



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

MONDAY, 3 OCTOBER 2005  
9.20 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:	Teresa Doherty, Presiding Julia Sebutinde Richard Lussick
For Chambers:	Mr Simon Meisenberg
For the Registry:	Ms Susan Gunstone
For the Prosecution:	Ms Lesley Taylor Ms Melissa Pack Ms Maja Dimitrova (Case Manager) Ms Martine Durocher (intern)
For the Principal Defender:	Mr Ibrahim Foday Mansaray (Legal assistant)
For the accused Alex Tamba Brima:	Mr Kojo Graham Mr Brima Osman Keh Kamara
For the accused Brima Bazy Kamara:	Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanau:	Mr Geert-Jan Alexander Knoop Mr Amadu Koroma

1 [AFRC03OCT2005 - AD]

2 Monday, 3 October, 2005

3 [Open session]

4 [The accused present]

5 [Upon commencing at 9.20 a.m.]

6 PRESIDING JUDGE: Good morning. A new face.

7 MS TAYLOR: I beg your pardon, Your Honour.

8 PRESIDING JUDGE: Do I see a new face behind you?

09:17:28 9 MS TAYLOR: The face behind me belongs to Ms Durocher, who  
10 was introduced previously.

11 PRESIDING JUDGE: Sorry, my memory is playing tricks on me.  
12 Thank you. If there are no other matters, I will ask the Court  
13 Attendant to swear in the witness. Madam Court Attendant, would  
14 you please swear in the witness?

09:17:48 15 Just pause one moment. Ms Taylor, I see we have a new  
16 witness in Court. Could we have the details, please, and  
17 language, please, for purposes of the record?

18 MS TAYLOR: Yes, Your Honour. This witness is Zainab  
19 Bangura, who was the witness who was added to the Prosecution  
09:18:06 20 witness list pursuant to Your Honour's decision on Prosecution  
21 request for leave to call an additional witness, dated  
22 5 August 2005. The witness will give evidence in English.

23 PRESIDING JUDGE: Thank you, please proceed, Madam Court  
24 Attendant.

09:18:27 25 WITNESS: ZAINAB BANGURA [Sworn]

26 EXAMINED BY MS PACK:

27 PRESIDING JUDGE: Yes, Ms Pack, please proceed.

28 MS PACK: Thank you, Your Honour.

29 Q. Good morning, Mrs Bangura. Could you give the Court your

1 full name for the record.

2 A. I am Zainab Hawa Bangura.

3 Q. Mrs Bangura, where were you born?

4 A. Yoni Bana, Tonkolili District, northern Sierra Leone.

09:19:19 5 JUDGE SEBUTINDE: We will need assistance with those  
6 spellings, please.

7 MS PACK: Yes, Your Honour.

8 Q. I am afraid, Mrs Bangura, I can't spell --

9 A. Yoni Bana is Y-O-N-I B-A-N-A. Tonkolili District is  
09:19:34 10 T-O-N-K-O-L-I-L-I.

11 Q. Thank you. What is your ethnicity?

12 A. I am a Temne.

13 Q. Where were educated finally?

14 A. I went to my elementary school in eastern Sierra Leone,  
09:19:53 15 Kono District. I did my secondary school at a Magburaka Girls  
16 Secondary School in the Tonkolili district, and at the Amadou  
17 Muslim Secondary School in Kissi Dockyard and then did my sixth  
18 form at the Annie Walsh Girls School.

19 Q. And finally university education?

09:20:19 20 A. I went to the University of Sierra Leone and then I went to  
21 Nottingham University in the UK, the City Business School in  
22 London, and then I did my fellowship at the Chartered Insurance  
23 Institute in London.

24 Q. To spell Magburaka Secondary School is M-A-G-B-U-R-A-K-A.

09:20:42 25 The others were names you have heard before, Your Honours.

26 PRESIDING JUDGE: Thank you.

27 MS PACK:

28 Q. Mrs Bangura, you have a curriculum vitae which has been  
29 handed over to the Office of the Prosecutor and I am going to ask

1 that a copy be handed over to you. If I could have the  
2 assistance of Madam Court Attendant?

3 [Document shown to witness]

4 Your Honours, it is the document with the filing number at  
09:21:14 5 top, 14499.

6 PRESIDING JUDGE: Thank you, Ms Pack, we have that before  
7 us.

8 MS PACK:

9 Q. Mrs Bangura, if you could just look at the document in  
09:21:24 10 front of you. Is that a copy of your curriculum vitae?

11 A. Yes, as of the date it was handed over, it was submitted.

12 Q. Thank you.

13 MS PACK: Your Honours, I would like to tender the  
14 curriculum vitae, please.

09:21:40 15 PRESIDING JUDGE: Who is speaking on behalf of counsel for  
16 the Defence? Mr Knoops?

17 MR KNOOPS: Thank you. No objections, Your Honour.

18 PRESIDING JUDGE: Thank you. That will be tendered. I  
19 think it is P30.

09:21:54 20 [Exhibit No. P30 was admitted]

21 MS PACK: Thank you, Your Honour.

22 Q. Mrs Bangura, I am going to start by going through some  
23 aspects of your professional background and experience. To start  
24 off with, when did you first move into the field of civil rights?

09:22:15 25 A. I got involved in it specifically in 199 -- when my mother  
26 died, when I lost my mother in 1995, I think, '95.

27 Q. Why did you move into the field of civil rights then, at  
28 that time?

29 A. I think it was an accumulation of events. I come from a

1 very traditional family. Yoni Bana, where I come from, is the  
2 most traditional part of Sierra Leone among the Temne. It is the  
3 bedrock of traditional and customary. My father was an imam  
4 also, so I come from a very strict Muslim background. My father,  
09:23:03 5 when I was young --

6 MS PACK: Feel free to have a glass of water.

7 PRESIDING JUDGE: Mrs Bangura, are you all right? Do you  
8 need a break?

9 THE WITNESS: No.

09:23:18 10 MS PACK: Can we have a glass of water for the witness?

11 PRESIDING JUDGE: Could one of the witness support  
12 personnel please come into the Court.

13 THE WITNESS: I am sorry. My father when I was 12 years  
14 old threw me and my mother out, because I was a daughter and he  
09:23:50 15 wanted to have sons. So I had to move with my mother to the  
16 village because the Islamic legislation does not allow the  
17 education of the girl, so at the age of 12 I was going to be  
18 married off and I left. My mother and I left and we went back to  
19 the village because we were living in Kono and I went to the  
09:24:19 20 village. So it was a very difficult year going to school because  
21 my mother had to suffer and do everything for me.

22 MS PACK:

23 Q. On your mother's death you went to the United States for a  
24 civil rights program on the summer that she died; is that  
09:24:41 25 correct?

26 A. Yes. During my mother's death -- before my mother died, I  
27 actually had my son, and because my father was an Islamic  
28 scholar, he rejected my son and myself. He never accepted us.  
29 Then on my mother's death, when I went for my mother, he refused

1 to allow my husband now to actually participate in the funeral  
2 with his family because I wasn't married. It was against the  
3 custom. I actually had to get married on my mother's death, on  
4 the very day my mother was to be buried or my mother wasn't going  
09:25:03 5 to be buried. So I got married on that day. So then -- well, I  
6 had to stay in my village for about two weeks because the custom  
7 is that I had to go around the village because my mother came  
8 from a chieftaincy house. She is the daughter of a chief, so I  
9 had to go around and tell everybody about the funeral and the  
09:25:24 10 arrangements because we have the 40th day ceremony in which the  
11 family meets again. That is the end of the funeral arrangements.

