened after that, Witness?

11:57:14 10 A. Well, all four of the casualties were buried there. Then
11 in the evening, at around 10.00, Gullit ordered the entire group
12 again to move for the Freetown attack.

13 Q. Did the group move for the Freetown attack?

14 A. Yes.

11:57:43 15 Q. Can you tell the Court where they moved to next?

16 A. Well, from Allen Town we moved down to Calaba Town,
17 Wellington and at arriving at Kissy Mess Mess there was a pocket
18 resistance from --

19 Q. Can you spell that for the Court, Witness?

11:58:09 20 A. K-I-S-S-Y M-E-S-S M-E-S-S.

21 Q. What happened in Kissy Mess Mess, Witness?

22 A. There was a pocket resistance around that area, close to
23 the police station, Kissy Mess Mess police station. But that
24 resistance was quickly repelled by the AFRC fighters and the

11:58:34 25 Kissy Mess Mess police station was ordered by Gullit -- he

26 ordered his fighters, AFRC fighters, to burn the Kissy Mess Mess
27 police station.

28 Q. Witness, how do you know that Gullit ordered the burning of
29 the police station?

1 A. I was present.

2 Q. What happened after that, Witness?

3 A. Then the roving continued again down to -- continued from
4 Kissy. We came down there. Burning -- they were burning and
11:59:13 5 killing of civilians as we were roving along the streets of
6 Freetown up to a time we arrived at Upgun Roundabout.

7 Q. Witness, did you yourself see the burnings and the killing
8 of civilians as you were roving?

9 A. Yes, yes.

11:59:31 10 Q. You said you arrived at Upgun Roundabout?

11 A. Yes.

12 Q. Can you spell that for the Court, please?

13 A. U-P-G-U-N. Roundabout, will I spell that again?

14 R-O-U-N-D-A-B-O-U-T.

11:59:56 15 Q. What happened after that, Witness?

16 A. At Upgun Roundabout there was another deployment of ECOMDG
17 personnel. So there was a stiff battle between the AFRC fighters
18 and the ECOMDG forces, but eventually the AFRC fighters were able
19 to overwhelm the ECOMDG fighters. So we continued down Kissy
12:00:35 20 Road towards Eastern Police. So as we were moving along, the
21 civilians we came in contact with, Gullit gave the order that
22 they should be killed. So the killing continued up to the point
23 that when we arrived at State House.

24 Q. Witness, did you hear Gullit giving the orders to kill
12:01:01 25 civilians?

26 A. Yes, yes.

27 [TB110705C - EKD]

28 Q. Witness, when you arrived at the State House, where were
29 the commanders of the AFRC?

1 A. Everybody was there at State House when we arrived there.
2 There was -- at State House there was a military -- the
3 deployment of ECOMOG personnel at State House, who were defending
4 it from the AFRC fighters.

12:03:45 5 Q. Witness, can you tell the Court the date on which the AFRC
6 group arrived at the State House?

7 A. That was January 6th, January 6th, 199 --

8 Q. Would you be able to remember the time?

9 A. The time we arrived at State House was already 6.00 a.m in
12:03:46 10 the morning.

11 Q. Witness, did you also go to the State House?

12 A. Yeah, I went there after ECOMOG personnel had been pushed
13 out by AFRC fighters.

14 Q. What happened there, witness?

12:03:46 15 A. Well, immediately Gullit also ordered the burning of the
16 Criminal Investigation Department.

17 Q. How do you know Gullit ordered the burning of --

18 A. I was present.

19 Q. And was the Criminal Investigation Department burnt?

12:03:46 20 A. It was burnt.

21 Q. What happened after that, witness?

22 A. The other -- the street around that State Avenue -- the
23 area is called State Avenue. Houses at Fort Street and --

24 Q. Can you spell the street names please, witness?

12:03:46 25 A. Fort, F-O-R-T, Fort Street, and Soldier Street.

26 Q. Can you spell that, please?

27 A. S-O-L-D-I-E-R. Were burnt.

28 Q. How do you know they were burnt, witness?

29 A. Because the order -- Gullit gave them -- the fighters

1 orders to do that, to burn the house.

2 Q. How do you know Gullit gave the order to go and burn the
3 houses?

4 A. I was present. At that juncture he then ordered the entire
12:03:47 5 group to move down to Pademba Road, to the central prisons.

6 Q. Witness, who ordered the entire group to move to the
7 Pademba Prison?

8 A. It was Gullit.

9 Q. How do you know this?

12:03:51 10 A. I was present.

11 Q. Witness, did you also go to Pademba Road prison?

12 A. Yes.

13 Q. Witness, did any of the commanders go to Pademba Road
14 prison?

12:04:13 15 A. All of them

16 Q. Can you remind the Court who they are, please?

17 A. Bazy, Five-Five, Gullit, Ibrahim Sesay Biyoh, Abdul Sesay,
18 Woyo Franklyn Conteh, Hassan Papah Bangura.

19 MS ALAGENDRA: Your Honour, the witness had spelt all these
12:04:43 20 names previously.

21 Q. Witness, can you tell the Court what happened when they
22 arrived at Pademba Road prison?

23 A. Arriving at Pademba Road prisons, Gullit ordered a fighter
24 by the name of Colonel Piki --

12:04:57 25 Q. Can you spell Piki for the Court?

26 A. P-I-K-I-N.

27 Q. What were the orders given by Gullit to Piki?

28 A. He told him -- he ordered him to fire against the main gate
29 of the prison, so that it will be forced open. So the inmates,

1 the people in the prison, will walk out of the prisons.

2 Q. Witness, how do you know that Gullit gave this order to
3 Pikin?

4 A. I was present.

12:05:31 5 Q. Did Pikin carry out Gullit's orders?

6 A. Yes.

7 Q. What happened then, witness?

8 A. Pikin then used a rifle called RPG. He fired that against
9 the main gate of the prison and he get -- the prison was forced
12:05:53 10 open. That was how the inmates or the people that were in the
11 prison had their freedom. They walked out of the prison.

12 Q. Are you able to say about many prisoners were freed?

13 A. About 4,000.

14 PRESIDING JUDGE: Can I have that figure again, please?

12:06:15 15 THE WITNESS: About 4,000.

16 MS ALAGENDRA:

17 Q. Witness, did you know any of the prisoners that were freed?

18 Did you recognise any of them?

19 A. I recognised Gibril Massaquoi, SAJ Musa's wife and their
12:06:29 20 two kids.

21 Q. What happened after that, witness?

22 A. Gullit then ordered us again to go back to State House.

23 Q. Did you hear the order by Gullit to return to State House?

24 A. Yes, yes.

12:06:47 25 Q. What happened after that?

26 A. Arriving at State House again, civilians in that State
27 House Avenue were killed.

28 Q. How do you know this, witness?

29 A. Through the orders of Gullit. He ordered his fighters to

1 kill them

2 Q. How do you know Gullit ordered his fighters to kill
3 civilians?

4 A. I was present, I was present.

12:07:18 5 Q. Do you know if the fighters killed civilians around the
6 State House?

7 A. Yes.

8 Q. Did Gullit give any other orders?

9 A. Yes, the burning of houses.

12:07:37 10 Q. Anything else, witness?

11 A. Yes. Even people perceived to be Nigerians were brought at
12 State House and killed by the fighters, through the orders of
13 Gullit. And even civilians whom they claimed harbouring Nigerian
14 soldiers in their houses were also killed and their houses were
15 burnt at Fort Street and Soldier Street.

12:08:04 16 Q. How do you know this witness?

17 A. I was present.

18 Q. Did you see the killings taking place?

19 A. Yes. In fact, the fighters came with one boy. I saw his
12:08:26 20 ID card. Through his ID card he was a Guinea-Bissauan. He spoke
21 Portuguese. He was brought at State House and myself and Gibril
22 Massaquoi was sitting on a bench together. So we tried to plead
23 to the fighter, the AFRC fighter who was bent on killing him
24 And that fighter's name was Junior Sheriff.

12:08:55 25 Q. Can you spell that for the Court?

26 A. J-U-N-I-O-R, Junior; Sheriff, S-H-E-R-I-F-F. So myself and
27 Gibril Massaquoi appealed to him to spare the life of the boy,
28 but the fighter was mad at us for telling him that. So armless
29 as we were, as we -- so we started -- we decided to stay out of

1 it. In our presence, a gun -- he killed the poor Guinea-Bissauan
2 fellow.

3 Q. What happened after that?

4 A. Really, at -- the AFRC troops were at State House for
12:09:46 5 almost four to five days, you see, causing atrocities to the
6 civilian populous around State Avenue, through the orders of
7 Gullit. Especially when ECOMOG was fighting hard to retake State
8 House again. So the civilian populous around that area suffered
9 lots through the orders of Gullit to his AFRC fighters. Many --
12:10:22 10 the number -- I cannot even mention the number of civilians that
11 were killed during those four to five days of stay at State House
12 Avenue.

13 Q. What happened after that, witness?

14 A. Amputations were carried out. Especially finally when the
12:10:44 15 AFRC lost their grip on State House, when ECOMOG finally retake
16 State House. While AFRC was retreating, was on the retreat, all
17 the areas they occupied in the eastern part of Freetown, starting
18 from Goderich Street, Sani Abacha Street, Kissy Road --

19 Q. Can you spell the streets for the Court, please?

12:11:08 20 A. Goderich Street, G-O-D-E-R-I-C-H; Sani Abacha Street,
21 S-A-N-I A-B-A-C-H-A; Kissy Road, K-I-S-S-Y R-O-A-D; Fourah Bay,
22 F-O-U-R-A-H B-A-Y R-O-A-D. So as they were retreating, the
23 houses -- civilian population of these streets that I have
24 mentioned were killed, amputated, houses were burnt. Even
12:12:04 25 religious houses, churches, were burnt through the orders of
26 Gullit. Eastern Police Station was also burnt.

27 Q. Witness, how do you know all this happened?

28 A. I was present.

29 Q. Witness, how do you know that Gullit had ordered for all

1 this to take place?

12:12:52 2 A. Well, noticing that the battle in Freetown is no more, they
3 are going to lose the battle in Freetown, so he ordered his men
4 to commit all sorts of atrocities as they were pulling out of
5 there, as they were retreating from the city.

6 Q. Did you hear Gullit give these orders?

7 A. Yes, yes.

8 Q. Witness, for how long were you -- did you remain with the
9 group during the retreat?

12:13:06 10 A. For about 3 weeks.

11 Q. What else happened during those 3 weeks?

12 A. Well, all the areas occupied, especially -- the entire
13 eastern part of Freetown was occupied by the AFRC fighters under
14 the command of Gullit. So as they were retreating, so they were
12:13:32 15 committing atrocities. Women even were -- girls and women were
16 raped by the fighters; houses were burnt; vehicles, cars were
17 burnt; amputations were carried out all over the place. The
18 entire eastern parts where the AFRC was occupying, down to
19 Wellington, Calaba Town, all those areas, and Allen Town. The
12:14:02 20 entire place was -- the houses were burnt. Atrocities -- all
21 sorts of atrocities were committed during the retreat.

22 Q. Witness, what happened after that?

23 A. Well, when they finally retreated, of course, I went up to
24 Calaba Town. There then I decided to return back to my community
12:14:32 25 I belong with. So I did not go to a jungle with them again. I
26 decided to return. When they finally retreated.

27 MS ALAGENDRA: Thank you, witness, I have no further
28 questions for you.

29 THE WITNESS: Thank you.

1 PRESIDING JUDGE: Cross-examination, counsel.

2 MR MANLY-SPAIN: Yes, Your Honour.

3 PRESIDING JUDGE: Mr Manly-Spain, please proceed.

4 CROSS-EXAMINED BY MR MANLY-SPAIN:

12:15:19 5 Q. Good day, Mr Witness. Good day, Mr Witness.

6 A. Good day, sir.

7 Q. Mr Witness, you have just said that during the retreat at
8 Calaba Town you decided to return to your community.

9 A. Yes.

12:15:47 10 Q. That decision was of your own free will, was it?

11 A. Yes.

12 Q. Can you explain to the Court how you left them, the AFRC
13 group you were returning --

14 A. Well, when we were forced out of Freetown, they had no
12:16:15 15 command over me again, because everybody was taken to these
16 hills. So that was an opportune time for me to get out of their
17 hands. So I used that opportunity to free myself from them.

18 Q. Thank you, Mr Witness. Mr Witness, were you ever trained
19 as a fighter?

12:16:44 20 A. Never.

21 Q. Mr Witness, whilst you were with this group did anyone ask
22 you to be trained as a fighter?

23 A. No.

24 Q. Mr Witness, what were you doing whilst you were with the
12:17:27 25 AFRC group?

26 A. Well, as a regular listener to international news,
27 especially BBC, so Gullit was so fond of to giving information of
28 what is going on with the war in Sierra Leone, as reported in the
29 BBC.

1 Q. I take it that it was the case that you had a radio with
2 you?

3 A. No.

4 PRESIDING JUDGE: I didn't hear the question,

12:18:08 5 Mr Manly-Spain. Please repeat it.

6 MR MANLY- SPAIN:

7 Q. I take it it was the case you had a radio with you?

8 A. A transistor, a pocket sized transistor radio.

9 Q. Okay, thank you. Mr Witness, in February 1998, you said
12:18:34 10 you escaped from Freetown because there was mob justice in
11 Freetown; is that so?

12 A. Yes.

13 Q. What do you describe as mob justice?

14 A. Lynching.

12:19:05 15 Q. By whom?

16 A. By opponents' group.

17 Q. Who are you referring to as opponent group?

18 A. In this context, I am referring to pro-SLPP supporters by
19 that time. They branded us, who were involved in rallies
12:19:30 20 denouncing a military intervention to the AFRC issue.

21 Q. Do you know of any people who were lynched?

22 A. There were many. I couldn't name names.

23 Q. Apart from lynching, was any other thing done to people who
24 were branded AFRC supporters?

12:19:57 25 A. After I had taken to the hills, after I had taken, I left
26 Freetown and went as far as Kono. Through the news, I was made
27 to understand that other people -- after a period of time, other
28 people were then arrested and were in detention at Pademba Road
29 prisons.

1 Q. No, I am talking about what you saw. You said people were
2 lynched.

3 A. Yes.

4 Q. Did you see any other thing being done to people who were
12:20:35 5 branded supporters of the --

6 A. They were killed, they were killed.

7 Q. In what manner?

8 A. They were hacked to death, they were burnt with tyres --
9 tied and burned with tyres alive.

12:20:48 10 Q. Mr Witness, did you escape from Freetown because you
11 consider yourself to be a supporter of the AFRC?

12 A. Well, I never supported them, but I was involved in rallies
13 denouncing a military intervention against the AFRC, because I
14 knew the danger of it all. Because when there is a gun battle,
12:21:24 15 civilians suffer the most and I was a civilian by then.

16 Q. Thank you. Would you agree with me that was the same view
17 being -- that was the same view that the AFRC took, that there
18 should be no military intervention?

19 A. You're correct.

12:21:45 20 Q. Mr Witness, during this period of the AFRC, between
21 May 1997 and February 1998, did you meet with any of the AFRC
22 people that you named earlier?

23 A. I saw them, yes. In fact, they were all over the place in
24 Freetown. We see them, we heard about them in the news.

12:22:18 25 Physically I saw them with my eyes.

26 Q. Thank you. Mr Witness, apart from the AFRC leadership
27 asking -- calling on the leadership of the RUF to join them, did
28 they call any other group of fighters to join them?