12 During that course of the time I came to realise the level  
13 of poverty and I tried to explain to people what my father's  
14 family had done to me and the way my mother's body had to be put  
09:25:45 15 on hold until actually we did the wedding. So that was when  
16 everybody started explaining to me the custom and they didn't  
17 think anything was wrong. It was right they had to do that. So  
18 it was when I came back I realised something was wrong. I mean,  
19 the way women were being treated was not fair, so I walked  
09:26:02 20 straight to UNDP and I went to talk to the man. So it was then I  
21 got involved in women issues and finally went to the United  
22 States for a programme, international visitors programme. It was  
23 after that programme I came and launched an organisation.

24 Q. What was the organisation?

09:26:17 25 MR FOFANAH: Excuse me. I'm sorry, Your Honours. Can the  
26 witness go a little slower, because we are taking notes. Sorry.

27 MS PACK: I'll ask the witness to go a bit slower.

28 Q. Mrs Bangura, I'll just remind you the judges are writing a  
29 note, as are my friends for the accused, so if you could just

1 take it a bit slower?

2 A. Okay, I will just summarise. I got involved in women's  
3 rights issues as a result of accumulation of things that affected  
4 me personally and the realisation of the situation of women in  
09:26:48 5 Sierra Leone culture-wise and religiously. So I started getting  
6 involved through the UNDP and eventually went to the  
7 United States on a programme called Pluralism and Grassroot  
8 Democracy and it was after that programme that I actually asked  
9 the US embassy for a grant and they gave me \$25,000 grant which I  
09:27:09 10 used to actually start working on women's rights.

11 MS PACK: Pause a moment there. What was the first  
12 organisation that you set up here in Sierra Leone?

13 A. It is WOMEN. The acronym is WOMEN, W-O-M-E-N. Woman  
14 enlightening for a morally --

09:27:38 15 Q. Women Organising for --

16 A. Women Organising for Morally Enlightened Nation, it is  
17 WOMEN.

18 Q. That organisation, what was it set up to do?

19 A. It was basically set up to work towards the democratisation  
09:27:47 20 process, because I realised that getting involved in the UNDP and  
21 the American embassy that you can not talk about women's rights  
22 out of a democratic situation because women's rights are part and  
23 parcel of the rule of law. So as a result of that, I used that  
24 organisation to train women specifically and that is when we  
09:28:10 25 created the Market Women's Association using grassroots women to  
26 educate them about women's rights, about democracy, about the  
27 rule of law, about their right in the Constitution and these  
28 others things.

29 Q. Pause there a moment. That is the Sierra Leone Market

1 Women's Association?

2 A. The Sierra Leone Market Women's Association. It was  
3 created as result of my creating WOMEN.

4 Q. And just pausing at that organisation, the Sierra Leone  
09:28:34 5 Market Women's Association, what did you do? What was your  
6 involvement with that organisation.

7 A. I worked with older women. The grassroots women, they  
8 created that organisation and it developed into now it is the  
9 biggest grassroots women's organisation in the country. We train  
09:28:56 10 them on women's rights, on child rights and micro-credit  
11 financing and a whole lot of issues that is actually supposed to  
12 development their social, political and economic status in the  
13 country.

14 Q. Do you combine work focused at the economic status of these  
09:29:14 15 women with other more human rights leaning work?

16 A. Yes, for every support we give them, we include women's  
17 right training. They particularly did women's right training  
18 across the country. The secretary-general of the Markets Women's  
19 Association we found that actually a high school dropout named  
09:29:39 20 Mrs Mary Bangura, so we trained her and she went across the  
21 country and trained women on women's rights issues, on children's  
22 rights, on the SIDA documents and on the effect of the  
23 traditional culture on women. So we did human rights training  
24 across the country on women's rights.

09:29:55 25 Q. Just pausing there, you are the founding patron of the  
26 Sierra Leone Market Women's Association?

27 A. Yes, one of the things when I started working with them,  
28 they were very reluctant because they thought they had been used.  
29 One of the things I did was for them to run the organisation



1 themselves. So in the office in which I used to run CGG I opened  
2 an office for them and we had a grant from the American embassy  
3 and the secretary-general who was selling in the markets left the  
4 market and came joined my office. And we had an accountant for  
09:30:35 5 them and collectors and a president who is also illiterate left  
6 the market. She was put on the payroll as well as the  
7 secretary-general.

8 So they were running it within my institution, so I  
9 couldn't be the president. I told them: "No, you have to take  
09:30:49 10 charge. You have run it. You have to be independent." So they  
11 gave me the name "patron", as a lifelong patron, somebody who is  
12 behind them. So I sort of promoted them and sent Mary to Guinea,  
13 to Liberia. She even went to Dakar for training. Now she is  
14 working out of an organisation. And I got her to do adult  
09:31:07 15 literacy. So we even tried to do adult literacy for them.

16 Q. You have mentioned another organisation, CGG. Is that the  
17 Campaign for Good Governance?

18 A. Yes, please.

19 Q. What has been your involvement in that organisations?

09:31:23 20 A. Through the women I led the campaign for democratic  
21 elections in Sierra Leone. At the end of the election we  
22 realised that democracy is a process and it needs to be nurtured.  
23 So that is when I took leave from my insurance profession and  
24 created a campaign for good governance on the 1st of July 1996.  
09:31:44 25 Basically it was to include the participation of civil society  
26 and governance. And initially that was what we were doing, to  
27 support the democratic process. But when the war intensified and  
28 we saw the level of atrocities that were committed, I had to go  
29 into exile. I got a grant from the National Endowment for Media

1 Training, because the media was one of the people that we were  
2 supposed to build their capacity and I got back to NED and told  
3 them to change that grant, which was a \$21,000 grant to human  
4 rights grants.

09:32:10 5 Q. Pause a moment. You used an acronym, NED.

6 A. The National Endowment for Democracy. It's a US-based,  
7 congress-funded organisation that funds democracy.

8 Q. Campaign for Good Governance, what is the geographic spread  
9 of CGG's work in Sierra Leone?

09:32:37 10 A. When I founded it, by the time I left in 2000, I had 46  
11 staff. On the 1st of July 1998, when we opened the human rights  
12 department, by the end of that year we had human rights monitors  
13 across the country. Each district we trained somebody who was  
14 documenting, monitoring and providing education in human rights.

09:33:08 15 So the whole country on monthly basis we collected data on human  
16 rights violations and we did human rights training across the  
17 country.

18 Q. Pause a moment. Your role at the time at CGG was what?

19 A. I was the national coordinator. I was heading the  
09:33:25 20 organisation.

21 Q. How long did you hold that position for?

22 A. When I opened the office on the 1st of July 1996, up to  
23 February 2002.

24 Q. You have already identified the objectives of CGG to  
09:33:39 25 include rule of law and moving into human rights in July of the  
26 year in which it was set up. You have told us that you had staff  
27 who were trained in human rights. Where did they receive that  
28 training from?