29 A. No idea.

1 Q. No idea. Mr Witness, during the period of the AFRC did you
2 hear of peace talks entered into by the AFRC?

3 A. Correct.

4 Q. With whom?

12:23:14 5 A. The government in exile by then, with the AFRC.

6 Q. Do you know, Mr Witness, what was the outcome of those
7 peace talks?

8 A. They were abortive.

9 Q. They were abortive?

12:23:32 10 A. Yes.

11 Q. Have you ever heard, as a journalist -- let me ask you,
12 were you a journalist at the time?

13 A. '97?

14 Q. Yes.

12:23:47 15 A. By then our newspaper had gone underground. It went
16 underground 1996 owing to lacking of funds to run it.

17 Q. All right. As a journalist who always listened to the
18 radio did you ever hear about the Conakry Peace Agreement?

19 A. Quite right.

12:24:06 20 Q. Was that an agreement signed by the AFRC and ECOWAS?

21 A. Quite correct.

22 Q. Did you know the basic agreement that was in there?

23 A. Well, six months were given to the AFRC to stay in power.
24 Then after that there should be power sharing just to clean up.

12:24:44 25 Q. In February 1998, when you said ECOMOG attacked the AFRC,
26 had the six months given to them expired?

27 A. No.

28 Q. Mr Witness, when you left Freetown in February 1998 did you
29 go directly to Tombodu?

1 A. Well, there was a big exodus so I was with the crowd
2 moving -- everybody was moving for safety. So we are just moving
3 on, moving, moving, until finally I ended up at Tombodu. My
4 intention was not to go to Tombodu but to go to the neighbouring
12:25:38 5 Guinea -- neighbouring country Guinea for my safety. There, I
6 thought, in Guinea I would be a safe man.

7 Q. Okay, thank you, Mr Witness. Mr Witness, in going to
8 Tombodu did you stop at any place on the way?

9 A. You know, it's a long trek from Freetown to Kono. So I
12:26:07 10 just stayed at many, many places owing to fatigue.

11 Q. How did you travel?

12 A. I trek.

13 Q. On foot?

14 A. Yes.

12:26:16 15 Q. Let me ask you, did you stop at Masiaka?

16 A. I don't remember.

17 Q. Can you please describe the route that you used from
18 Freetown?

19 A. It's a difficult -- in fact, those days were tense for me,
12:26:44 20 so I cannot recall where I went to because I was on the run, you
21 see. My mind was not settled.

22 Q. Mr Witness, you said you were not alone, you were with a
23 large group of people; is that not so?

24 A. Yes.

12:27:00 25 Q. Did you remember going through Tombu?

26 A. Me?

27 Q. Yes, and the group of people you were with?

28 A. Well, I never passed through Tombu.

29 Q. Where did you pass by in leaving Freetown?

1 A. In leaving Freetown?

2 Q. Yes.

3 A. I passed through Waterloo.

4 Q. Passed through Waterloo?

12:27:24 5 A. Yes. There are many routes to go to Waterloo minus Tombu.

6 Q. On your way through Waterloo, Mr Witness, did you meet any
7 Sierra Leone Army soldiers on the way?

8 A. Well, I never had that time to know who was a soldier by
9 then. In fact, my prime concern was my safety. I wasn't looking

12:27:56 10 for who this person is or who that person is.

11 Q. Let me try and clear this point. Mr Witness, do you know
12 Kosseh?

13 A. Yes, I know Kosseh.

14 MR MANLY- SPAIN: Your Honour, may I spell --

12:28:14 15 Q. Can you spell Kosseh for us?

16 A. I will try.

17 Q. Please.

18 A. K-O-S-S-E-H.

19 Q. Do you also know Jui Junction?

12:28:24 20 A. I know all those places.

21 Q. Can you spell Jui for us?

22 A. J-U-I.

23 Q. Thank you. Did you go by those two junctions?

24 A. I want you to restrict to what I have said here. You are
12:28:37 25 taking me out of context, that is what I feel. I have never
26 mentioned those places in my statement here.

27 PRESIDING JUDGE: Mr Witness, this is cross-examination.

28 You are not limited to a statement you have already made.

29 Counsel is entitled, within certain limits, to ask you questions.

1 THE WITNESS: Okay.

2 MR MANLY- SPAIN: Thank you, Your Honour.

3 Q. Mr Witness, please be patient. All we are trying to find
4 out here is the truth. Okay?

12:29:04 5 A. Yeah.

6 Q. Please be patient with me. Did you go through Jui
7 Junction?

8 A. I travelled through the bush. As I told you earlier on, I
9 was running for my life, you see. Those places you are naming
10 were occupied by ECOMOG forces.

12:29:25

11 Q. That is why I am asking you whether you passed through Jui
12 Junction. You know they were occupied by ECOMOG forces?

13 A. Yes.

14 Q. So you did not go through the main highway?

12:29:39

15 A. Yes.

16 Q. When you travelled through the bush, did you go through
17 Tombu?

18 A. No.

19 Q. Where did you pass to get --

12:29:51

20 A. It's difficult for me to tell you all the areas I passed
21 through because, as I said earlier on, you see, I was in a
22 confused state of affairs. You know, just imagine your life is
23 threatened.

24 Q. Who was threatening your life?

12:30:10

25 A. The government -- SLPP supporters by then, because I was
26 involved in public rallies so I was identified as a collaborator.

27 Q. I sympathise with you, Mr Witness, but please help us.

28 Mr Witness, did you go through Makeni?

29 A. Makeni, yes.

1 Q. Do you remember how long it took you from Freetown to
2 Makeni?

3 A. From Freetown to Makeni?

4 Q. Yes.

12:30:51 5 A. I don't remember. I don't remember.

6 Q. Do you remember how long you stayed in Makeni?

7 A. No, I don't remember.

8 Q. From Makeni did you go directly to Kono?

9 A. I travelled with the other people through the villages, you
12:31:12 10 know. We don't -- we didn't take the main highway. We went
11 through villages, through the bushes.

12 Q. Would you agree with me that it took you longer going
13 through the bushes than it would have taken you to go by the main
14 highway?

12:31:35 15 A. I cannot tell.

16 Q. Would you agree with me that your journey through the bush
17 was very slow?

18 A. Well, I cannot tell.

19 Q. Was it fast?

12:31:48 20 A. I cannot tell. All I know is that I was travelling for the
21 safety of my life so I cannot say I exactly -- my pace, the
22 strides I was taking.

23 Q. Thank you. Mr Witness, can you remember when you left
24 Makeni, the date?

12:32:10 25 A. No, no, no.

26 Q. Was it in February 1998?

27 A. Maybe, maybe.

28 Q. Do you remember how long it took you from Makeni to
29 Tombodu?

1 A. No.

2 Q. Do you remember, Mr Witness, what date in February you left
3 Freetown?

4 A. The date I left Freetown?

12:32:55 5 Q. In February 1998?

6 A. I think it was in the second week, in the second week of --

7 Q. Do you remember the date?

8 A. No, no, no, no.

9 Q. Do you remember the date? The date or whether it was a

12:33:12 10 Monday, Tuesday, Wednesday?

11 A. No, not at all. As I still continue to say, at that time,
12 you see, one mind was not centred, you see.

13 Q. All right, Mr Witness. But do you remember the exact date
14 that ECOMOG drove out the AFRC from Freetown?

12:33:38 15 A. I don't remember, I don't remember.

16 Q. Anyway, you actually remember that in the month of March
17 1998 you were in Tombodu?

18 A. Yes.

19 Q. Was that early in March?

12:33:58 20 A. No, at the tail end of March.

21 Q. Towards the end of March. Would I be right, therefore, to
22 say that it took you about six weeks from Freetown to get to
23 Tombodu?

24 A. Well, I cannot tell.

12:34:26 25 Q. Mr Witness, you said you were captured in Tombodu by AFRC
26 soldiers?

27 A. Yes.

28 Q. After you were captured, Mr Witness, did you see any other
29 captured civilians again?

1 A. A pretty lot.

2 Q. Where did you see them with the AFRC?

3 A. In Tombodu Town.

4 Q. Do you know how many civilians you met with?

12:35:20 5 A. A pretty lot.

6 Q. One hundred, 200, 50, 10?

7 A. I cannot give you a figure here.

8 Q. Where were these civilians staying in Tombodu?

9 A. We were in the town, Tombodu Town, under the strict
12:35:48 10 supervision of the AFRC fighters.

11 Q. Before you were captured, where did you stay in Tombodu?

12 A. Before I was captured?

13 Q. Yes.

14 A. The day I entered Tombodu Town, it was the very day I was
12:36:09 15 captured.

16 Q. That was the day you were captured, okay. So after that
17 where did you stay?

18 A. I was with -- I was under -- I was in bondage by then,
19 under the strict supervision of Gullit's men.

12:36:22 20 Q. Yes, I --

21 A. They dictated my place.

22 Q. I understand you have said that that, but where did you
23 stay; in a house, in a field, in a farm, in the bush? That is
24 what I am asking.

12:36:39 25 A. In a house.

26 Q. Whom did you stay with in this house?

27 A. The fighters, the AFRC fighters. We were under their
28 strict supervision.

29 Q. Mr Witness, did you stay with other captives or did you

1 stay with the fighters?

2 A. The fighters and us were staying together. They stayed
3 with us to make sure that we don't escape.

4 Q. You have said you do not remember the number of captives;
12:37:21 5 is that not so?

6 A. A pretty lot of us in Tombodu Town.

7 Q. Did all of you stay in the same house?

8 A. No, Tombodu is a big town and, you see, there are enough
9 fighters to supervise all of us. Armed men, you see. Even one
12:37:39 10 armed man can be in control of hundred unarmed civilian.

11 Q. That is what I am asking you. I said did you, the
12 civilians whom you claimed were captured -- did you stay in the
13 same house?

14 A. No, Tombodu is a big town.

12:37:56 15 Q. No, answer the question, please?

16 A. No.

17 Q. Did you stay in different houses?

18 A. Yes.

19 Q. Were the commanders you have named staying with captured
12:38:10 20 civilians?

21 A. Repeat that again, sir.

22 Q. Were the commanders you have named staying with captured
23 civilians?

24 A. Through their -- whenever they're ordered by their
12:38:25 25 commander, Gullit, to do so, so they will do so.

26 Q. Please listen to my question. When you were in Tombodu you
27 said you stayed in a house?

28 A. Yes, after we had been taken -- after having been abducted.

29 Q. Let me try and make it clear for you. You stayed in a

1 house. How long did you stay in that house?

2 A. Until they ordered us to move from Tombodu.

3 Q. Was that the case for other civilians?

4 A. Yes.

12:38:59 5 Q. Did the commanders themselves supervise you?

6 A. They gave instructions to their subordinates -- their
7 fighters to do the supervision.

8 Q. So the commanders were not the ones supervising you?

9 A. No, their fighters were doing that work.

12:39:25 10 Q. Mr Witness, did you stay in the house -- let me ask you:

11 Did the commanders themselves live in houses?

12 A. Yes.

13 Q. Did you stay in the house of any commander?

14 A. Yes.

12:39:42 15 Q. Which commander?

16 A. Staff Lahai -- Staff Alhaji. Sorry that I never mentioned
17 his name. Staff Alhaji.

18 Q. You stayed in the house of Staff Alhaji?

19 A. Yes.

12:40:01 20 Q. You are certain, Mr Witness, that the person you have
21 referred to as Five-Five was at Tombodu?

22 A. Yes.

23 Q. In March 1998?

24 A. Yes.

12:40:20 25 Q. Can you remember how long he stayed there?

26 A. No, no.

27 Q. Was it just one day?

28 A. I cannot tell.

29 Q. Well, did he stay there for any period of time?

1 A. Yes.

2 Q. And you said that he was also part of the operation?

3 A. Yes.

4 Q. At Tombodu?

12:40:48 5 A. Yes.

6 Q. You said that hundreds of civilians were killed there.

7 A. Yes.

8 Q. And that hundreds of amputations took place.

9 A. Yes.

12:41:10 10 Q. The figures you have given, Mr Witness, did you count them?

11 A. Well, I saw a large number of -- [Overlapping speakers].

12 Q. Please, just answer my question.

13 A. No.

14 Q. Before you went to Tombodu that day, the day you were

12:41:44 15 captured, had you ever been there before?

16 A. No.

17 Q. Am I right to say that you had never known the population

18 of Tombodu before you went there?

19 A. No.

12:42:01 20 Q. When you were now in Kono -- do you agree with me that

21 Tombodu is in the Kono District?

22 A. Yes.

23 Q. Before you got there can you tell me -- tell this Court

24 where you passed through in the Kono District?

12:42:39 25 A. Well, as I said before, you see, that time I was running

26 for my life so I don't remember all the places I passed through

27 until the time I arrived at Tombodu.

28 Q. Did you pass through Bumpeh?

29 PRESIDING JUDGE: Name that place again, Mr Manly-Spain.

1 MR MANLY- SPAIN: Bumpeh. B-U-M-P-E-H, Your Honour.

2 THE WITNESS: No idea.

3 MR MANLY- SPAIN:

4 Q. Did you pass through Koi du Town? Koi du, K-O-I-D-U.

12:43:11 5 A. No idea.

6 Q. No idea. Mr Witness, you have told us a lot of things, you
7 have given the names of places; is that so?

8 A. Yes.

9 Q. You spelled those places for us?

12:43:35 10 A. Yes.

11 Q. Now you tell us you were not in a good state of mind, you
12 cannot remember things?

13 A. Those early things.

14 Q. When did you start remembering things?

12:43:44 15 A. Well, I think at the time when I have been taken hostage
16 there is confidence in me with Gullit to stay with them. I was
17 assured that I am safe in their hands. So that was how I regain
18 my normal senses.

19 Q. Did you feel safe after you came into the hands of the
12:44:17 20 AFRC?

21 A. Initially no.

22 Q. When did you begin to feel safe?

23 A. Well, when confidence was in me when I was given the
24 task -- when Gullit who was the ringleader say well, I should
12:44:30 25 help him by telling what was happening in the news. So that was
26 my own function.

27 Q. Mr Witness, I want to ask you about Tombodu. When you said
28 the attack on Tombodu was in March 1998, how long after you were
29 captured did this attack take place?

1 A. I don't remember.

2 Q. How long did the attack last for?

3 A. I don't remember.

4 Q. Mr Witness, did you go on that attack?

12:45:39 5 A. We're in Tombodu Town. I didn't -- the attack was in Kono.
6 Tombodu is in Kono. The attack was to -- ECOMOG to move all the
7 AFRC or RUF fighters out of Kono.

8 Q. Please try and remember, Mr Witness. Was it an attack by
9 the ECOMOG?

12:46:13 10 A. Yes.

11 Q. So it was not an attack by the AFRC on ECOMOG?

12 A. ECOMOG attacked AFRC to get out of Kono.

13 Q. You are certain of that?

14 A. Yes.

12:46:29 15 Q. After this attack by ECOMOG -- first of all, let me ask you
16 this: Was there an attack by the AFRC on Tombodu?

17 A. When I arrived at Tombodu the AFRC forces were already
18 there.

19 Q. Yes, I am asking you was there an attack on Tombodu by
12:47:15 20 AFRC?

21 A. Well, I don't know how they occupied that place. I was
22 running for my life when I fell into their hands.

23 Q. Did anyone tell you that the AFRC had attacked Tombodu?

24 A. Nobody, nobody.

12:47:28 25 Q. Nobody told. You said that the town was burnt down. Were
26 you there when it was burnt down?