29 A. The UN mission provided training under a Michael

1 O'Flaherty, Amnesty International, Human Rights Watch, under  
2 Doreen and others. So initially the training was provided by the  
3 people. I even have some of the invitation letters and  
4 everything here, the training that was done with them. So  
09:34:21 5 various people need various training and other people who came.  
6 Because at that time the human right documentation was done by  
7 international people who would come to the country and who would  
8 come to us so -- and then Kofi Woods, who was the head of the  
9 Justice and Peace Commission in Liberia, was running the biggest  
09:34:40 10 human rights organisation. I had sent -- during the course when  
11 I was in exile, I had sent a lady called Salamba Sillah [phon] to  
12 be with Kofi for six years, because they were in human rights  
13 organisation. So she did an intern with them to be aware of what  
14 they were doing in Liberia. So she came and she was the first  
09:34:52 15 human rights officer with a background. A few months after she  
16 came, Kofi Wood from Liberia came to help her set up the human  
17 right department and tell us exactly the kind of strategies we  
18 will need to be able to run the department.  
19 Q. Just pausing their again. The reporting of human rights in  
09:35:19 20 Sierra Leone at this time, how often were you receiving reports  
21 from your human rights officers?  
22 A. We were receiving monthly reports from the human rights  
23 officers and the reports will come to my desk every month after  
24 they did the training.  
09:35:35 25 Q. You provided a report on the phenomenon of forced marriage  
26 during the conflict in Sierra Leone. When did you first become  
27 aware of the phenomenon about which you speak in your report?  
28 A. It was after -- when the initial CGG reports were being  
29 sent, we didn't pay a lot of attention to it. But it was after

1 the January incident of 1999 that we actually had to extend the  
2 documentation to providing medical services to victims who had  
3 suffered from this incident, because when Freetown was attacked a  
4 lot of girls were taken away. And some of them when they came  
09:36:24 5 back, they had a lot of medical problems. Here with me I have  
6 the letter I sent to the British High Commission to give us money  
7 because we didn't have it in our budget. So the scale of the  
8 problem actually we became very much aware of it after the 1999  
9 attack in Freetown.

09:36:39 10 Q. What sort of services were you then providing following on  
11 from the attack on Freetown?

12 A. Medical. In hospital we paid their bills.

13 Q. When you are talking about "their bills", who are you  
14 talking about?

09:36:54 15 A. We're talking about the bills of the girls who came who we  
16 documented their testimonies, who told us about their experience  
17 when they were captured and taken to the bush and then they  
18 stayed there with the husband. They call it: "You are my wife."  
19 Lot of them suffered from medical problems and so we took them.

09:37:12 20 There was one particular incidence of a girl who actually her  
21 uterus had to be removed because of the effect. So we took care  
22 of their families, because some of them were not actually  
23 Freetown based, so we gave them money to be able to buy things  
24 for them. We paid for the drugs, for the hospital, for the  
09:37:31 25 medical tests. There is a break down of some of the things we  
26 did with some of the money the British High Commission gave us.

27 Q. I will go very briefly through other aspects of your  
28 professional experience. Looking at your curriculum vitae, you  
29 have identified that, at the second page, which is 14500 for Your

1 Honours' reference, that you worked as a community empowerment  
2 consultant for UNHCR between November 2002 and February 2003; it  
3 that correct?

4 A. Yes, please.

09:38:05 5 Q. What briefly was your involvement -- what was the nature of  
6 the work you did for UNHCR at this time?

7 A. UNHCR was trying to design a program which will actually  
8 support communities, which will include returnees, refugees, as  
9 well as IDPs. They didn't want to just target the IDPs, they  
09:38:22 10 wanted to target the communities. So part of the issue was I had  
11 to visit --

12 PRESIDING JUDGE: Could you just pause, Ms Bangura? You  
13 are using letters.

14 THE WITNESS: Sorry.

09:38:31 15 PRESIDING JUDGE: Could you expand and tell us what those  
16 letters meant?

17 MS PACK:

18 Q. You have referred to "returnees" and "IDPs". Could you  
19 just break down what an IDP is?

09:38:41 20 A. Refugees, IDPs, internally displaced people, were the ones  
21 who were staying in urban towns who did not go out of the  
22 country.

23 Q. This was out of the country as a result of the conflict?

24 A. Yes, as a result of the conflict, those people who were  
09:38:55 25 displaced. They were divided to two categories: The refugees  
26 were those who went out of the country, the internally displaced  
27 persons are the ones who stayed in the country but dislocated  
28 from their communities. So the returnees are both groups. When  
29 they return to their communities they call them returnees.

1 Because UNHCR was the UN agency responsible for people who have  
2 been dislocated as a result of war or anything had a  
3 responsibility to follow those people into their communities.  
4 UNHCR wanted me to design a program that will not only target  
5 these people that they were supposed to be responsible, but they  
6 want the entire community to benefit that were specifically  
7 stationed in this community. So they gave me a map where the  
8 bulk of the people they were supposed to take care of were  
9 stationed, which was in Kailahun, in Kono, in Kambia and in some  
09:39:48 10 parts of Pujehun. So of course, I was hired to go into these  
11 communities and talk to the communities, the different  
12 stakeholders, people who live within these communities, talk to  
13 them and see their needs are and then come and design a program,  
14 a strategy, specifically that when UNHCR provides resources it is  
09:40:09 15 going to benefit all of them at that community. So, one of the  
16 first things you need to find out who are the main people within  
17 those communities, the different categories, the returnees, the  
18 chiefs and everything.

19 Q. Pause there. Who were the main categories or groups within  
09:40:27 20 that group of returnees in Kailahun that you identified?

21 A. In Kailahun District, you had the people who came from  
22 overseas, from Liberia and Guinea. They came from two  
23 different -- because Kailahun is in between Liberia and Guinea.  
24 You had people who came from the urban towns in Bo, Kenema. You  
09:40:42 25 had RUF/AFRC ex-combatants, who were there because Kailahun was  
26 the last district that was disarmed and was a stronghold of the  
27 rebels, both the AFRC -- mostly the RUF. And you had indigenous  
28 people, mostly young people, who had stayed behind who were not  
29 active in the RUF but who had stayed in Kailahun because they

1 were born in Kailahun. Then you had people who had been abducted  
2 who had been brought into Kailahun. It is a whole set of people  
3 over the period of the war --

4 Q. Pausing there. Who was amongst abductees in Kailahun?

09:41:20 5 A. The abductees mostly were women, those who didn't go out  
6 because they were women. These were the ones who were married to  
7 the rebels who were within Kailahun District during the course of  
8 the war. Those -- as the rest of the country also was being  
9 disarmed some of them, the areas in which they were stationed,

09:41:39 10 they found it uncomfortable to live there because people were  
11 returning. So most of them were looking for some places they  
12 could feel comfortable. So a lot of them migrated to Kailahun  
13 and settled. So even those who had not lived in Kailahun, but  
14 who found it very difficult to stay in those communities, came

09:41:56 15 back and settled into Kailahun. So you had all these different  
16 fragmentation of people within the Kailahun District.

17 Q. Did you interview those people from the different groups,  
18 including the women who you have identified at that time?

19 A. Basically because I am normally biased when it comes to  
09:42:14 20 women's issues, even in my program in CGG and even here now where  
21 I am in NGA, I always tend to specifically source out women  
22 within everything I work with. So I was very much particular to  
23 deal with the women who were in Kailahun to find out where they  
24 come from, what were their problems and which of these category  
25 did they belong to.

26 Q. Did you find out what had happened to the women you  
27 identified as a group in Kailahun?

28 A. Definitely. I spoke to them and I found that a lot of them  
29 were married to rebels; they were rebels' wives, so they called

1    them "bush wife" or junta wife. Few of them have children. Some  
2    of them were still living with their husband, the people that  
3    they were married to who had abducted them. Some of them are  
4    living with other sets of rebels, not the ones who abducted. The  
5    ones who abducted maybe had died in an ambush or something, were  
6    still there. Some of them were just living there, they were not  
7    married to any particular person, because the person who had  
8    abducted them had left. But they feel they were so badly  
9    stigmatised they were not going back. So they stayed there. So  
10   those were this combination of women and girls, mostly girls.

11   Q.    Your location during the war was where? Did you leave  
12   Sierra Leone at one time?

13   A.    I only left Sierra Leone in June 1997 and came back during  
14   the AFRC -- during the Armed Forces Revolutionary Council, when  
15   the government was overthrown, and came back in March with the  
16   president, the government [indiscernible] and then went back that  
17   March, two days later to bring back my family in April 1998.

18   Q.    Thank you. During the war then, in this period in  
19   particular when you were out of Sierra Leone, what happened to  
20   Campaign for Good Governance?

21   A.    We re-established the office in Conakry and we continued.  
22   I got a grant from the DIFID and the US embassy. We continued to  
23   have -- to get Sierra Leoneans back home -- Conakry to give us  
24   information. We were constantly on the phone. So the DIFID had  
25   to pay for the phone, especially the phone bill because we talked  
26   for five times, ten times a day to Freetown. But we established  
27   the office, which became the centre of civil society activity and  
28   we trained youth groups in this building in human rights, in a  
29   lot of activities and we contributed and participated in the



1 programs that were being developed from outside that was  
2 targeting the Sierra Leone audience. We raised money for the  
3 radio station that was being used to broadcast messages from  
4 exile to here.

5 Q. Then going to other examples of your experience  
6 professionally in research and report writing. You have  
7 identified that you worked, in your curriculum vitae again -- at  
8 14500 for Your Honours -- as a women's empowerment consultant for  
9 the Mano River Union countries of Guinea, Liberia and Sierra  
10 Leone. That was for the Open Society initiative, West Africa.  
11 That was between March and July 2003, is that correct?

12 A. Yes, please.

13 Q. And just very briefly again, what was the work that you did  
14 in this initiative?

15 A. I was a board member of the OSIWA and one of the issues I  
16 raised was the funding of women's rights activities in the OSIWA.  
17 So by the time I left, it was agreed that a special fund should  
18 be put aside to support women's rights issues within the Mano  
19 River Union countries. So I was asked that, "Since you are the  
20 one who has been pushing this, can you go to those communities  
21 and find out exactly what is needed." So I travelled to Guinea,  
22 Liberia, and I travelled also around Sierra Leone, the same  
23 countries that I thought were very traditional and which had  
24 problems with women's rights, to basically find out what was  
25 needed, who was funding what, where and how so that OSIWA could  
26 actually come into the gap, the areas where the money was not  
27 being spent and to look for groups that don't have access to big  
28 donors. Because the big donors traditionally fund groups they  
29 are very comfortable with. But you have smaller groups in

1 villages that might need \$500 or \$1,000 that would make a  
2 difference in their life. These are the groups that they would  
3 like to fund. So that is what I was supposed to do.

4 MS PACK: OSIWA, for Your Honour, is the Open Society  
5 Initiative, West Africa.

6 Q. Another example of your work professionally is your work  
7 for UNDP, the United Nations' Development Program.

8 MS PACK: Again at 14500 of the curriculum vitae, Your  
9 Honours.

10 Q. Where you worked as a senior adviser and part-time  
11 consultant between April and August 2004 and June and September  
12 2003. Again, in summary, what was it that you did for UNDP in  
13 these periods?

14 A. I had a lunch with the head of UNDP and I complained about  
15 the fact that the UNDP is not targeting the marginalised group,  
16 which are women and youth, and that I felt the war in Sierra  
17 Leone was a result of that -- the war in Sierra Leone was as a  
18 result that and the UNDP program is too top/bottom. So after my  
19 lunch with him, he said, "Okay, let me hire you as a senior  
09:47:40 20 advisor on inclusion and participation," basically to look at the  
21 UNDP program and see how you could include women's issue in and  
22 youth and how the existing programs that they have, how to  
23 actually target. That program also, of course because I had a  
24 vehicle at my disposal, also enabled me to travel across the  
09:47:59 25 country, mostly in the border areas, mostly in the areas that  
26 have been left out. So I went there, did a report and, of  
27 course, UNDP was able to get a grant from the Japanese government  
28 and they funded us. So some of the skills training that the  
29 women in Kailahun that I had worked with actually underwent was

1 as a result of that program.

2 Q. Other Sierra Leonean women's rights organisations that you  
3 have been involved in, again looking at your curriculum vitae,  
4 include the Sierra Leone Women's Forum, of which you were a  
09:48:32 5 member in from 1995 to 1998, and another organisation,  
6 nationally, the Yoni Bana, Malal, Mabang Women's Development  
7 Association, of which you were founding patron and member. Is  
8 that correct?

9 A. Yes, please.

09:48:47 10 Q. What is that association?

11 A. The Women's Forum was set as a result of the preparation  
12 for the Beijing Conference. It is basically a network of women's  
13 groups that bring all the different women's group. I was  
14 actually heading the aspect that has to do with the political  
09:49:05 15 participation of women, bringing it. It was through that  
16 organisation that we led the campaign against the military. So  
17 it has a monthly meeting where we share information and other  
18 things. They had a grant from UNHCR to work on women's issues  
19 and others. I come from Yoni and the sister's chiefdoms are Yoni  
09:49:26 20 Bana, Malal and Mabang.

21 MS PACK: I will spell those. You have had Yoni Bana.  
22 Malal is M-A-L-A-L and Mabang is M-A-B-A-N-G, Your Honour.

23 THE WITNESS: They feed traditionally in terms of  
24 chiefdoms -- they feed into each other, because, for example, our  
09:49:42 25 family is also the same family that is Mabang chiefdom from the  
26 mothers's side. Because Yoni Bana is the most traditional part  
27 of the Temne land in Sierra Leone you have less women from those  
28 areas that actually go to school, and women have no rights in  
29 those areas. And also as I speak to you, women are part of their

1 husband's property. When the husbands die, they dispose you with  
2 the rest of the property. So after shouting about women's  
3 rights, I called all the people within area, the women, and I  
4 said it is very unfair that I go on campaigning about women's  
09:50:23 5 rights and other issues and support women and raise money for  
6 women's organisation when within my own community I haven't been  
7 able to do that. So I call them and say, "I don't have the time,  
8 because it means a full time. But I will give you all the  
9 support I can; I will show how it is done and then you take it  
09:50:39 10 from there. And I will be at the background to help you, but I  
11 cannot be a full-time member, I would not be able to attend  
12 meetings because I am very busy." So it was as a result that  
13 that the organisation was set up. So I became a patron.  
14 Q. I will list other international women's rights  
09:50:57 15 organisations that you have been involved with. They include the  
16 African Portfolio for the Global Fund for Women, for which you an  
17 advisor.  
18 A. Yes.  
19 Q. And Women waging Peace?  
09:51:08 20 A. Yes, please.  
21 Q. Could you explain briefly what Women Waging Peace is about?  
22 A. Women Waging Peace brings together women from conflict, war  
23 torn societies across the world. It is actually an organisation  
24 founded by Swanee Hunt, who was President Clinton's ambassador to  
09:51:23 25 Australia. She actually lectures at the Kennedy School of  
26 Government at Harvard University. So she takes us to Harvard  
27 University once a year and brings us together to share  
28 information and talk about the problems faced and to develop  
29 strategies. If I am visiting Washington, she makes arrangements

1 for you to meet policy people and talk about Sierra Leone and  
2 talk about Liberia. She sort of brings the focus and she is also  
3 very much involved in the campaign of Resolution 1325, getting  
4 women involved to the peace process. She also did a study in  
09:51:54 5 Sierra Leone, I think they call it "From Combatant to Women  
6 Community" or something, which actually also deals with this  
7 phenomenon. So I am a member of that network and it helped me  
8 meet other people, women in Palestine, Congo, Sri Lanka, all over  
9 these countries that are actually working on the same issues like  
09:52:16 10 I work.