27 A. Yes.

28 Q. And you said the orders were given in your presence?

29 A. Yes.

1 Q. So I am asking you again, Mr Witness, was there an attack
2 on Tombodu by AFRC forces?

3 A. Well, in that regard, yes. They were burning the town, you
4 see. Killing civilians. When I was in their hands, you see.

12:48:22 5 Q. So, Mr Witness, you are now saying that there was an attack
6 by AFRC forces on Tombodu?

7 A. If that is what you meant, when I was already an abductee,
8 what those guys were doing, yes, I was present when they were
9 doing those things. But what I was -- my understanding of the
10 operation was --

12:48:52

11 MR MANLY-SPAIN: As Your Honour pleases, I think is about
12 quarter to 1.00.

13 PRESIDING JUDGE: I presume, Mr Manly-Spain, from what you
14 say you have got other questions on this line of questioning.

12:49:06

15 MR MANLY-SPAIN: Yes.

16 PRESIDING JUDGE: Then it may be appropriate to adjourn
17 now, as it is quarter to 1.00, for the lunch time adjournment.
18 Mr Court Attendant, please adjourn court to quarter past 2.00.

19 [Luncheon recess taken at 12.45 p.m.]

14:22:47

20 [TB110705D - EKD]

21 [On resuming at 2.20 p.m.]

22 MS THOMPSON: Your Honour, I beg your indulgence. I remain
23 standing because I have got information from Mr Brima that this
24 lunch time they weren't able to have their lunch and he is an
25 ulcer patient. He does, however, have milk that he drinks from
26 time to time to alleviate any discomfort that he might be
27 suffering. He requests if he could have that milk in court so he
28 will be sipping it during this afternoon's proceedings.

14:26:04

29 PRESIDING JUDGE: Ms Thompson, we have no trouble with

1 that. I would prefer that it wasn't glaringly on view, so some
2 discretion. On the carton, I am talking about.

3 MS THOMPSON: Yes, Your Honour, that will be done.

4 PRESIDING JUDGE: But it is, of course, on the

14:26:36 5 understanding that this is because of his medical condition,
6 rather than to set a precedent for anything other than bottles of
7 water.

8 MS THOMPSON: Yes, Your Honour, that is clearly understood.
9 Thank you very much.

14:26:50 10 PRESIDING JUDGE: Before we go into session,
11 Mr Manly-Spain, you had spoken this morning about the Bar
12 conference. I have taken an opportunity to look both at my
13 invitation and consult. What kind of time frame are you looking
14 at? The conference is scheduled to start at 9.30 with an opening
15 address by chief justice. What were you seeking?

16 MR MANLY- SPAIN: The whole day, Your Honour, because the
17 afternoons will be the election of a new president and executive.

18 PRESIDING JUDGE: Yes, we will allow that, Mr Manly-Spain.
19 Yes, Mr Manly- Spain.

14:27:59 20 MR MANLY- SPAIN: We are much obliged, Your Honour.

21 PRESIDING JUDGE: That will mean there will be no court. I
22 am presuming, of course, that that applies only to the
23 Sierra Leonean Bar members, but since we cannot run the Court
24 without you, that will apply to the whole Court as a result.

14:28:18 25 MR MANLY- SPAIN: We are much obliged, thank you.

26 Q. Good afternoon, Mr Witness.

27 A. Good afternoon.

28 Q. Mr Witness, this morning you mentioned the name of Savage.

29 A. Yes.

1 Q. Do you know what his position was amongst the AFRC
2 commanders that you mentioned?

3 A. He was a subordinate commander to Gullit.

14:29:09 4 Q. Are you saying "a" or "the"? "A subordinate commander" or
5 "the" --

6 A. No, a subordinate commander.

7 Q. A subordinate commander. Thank you. Mr Witness, you also
8 mentioned that ECOMOG defeated the AFRC and the RUF at Tombodu,
9 and Gullit ordered his soldiers to go to his home town, Yaya?

14:29:41 10 A. Yes.

11 Q. Were there at the time at Tombodu RUF fighters?

12 A. I said in Koidu Town there was RUF fighters in Koidu Town.
13 Tombodu, they are AFRC fighters.

14 Q. Mr Witness, I believe you said, in answer to my question,
14:30:08 15 that you do not know anything about Koidu.

16 A. I did not say so.

17 Q. Do you remember I asked you whether you passed by Koidu and
18 you said you could not remember?

19 A. You said when coming to Kono.

14:30:27 20 Q. So when going to Tombodu.

21 A. The only time I stepped foot to Koidu, when we were asked
22 to go and get food from Koidu. When we are ordered to go and get
23 food from Koidu to bring to Tombodu.

24 Q. Okay. So you did go to Koidu?

14:30:48 25 A. Yes.

26 Q. Did you meet RUF fighters there?

27 A. Yes.

28 Q. At Tombodu did you see any RUF fighters?

29 A. I cannot say.

1 Q. But did you say this morning that ECOMOG defeated AFRC and
2 RUF fighters at Tombodu?

3 A. Because ECOMOG --

4 Q. No, just answer, did you say that?

14:31:26 5 A. Yes.

6 Q. Mr Witness, I asked you earlier this morning whether you
7 received any military training, and you said no.

8 A. Yes.

9 Q. But you have been giving evidence of battle since; is that
14:31:47 10 not so?

11 A. Yes.

12 Q. Did you go on any battle?

13 A. Well --

14 Q. Just yes or no.

14:31:55 15 A. While roving --

16 Q. Did you go on any battle?

17 A. On the roving, yes.

18 Q. How many did you take part in?

19 A. No, I was not actually taking part, but we were civilians,
14:32:08 20 abductees. In that other sense we are somehow -- we are human
21 shield, I may say.

22 Q. Okay, Mr Witness, I want you to explain to us what you know
23 about attacks carried out by AFRC fighters.

24 A. As we rove, as the aforementioned towns, they burn down
14:32:47 25 towns, kill civilians using all sorts of crude and -- crude
26 weapons and guns. They use clubs, machetes, rifles to kill
27 civilians, and also they burn down towns.

28 Q. Were you present in any of these attacks?

29 A. Yes, on the roving I was present.

- 1 Q. Please tell us which of them you were present at.
- 2 A. They aforementioned ones.
- 3 Q. Which of them, all of them?
- 4 A. Those I have mentioned in my statement.
- 14:33:25 5 Q. Okay, let me go one by one.
- 6 A. Yes.
- 7 Q. The attack on Yifin.
- 8 A. Yes.
- 9 Q. Were you present?
- 14:33:32 10 A. Yes.
- 11 Q. What were you doing?
- 12 A. I was there as a human shield.
- 13 Q. What about the attack on Saama Bendugu?
- 14 A. The same, I was present.
- 14:33:58 15 Q. What about Bonoya?
- 16 A. I was present too.
- 17 Q. What about the attack on Karina?
- 18 A. I was also present.
- 19 Q. What about Mandaya?
- 14:34:21 20 A. Mandaya.
- 21 Q. Mandaya?
- 22 A. Mandaya, we are made to rest there when --
- 23 Q. Were you present?
- 24 A. Yes, I was present.
- 14:34:29 25 Q. What about Mange Bureh?
- 26 A. Well, there were -- Mange Bureh was mentioned twice. I
- 27 don't know which --
- 28 Q. Okay, the first one.
- 29 A. The first one?

1 Q. Yes.

2 A. The first one I was not present.

3 Q. What about the second one?

4 A. We are on the roving.

14:34:51 5 Q. Were you present?

6 A. Yes.

7 Q. I want you to remember were the attacks on Bonoya and
8 Karina carried out at the same time, simultaneously?

9 A. I may say yes.

14:35:19 10 Q. Yes. And did you make a statement to that effect to the
11 investigators of the Special Court?

12 A. I believe so.

13 Q. Do you remember the date you made your statement or should
14 I remind you? 29th of August 2002.

14:35:46 15 A. Yes.

16 Q. Where were you when you made this statement?

17 A. At OTP.

18 Q. The Office of the Prosecution.

19 A. Yes.

14:35:57 20 Q. I wish to refer you to your statement, Mr Witness.

21 MR MANLY- SPAIN: Your Honours, may I refer to his statement
22 at page 9837. The second paragraph, your Honour, if I may just
23 read with your permission.

24 PRESIDING JUDGE: Yes, please proceed, Mr Manly- Spain.

14:36:33 25 MR MANLY- SPAIN:

26 Q. "In Bombali District" -- Mr Witness, please listen. This
27 is your statement. "In Bombali District, in the towns of Bonoya
28 and Karina, in the month of June 1999, these two towns were
29 attacked at about 5.00 a.m simultaneously." Did you say that to

1 the OTP?

2 A. Simultaneously?

3 Q. Yes.

4 A. I don't think I --

14:36:59 5 Q. At 5.00 a.m. simultaneously.

6 A. Well, I don't remember. I made that statement a long time
7 ago.

8 Q. Well, that time was closer to the date of the incident than
9 it is today; is that not so?

14:37:22 10 A. Yes.

11 Q. And your memory was fresher then of the incidents?

12 A. Yes.

13 Q. So please remember again, did you make that statement, that
14 they were attacked at 5.00 a.m. simultaneously?

14:37:37 15 A. The attacks were carried out in the early hours of the day.

16 Q. At the same time?

17 A. That's 5.20 a.m.? What I meant here -- Bonoya was attacked
18 at the same time when Karina also was attacked. The same troops
19 attacked the place at the --

14:38:06 20 Q. At the same time. And you were in both places; is that not
21 so?

22 A. I don't mean the hour. What I mean, that same period of --
23 that same period, the two towns were attacked.

24 Q. You have just answered to me that you were present at the
14:38:27 25 Karina attack and at the Bonoya attack, and you have just said
26 they were attacked at the same time. So I am saying to you is it
27 the case that you were present at both attacks at the same time
28 -- which occurred at the same time?

29 A. After the attack on Karina, I also went over to see the

1 attack on Karina.

2 Q. Mr Witness, do you expect this Court to believe that you
3 were not a fighter; you were a human shield?

4 A. Yes.

14:39:09 5 Q. So after one attack, you went to the other place to see the
6 attack that had finished?

7 A. We were many. We human shields were --

8 Q. Just answer my question. Do you want this Court to believe
9 that?

14:39:22 10 A. Yes.

11 Q. Thank you.

12 PRESIDING JUDGE: I note the witness said Karina twice. I
13 am talking about the oral evidence, Mr Manly-Spain. I have:
14 "After the attack in Karina, I also went over to see the attack
15 on Karina."

14:39:58

16 MR MANLY- SPAIN:

17 Q. Mr Witness, did you mean to say you went over to see the
18 attack at Bonoya?

19 A. We arrived first at Bonoya. When Bonoya was under attack,
14:40:13 20 another troop -- other fighters went next over to Karina. Karina
21 and Bonoya are very close towns. They are very close.

22 Q. Yes, Mr Witness, you have said that. But I am just asking
23 you, are you now saying it was Bonoya that was first attacked?

24 A. Yes, because we first arrived at Bonoya. After it had been
14:40:41 25 attacked, other troops -- Gullit ordered the other troops to
26 advance for the next town, which is Karina, because of the
27 proximity. So he didn't want the inhabitants of that town to go
28 scot free.

29 Q. Mr Witness, did you witness both attacks?

1 A. Yes, I witnessed both.

2 Q. What time did the attack take place at Bonoya?

3 A. In the early hours of that day.

4 Q. Like what time, 5.00 a.m.?

14:41:23 5 A. Along that, within that period.

6 Q. Were you there?

7 A. I was present.

8 Q. When did the attack finish?

9 A. Bonoya?

14:41:38 10 Q. Bonoya.

11 A. The attack on Bonoya took about an hour.

12 Q. So according to you, when that attack was completed, Gullit
13 ordered the men to go to Karina?

14 A. No, because there was enough manpower for the two towns.

14:42:04 15 So one section of the fighters were made to attack -- were
16 ordered to attack Bonoya, and, because of their proximity, the
17 proximity between the two towns, one other set advanced for
18 Karina.

19 Q. Which set were you with initially?

14:42:28 20 A. We were in a large crowd. After witnessed what had
21 happened in Bonoya, I decided again to move over to see what was
22 going on in Karina.

23 Q. And you were free to move to go and see?

24 A. I was among --

14:42:46 25 Q. No, please listen. You said you moved over. I am asking
26 you whether you were free to move. The decision, according to
27 you, was yours. You just decided to go over and see what was
28 happening in the other place.

29 A. I was among the fighters that were also assigned to move

1 over to the other side.

2 Q. Okay, Mr Witness, we'll move on. You say you were amongst
3 the fighters. I am putting it to you again that you were a
4 fighter.

14:43:14 5 A. No, as a human shield.

6 Q. Please just explain to us how you were used as a human
7 shield when you were going to move from Bonoya to Karina?

8 A. Well, that is the only way I can explain. As I have stated
9 here, I have no other way to explain it to you. This is the only
14:43:43 10 way I can explain it. The towns were too close together, they
11 were not -- three quarters to a mile, you see, and we are in a
12 very big crowd.

13 Q. Mr Witness, did the forces you were with, did they take
14 civilians on attacks?

14:44:09 15 A. According -- yes.

16 Q. Every time?

17 A. Most times, yes.

18 Q. Most times; okay, Mr Witness. Mr Witness --

19 A. Sir?

14:44:31 20 Q. -- how big was Bonoya?

21 A. Well, it is a town, as far as Salone -- Sierra Leone is
22 concerned. Bonoya is well over 200 houses, and in Sierra Leone a
23 town like that, of that nature, is a town; over 200 houses.

24 Q. Mr Witness, how big was Karina?

14:45:06 25 A. Karina also is about that, between 250 -- 200 to 250
26 houses.

27 Q. When was the first time that you went to Bonoya,
28 Mr Witness?

29 A. The very time we were go on the roving.

1 Q. That was the first time you go to Bonoya?

2 A. Yes.

3 Q. How long did you spend there?

4 A. Well, about three hours the two towns.

14:45:43 5 Q. No, I am talking about Bonoya.

6 A. In Bonoya?

7 Q. Yes.

8 A. About -- I can't remember, I don't remember the time I
9 spent there.

14:45:54 10 Q. As a human shield, that you say you were, did you go all
11 over the town?

12 A. No.

13 Q. No. Did you count the houses that were in Bonoya?

14 A. No, I only give an approximation.

14:46:17 15 Q. You guessed.

16 A. An approximation.

17 Q. How about Karina, how long did you spend there?

18 A. I don't remember the time we spent -- I spent there.

19 Q. Did you go around the entire town?

14:46:38 20 A. No.

21 Q. Did you count the houses that were there?

22 A. No.

23 Q. The number that you have given is also a guess about the
24 houses.

14:46:52 25 A. It's an approximation.

26 Q. Mr Witness, in examination-in-chief you said that orders
27 were given by Gullit, and later on Gullit and SAJ Musa. And you
28 kept on saying, "I was always there, I was always there." Is
29 that not so?

1 A. Yes. Because we are together as a group.

2 Q. Did you -- did the commanders of the troops ever hold
3 meetings?

4 A. Yes, in an open forum

14:47:55 5 Q. So they never had meetings in which you, the captives, were
6 not present?

7 A. In the presence of everybody. That's why I said in an open
8 forum.

9 Q. I am asking you did they ever have meetings in which you
14:48:10 10 and other captives were not present?

11 A. No idea.

12 Q. You don't know?

13 A. Yes.

14 Q. But you are telling us - this Court - that every time they
14:48:21 15 planned an attack and an order was given to attack, it was done
16 in the presence of all the captives?

17 A. Yes.

18 Q. Thank you. Mr Witness, did the troops that were with you
19 have a brigade?

14:48:44 20 A. I don't know what you mean by that.