11 Q. And resolution 1325, that is a Security Council resolution?

12 A. That is a Security Council that works on women and peace.

13 Q. You have been the recipient of a number of awards, both  
14 nationally and internationally. I am going read out some of  
09:52:33 15 them, and just confirm that those are indeed awards that you have  
16 received: The Democratic Woman of the Year in Sierra Leone, the  
17 Sierra Leonean Women of Excellence Award, Woman of the Year from  
18 Sierra Leone; internationally, the Africa International Award of  
19 Merit and Leadership, the Human Rights Award from the Lawyers'  
09:52:54 20 Committee of New York and the Bayard Rustin Humanitarian Award  
21 from the United States.

22 A. Yes, please. Thank you.

23 Q. Presently you have identified you work for an organisation,  
24 the acronym was NAG, what does that stand for?

09:53:08 25 A. It is National Accountability Group.

26 Q. What is your involvement with that organisations?

27 A. It works on corruption. I am the executive director. For  
28 a number of years while I was working on the Campaign for Good  
29 Governance I was the contact person for Transparency

1 International. That is a global network for corruption. But  
2 because our work was so intensified in human rights,  
3 specifically, we didn't have time to focus on corruption. So  
4 before I left Campaign for Good Governance I decided we need to  
09:53:44 5 take corruption out and create a whole new institution to work on  
6 corruption so then it will give the Campaign for Good Governance  
7 more time to focus on that. So this was how we launched it, but  
8 it was never operational for about a year or two. So some of the  
9 members said to me, "It is your dream, you are the kind of person  
09:54:04 10 who have the ability build something, to develop it and you have  
11 the ability to raise funds. So why don't you take it?" So I  
12 then took the organisation and raised my first grant, which was  
13 \$150,000. And we opened an office now in Freetown. So we are  
14 the only civil society group in Sierra Leone, NGO registered,  
09:54:23 15 that works exclusively on corruption, accountability and  
16 transparency issues.

17 Q. And you took that over in July 2004?

18 A. July 2004.

19 Q. Thank you, Mrs Bangura.

09:54:32 20 A. Thank you.

21 Q. That is all I was going to deal with relating to your  
22 professional background. Mrs Bangura, you have written a report  
23 for the Office of the Prosecutor entitled "Expert report on the  
24 phenomenon of forced marriage in the context of the conflict in  
09:54:52 25 Sierra Leone, and more specifically in the context of the trials  
26 against the RUF and AFRC accused only".

27 MS PACK: I would like to pass that report, please, Your  
28 Honour, to Mrs Bangura with the assistance of Madam Court  
29 attendant.

1 PRESIDING JUDGE: Can you please assist?

2 MS PACK:

3 Q. The document I have had passed up to you, is it a copy of  
4 the report you prepared for the Office of the Prosecutor?

09:55:32 5 A. Yes, please.

6 Q. That was prepared by you completed in May 2005; is that  
7 correct?

8 A. Yes, please.

9 MS PACK: Your Honour, I would like to tender the report at  
09:55:46 10 this stage, please.

11 PRESIDING JUDGE: Mr Knoops?

12 MR KNOOPS: We object. We believe at this stage the  
13 tendering of this document should be denied, or at least the  
14 tendering of this document is premature and should at least be  
09:56:10 15 delayed until after the cross-examination. First of all, Your  
16 Honours, I have four reasons for my objection. My first reason  
17 lies in the arguments of the Defence as laid down in our initial  
18 motion, in which we requested the exclusion of the report of the  
19 expert witness. Secondly, the report itself is not simply a  
09:56:41 20 document which reflects evidence of fact. It is not purely  
21 documentary evidence of fact, which is actually one of the  
22 requirements in the case-law of Yugoslav tribunal for tendering  
23 of documents without the consent of the Defence. In this regard,  
24 we should observe, Your Honours, that the report of Mrs Bangura  
09:57:13 25 reflects to a high degree her personal experience, and this was  
26 actually also acknowledged by my learned colleagues of the OTP  
27 when they disputed our initial arguments in the motion to exclude  
28 the report. It also enhances opinion evidence, such as  
29 information of the expert regarding psychological effects of

1 forced marriage without scientific data, without facts and  
2 figures and without statistics. Thirdly, we believe that the  
3 report in its current form also addresses portions of the  
4 ultimate issue rule, the ultimate issue. First of all, it  
09:58:11 5 addresses the AFRC involvement and the RUF involvement. For  
6 instance, on page 8 of the report reference is specifically made,  
7 and I quote from the report:

8 "Kailahun was the only district that the RUF had control of  
9 during the entire period of the war. It therefore became a  
09:58:43 10 fortified and secure fortress for all RUF activities."

11 We believe that these issues may reflect the ultimate issue  
12 also for the AFRC accused in the context of the underlying charge  
13 of joint criminal enterprise.

14 Fourthly, Your Honours, the report reflected hearsay  
09:59:08 15 information; namely, statements of third persons. When Your  
16 Honours would look at page 14, 15 and 18 and 19, a summarisation  
17 is given of several statements by individuals who are mentioned  
18 with a number, the origin of which is not yet clear. We don't  
19 know whether these statements, which are implemented in this  
09:59:44 20 report, are extracted from other reports or are summarisations of  
21 interviews be conducted by either of expert witness today or  
22 third investigators. We have to bear in mind that the report of  
23 this witness was not written in the context of a UN fact-finding  
24 mission, but was written for the purposes of litigation. This  
10:00:13 25 distinction is also quite relevant in the case-law of the ICTY  
26 when it concerns the tendering of documents.

27 So, in sum, we believe that based on these four arguments  
28 considered in combination, the tendering of this document in this  
29 stage should be denied and, in the alternative, we as Defence



1 would suggest that Your Honours would decide on the tendering of  
2 the report after the cross-examination by the Defence. Thank  
3 you.

10:00:55 4 PRESIDING JUDGE: Mr Knoops, you referred to a precedent  
5 from the ICTY. Could you give me the name that precedent,  
6 please?

7 MR KNOOPS: Yes, Your Honour. That is the decision I  
8 believe we mentioned earlier during other objections.

9 PRESIDING JUDGE: There were several.

10:01:06 10 MR KNOOPS: Yes, I know, Your Honour. The decision on the  
11 Prosecution's application to admit the Tulica report and dossier  
12 into evidence, an interlocutory decision of the Trial Chamber of  
13 the ICTY, 29 July 1999, pages 19, 20 and 32.

14 PRESIDING JUDGE: Is that the Greve report?

10:01:38 15 MR KNOOPS: Tulica. T-U --

16 PRESIDING JUDGE: Yes, that is the name of the --

17 MR KNOOPS: Yes.

18 PRESIDING JUDGE: I am talking about the report that was  
19 actually being tendered in that case.

10:01:48 20 MR KNOOPS: It was a combination, Your Honour, of reports  
21 in which an exhumation report, witness statements, newspaper  
22 articles, and part of that dossier, and also several reports were  
23 implemented which enhanced statements of other individuals, in  
24 which context the Defence also argued that the tendering of the  
10:02:17 25 documents would indirectly allow for the admission of hearsay  
26 statements without the authenticity being checked at this stage.  
27 Also in this regard, I would say, we tender when Your Honours  
28 would accept the report in its current form, in this stage, we  
29 don't have from the expert witness any information as to the

1 authenticity of the statements which are implemented in the pages  
2 14, 15 and 18 and 19. It is all summarisation of several  
3 statements, in which statement reference is made to, inter alia,  
4 in AFRC alleged AFRC persons.

10:03:05 5 With respect to the issue of the distinction between the  
6 tendering of a document which stems from a UN fact-finding  
7 mission on the one hand and a report which is written for the  
8 purpose of litigation, I refer Your Honours also to page 208 of  
9 book on criminal evidence of the late Judge May, on which page he  
10:03:36 10 makes the distinction indeed between the admissibility of reports  
11 in this regard on the one hand arising from UN fact-finding  
12 missions, in which context the threshold may be history for the  
13 tendering of documents, and on the other hand expert witness  
14 records written for the purpose of litigation.

10:04:05 15 JUDGE SEBUTINDE: What is that decision?

16 MR KNOOPS: No, it is authority. Judge May has elaborated  
17 on several decisions in this regard. On page 208 of his book  
18 he --

19 JUDGE SEBUTINDE: What is the name of the book?

10:04:22 20 MR KNOOPS: The book, Your Honour, is "International  
21 Criminal Evidence", written by Judge Richard May and Marieke  
22 Wierda. It is published in 2002, French National Publishers, New  
23 York, page 208.

24 PRESIDING JUDGE: Thank you. Is that your submission,  
10:04:58 25 Mr Knoops?

26 MR KNOOPS: Yes.

27 PRESIDING JUDGE: Ms Pack, your reply please.

28 MS PACK: Thank you, Your Honour. I will deal with my  
29 learned friend's points in turn, if I may. Last point is that

1 this report was prepared for the purposes of litigation and  
2 therefore is not admissible. This report is, of course, prepared  
3 for purpose of this litigation, Your Honours. This witness is an  
4 expert witness and has been found to be an expert witness  
10:05:31 5 qualified to provide a report by Your Honours in your decision  
6 dated 5 August 2005. In my submission, it is inappropriate for  
7 my learned friend to go back and to seek to go behind your  
8 decision, which has addressed the question of this witness's  
9 expertise, and also with the evidence that is provided in the  
10:05:51 10 substance of the report. Indeed, at least one of the points  
11 which my learned friend has made today, he made earlier, or, at  
12 least, was made by the Defence in their earlier filing dealing  
13 with this report.

14 Your Honours, if I could just take you to your own  
10:06:12 15 decision -- page 12 of your decision. I cannot see the registry  
16 filing reference at the top. It is 14396. I will read out what  
17 Your Honours found at the end of the first paragraph, after  
18 considering Mrs Bangura's qualifications and experience. Your  
19 found:

10:06:31 20 "In the premise we find no merit in the Defence objection  
21 to Mrs Bangura's qualifications and hold that she possesses  
22 relevant experience and that the Prosecution is entitled to  
23 call her as an expert witness, and disclose her report to  
24 the Defence pursuant to the provisions of Rule 94 bis of  
10:06:49 25 the Rules."

26 On the preceding page, Your Honours, you dealt with the  
27 objections which the Defence had raised as to the substance of  
28 the report. And I will read a couple of the objections which  
29 were made by the Defence motion, or response, I think it was.

1 Paragraph 30 at small "b", halfway down the page, the submission  
2 was made:

3 "The report is not relevant to the AFRC case as it is  
4 mainly confined to research conducted in the province of  
10:07:16 5 Kailahun, which Mrs Bangura alleges was the only district  
6 that the RUF had control of during the entire period of the  
7 war."

8 It appears to be the converse of the submission that has in  
9 fact been made by my learned friend today. I think the objection  
10:07:31 10 today, quoting from that part of the report, was that the report  
11 therefore went to an ultimate issue. The point there made, Your  
12 Honours, was addressed by you in the decision, in which you  
13 found, again in the last 10 lines or so of paragraph 30:

14 "It is our considered view that all of the above concerns  
10:07:53 15 are matters that go to the weight and not admissibility of  
16 the evidence, and that can be adequately tested during  
17 cross-examination. The weight to be attributed to expert  
18 evidence will be determined by the Trial Chamber, not at  
19 this stage, but rather at the end of the trial and in light  
10:08:04 20 of all the evidence adduced. We also note that in the  
21 interests of justice and a fair trial, the Defence are  
22 themselves entitled not only to cross-examine Mrs Bangura  
23 but also to submit expert findings to the contrary and to  
24 call their own expert witness or witnesses in their  
10:08:20 25 defence."

26 Your Honours, no doubt that is something the Defence will  
27 do; they will no doubt cross-examine Mrs Bangura and seek to  
28 obtain their own evidence in due course. The matters raised by  
29 my learned friend are matters which may be cross-examined on, but

1 are certainly not matters that go to the issue of the  
2 admissibility of this report.

3 My learned friend has raised further, and again something  
4 that is dealt with in this decision by Your Honours specifically  
10:08:53 5 addressed, with an earlier objection. Little paragraph "f" at  
6 paragraph 30:

7 "The report numerous and unfounded statements, conclusions  
8 and generalisations that disqualify it from the status of  
9 expert opinion."

10:09:04 10 That is effectively what my learned friend is saying today  
11 about the statements of individuals, girls, which are quoted in  
12 Mrs Bangura's report. Again, Your Honours have dealt with that  
13 issue; you have found that in your considered view that goes to  
14 weight not admissibility. My learned friend is seeking to go  
10:09:22 15 behind those parts of your decision today, in my submission, and  
16 is quite wrong in seeking to do so.

17 Dealing then with the case-law that my learned friend has  
18 addressed, the Tulica dossier is a decision that has been  
19 referred to on frequent occasions by the Defence in other  
10:09:44 20 contexts, in the context of evidence that is sought to be adduced  
21 relating to summaries of materials by non-expert witnesses. I am  
22 not sure, I don't have the decision at my fingertips, how that  
23 decision relates to the evidence of an expert witness. Equally,  
24 the quote from May and Wierda, my learned friend read the quote  
10:10:05 25 out, I think, and referred to it as speaking of a distinction  
26 between admissibility of reports from UN fact-finding missions  
27 and expert witness reports. I am not sure that can be right  
28 because, of course, the point of an expert report is that it is  
29 prepared in the context of a litigation, it can't be equated to

1 documents that are prepared in the manner of these summaries of  
2 witness statements which I think were the subject matter of these  
3 ICTY decisions. They were about witnesses summarising a whole  
4 bunch of documents and witness statements, effectively then  
10:10:44 5 displacing the role of the tribunal, so it was argued in those  
6 cases.

7 The ultimate issue rule -- of course, this has nothing to  
8 do with the ultimate issue rule. This report doesn't address any  
9 ultimate issue; it addresses a specific issue, which is the issue  
10:10:59 10 of forced marriage. The ultimate issue would be whether or not  
11 these accused can be found under their individual responsibility  
12 liable for what is charged on this issue, and their individual  
13 responsibility derives, obviously, from the statute and Articles  
14 6(1) and 6(3). This report doesn't go anywhere near addressing  
10:11:23 15 those issues.

16 I have the advantage of being given the reference in May  
17 and Wierda, Your Honours. As I understand it, on that reference,  
18 it is page 208, which is paragraph 6.103 of that book. The  
19 expert was permitted to give evidence, in fact. That was the  
10:12:32 20 case of Kovacevic, in which Defence objected to the admission of  
21 a report on the grounds that the evidence was hearsay and not  
22 subject to cross-examination and a witness cannot merely  
23 summarise evidence and introduce it under the guise of being an  
24 expert. This was a situation where a former member of the United  
10:12:51 25 Nations Commission of Experts was going to give evidence for the  
26 Prosecution, and in the course of her testimony the Prosecution  
27 sought to enter into evidence her report, which was about events  
28 in a region in Bosnia-Herzegovina, which was based on about 400  
29 witness statements and media reports. It was therefore

1 effectively almost a historical study. What the Chamber said --  
2 in fact, what May and Wierda say is:

3 "However, the Trial Chamber admitted the evidence on the  
4 basis that the witness was an expert in the sense that she  
10:13:26 5 had made a study of the material and was qualified to give  
6 evidence about it. Her status being analogous to a  
7 contemporary historian. In so doing, the Trial Chamber  
8 stated that it had in mind that the evidence was hearsay  
9 and the Defence would not have the opportunity to  
10:13:41 10 cross-examine the makers of the witness statements.