21 Q. Do you know -- have you ever heard the word "battalion"?

22 A. "Battalion"?

23 Q. Yes.

24 A. It's a military word. I've read about it.

14:49:13 25 Q. You know that it is a group or number of soldiers?

26 A. Yes.

27 Q. During that period you were in captivity with this group,
28 did you know whether they had battalions?

29 A. No.

1 Q. They didn't have?

2 A. I mentioned companies, not battalions.

3 Q. They only had companies?

4 A. Yes, that was the language they were using: Companies.

14:49:40 5 Q. The companies you said were four?

6 A. Yes.

7 Q. Do you know how many men were in each company?

8 A. Over 100.

9 Q. Mr Witness, where did they set up these companies? Where
14:50:08 10 were the troops when they set up the companies?

11 A. At Yaya.

12 Q. As a journalist, Mr Witness, a man who has read, you know
13 the four directions - east, west, north and south?

14 A. Yes.

14:50:36 15 Q. Where was Yaya in relation to Tombodu that you were at the
16 beginning?

17 A. I know Ngaya is in Kono.

18 Q. What direction - north or south or east or west of Tombodu?

19 A. Well, I cannot tell you. I don't -- but I know Ngaya in
14:51:00 20 Kono.

21 Q. Is it the case that you went from Tombodu to Yaya?

22 A. There we are ordered to go. That is the home town of
23 Gullit.

24 Q. How long did it take you to go there?

14:51:26 25 A. I don't remember.

26 Q. You said, Mr Witness, that from Yaya you went to Yiffin?

27 A. Yes.

28 Q. Did you go to any place between -- did you stop - let me
29 put it that way - at any place between Yaya and Yiffin?

1 A. Well, I don't remember.

2 Q. Have you ever heard the name Kurubola?

3 PRESIDING JUDGE: Could you spell that for us,
4 Mr Manly-Spain?

14:52:24 5 MR MANLY-SPAIN: I believe, Your Honour, it is
6 K-U-R-U-B-O-L-A.

7 THE WITNESS: That was long time ago. I know it's a town
8 in Sierra Leone.

9 MR MANLY-SPAIN:

14:52:42 10 Q. On your journey with the troops from Yaya to Yiffin, did
11 you go through Kurubola?

12 A. I don't remember.

13 Q. Do you know of a place called Mansofinia?

14 A. I don't remember.

14:52:58 15 Q. Did you pass by Mansofinia?

16 A. I don't remember. There are many places we passed through
17 that I don't remember their names.

18 Q. I want to put another question to you. Did you stop and
19 stay at Mansofinia on your way from Yaya to Yiffin?

14:53:23 20 A. I don't remember.

21 Q. Mr Witness, do you remember telling this Court that when
22 the commanders returned, they reported to Gullit about what
23 happened on their attacks?

24 A. Yes.

14:53:59 25 Q. Please, I want you to just remind us of the occasions that
26 this happened. What attacks had they returned from?

27 A. Well, the aforementioned attacks. I've already stated that
28 in this Court.

29 Q. When you say "aforementioned," do you include the attack at

1 Bonoya?

2 A. No, not the one we rove on.

3 Q. Well, just tell us the ones.

4 A. Like Yiffin, Saama Bendugu, Gbinti -- sorry. The attack he
14:54:43 5 assign people to go on: Gbinti --

6 Q. Okay, let us take Yiffin.

7 A. No, not Yiffin. Yiffin was on the roving. Saama Bendugu
8 was on the roving. I need to correct that. The places he
9 assigned commanders and fighters to go and attack, this is like

14:55:04 10 Gbinti.

11 Q. Okay, let us go back to Yiffin. Were you present at the
12 Yiffin attack?

13 A. Yes, we are on the roving, yes.

14 Q. How many civilians were with you when they went to attack
14:55:20 15 Yiffin?

16 A. The civilians with us? About 700 of us.

17 Q. All went on this attack?

18 A. Yes.

19 Q. Did you meet any resistance at Yiffin?

14:55:35 20 A. At Yiffin?

21 Q. Yes.

22 A. There was no resistance.

23 Q. How long did you spend at Yiffin after that?

24 A. We didn't take long there. About two hours, then we
14:56:16 25 continued moving.

26 Q. Whilst you were there, did you go about counting dead
27 bodies?

28 A. I said that I saw about 40 civilians killed there.

29 Q. Let me remind, you said 60.

1 A. Sorry, 60.

2 Q. Did you count bodies whilst you were at Yiffin?

3 A. Well, you can see bodies and you can give an estimate, an
4 approximation. Not that I counted head by head. But you can

14:56:49 5 see, you can see as you go people lying down dead, then quickly
6 you can give, because there was no time for me to go and check
7 one by one. But the dead bodies I saw, I gave an -- the estimate
8 I am giving is an approximation.

9 Q. Did you go all over the town?

14:57:09 10 A. No.

11 Q. Were the dead bodies you saw in one place?

12 A. They were scattered about.

13 Q. I mean, in the same area like you are in this --

14 A. Not like --

14:57:25 15 Q. Just let me explain.

16 A. It's like an open field.

17 Q. That is what I am asking. All the bodies you saw were at
18 an open field?

19 A. Those lying out, because they were -- some of the soldiers
14:57:43 20 were trying to run away. They were hacked with machetes and
21 others were fired at.

22 Q. Do you know how many houses are at -- were at Yiffin?

23 A. No, it's a big town.

24 Q. Big town. Before that date had you gone -- had you been to
14:58:13 25 Yiffin?

26 A. That was my first day.

27 Q. Mr Witness, what time of the day was this attack?

28 A. Yiffin?

29 Q. Yes.

1 A. It was at day break.

2 Q. Day break?

3 A. Yes.

4 Q. And you say you spent about one and a half hours there?

14:58:41 5 A. About two hours I said.

6 Q. Two hours. What were you doing during those two hours?

7 A. We were still in the town before orders were given --

8 Q. No, I am asking about you in particular, what you in
9 particular were doing?

14:59:07 10 A. I was not doing anything.

11 Q. You were not doing anything, okay. Mr Witness, you say you
12 were used as a human shield to attack Yiffin?

13 A. That was the role of -- that was what we were subjected to.
14 The abduction of civilian was for that purpose.

14:59:34 15 Q. Before you went on the attack at Yiffin were you told why
16 you should attack Yiffin?

17 A. Well, as per Gullit's previous meeting in his home town.
18 So he suggest -- that was an implementation of what he said at
19 that meeting.

15:00:02 20 Q. Were there ECOMOG soldiers there?

21 A. No idea.

22 Q. Were there CDF fighters?

23 A. There was no resistance, so I can't say.

24 Q. And you are saying you were used as a human shield.

15:00:20 25 Against what?

26 A. Well, fortunate for them, because any time -- anywhere
27 there was a deployment of ECOMOG and other forces, our purpose of
28 being among -- their purpose of abducting -- the AFRC fighters
29 abducting civilians was to fulfill that purpose in case of -- in

1 an event where there is a resistance from the other the forces,
2 you see. So we are used as human shields.

3 Q. I want you to now -- now, let us go to Gbendembu. You said
4 that Gullit ordered Arthur Tito to attack Gbendembu?

15:01:23 5 A. Yes.

6 Q. Because there was heavy deployment of ECOMOG and loyal SLAs
7 there?

8 A. Yes.

9 Q. And their purpose was to obtain arms and ammunition --

15:01:28 10 A. Yes.

11 Q. -- kill civilians and burn the town?

12 A. Yes.

13 Q. Three hundred AFRC fighters went; is that so?

14 A. Yes.

15:01:41 15 Q. Did they go with human shield?

16 A. No.

17 Q. Okay. So this is one occasion which they did not go with
18 human shield; is that so?

19 A. Because we are at a --

15:01:57 20 Q. Answer my question, please.

21 A. Yes.

22 Q. Can you remember any other such occasions?

23 A. The only time they used us as human shields, especially
24 when we were on the roving. But when they assigned the

15:02:13 25 commanders and fighters to go and attack, they go with the

26 fighters only. But when we are on the roving, we are always with

27 them; they put us among them. In case of any attack, well, there

28 then they use us as human shields. Not when they assign a

29 commander to go and attack a particular village or town.

1 Q. Mr Witness, Mange Bureh. When you went to Mange Bureh,
2 were you on the roving, as you put it?

3 A. [Indiscernible] at the second mention of Mange Bureh.

4 [TB110705E-SGH]

15:02:29 5 Q. When you went there, were you on the roving?

6 A. Yes.

7 Q. Where did you come from? What place did you leave
8 immediately before you went to Mange Bureh?

9 A. Well, we left Gberemantmatank. The second camp after we
15:02:54 10 left, we were forced to leave Rosos and then we went over to
11 Gberemantmatank. That was the second camp.

12 Q. How many troops went during that second attack?

13 A. We were on the roving. The whole group was on the move.

14 Q. Yes, give us the number now. The soldiers, first of all.

15:03:21 15 How many soldiers?

16 A. Okay. SAJ Musa came with 500. 0-Five, 400 plus, with 400
17 initially.

18 Q. That is 1300.

19 A. Nine plus four: 1,300 armed AFRC fighters.

15:03:48 20 Q. Yes. And what about the civilians, the abducted civilians?
21 How many?

22 A. Well, initially we are 700. As we are roving all the
23 villages they did carry some abductions, so the number was
24 rising. Rising. Rising.

15:04:04 25 Q. Do you know the number?

26 A. Well, up to that point of which that -- I cannot give you a
27 precise number, but abductions were carried out. But I know the
28 initial number at Yaya was about 700, but -- [overlapping
29 speakers]

- 1 Q. 700.
- 2 A. -- carried on -- carried out as --
- 3 Q. 700 with you at Yaya?
- 4 A. Yes.
- 15:04:27 5 Q. Did 0-Five come with civilians?
- 6 A. Yes.
- 7 Q. Do you know how many?
- 8 A. 0-Five came with about 400, about 500 civilians.
- 9 Q. That makes it one million -- 1,200.
- 15:04:50 10 A. Yes.
- 11 Q. Yes. And did SAJ Musa join you with --
- 12 A. 400.
- 13 Q. 400, yes. I thought you said 500 this morning.
- 14 A. 400. 500 was the armed men.
- 15:05:18 15 Q. You said 500 civilians, 500. So, anyway, you say 400 now,
16 so that makes it 1500.
- 17 A. Okay.
- 18 Q. You were saying that it was the entire 1500 civilians that
19 went with the troops to Mange Bureh the second time?
- 15:05:31 20 A. Yes, we are on the roving, because we are heading now for
21 Freetown. We can tell the group was on the move.
- 22 Q. Mr Witness, so you had 2,800 people that attacked
23 Mange Bureh.
- 24 A. Yes, the entire group was present.
- 15:06:06 25 Q. Thank you. Mr Witness, the civilians -- amongst the
26 civilians that were with you at Yaya, did commanders have their
27 families with them?
- 28 A. No idea.
- 29 Q. You don't know?

1 A. Yes, no idea. The only time I can tell the AFRC fighters
2 family were -- relatives were among, when SAJ Musa came. He came
3 along with relatives of -- as they reported. Those who he came
4 with fled with them from Freetown during the ECOMOG military
15:06:40 5 invention.

6 Q. So SAJ Musa at least came with family and friends --

7 A. Yes.

8 Q. -- Of AFRC people?

9 A. Yes. Including their wives.

15:07:06 10 Q. That is what I asked you. So were they also, these
11 families and friends and wives -- were they also used as human
12 shields?

13 A. Well, everybody was in the group, so everybody was forced
14 to play the same role.

15:07:24 15 Q. So they were human shields also?

16 A. Yes.

17 Q. Thank you. When SAJ Musa joined you, did he come with his
18 wife?

19 A. No.

15:07:59 20 Q. And where did you say you were at that time?

21 A. At Gberemantmatank.

22 Q. Gberemantmatank. Do you know what district that place is?

23 A. Port Loko District.

24 Q. Port Loko District. So am I right in saying that the first
15:08:29 25 time you saw SAJ Musa you were in Port Loko District?

26 A. Yes.

27 Q. Am I also right to say that the first time the troops you
28 were with met with SAJ Musa was when you were in the Port Loko
29 District?

1 A. Yes.

2 Q. Do you know Kabala Town, Mr Witness?

3 A. I have been there before, but not during the war.

4 Q. During this period did you not go to Kabala?

15:09:28 5 A. No, I didn't.

6 Q. Okay, let me ask you this: During the month you were with
7 the troops before you left for Freetown, was the person you
8 referred to as Five-Five always with you, this group?

9 A. I came in contact with him when I was abducted in Tombodu.

15:10:00 10 Q. Yes, that is what I am asking you now.

11 A. Yes.

12 Q. From Tombodu you were with Five-Five?

13 A. Yes.

14 Q. Until you get to Yiffin?

15:10:04 15 A. Yes.

16 Q. And you were with him until you got to Freetown?

17 A. Yes.

18 Q. Are you sure he never left you to go to Kabala?

19 A. I don't know. I don't remember.

15:10:23 20 Q. According to you, Five-Five was sent on one mission to
21 Gbinti?

22 A. Yes.

23 Q. Mr Witness, I want you to remember your time in Rosos.

24 What month did you arrive in Rosos?

15:11:09 25 A. It was in the month of June 1998.

26 Q. Yes. And did you spend three months there?

27 A. From June, because of that bombardment of ECOMOG at the end
28 of -- at the tail end of August to 28th August, we finally
29 vacated Rosos.

1 Q. What district is Rosos?

2 A. In the Bombali District.

3 Q. Do you know what district -- you said -- okay, you said
4 that Gbinti is in the Port Loko District?

15:12:02 5 A. Yes.

6 Q. Do you know how far it is from -- Gbinti is from Rosos?

7 A. I don't know because I was not involved in the attack that
8 Five-Five carried out at Gbinti.

9 Q. You see, I get worried, Mr Witness, when you say you were
15:12:30 10 not involved. You were not involved. You mean you did not go on
11 that attack?

12 A. I mean I did not go.

13 Q. Were any other civilians taken in that attack?

14 A. No idea.

15:12:58 15 Q. Mr Witness, Gbinti -- I am sorry. Rosos is on the
16 north-east of Gbinti, is it?

17 A. I don't know.

18 Q. Have you ever been to Gbinti?

19 A. Before the war, yes.

15:13:23 20 Q. Yes. So you know where it is?

21 A. In the Port Loko District.

22 Q. And you also know where Rosos is?

23 A. Yes.

24 Q. In the Bombali District?

15:13:28 25 A. Yes. Yes.

26 Q. Would you not agree that Rosos is further north from
27 Freetown than Gbinti?

28 A. Well, you can tell.

29 Q. I want you to tell us, Mr Witness.

1 A. Well, I don't know.

2 Q. You were there, according to you.

3 A. I cannot tell. But I know that Rosos is in the Bombali
4 District and Gbinti is in Port Loko District. That is all I can
15:14:05 5 say.

6 Q. Would you agree with me that to go from Rosos to Gbinti you
7 would have to go through Makeni?

8 A. I don't know.

9 Q. And you would also have to go through Port Loko Town?

15:14:18 10 A. Well, I don't know the route they took. I didn't go with
11 them

12 Q. Mr Witness, at the time you were at Rosos, did you know
13 what troops were in control of Makeni?

14 A. I don't know. I never mentioned anything about Makeni.

15:14:52 15 Q. On your way to Freetown did you go by Makeni?

16 A. I never mentioned anything like that.

17 Q. Just answer my question, please.

18 A. No idea.

19 Q. Let us now talk about Gbendembu Town. Did you go there?

15:15:14 20 A. No.

21 Q. What you have said this morning are things that were told
22 to you about Gbendembu?

23 A. Yes. When the commander came back with his troop he came
24 and reported what went on there in the presence of everybody in
15:15:57 25 the group and I was present.

26 Q. Yes, Mr Witness. Mr Witness, you said in Rosos, when they
27 returned with civilians who had carried the loot, the civilians
28 were killed.

29 A. On the food finding mission.

1 Q. Yes.

2 A. When the fighters go and went on food finding mission,
3 coming back to the camp they come with -- they came with
4 prisoners and civilians who carried the goods for them to the
15:16:20 5 camp.

6 Q. Okay, Mr Witness. I take it -- is it the case that at
7 Rosos these troops did not add to the civilian population that
8 they had?

9 A. No, any -- from their food finding missions, any civilian
15:16:51 10 they came with, with loads on their head, immediately they
11 deposited the loads in Rosos. Gullit then orders -- he ordered
12 his fighters to kill them because he did not want them to escape
13 from that place and disclose the -- and notify ECOMOG that the
14 AFRC troops are present at Rosos.

15:17:15 15 Q. Now, you said that. What I am asking you, whilst at Rosos
16 did they add any civilians to the number of civilians that were
17 already with them?

18 A. No idea.

19 Q. At Gbendembu did they add any new civilians?

15:17:43 20 A. Well, they came along. The civilians who helped to carry
21 the arms and ammunition that were obtained at the attack on
22 Gbendembu.

23 Q. Where were you when this attack from Gbendembu was ordered?

24 A. We were at Gberemantmatank.

15:18:05 25 Q. Gberemantmatank.

26 PRESIDING JUDGE: Could you please pronounce that name
27 again? I didn't hear it very well.

28 THE WITNESS: Gberemantmatank.

29 MR MANLY-SPAIN: He spelt it before, Your Honour.

1 Q. Mr Witness, you have told this Court that after SAJ came he
2 refused - you can correct me - he refused to let Gullit hand over
3 command to him; is that so?

4 A. He didn't refuse, he said they should work in one accord.

15:19:13 5 Q. Did he take over command?

6 A. He did not take over command, he worked in one accord. He
7 worked in one accord.

8 Q. You said that the two of them would give the orders.

9 A. They were working in one accord, yes.

15:19:35 10 Q. They would both of them give the orders?

11 A. Which one?

12 Q. You have been telling us that SAJ and Gullit ordered. SAJ
13 and Gullit ordered?

14 A. I want you to --

15:19:49 15 Q. For example, you said that SAJ and Gullit ordered attack on
16 Masiaka.

17 A. Yes.

18 Q. Did they both speak at the same time?

19 A. They both agreed. They both agreed. That was an agreement
15:20:11 20 between the two. An agreement between the two of them.

21 Q. Were you present when this agreement was reached?

22 A. Yes.

23 Q. In the public?

24 A. Yes.

15:20:18 25 Q. Amongst all the abductees?

26 A. Yes.

27 Q. At that time you, Mr Witness, said you were at Madigba?

28 A. Yes.

29 Q. How big is Madigba?

1 A. Madigba is a small village.

2 Q. A small village?

3 A. Yes.

4 Q. And that small village, you remember how many houses it
15:20:46 5 contains?

6 A. About -- about ten houses.

7 Q. Ten houses?

8 A. Yes.

9 Q. Were you there with all of the troops and all of the
15:21:01 10 civilians?

11 A. That is -- that is -- the village is in the jungle.

12 Q. Please answer my question.

13 A. Yes.

14 Q. Yes. So you had 2,800 people at Madigba which was
15:21:23 15 comprised of ten houses?

16 A. Yes.

17 Q. And there the meeting was held where the two of them,
18 Gullit and SAJ Musa, had agreed to attack Masiaka?

19 A. Yes.

15:21:44 20 Q. Where were you at the time this agreement was reached?

21 A. I was present when the agreement was made. I was present.
22 I was present.

23 Q. Were you with the troops?

24 A. The whole -- the entire group was together.

15:22:01 25 Q. Were you with the troops?

26 A. Yes.

27 Q. You were not really abducted?

28 A. We were all together as one body. We are not separated.
29 Abductees, we stay at our own part in Yaya, and fight -- AFRC

1 fighters, they are staying in another area? No, you are all
2 together.

3 Q. How long were you at Madi gba?

4 A. I don't remember. I don't remember the days we spent at
15:22:44 5 Madi gba. The number of days.

6 Q. But do you remember the month of the year?

7 A. Yes, it was in December.

8 Q. December 1998?

9 A. Yes.

15:23:10 10 Q. Did you go on the attack at Masi aka?

11 A. No.

12 Q. Did they go with any civilians? Did the troops go with any
13 civilians?

14 A. On the attack?

15:23:23 15 Q. Yes.

16 A. No idea.

17 Q. Do you remember how long the troops went for?

18 A. How long they stayed?

19 Q. No, no, no. How long they went when they went on the
15:23:45 20 attack on Masi aka? How long they took before they came back?

21 A. They returned back the same day they went.

22 Q. The same day. Mr Witness, you have told this Court that
23 the RDF camp at Sumbuya was burnt down.

24 A. Yes.

15:24:25 25 Q. Had you been there before you went there with the AFRC
26 troops?

27 A. Say that again.

28 Q. Before you went there with the troops you were with, had
29 you been there before?

1 A. With the RUF?

2 Q. Yes.

3 A. Before the war I know that place. I know Sumbuya. I know
4 where the RDF is located.

15:24:52 5 Q. Do you remember the coup d'etat of the NPRC?

6 A. Yes.

7 Q. Did you go to the RUF camp after that?

8 A. I don't -- I used to pass by when I -- you know that -- it
9 is on the highway. So when I used to travel up-country to pass

15:25:21 10 there. I don't go there and I never visited that place.

11 Q. Do you know that it was burnt down during that NPRC group?

12 A. I have no idea.

13 Q. When you went to this camp were you -- let me say it again.

14 How many soldiers were you with then?

15:25:55 15 A. The entire group?

16 Q. Yes, the entire group, 1,300?

17 A. Everybody on the roving.

18 Q. How many civilians?

19 A. The number you calculated here.

15:26:16 20 Q. Thank you. And you all stayed at the RDF Camp at Sumbuya?

21 A. No, it was a quick attack. It didn't take long, you see.

22 It didn't take long. We are on the roving. Then the troop that

23 were there were on the run. They couldn't withstand the

24 fighting, the power of the AFRC fighters, so they took to their

15:26:37 25 heels.

26 Q. During this attack did SAJ Musa take part?

27 A. No, that was not a serious attack, you see, because the

28 guys were ready to resist them. They took to their heels.

29 Q. What about Gullit, did he take part?

1 A. Everybody was intact, but --

2 Q. No, no, I said did he take part --

3 A. Gullit?

4 Q. -- in the attack.

15:27:09 5 A. He did not actually take part.

6 Q. Where were you when before that --

7 MR MANLY-SPAIN: I'm sorry, Your Honour.

8 Q. Did you take part in the attack?

9 A. Me?

15:27:19 10 Q. Yes.

11 A. I am not a fighter. I am only -- I was only --

12 Q. We will come to that, whether you were a fighter. Did you
13 take part in the attack?

14 A. We are in the group, we were on the roving.

15:27:35 15 Q. Please answer my question.

16 A. I am not a fighter. I don't fight.

17 PRESIDING JUDGE: Mr Witness, answer the question.

18 THE WITNESS: No.

19 MR MANLY-SPAIN:

15:27:45 20 Q. Were you used as a human shield?

21 A. Always as we rove, automatically we are used as human
22 shields.

23 Q. On this occasion I want you to explain how you were used as
24 a human shield.

15:28:10 25 A. We are among the fighters as we move along. As we move
26 along we are among them. Any attack, we are among them.

27 Q. So, as human shields you are just amongst the fighters?

28 A. Yes, they forced us to be among them.

29 Q. You were not ahead of them?

1 A. Not -- well, you would march on side by side.

2 Q. You were together. I understand what you mean by together.

3 A. Yes.

4 Q. I am asking you: You were not sent ahead of the soldiers.

15:28:36 5 A. Most times -- most times they are -- we are sent. A good
6 number of us are sent.

7 Q. I am talking about this occasion, Mr Witness. You say you
8 were amongst the fighters.

9 A. Yes, as we rove.

15:28:49 10 Q. I am trying to clarify it.

11 A. Yes, we rove. As we rove.

12 Q. Being amongst the fighters, you were not ahead of them and
13 they behind you.

14 A. We have fighters ahead, we in the middle and fighters at
15:28:58 15 the rear.

16 Q. My point I want to clarify, Mr Witness -- it is not that I
17 am telling you that you are lying or anything, or I want to trick
18 you, I just want the truth.

19 A. That is --

15:29:15 20 Q. What I am asking you is that you were not ahead of the
21 fighters. You are saying that there were fighters ahead of you,
22 you were in the middle and fighters at the back; is that not so?

23 A. In some cases, but in other cases we are mingled, we are
24 forced to mingle among them.

15:29:38 25 Q. Thank you. But I am still insisting I just want you to
26 answer whether you were ever put ahead of the soldiers?

27 A. Yes. Yes. As we go most times. We see that most of us
28 would be ahead of them carrying their loot.

29 Q. So, now in Sumbuya were you ahead of them?

1 A. It was a big crowd. Some were ahead, some in the middle,
2 with the fighters at the rear. It's a big crowd.

3 Q. That is what you mean by human shield?

4 A. Well, unless as we are to be forced to be with them, so
15:30:28 5 automatically we are human shields.

6 Q. Did they protect you when there were battles?

7 A. No, when there were battles?

8 Q. Yes.

9 A. When we -- they are fighters.

15:30:45 10 Q. Yes, did they protect you?

11 A. Well, when fighting is on, you see, everybody is -- they
12 are busy with the fighting.

13 Q. Did they protect you, Mr Witness?

14 A. Yes, there are other fighters because they --

15:30:56 15 Q. They did protect you?

16 A. It depends. It depends on the --

17 Q. You see, why I am asking you this question, Mr Witness, is
18 all throughout your evidence you have not told this Court that
19 one of you, the captives, died. You were used as human shield,
15:31:16 20 you are ahead. The first shots would be fired at you - is that
21 not so - from the other side?

22 A. We had been among the AFRC fighters as civilians and so I
23 saw myself as a human shield.

24 Q. But none of you, the civilians, you have told this Court
15:31:35 25 died?

26 A. Yes, I have never told this Court that. You know what --

27 Q. That is okay.

28 A. In the state of war you must expect that.

29 Q. That's okay, Mr Witness. Mr Witness, I want us to go now

1 to Benguema.

2 A. Yes.

3 Q. Did you take part in the fighting or the attack on
4 Benguema?

15:32:12 5 A. We were all there together.

6 Q. Please answer my question.

7 A. Me personally?

8 Q. You personally I am asking.

9 A. I never took part. I never took part in the fighting. I
15:32:19 10 was armless.

11 Q. You were without arms?

12 A. Yes.

13 Q. When the troops left for Benguema, were they under the
14 command of anybody?

15:32:38 15 A. Both Gullit and SAJ Musa.

16 Q. Were they the ones who led the attack?

17 A. Yes, who ordered the attack.

18 Q. No, I am talking about leading the attack.

19 A. We are on the roving and the plan was to take Benguema.

15:32:58 20 Q. So you can say you knew the plan?

21 A. What?

22 Q. You knew the plan of your captors?

23 A. When we left, we left that Madonkeh place for the attack on
24 Benguema.

15:33:10 25 Q. Okay, let us go to that attack. Mr Witness, I am asking
26 you again, did SAJ Musa and Gullit lead the attack on Benguema?

27 A. Yes.

28 Q. Were you there with SAJ Musa and Gullit?

29 A. Yes.

1 Q. As a human shield also again?

2 A. Well, as far as I am concerned, armless as we are in their
3 midst, we were -- I was a human shield.

4 Q. So am I right to say you were present when Benguema fell to
15:34:00 5 the AFRC?

6 A. Yes.

7 Q. What were you doing?

8 A. I was just there as a human shield.

9 Q. Mr Witness, you just stood around?

15:34:18 10 A. Yes. I was not a fighter, I had no -- I have not yet been
11 -- I was not -- I am not a trained fighter. I had no weapon with
12 me. I am very grateful for that because they never forced me to
13 be harmed and involved in active fighting.

14 Q. Did you tell the Court this morning that there was heavy
15:34:38 15 fighting --

16 A. Yes.

17 Q. -- at Benguema?

18 A. Yes.

19 Q. And you were in the midst of the troops doing that heavy
15:34:45 20 fighting?

21 A. We were among, yes.

22 Q. How long did it take?

23 A. About two hours.

24 PRESIDING JUDGE: Mr Manly-Spain, are you about to move on
15:35:11 25 to another aspect of your cross-examination? I notice it is
26 around half past three.

27 MR MANLY-SPAIN: Well, I will come back.

28 PRESIDING JUDGE: I beg your pardon?

29 MR MANLY-SPAIN: I have to go in this line. This is the

1 line I will continue until the end, Your Honour.

2 PRESIDING JUDGE: Is this a convenient point?

3 MR MANLY-SPAIN: Yes, yes.

4 PRESIDING JUDGE: Very well. We will adjourn then for 15
15:35:29 5 minutes. Mr Court Attendant, please adjourn.

6 [Break taken at 3.32 p.m.]

7 [On resuming at 3.48 p.m.]

8 PRESIDING JUDGE: Please proceed, Mr Manly-Spain.

9 MR MANLY-SPAIN: Thank you, Your Honour.

15:52:10 10 Q. Mr Witness --

11 A. Yes.

12 Q. -- good afternoon.

13 A. Good afternoon.

14 Q. Mr Witness --

15:52:22 15 A. Sir.

16 Q. -- when Benguema fell to the AFRC troops you said you were
17 close to SAJ Musa?

18 A. Yes, at that juncture, yes.

19 Q. Is it a case that all the troops that you moved with were
15:52:57 20 at Benguema?

21 A. Yes.

22 Q. Did you know of any casualties, casualties amongst the AFRC
23 troops?

24 A. Well, that was after the explosion.

15:53:22 25 Q. I am asking about before.

26 A. No.

27 Q. What time did Benguema fall?

28 A. It was -- all I could remember it was on 22nd December.

29 Q. Was it at night or in the morning or during the day?

1 A. The morning hours.

2 Q. The morning hours. After 6.00 a.m.?

3 A. In the morning hours between that time.

4 Q. Between 6.00 a.m. and what time?

15:53:59 5 A. Six, 6.30.

6 Q. How long were you there at Benguema altogether?

7 A. At Benguema?

8 Q. Yes.

9 A. Well, I can't tell you the exact period of hours or times

15:54:25 10 spent there.

11 Q. How long before -- since you entered Benguema Town --

12 Benguema barracks, how long was it before SAJ Musa established

13 communication with Maxwell Khobe?

14 A. After the -- I cannot tell the time, but it was after

15:54:59 15 Benguema had fallen into the hands of the AFRC fighters.

16 Q. Was it that very morning?

17 A. That morning.

18 Q. Mr Witness, are you saying you were close to SAJ Musa when

19 he spoke on the set?

15:55:16 20 A. Yes.

21 Q. Do you know, Mr Witness, whether SAJ Musa had any

22 bodyguards?

23 A. I know, yes, he had.

24 Q. Can you -- do you know the number of the bodyguards that he

15:55:37 25 had?