11 Accordingly, there was no question of the defendant being  
12 convicted on any count based on this evidence alone and  
13 other evidence would be required before he could be  
14 convicted."

10:13:52 15 The point, Your Honour, of course, is that the issue here  
16 goes to the weight of the evidence as opposed to its  
17 admissibility. This evidence of this witness is obviously  
18 different from the evidence of this contemporary historian in the  
19 Kovacevic decision. But, in my submission, the principle stands  
10:14:13 20 that this evidence is admissible and any concerns that the  
21 Defence may have go to issues of weight, and that is something  
22 that Your Honours have already adjudicated upon. Those are my  
23 submissions, unless I can assist any further.

24 PRESIDING JUDGE: Thank you, Ms Pack. Mr Knoops, your  
10:14:29 25 reply?

26 MR KNOOPS: Thank you, Your Honour. I must say, I totally  
27 disagree with the submissions of the Prosecution. I think we  
28 were also quite misinterpreted by our learned colleagues from the  
29 Prosecution. First of all our objections, Your Honours, do not

1 raise the issue of the expertise of this witness. Our objections  
2 are now founded on the matter that the tendering of these  
3 documents is, at the least, premature. And we are in no way  
4 trying to seek a review of your earlier decision or, to quote  
10:15:08 5 Prosecution, "go behind" your decision. Your Honours may see on  
6 page 32 of your decision of the 5th of August. It says:

7 "Regarding the Defence application to exclude Mrs Bangura's  
8 report (Annex B) we note that this application is premature  
9 as the Prosecution has not yet applied to tender the said  
10:15:33 10 report in evidence."

11 Therefore, Your Honours took into account when giving this  
12 decision that the Prosecution didn't apply yet for the tendering  
13 of the document. Therefore, now that the Prosecution has applied  
14 for the tendering of the document, a new situation clearly  
10:15:58 15 emerges. I think we have the full right to raise now the issue  
16 of the tendering of the document as such in light of the evidence  
17 given by this expert as it stands now.

18 Secondly, Your Honour, the arguments we have raised just a  
19 few minutes ago, especially the arguments three and four, the  
10:16:22 20 ultimate issue matter and the tendering of hearsay statements  
21 through this report, is as such not addressed in our earlier  
22 motion.

23 Thirdly, my learned colleague from the Prosecutions read  
24 out the portion of the book of Judge May and Ms Wierda, but they  
10:16:51 25 didn't read out the important paragraph which follows, paragraph  
26 6.103, namely. 6.104. There the authors say:

27 "The distinction between the report admitted in the  
28 Kovacevic case" --

29 The case which was quoted by my learned colleague regarding



1 the admissibility of a report from a UN expert --

2 "And those of military experts excluded in Kordic case may  
3 be found not only in the fact that the former Kovacevic  
4 case report did not address the ultimate issue, but also

10:17:36 5 because it was compiled independently (for the United  
6 Nations) as part of a fact-finding exercise and not for the  
7 purposes of litigation. Therefore, the subtle distinction  
8 between the admissibility of an expert report as such in  
9 the Kovacevic case contrasted by the Kordic case. In that  
10:18:04 10 case the military expert wrote a report in which he also  
11 addressed certain aspects of command responsibility. In  
12 that case, the ICTY said we will not allow the tendering of  
13 that report in the Kordic case."

14 PRESIDING JUDGE: Wasn't that part of an argument about the  
10:18:23 15 ultimate issue?

16 MR KNOOPS: Yes, Your Honour. In the instant case, we  
17 believe that the portions are referred to in this report of the  
18 expert witness go at least indirectly to the ultimate issue,  
19 because it specifically referred to the command and control of  
10:18:45 20 the RUF in a certain district. In the context of the broad  
21 framework of the current indictment - namely, an alleged joint  
22 criminal enterprise between RUF and AFRC - the tendering of these  
23 documents in the form as it stands now will affect, can affect,  
24 the ultimate issue through these portions in the report.

10:19:20 25 Therefore, that is our main argument; we believe that at this  
26 stage the tendering of the document is too early and should be  
27 considered after the cross-examination and when it is totally  
28 clear how the expert came about these conclusions and how these  
29 statements, which also reflect from the AFRC directly in terms of

1 individual responsibility, how the experts came to these portions  
2 on pages 14, 15 and 18, 19 of the report. Thank you, Your  
3 Honour.

4 PRESIDING JUDGE: Thank you, Mr Knoops.

10:20:16 5 [Trial Chamber conferred]

6 [AFRC03OCT05B - SGH]

7 PRESIDING JUDGE: We have considered the arguments of both  
8 parties and the provisions of Rule 94 bis. The report shall be  
9 marked for identification and we will consider admissibility at  
10 the end of cross-examination. I think that is MFI-1, please.

11 MS PACK: Thank you, Your Honour.

12 Q. Mrs Bangura, could you turn to page 6 of the report, which  
13 is 14481 for Your Honours. Mrs Bangura, at paragraph 1.1 or at  
14 the heading 1.1 you have identified the purpose for which you  
15 were instructed to write a report by the Office of the  
16 Prosecutor. Could you identify for us what the report's mandate  
17 was?

18 A. It was basically the context in which forced marriage  
19 occurred during the conflict. The meaning of the word itself,  
10:31:29 20 forced marriage during the conflict, the consequences of forced  
21 marriage during the conflict on the victims and in the process I  
22 have to go back and look at whether before the war there was any  
23 issue that was somehow related which we call early and arranged  
24 marriage. So I went back and I also looked at the issue of  
10:31:55 25 marriage within our own legal system and structure, general law,  
26 Islamic law and Muslim -- sorry, customary law to how it related  
27 to marriage. So basically that's what it was.

28 Q. Thank you. And you set out at page 7 under the heading  
29 "1.3 Methodology" the sources which you used in the preparation

1 of your report and you have broken those down in your first  
2 paragraph at 1.3 into field research and secondary data. In the  
3 following paragraph starting "Primary Sources" and the paragraphs  
4 that follow you have identified what sort of field research was  
10:32:47 5 carried out and that was, breaking it down, interviews by you,  
6 interviews by CGG field staff and focus group meetings and I  
7 would like to ask you about each of those in turn. Now the  
8 interviews, firstly, carried out by you, whereabouts did you  
9 yourself carry out interviews for the purposes of preparing the  
10:33:03 10 report?

11 A. Basically I went to Kailahun, I went to Makeni, I went to  
12 Kenema and spoke to the human rights officer in Kono, I went  
13 briefly for one night. So I travelled to the areas where I  
14 could. And the areas where I couldn't, I spoke to the human  
10:33:29 15 rights officers, CGG and some of them I called to Freetown and  
16 then they came and I spoke to them. And in the areas where I  
17 went, they went with me for the sake of interpretation in the  
18 language in which I couldn't speak because I can only speak Krio  
19 and Temne. So I went with them where I went and they went where  
10:34:01 20 they went. In Freetown the girls actually came to my office.

21 Q. Just starting then with Kailahun. In your report you  
22 identify that there were 28 interviews of women from villages  
23 outside Kailahun Town and 50 interviews of women - and these are  
24 women you describe as bush wives - in Kailahun Town. Of the  
10:34:22 25 total of those interviews how many of those did you yourself  
26 carry out?