26 A. Well, he had bodyguards with him. I cannot tell you the

27 number exactly. But he had bodyguards with him.

28 Q. You were in the midst of those bodyguards?

29 A. We are as a group.

1 Q. Okay, let me ask you this: At the time he was speaking
2 with Maxwell Khobe, were his bodyguards with him?

3 A. They were around.

4 Q. And you were there also?

15:56:08 5 A. Yes, as a group, because I was part and parcel of the
6 group. So I was not -- I was no longer a strange person in their
7 midst.

8 Q. Mr Witness, at that time how were you dressed?

9 A. I was in my civilian clothing.

15:56:50 10 Q. Do you remember what time the explosion took place?

11 A. Just after the communication. After the communication.

12 Q. Was it still in the morning?

13 A. Yes, in the morning hours.

14 Q. From after the death of SAJ Musa, Mr Witness, did the
15:57:12 15 forces you were with attack villages around Benguema?

16 A. Say that again, sir.

17 Q. After the death of SAJ Musa --

18 A. Yes.

19 Q. -- did the forces you were with attack villages around
15:57:21 20 Benguema?

21 A. Around Benguema?

22 Q. Yes.

23 A. All I know is when Junior Lion and Baski are assigned to
24 attack Hastings.

15:57:43 25 Q. Do you know of any attack on Tombu?

26 A. I don't remember that thing.

27 Q. You don't remember. I will accept that. Mr Witness, I
28 want you to go back - and bear with me - to your approach to
29 Benguema. Were there any RUF members amongst the troops that you

1 were with?

2 A. At that time, no knowledge of RUF fighters.

3 Q. Did you see any RUF fighters?

4 A. No knowledge.

15:58:25 5 Q. I am asking you did you see them?

6 A. No.

7 Q. Do you know whether there were any communication or
8 communications between the commanders and the RUF?

9 A. In the east?

15:58:50 10 Q. No, no, on your approach to Benguema.

11 A. No.

12 Q. You know or --

13 A. No idea.

14 Q. You don't have any idea?

15:58:59 15 A. No idea.

16 Q. Did you see anyone talking to the RUF on the radio set?
17 Sorry, did you hear anyone?

18 A. Where?

19 Q. When you were going now between Newton -- between Masiaka
15:59:26 20 and Benguema. From Masiaka to Benguema.

21 A. No idea. No. No idea.

22 PRESIDING JUDGE: Mr Witness, the question was: Did you
23 hear?

24 THE WITNESS: I didn't hear.

15:59:39 25 PRESIDING JUDGE: Very well, you did not hear.

26 MR MANLY-SPAIN: Thank you.

27 Q. Mr Witness, during all the time you spent with the people
28 you claim abducted you, did you come across any RUF fighters?

29 A. No. Only when Gibril Massaquoi was released from Pademba.

1 Q. Gibril Massaquoi?

2 A. I only know him to be a member of the RUF.

3 Q. Okay, thank you. Mr Witness, let us go now to your retreat
4 from Freetown. Until you decided to leave the retreat did you
16:00:35 5 come across any RUF fighters?

6 A. In Freetown?

7 Q. Yes.

8 A. No.

9 Q. Mr Witness, you said that the troops, the AFRC troops, were
16:00:55 10 at State House for about three or four days?

11 A. Yes.

12 Q. Whilst they were at State House did they come under fire?

13 A. Yes.

14 Q. Do you know who was shooting at them?

16:01:20 15 A. ECOMDG.

16 Q. And do you know of any battles between the ECOMDG and AFRC
17 whilst they were at the State House?

18 A. Yes.

19 Q. Can you remember the date of that battle?

16:01:35 20 A. It was in January.

21 Q. They took over State House, according to you, on January
22 6th?

23 A. January 6, yes.

24 Q. And they stayed there for about three or four days.

16:01:48 25 A. Yes.

26 Q. That I believe would take us up to the 10th; not so?

27 A. Yes. Yes.

28 Q. Well, when was the battle?

29 A. Say again.

1 Q. When was the battle, the attack by ECOMOG?

2 A. Well, let me say two days after they took over.

3 Q. And it lasted for another two days; is that so?

4 A. Yes, about that.

16:02:22 5 Q. Yes, thank you. Mr Witness, you said that you retreated
6 with the troops until you got to Allen Town or Calaba Town?

7 A. Calaba Town.

8 Q. Yes. How long did it take you from State House to Calaba
9 Town?

16:02:47 10 A. From State House to Calaba Town?

11 Q. Yes.

12 A. Well, I don't even remember.

13 Q. How many days did it take you?

14 A. Well, there was -- there was a battle because ECOMOG was
16:03:03 15 trying to regain the entire east end, the eastern part of
16 Freetown. So there was a stiff battle, you see. Up to the time
17 I went -- we went down to Calaba Town, it was almost two weeks
18 for the battle. It was almost two weeks battle because it wasn't
19 so easy for ECOMOG to push the AFRC out of Freetown, you see. So
16:03:28 20 it took days to weeks.

21 Q. During this period of the retreat from the State House,
22 were you with the troops or were you with civilians?

23 A. The troops with civilian among us all.

24 Q. Well --

16:03:55 25 A. Those, especially we the abducted civilians. Abductions
26 were also carried out as troops were retreating. Because the
27 AFRC occupied the entire east end.

28 Q. Mr Witness, please concentrate on the question that I am
29 asking, please. We will finish sooner if you concentrate on the

1 questions.

2 A. Yes, sir.

3 Q. What I am asking you is were you and the other civilians
4 with the AFRC troops?

16:04:29 5 A. I and the other civilians you mean?

6 Q. Yes.

7 A. Civilians were in the eastern part of Freetown where the
8 AFRC forces occupied. There were civilians in the area in east
9 end.

16:04:41 10 Q. Let me clarify it for you. I am sorry, I am confusing you.
11 I mean the civilians you came to town with.

12 A. Yes.

13 Q. When you were retreating --

14 A. Yes.

16:04:50 15 Q. -- were you all still together?

16 A. Yes, most -- almost -- a large number of -- we that they
17 came with were also together.

18 Q. Thank you. What I want to ask you is when they came to
19 Freetown you have -- you had arrived with 1,500 civilians?

16:05:08 20 A. Okay.

21 Q. Where did they stay in Freetown?

22 A. The eastern part of Freetown. The eastern part of Freetown
23 was wholly and solely occupied by the AFRC forces. So they were
24 all over the eastern part of Freetown. Together with the
16:05:33 25 fighters.

26 Q. Just in the streets or in houses?

27 A. Well, some were in houses, in the streets. You see,
28 because the entire eastern part was under AFRC control.

29 Q. Did any of these civilians go and stay at State House?

1 A. Yes. The time we arrived at State House, we were all
2 together at State House.

3 Q. 1,500 civilians?

4 A. Yes.

16:06:05 5 Q. How many civilians, Mr Witness, if you know of, do you know
6 that went to the prisons at Pademba Road?

7 A. The entire group was ordered to go to Pademba Road to force
8 open Pademba Road so that the inmates that were there -- for them
9 to --

16:06:26 10 Q. That is the 1,500 --

11 A. All of us were ordered move to that --

12 Q. -- [overlapping speakers] and all the soldiers?

13 A. Yes.

16:06:41 14 Q. Mr Witness, on the retreat, were you at any time at the
15 Eastern Police Station clock tower area?

16 A. [Indiscernible] yes.

17 Q. Did you spend any amount of days there?

18 A. At the retreat?

19 Q. Yes.

16:06:56 20 A. Yes.

21 Q. You personally I am asking.

22 A. Me?

23 Q. Yes.

16:07:08 24 A. Well, I used to move around to see what was happening. I
25 was around, you see.

26 Q. Mr Witness, you, a captive, you were moving around to see
27 what was happening?

28 A. Yes, because there were fighters all over.

29 Q. Is that so?

1 A. Yes, there were fighters all over the place. All over the
2 place.

3 Q. Did you move around freely?

4 A. I was with the fighters, the AFRC fighters.

16:07:29 5 Q. I am asking about your movement now. You said you moved
6 around. Did you move around freely?

7 A. Yes, under the strict supervision of the fighters.

8 Q. Is it the case that you were moving with the fighters?

9 A. Yes, because I was only one of them. I've been identified
16:07:45 10 as one of them, so I moved freely with them.

11 Q. You were one of them?

12 A. Yes.

13 Q. You accept that?

14 A. I accept that. Because they abducted me, so they had
16:07:58 15 confidence in me. I was with them already. I don't have to deny
16 that fact.

17 Q. Mr Witness, Upgun, Upgun.

18 A. Yes, sir.

19 Q. On the retreat did you spend any time there?

16:08:17 20 A. All this area occupied by the AFRC fighters and I was one
21 of them. So we were all over those places.

22 Q. What about Ferry Junction, did you spend any time there?

23 A. We are at that point.

24 Q. Up to Calaba Town?

16:08:36 25 A. Entire east end was under the occupation of AFRC fighters,
26 which I was one of them.

27 Q. Mr Witness, did you tell this Court that you left because
28 there was no control over the fighters then? Wasn't that the
29 last thing you told the Court?

1 A. No, I said I took advantage when ECOMOG was gaining the
2 upper hand and the AFRC was on the run. So I took advantage of
3 that and dodged from them and returned to my community, because
4 they were on the run.

16:09:08 5 Q. So whilst they were on the run, was there any --

6 A. Everybody -- fighters, including we the abductees,
7 everybody was running for his life.

8 Q. Was there --

9 A. So I said this is an opportunity for me to escape from
16:09:20 10 these guys.

11 Q. When they were on the run, was there any control over the
12 fighters?

13 A. Well, the order -- there was the order given when they were
14 on the run, by Gullit. Well, now, he said, now they are losing
16:09:41 15 the battle so they should be burning houses.

16 Q. That is not what I am asking you about. I said was there
17 any control? I am only confirming what you said this morning,
18 that there was no control so you were able to go your own way.

19 A. Yes. That is the tail end of the occupation of Freetown
16:10:00 20 so.

21 Q. There was no control?

22 A. Yes, by then everybody was running for his life.

23 Q. Mr Witness, do you know what happened to the other
24 civilians that were with you at the time you decided to take your
16:10:10 25 leave?

26 A. You mean my fellow abductees?

27 Q. Yes.

28 A. Well, everybody was on the run, so I had no idea what
29 happened to them. I took advantage of the -- when they were

1 fleeing, I said okay, this time I'm not going to join them. So I
2 made a clear escape.

3 Q. Mr Witness, when you were going back, you were retreating,
4 you have told us you were in the midst of soldiers. Were you
16:10:54 5 also in the midst of civilians who had been abducted?

6 A. Yes.

7 Q. Until you got to Calaba --

8 A. Calaba Town.

9 Q. -- were they with you?

16:11:06 10 A. Sir?

11 Q. Were the other civilians together with you?

12 A. Yes, lots of them. We were on the run together.

13 Q. After that you don't know what happened to them?

14 A. Yes, because I escaped from them.

16:11:20 15 Q. You just went your own way?

16 A. Yes.

17 Q. Mr Witness, whilst the retreat was going on, did you know
18 whether any commanders took civilians, abductees and families
19 together away out of Freetown?

16:11:49 20 A. Yes, during the retreat it happened.

21 Q. What happened?

22 A. Civilians were at the eastern part of Freetown, especially
23 at the eastern part of Freetown during the retreat. Some -- most
24 -- a good number of them were abducted.

16:12:02 25 Q. I am not talking about abduction. You, the people who were
26 with the troops already.

27 A. Yes.

28 Q. Do you know whether the commanders took them out of
29 Freetown to safety, towards the provinces?

1 A. Well, no idea. No idea.

2 Q. Do you know whether that happened?

3 A. No, no idea. At that time I had already left them so, what
4 happened --

16:12:32 5 Q. No, no, I am talking from, let us say, from about Eastern
6 police. Were they taken away from the fighting?

7 A. They were together. Together. They were together.

8 Q. Let me try and clarify. Let us take Eastern police?

9 A. Yes.

16:12:52 10 Q. Whilst ECOMOG was advancing towards Eastern police, were
11 the civilian abductees there at the vicinity of Eastern police?

12 A. Yes, with the fighters.

13 Q. Were they at any time taken by the commanders, the AFRC
14 commanders away from Eastern police?

16:13:24 15 A. As ECOMOG was advancing, civilians, together with the
16 fighters, were retreating at the same time. Retreating,
17 retreating.

18 Q. Mr Witness, can you tell this Court the route the retreat
19 followed from State House?

16:13:47 20 A. Well, the main routes -- the main route --

21 Q. Just give us points from State House to where and where and
22 where.

23 A. From State House, Garrison Street.

24 PRESIDING JUDGE: Mr Witness, which street?

16:14:01 25 THE WITNESS: Garrison Street.

26 MR MANLY-SPAIN: Garrison, Your Honour.

27 THE WITNESS: And Sani Abacha Street, Goderich Street, down
28 to Eastern police, Kissy Road, Kissy Road, Fourah Bay Road, up to
29 Ugun and so forth. Down to Janneh Wright's Road. That

1 Freetown-Waterloo. So it went.

2 Q. Thank you, Mr Witness. Mr Witness, do you know where
3 Fourah Bay College is?

4 A. Yes.

16:14:43 5 Q. Did the retreat take that route?

6 A. No idea. No idea absolutely.

7 Q. Mr Witness, I want you to come now to the time after the
8 Lome Peace Accord. Do you remember?

9 A. Yes.

16:15:18 10 Q. What did you do after that?

11 A. After the Lome Peace Accord?

12 Q. Yes.

13 A. When I was -- I was at home.

14 Q. Did you take up any employment?

16:15:42 15 A. After the signing of the Lome Peace Accord?

16 Q. Yes.

17 A. Yes. I was a member of the Ceasefire Monitoring Committee.

18 Q. Were you recommended to be on that committee by Johnny Paul
19 Koroma?

16:15:57 20 A. Yes.

21 Q. And were you a member of Johnny Paul Koroma's political
22 party?

23 A. Yes, I was a member of the PLP.

24 Q. Mr Witness, who was the top commander of the AFRC troops?

16:16:48 25 A. Top commander of the AFRC?

26 Q. The top, top, top.

27 A. Top commander.

28 Q. Of the AFRC. Let me go step by step. Who was the head of
29 the AFRC?

1 A. Well, Johnny Paul, from May 25, he was made head of
2 military junta, AFRC.

3 Q. On his return to Freetown he was given an office because he
4 was the head of the AFRC; do you remember?

16:17:25 5 A. Yes.

6 Q. What was the office?

7 A. The Commission for the Consolidation of Peace, acronym CCP.

8 Q. The chairman --

9 A. The chairman, yes.

10 Q. Of that commission?

11 A. Yes.

12 Q. And you were with him then?

13 A. Yes.

14 Q. Throughout this period that you were in captivity, did

16:17:56 15 Johnny Paul Koroma remain the head of the AFRC, Mr Witness? Is
16 that not so?

17 A. Throughout?

18 Q. The period you say you were in captivity, he was the
19 head -- he remained the head of the AFRC?

16:18:12 20 A. Well, there came a time after the AFRC was pushed out of
21 Freetown, out of power, there came a time I did not hear from him
22 any longer.

23 [TB110705F - SV]

24 Q. But did he come back when the peace --

16:19:00 25 A. After the signing of the Lome Peace Accord he emerged.

26 Q. As the head of the AFRC?

27 A. As the head of the AFRC. He was in charge --

28 Q. Do you know whether he was ever removed, during this period
29 you were in captivity, as head of the AFRC?

1 A. Say that again.

2 Q. During the period you were in captivity --

3 A. Yes.

4 Q. -- as you allege, do you know whether Johnny Paul Koroma
16:19:35 5 was removed as head of the AFRC?

6 A. No idea, no idea.

7 Q. But you do agree -- it's a repetition, but you do agree
8 that he was given this office, Chairman CCP, as head of the AFRC?

9 A. Yes.

16:19:58 10 Q. Mr Witness, you have referred to the commanders or the
11 members of the AFRC which you gave us the names like Zagalo,
12 Tamba Brima, Ibrahim Bazzy Kamara, Hassan Papa Bangura,
13 et cetera. Some of these people were the ones you claim abducted
14 you.

16:20:37 15 A. Yes.

16 Q. After the abduction you came back to work for their boss?

17 A. It was because I had already been branded as --

18 Q. Would you just answer my question, please.

19 A. Yes.

16:21:00 20 Q. You came back to work for their boss?

21 A. Yes.

22 Q. After all the bad things they did to you?

23 A. Yes.

24 Q. And you worked with some of them at the CCP?

16:21:08 25 A. Yes.

26 Q. Which of them did you work with at the CCP?

27 A. I remember Mandereh, AY Kargbo also known as Gbonkelenkeh.
28 He's in the military. MY Kargbo also. I remember those guys.

29 Q. Okay, Mr Witness. Mr Witness, I am putting it to you that

1 when you left Freetown you left in the company of Johnny Paul
2 Koroma?

3 PRESIDING JUDGE: Which time, Mr Manly-Spain? We have had
4 two leavings.

16:21:57 5 MR MANLY-SPAIN: 1998, Your Honour.

6 THE WITNESS: 1998?

7 MR MANLY-SPAIN:

8 Q. Yes.

9 A. I left in the company of Johnny Paul Koroma?

16:22:10 10 Q. Yes.

11 A. No.

12 Q. You deny that?

13 A. No. No.

14 Q. Mr Witness, I am going to conclude soon, but we are going
16:22:24 15 back to Tombodu. Whilst you were at Tombodu, did Johnny Paul
16 Koroma ever go there?

17 A. No, never. Never.

18 Q. Never?

19 A. Never.

16:22:44 20 Q. Do you know whether he went to Kono at all?

21 A. No idea.

22 Q. Mr Witness, how did you come in contact with the OTP?

23 A. Well, through a radio station program conducted by the
24 Special Court working group, which had its office by then at
16:23:04 25 number 73 Pademba Road.

26 Q. You went to them; is that not so?

27 A. Yes.

28 Q. Let me ask you, at the time you went to them, did you have
29 a job?

1 A. If I had a job?

2 Q. Yes.

3 A. I was not having a job.

4 Q. At that time, Mr Witness, would you agree with me that
16:23:42 5 Johnny Paul was no longer chairman of the CCP?

6 A. Yes.

7 Q. And with the end of his chairmanship, you also had no job
8 there?

9 A. Yes.

16:24:03 10 Q. At that time am I right that Johnny Paul was now a member
11 of parliament running the affairs of his party?

12 A. At that time -- the time I came in contact with the Special
13 Court working group it was in 2002.

14 Q. Johnny Paul was then a member of parliament?

16:24:22 15 A. No. 2002?

16 Q. Yes, Mr Witness.

17 A. He wasn't.

18 Q. Do you remember the date of the last general election?

19 A. It was on 14th May.

16:24:34 20 Q. Which year?

21 A. 14th May -- was it in 2002 or?

22 Q. You remember whether it was in 2002?

23 A. Yes.

24 Q. Do you remember?

16:24:55 25 A. Yes.

26 Q. Johnny Paul -- I am right to say Johnny Paul -- I am
27 putting it to you that Johnny Paul was then running the affairs
28 of the CCP?

29 A. Yes.

1 Q. PLP, I'm sorry. PLP, Peace and Liberation Party.

2 A. Yes.

3 Q. I am reminded I left out. Do you agree with me that at
4 that time he was in parliament as a member of parliament?

16:25:35 5 A. Yes.

6 MR MANLY-SPAIN: That will be all for the witness.

7 PRESIDING JUDGE: Yes, please proceed, Ms Thompson.

8 CROSS-EXAMINED BY MS THOMPSON:

9 Q. Mr Witness, this morning when you started giving evidence
16:26:28 10 you said --

11 PRESIDING JUDGE: Mr Manly-Spain, could you switch off --

12 MS THOMPSON:

13 Q. Yes, Mr Witness, you said that when ECOMOG pushed --
14 removed the AFRC out of power militarily, you ran away because
16:26:36 15 you were afraid of being targeted by poor SLPP people, and when
16 you got to Tombodu Town you were abducted.

17 A. Yes.

18 Q. Okay, that's all right. Now, when ECOMOG removed the AFRC
19 militarily, did anybody make any threat against you?

16:27:05 20 A. Yes.

21 Q. What sort of threat was it?

22 A. They were -- at that point many young guys who identified
23 me during the rallies denouncing military intervention against
24 the AFRC. They are in search of all of us who were involved in
16:27:36 25 those rallies. So I wasted no time. If I sit here, they are
26 coming for me here and killing me.

27 Q. Did anybody make any specific threat against you?

28 A. Well, the threat was on all we who were involved in those
29 rallies, so I had no time to wait for anybody to come and point

1 finger on me.

2 Q. So the answer is nobody made any specific threat against
3 you?

4 A. The threat was on all AFRC sympathiser. So I was one of
16:28:13 5 them. So I had no time to wait for a particular individual to
6 come for me when the thing was out of control.

7 Q. Nobody threatened you?

8 A. As a sympathiser of the AFRC, I was -- the threat was for
9 us all.

16:28:27 10 Q. Okay. Do you now accept that you were a sympathiser of the
11 AFRC?

12 A. Yes, because I was involved in rallies denouncing military
13 intervention against them.

14 Q. So you supported the AFRC?

16:28:48 15 A. Yes, in that context.

16 Q. Now, did you belong to any particular group when you were
17 organising these rallies?

18 A. Well, at that time when the AFRC was in control, because of
19 the military intervention that was being pronounced against them,
16:29:13 20 so the entire country, Freetown was under their control. So
21 therefore they told everybody to come out to the public and
22 denounce military intervention. So we are under their control.
23 So every civilian was involved. We were involved.

24 Q. I'll ask you the question again. Did you belong to any
16:29:31 25 particular group or any particular body when you were organising
26 these rallies?

27 A. Well, it was an order from AFRC for civilians to go -- to
28 move out, to demonstrate against the military intervention that
29 was being arranged against them.

1 Q. Were you a member of --

2 PRESIDING JUDGE: Mr Witness, did you understand the
3 question?

4 THE WITNESS: Yes.

16:30:05 5 PRESIDING JUDGE: Well, answer it.

6 THE WITNESS: Not to say there were groups, you know. This
7 was a call from the AFRC that we should move out. So that the
8 international community should see that the people of Sierra
9 Leone, especially we who were in Freetown, were against a
10 military solution to the problem.

16:30:24

11 MS THOMPSON:

12 Q. Let me ask you this, since you do not want to answer that
13 question. Were you a member of the People Revolutionary Bureau?

14 A. No idea.

16:30:46 15 Q. You have no idea whether you were a member of a particular
16 organisation?

17 A. No idea. I was not a member of the People's -- of that
18 bureau you are mentioning.

19 Q. Have you ever heard of the People's Revolutionary Bureau?

16:31:01 20 A. I don't remember even.

21 Q. Were you not the public relations officer of that
22 organisation?

23 A. Never. Never. Never.

24 Q. And your evidence is you've never heard that name. Have
16:31:18 25 you never heard about the People Revolutionary Bureau?

26 A. Well, I don't remember now, I don't remember.

27 Q. Under the AFRC?

28 A. I don't even remember.

29 Q. When you got to Tombodu, who exactly abducted you? Were

1 you abducted by a group of people or just one person?

2 A. Gullit commanded his AFRC fighters. So I was abducted by
3 them. He ordered them.

4 Q. How do you know that the person you called Gullit ordered
16:32:01 5 his fighters to abduct you?

6 A. He gave the order in my presence.

7 Q. He gave the order in your presence for them to go and
8 abduct you?

9 A. Not me alone. There were other civilians. I was among
16:32:18 10 other civilians.

11 Q. Were you in their presence; you were with them at that
12 time?

13 A. Yes.

14 Q. So how can he order his fighters to abduct you when you
16:32:29 15 were already with them?

16 A. With who?

17 Q. You say --

18 A. I was not with them. I arrived there. Upon arriving this
19 day, we arrived at Tombodu. It was the very day they abducted
16:32:43 20 us. You see, everybody was in the run. I didn't go to Tombodu
21 together with Gullit and Co. I met them there and there they
22 abducted me.

23 Q. You met them there and in your presence he told his
24 fighters to abduct you?

16:32:58 25 A. Yes.

26 Q. Did you arrive there alone?

27 A. We are many. We are many.

28 Q. Did you arrive at Tombodu on your own?

29 A. On my own, yes, but among other people.

1 Q. Had you travelled from Freetown to Tombodu on your own?

2 A. Among other people.

3 Q. How many other people?

4 A. A good lot of -- a large number of people, because we were
16:33:25 5 on the run.

6 Q. How did you get to Tombodu - by foot, by air?

7 A. By foot.

8 Q. You walked to Tombodu from Freetown?

9 A. From Freetown, yes.

16:33:44 10 Q. How many of you made that journey?

11 A. A large number of us.

12 Q. Ten?

13 A. No, more than that.

14 Q. Twenty?

16:33:46 15 A. Over 300 of us going.

16 Q. Over 300 of you walked from Freetown to Tombodu?

17 A. Yes. No, not to Tombodu, but to Kono. As we went, we
18 break -- I mean, from Freetown, the number on the road going,
19 because as we went on others went on other ways.

16:34:04 20 Q. Did you use the highway?

21 A. No. As we went along, some used the bush path, some took
22 other ways. Different routes. There were different routes.

23 Q. Mr Witness, how many of you left Freetown?

24 A. It was a great exodus. I cannot give you a precise number.

16:34:29 25 Q. Did you know any of the people you were travelling with?

26 A. I don't remember names of people. At that time I was in --
27 I was stressed.

28 Q. I'm not asking you for names. I am asking you whether you
29 knew any of them?

1 A. Well, I cannot tell.

2 Q. Were they members of your family?

3 A. No.

4 Q. Were they friends of yours?

16:34:57 5 A. Just people. We were in a war situation, everybody was on
6 the run, you see.

7 Q. And were all these people AFRC sympathiser?

8 A. I don't know. We were on the run. There was a war going
9 on.

16:35:07 10 Q. And they were running away from ECOMOG like you?

11 A. We were on the run.

12 Q. Right. When you set off from wherever it is you live, did
13 you -- that is from Freetown. When you set off from your house
14 that day, did you set off in the morning?

16:35:29 15 A. It was during the day. During the day. Day time. It was
16 a clear -- a clear period. It was not in the dark. It was
17 during the day.

18 Q. Did you leave your house with anybody?

19 A. No.

16:35:44 20 Q. So where did you pick these people up that you --

21 A. I met them on the way. There was a war going on, so
22 everybody was -- there was a great exodus from Freetown. A large
23 number of people were running.

24 Q. And you would agree with me if I say to you that you were
16:36:03 25 moving in the direction that the AFRC were retreating to?

26 A. Well, I was moving to go to Guinea. I need the safety of
27 my life. That was my intention, to go to Guinea. There was no
28 AFRC in Guinea. My intention was to go to Guinea. When I
29 arrived at Tombodu, they abducted me. I even appealed for them

1 to release me. I even told them my reason for going, but they
2 said no.

3 Q. And on going to Guinea, the direction you were travelling
4 is the direction that the AFRC were retreating?

16:36:39 5 A. Well, that's a -- it was a coincidence. I was not
6 dictating the movement of people. I never had that capability.
7 It was a coincidence to meet with different people.

8 Q. Mr Witness, you gave evidence today that you were born in a
9 town in Sierra Leone; not so?

16:36:59 10 A. Yes.

11 Q. Okay. Are you aware that the shortest route from Freetown
12 to Guinea is via Kambia and not via Kono?

13 A. That route was not safe. For anybody branded sympathiser
14 of the AFRC. That Kambia route you are talking of, there were
16:37:20 15 pro-government supporters who were on the hunt for any AFRC
16 sympathiser that had wanted to take that route. That's why I
17 didn't risk it that way.

18 Q. How did you know it wasn't a safe route?

19 A. Because it was during the intervention. News went all over
16:37:44 20 that Guineans and even Sierra Leoneans AFRC -- SLPP supporters
21 were there. Because they know that when the intervention was
22 definitely take place, many of us would try it that way to go to
23 Guinea. So that's why that place was sealed up.

24 Q. Okay. And you didn't think that they would be aware that
16:38:03 25 you would also try to route via Kono?

26 A. Well, I never thought of that because, in fact, we had
27 wanted to use bypass routes, not main roads, you see. Bypass
28 routes through jungles to enter Guinea.

29 Q. Does Tombodu share a border with Guinea?

1 A. Well, after Tombodu, along that path, you see, towards the
2 -- there is an area in Kono which you can trek to Guinea.

3 Q. Is that a route you had used before?

4 A. No, I got the information that there is a route there, and
16:38:42 5 there are other people also who had wanted to go to Guinea. So I
6 was in their midst so that we should have used that route.

7 Q. From whom did you get that information?

8 A. The other people that were running from the war. They said
9 that they too were going to Guinea, so I was comfortable to be in
16:39:04 10 their midst so that we can get up to that point.

11 Q. Okay. Now, Mr Witness, do you recall making a statement to
12 the OTP?

13 A. Yes.

14 Q. You made several statements. Well, you made one statement
16:39:22 15 and you were interviewed on several occasions, not so?

16 A. Yes.

17 MS THOMPSON: Your Honour, I'm look at page 9835.

18 Q. Mr Witness, I'm going to read a portion of your statement
19 to you and I will ask you a question at the end of that; okay?

16:39:52 20 A. Okay.

21 MS THOMPSON: Your Honour, I'm reading from the second
22 paragraph, four lines down. The sentence beginning "I became".

23 Q. "I became afraid and ran away with the AFRC group to the
24 jungle with the intention to leave the country for the safety of
16:40:13 25 my life. I did not succeed in leaving the country, so I had to
26 stay with the AFRC boys in the jungle. I was in the Kono
27 District in the eastern region of Sierra Leone."

28 Do you recall saying that to the OTP?

29 A. I don't remember exactly. I don't remember saying exactly

1 those words as you read them. I don't remember.

2 Q. Okay. Now, when you made your statement was it read back
3 to you?

4 A. Yes.

16:40:52 5 Q. And do you recall signing it?

6 A. Yes.

7 Q. And when it was read back to you did you agree -- when you
8 signed it, did you agree that what was contained in that
9 statement was the truth?

16:41:10 10 A. Yes.

11 Q. Okay. So I'll ask you the question again. Did you tell
12 the person who was taking down your statement that passage I have
13 just read to you?

14 A. No.

16:41:20 15 Q. You did not?

16 A. No.

17 Q. And when they read back your statement to you, did you
18 correct that person and say no, that's not what I told you?

19 A. I don't remember to make any correction.

16:41:33 20 Q. But you remembered you signed it saying it was correct?

21 A. Yes, I signed. I remember that I signed.

22 MS THOMPSON: Your Honour, I'm looking at page --

23 Q. I'll read your interview to you now, portions of your
24 interview.

16:41:59 25 MS THOMPSON: Page 9844, Your Honour, going on to page
26 9845. I'm going to start from line 21, which is the last
27 paragraph.

28 Q. I shall read this to you, shall I, Mr Witness?

29 A. Go ahead.

1 Q. "After the government of President Kabbah was reinstated in
2 1998, irate supporters of the installed government went in search
3 of people, collaborators of the defunct military regime, and by
4 so those who fell victim in their hands, were hacked to death and
16:42:33 5 even burnt alive. When I saw this happening I was trying to make
6 my escape to Guinea, but on my way I met with these guys, Gullit
7 and others, and they advised me not to take that venture to
8 Guinea because President Kabbah had planted his men in the border
9 areas of Guinea. So anybody they saw around those areas, who
16:43:00 10 they could identify as a collaborator of the defunct AFRC regime,
11 will be killed."

12 PRESIDING JUDGE: Ms Thompson, could you give us that page
13 number again please?

14 THE WITNESS: 9844, Your Honour, going on to 9845.

16:43:17 15 PRESIDING JUDGE: Thank you.

16 MS THOMPSON:

17 Q. Then you went on to say, "So with that fear, I decided to
18 be in their company." Do you recall saying that to the person
19 who was interviewing you?

16:43:29 20 A. Well, I don't remember exactly that was the statement I --
21 the way it is framed there, I don't remember that was the way --
22 what I told them -- they said I should stay with them. I should
23 not -- if I venture to travel out of -- to escape from them, then
24 they would kill me. That was how it happened. I know how it --

16:43:54 25 Q. Sorry, carry on.

26 A. So that's that.

27 Q. Mr Witness, you weren't abducted, were you?

28 A. I was.

29 Q. You were pleased to stay in their company. You left

1 Freetown with them. And it was an advice for you not to go over
2 to Guinea and you were happy to take the advice. Isn't that the
3 case?

4 A. No. I would have preferred if they had allowed me to go to
16:44:19 5 Guinea, but they didn't. They forced me to stay with them.

6 Q. Mr Witness, where exactly did you meet these people who
7 forced you to stay with them?

8 A. It was at Tombodu.

9 Q. Was it not at Kono -- at Koidu?

16:44:53 10 A. No, Tombodu. Tombodu.

11 Q. And you're sure about that?

12 A. Yes.

13 Q. Now, let's look at the atrocities you have described at
14 Tombodu.

16:45:14 15 A. Okay.

16 Q. Can you recall when you witnessed the incidents you have
17 described today to this Court?

18 A. Yes.

19 Q. The incident with Savage.

16:45:24 20 A. Yes.

21 Q. Can you recall when?

22 A. When it happened?

23 Q. Yes.

24 A. That was between the end of March and April.

16:45:31 25 Q. Between the end of March and April?

26 A. Yes.

27 Q. And it's your evidence that you had arrived at Tombodu by
28 this point?

29 A. Yes.

1 Q. And your evidence was that the person you referred to as
2 Gullit was the commander?

3 A. Yes.

4 Q. Okay. Tombodu. Mr Witness, when you were making your --
16:46:15 5 when you were being interviewed about this, do you recall being
6 asked several times - and I stress several times - about Tombodu?

7 A. Yes.

8 Q. And do you recall giving the interviewer answers on several
9 occasions about Tombodu? Do you recall that?

16:46:32 10 A. Yes.

11 MS THOMPSON: Your Honour, I am looking at page 9847. It
12 begins, actually, from page 9846, Your Honour, for it to make
13 sense. Starting from line 21.

14 Q. "A. A place Tombodu. Tombodu is a place where one of the
16:47:03 15 greatest atrocities were committed to innocent civilians. People
16 were locked up in houses and burnt. Some were killed by weapons
17 like machetes. Some were shot on sight and so forth.

18 "Q. Who was in charge of that group?

19 "A. That operation was being conducted by Mr Die, Savage.

16:47:21 20 "Q. Savage?

21 "A. Yes. "

22 Do you remember saying that?

23 A. Yes.

24 MS THOMPSON: Page 9836, Your Honour, going to 9837.

16:47:57 25 Q. This is from your statement: "For instance, in Tombodu in
26 Kono District in April 1998 about 20 civilians were forcefully
27 put in a house by Mohamed Savage, alias Mr Die, and his men and
28 set ablaze. All of them burnt to death. On that same day other
29 civilians numbering over 60 were hacked with machetes to death.

1 The entire town was finally put on fire. It was a horrifying
2 scene indeed Savage and his colleagues carried out?"

3 You remember saying that.

4 A. Yes.

16:48:36 5 Q. Do you stand by that statement?

6 A. Yes.

7 MS THOMPSON: Your Honour, I'll go to page 9872.

8 Q. Again you are being asked about the incident at Tombodu and
9 you were asked:

16:49:08 10 "Q. Did you personally witness the events that took
11 place in Tombodu?

12 A. Yes, I was there when those events took place.

13 Q. You talked about people put inside a house by Savage?

14 A. Yes.

16:49:19 15 Q. And burnt down?

16 A. Yes.

17 Q. Massacre of about 60?

18 A. More even.

19 Q. People in total burning of the entire town?

16:49:23 20 A. Yes.

21 Q. Was Savage the sole operator of those events?

22 A. Yes.

23 Q. Was he given any orders for these events to be carried
24 out?

16:49:39 25 A. He did it on his own. At that time he was the
26 commander of that ground."

27 Do you stand by that statement?

28 A. Well, he had the order so --

29 Q. Mr Witness.

1 A. He was a subordinate commander to Gullit.

2 Q. Mr Witness, there are lots of passages I have to read to
3 you, so if you answer the question it will be short for all of
4 us. Do you stand by that statement? Did you say that to the
16:50:10 5 person interviewing you?

6 A. Yes, he was a subordinate commander. He was a commander.

7 Q. Mr Witness, I'll try one more time. I'll read it again to
8 you and I'll try again: "He did it on his own. At that time he
9 was the commander of that ground". Did you say that?

16:50:27 10 A. Yes, he was the subordinate commander.

11 PRESIDING JUDGE: Mr Witness, did you understand the
12 question that was asked you?

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: You are going asked did you say the words
16:50:39 15 that have just been read by counsel. You've not been asked his
16 status. You're being asked did you say the words counsel has
17 read out.

18 THE WITNESS: Yes.

19 MS THOMPSON: Page 9907, Your Honour, starting from line 5.
16:51:07 20 I'll start from line 4. Sorry, I'll start earlier actually
21 because it makes sense then.

22 Q.

23 "Q. How do you know that? How did you know that? How did
24 you know it?

16:51:20 25 A. I saw it done under the command of Savage nicknamed
26 Mr Die. In fact he was the commander. He was the
27 commander at Tombodu.

28 Q. Who appointed him to be the commander at Tombodu?

29 A. At that time he was the sole commander. Nobody

1 appointed him as commander, you see. That Yayah meeting
2 had not come up at that time. The Yayah meeting it had not
3 come up before the Tombodu atrocities. It was after the
4 Tombodu atrocities that this Yayah meeting came up. "

16:51:57 5 Now, do you recall saying that to the person interviewing
6 you? That nobody had appointed Savage to be commander at that
7 time?

8 A. I don't recall that.

9 Q. You don't recall saying that at all?

16:52:15 10 A. He was the subordinate commander. I think I was not
11 properly quoted there or it was not properly read out to me as it
12 is now.

13 Q. All right. But did you -- this interview, was it conducted
14 in English?

16:52:33 15 A. In English, yes.

16 Q. Yes, and you understood the questions that were being put
17 to you?

18 A. Well, I didn't go through the writings, you see.

19 Q. No, Mr Witness, questions were put to you?

16:52:47 20 A. Yes.

21 Q. Did you understand the questions that were put to you?

22 A. Yes.

23 Q. And so you answered those questions as you understood them?

24 A. Yes.

16:52:56 25 MS THOMPSON: We'll look again at page 9876, Your Honour,
26 line 14. I'll start from line 11 which is the question.

27 Q.

28 "Q. I would like to know whether you would be able to give
29 specific names of people who actually committed these

1 atrocities in your own presence in Tombodu.

2 A. Tombodu. In Tombodu, Savage was the sole commander and
3 he had with him men under his control. Most of them I do
4 not remember, you see, who took part in the destruction of
16:53:39 5 lives and property in that town. He himself went into
6 active action. He was with his men all along. He didn't
7 even -- he didn't only give instructions but he took part".

8 A. That is correct.

9 Q. So you recall saying that Savage was the sole commander and
16:53:56 10 he had men under his control?

11 A. Yes. He was a subordinate commander. After having
12 received the command, so he was carrying them out.

13 Q. No, Mr Witness, please. Please answer the question?

14 A. Yes.

16:54:08 15 Q. I'm not asking you to qualify the statement. I am asking
16 you if that is what you said?

17 A. Okay, yes.

18 Q. Okay, that is what you said. Thank you.

19 PRESIDING JUDGE: Mr Fofanah, where are you wandering off
16:54:25 20 to?

21 MR FOFANAH: Excuse me, Your Honour, I thought because my
22 learned senior is here, I'm actually going to use the
23 convenience.

24 PRESIDING JUDGE: Ten minutes, Mr Fofanah, please sit down.

16:54:40 25 MR FOFANAH: As Your Honour pleases.

26 PRESIDING JUDGE: Ms Thompson, let's have that again
27 please.

28 MS THOMPSON: Your Honour, I'm on page 9877. Sorry, you're
29 Honour, I'll go to page 9876 again and just at the bottom. I'll

1 do it logically.

2 Q.

3 "Q. Yes, you said people were put into a house and burnt
4 down?

16:55:33 5 A. Yes.

6 Q. Can you explain about that a bit, in full detail?

7 A. What happened: Some of his men went on a food finding
8 spree. After they've got their routine, they had civilians
9 to carry it Tombodu. On their arrival at Tombodu those
10 civilians who helped in carrying the food, their reward was
11 Savage had locked them up in a house and set the house
12 ablaze".

13 A. Yes.

14 Q. Do you recall saying that?

16:56:07 15 A. Yes, yes.

16 Q. Okay. Further down on page 9877. Sorry, continuation from
17 that: "Q. You've also said that you witnessed the whole town
18 set on fire?"

19 A. Yes.

16:56:24 20 Q. No, that was a question put to you and you answered yes.

21 A. Yes.

22 Q. Question again, "Can you further explain that" and you
23 answered that -- please wait, wait and I'll put the question.

24 A. Okay.

16:56:36 25 Q. Answer: "Let me say, when the renegade soldiers were
26 about to -- they were about to abandon the town because ECOMOG
27 was the foreign force that was fighting doggedly to install
28 sanity in the country was very close to Tombodu. Savage
29 instructed his men, together to him, to burn down the entire

1 township. "

2 Do you recall saying that?

3 A. Yes.

4 Q. Mr Witness, in all of those passages, about seven or eight
16:57:23 5 of them, is there any mention of Gullit or the person you refer
6 to as Gullit?

7 A. According to those passages, no mention of him.

8 Q. Is there any mention of the person named Tamba Brima?

9 A. No.

16:57:33 10 Q. Now you've mentioned an operation in Karina and you've been
11 asked a lot of questions about that, I do not want to go into any
12 detail, but did Karina happen before Mandaya?

13 A. Before Mandaya.

14 Q. In time -- in terms of time did it happen before Mandaya?

16:57:59 15 A. Yes.

16 MS THOMPSON: Your Honour, may I turn to page 9914.

17 THE WITNESS: Sorry, Mandaya, the incident at Karina --

18 MS THOMPSON:

19 Q. Yes, did it happen before Mandaya?

16:58:32 20 A. Yes, before going to Mandaya.

21 Q. Line 16:

22 "Q. When was the plan to attack Karina made?

23 A. It was just after the Mandaya meeting. "

24 A. Not Mandaya, Yayah. Yayah. That's a mistake from them.
16:58:56 25 After the Yayah meeting, not Mandaya.

26 Q. I am asking you a question, Mr Witness. If you just wait
27 for the question:

28 "Q. When was the plan to attack Karina made?

29 A. It was made after the Mandaya meeting. Mandaya meeting

1 whilst we were roaming. "

2 Did you say that to --

3 A. No, no, no.

4 Q. You did not?

16:59:19 5 A. No, I said Yayah.

6 Q. When did the Yayah meeting take place?

7 A. That was in April 1998.

8 Q. Was that the first time you saw the person you refer to as

9 Gullit?

16:59:38 10 A. No.

11 Q. When did Karina take place?

12 A. That was in May.

13 Q. Karina took place --

14 A. In June. In June.

16:59:55 15 Q. In June?

16 A. In June.

17 Q. When did Yiffin take place?

18 A. Yiffin. Yiffin was in April.

19 Q. Do you remember telling the interviewers that Yiffin took

17:00:26 20 place in June/July '98?

21 A. I don't remember that.

22 Q. You don't remember that?

23 A. Yes.

24 Q. Perhaps if I put it to you it might jog your memory.

17:00:49 25 MS THOMPSON: I'll come back to that, Your Honour, whilst I

26 look for the page.

27 THE WITNESS: They missed the names.

28 MS THOMPSON: 9915, Your Honour. Page 9915, line 17.

29 Q. In answer to a question, "When was Yiffin attacked?" you

1 say, "Yiffin was attacked. It was around July. Yes, July. If
2 I'm not mistaken, around July of 1996. It was just a brief
3 attack in Yiffin, you see."

4 Do you recall saying that?

17:01:28 5 A. No, no, not me. That is not my statement. 1996, AFRC was
6 not in power. AFRC came into power in 1997.

7 Q. Did Yiffin take place at day time or night time?

8 A. Yiffin, in the morning hours.

9 Q. Line 20, do you remember saying this:

17:01:52 10 "Q. And what time of the day?

11 A. It was during the night, you see."

12 A. In the morning hours, around 5.00 to 6.00. They are
13 morning hours.

14 Q. Mr Witness, you haven't told the truth, have you?

17:02:06 15 A. No, I've told the truth. Just look -- taking you back to
16 1996. So there is a big error with that statement. I never say
17 that. 1996.

18 MS THOMPSON: Your Honour, I'm about to move into a new
19 area and I have my eye on the time.

17:02:24 20 PRESIDING JUDGE: It's only two minutes to 5.00 so this may
21 be an appropriate --

22 MS THOMPSON: It is a bit of a longer area.

23 PRESIDING JUDGE: Well, if it's a new part of your
24 cross-examination it would be appropriate to adjourn at this
17:02:37 25 time. We will therefore adjourn until 9.15 tomorrow morning.

26 Mr Witness, the questions that counsel have to ask you, there
27 will be more tomorrow.

28 THE WITNESS: Okay.

29 PRESIDING JUDGE: You have taken the oath and promised to

1 tell the truth this morning.

2 THE WITNESS: Yes.

3 PRESIDING JUDGE: Between now and the time that all your
4 evidence is finished you should not discuss any of your evidence,
17:02:58 5 any of your story, with anybody else.

6 THE WITNESS: Okay.

7 PRESIDING JUDGE: Do you understand this?

8 THE WITNESS: Yes.

9 PRESIDING JUDGE: Very good. Thank you, Mr Witness.

17:03:07 10 Mr Court Attendant, please adjourn court to 9.15 tomorrow.

11 [Whereupon the hearing adjourned at 5.00 p.m.,
12 to be reconvened on Tuesday, the 12th day of
13 July, 2005, at 9.15 a.m.]

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WITNESSES FOR THE PROSECUTION:

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