27 A. In Kailahun I did all the interviews. In Kailahun District  
28 I did all the interviews. I was involved in the focus group  
29 meetings myself, I organised them. So I was present in each and

1 every of those interviews. Only the interpretation, that was  
2 done for me.

3 Q. Okay. On the following page at 14483 at page 8 of your  
4 report you identify those focus group meetings. I will just deal  
10:34:53 5 with those briefly. You said four focus group meetings were held  
6 in Kailahun District with 32 bush wives and ten other women as  
7 well. So you say you carried out those?

8 A. I did. I was in Kailahun for a few days. I did.

9 Q. And pausing at those focus group meetings, what did they  
10:35:05 10 involve?

11 A. Well, basically talking to the women around and discussing  
12 the issues and identifying the problems and them giving me  
13 description, personal experiences and general -- because some of  
14 them were like together, some of them were individually and  
10:35:26 15 because amongst them they have been discussing those problems, so  
16 we sat down and talked. And they were just women, so nobody was  
17 actually there other than the person who was interpreting.

18 Q. And Freetown, you have identified at page 7, again the  
19 second paragraph below the heading 1.3, that there were four  
10:35:47 20 interviews of former bush wives carried out in Freetown. How  
21 many of those did you carry out yourself?

22 A. All of them I carried out and in that case there was no  
23 interpretation, just individually the girls with me in my office.

24 Q. You also identify in that same paragraph that there were  
10:36:01 25 interviews of fifteen bush wives in Makeni District. How many of  
26 those interviews did you carry out?

27 A. In Makeni -- five of them I did in Makeni, because the list  
28 was given, I wanted to verify some of them, so I went there  
29 myself. And so I went to where they were and I did the

1 interviews.

2 Q. Why did you carry out so many of the interviews in  
3 Kailahun?

4 A. Well, the issue is that if those who understand the war,  
10:36:38 5 the history of the war, and through my own work, whether in CGG,  
6 Campaign for Good Governance, whether with the UNHCR, the bulk of  
7 the ex-combatants, the bulk of the girls who were very  
8 uncomfortable about going back, all of them, whether by AFRC or  
9 RUF, resorted to Kailahun as the rest of the country was being  
10:37:05 10 demobilised and decentralised -- sorry, demobilised. Kailahun  
11 was the last country to be disarmed, the last district. And so  
12 the difficult cases, those who found it difficult -- as people  
13 returning to their communities found out they couldn't because  
14 they were in control; the AFRC or the RUF, whoever were in  
10:37:26 15 control of their areas. And as people come back, as government  
16 authority come back, as the police were brought in and the  
17 military took control, the people who were uncomfortable, who  
18 found out they couldn't work, resorted to Kailahun. So Kailahun  
19 had a combination because Kailahun became a safe haven and there  
10:37:46 20 was the relationship -- if you look at even the Lome Peace  
21 Agreement and reports on human rights, there is always this issue  
22 of AFRC/RUF. People treat them as one group. And so the rivalry  
23 between them came after the peace agreement with Foday Sankoh  
24 personally. But at the down level on the ground they were  
10:38:05 25 working together. And so Kailahun was a safe haven that had been  
26 created by the RUF, retained and controlled by them. So  
27 whichever rebel, whether AFRC or RUF, felt much more comfortable,  
28 including their victims, their wives and their families. So they  
29 all resorted to Kailahun. So Kailahun, if you go there now as I

1 speak to you you will find it's overcrowded with all this  
2 combination of people. And few of the rebels, both AFRC and RUF,  
3 who actually went back to Liberia used Kailahun as an exit point  
4 to go into Liberia.

10:38:36 5 Q. Pausing there. In light of what you said about your  
6 earlier work in Kailahun District, had you met the women who you  
7 interviewed in the villages around Kailahun and in Kailahun Town  
8 itself on an earlier occasion?

9 A. The ones in Kailahun Town I met on an earlier occasion and  
10:38:54 10 it was when I went the last time that I now decided I cannot  
11 limit myself in the city, I need to go out of the city. So when  
12 I arrived in Kenema, after I had the meeting with the Kenema  
13 human rights officer and explained to him what I wanted and on my  
14 way back I'll then stay in Kenema and interview. I entered

10:39:16 15 Kailahun District. I started interviewing before I actually went  
16 to sleep in Kailahun Town. I even have an itinerary in my book,  
17 my notebook I took. So I finally arrived in Kailahun Town at  
18 about 11.00 at night, because I went straight into the interview  
19 and so the towns before Kailahun Town, Daru, Segbwema, I did

10:39:35 20 these towns and eventually ended up in Kailahun and took the  
21 other angle of Kailahun villages. So I was based in Kailahun  
22 Town, in the morning I'll get out and travel out of Kailahun Town  
23 and do the interviews and then come back and sleep in Kailahun.

24 Q. And you hadn't been to the villages before?

10:39:47 25 A. No, I hadn't been to the villages before. So to do the  
26 interview -- because normally I just drive into Kailahun, Daru, I  
27 talked to women in Daru and Segbwema, but this time, if you look  
28 at my reports, I hardly ever spoke to them. I went actually in  
29 the interior of --

1           PRESIDING JUDGE: Sorry, Mrs Bangura, you have raced ahead  
2 of us here.

3           THE WITNESS: Sorry.

4           PRESIDING JUDGE: You have named quite a few places which  
10:40:05 5 we haven't caught the names of and I am sure defence counsel also  
6 need those names

7           MS PACK: I will spell them, Your Honour, Daru and  
8 Segbwema.

9           PRESIDING JUDGE: We would be grateful, Ms Pack. Thank  
10:40:15 10 you.

11 Q. It was two names you identified, Mrs Bangura. It was Daru,  
12 D-A-R-U and Segbwema which is S-E-G-B-W-E-M-A?

13 A. Yes.

14 Q. I will be corrected if I am wrong.

10:40:21 15 A. Yes. If maybe I need to explain for them. The way  
16 Kailahun District is run is the district is almost at the end of  
17 the -- Kailahun Town, the headquarter, is at the end. Daru and  
18 Segbwema are two big towns that you have to go thorough them. So  
19 a lot of activities take place within those two towns and  
10:40:52 20 Kailahun Town itself is isolated and cut off a lot of the time.

21 Q. You said you had carried out interviews of the women in the  
22 town, Kailahun Town, before?

23 A. Yes.

24 Q. Did that have any impact on your ability to gather  
10:41:09 25 information from them on this occasion when you met them for the  
26 purposes of this report?

27 A. I think the way it affected is the fact that they are much  
28 more comfortable with me. I have spoken to them on a few  
29 occasions and every time I come with them, they now can open to

1 me and they know that I work on these issues and it is not  
2 somebody that will look at them in a different way, because they  
3 are very sensitive how they talk. So we have sort of come to  
4 know each other and they know exactly that I know the problem and  
10:41:40 5 I know the issue and so they are very much more open to me than  
6 they will to another person.

7 Q. Apart from your interviews that you personally carried out  
8 with bush wives and with former bush wives, who else did you  
9 interview for the purposes of preparing this report?

10:41:58 10 A. Because I had to look at the whole concept of early  
11 marriage and arranged marriage and related to forced marriage,  
12 everywhere I will go I will talk to the paramount chief, I will  
13 talk to the court clerk, he actually is like the custodian of the  
14 tradition, I will talk to religious leaders, Imams. And even the  
10:42:20 15 places where I did not do the interview they gave me the list of  
16 people they spoke to. In Freetown I spoke to the -- they have a  
17 council of Imams which is a council of all the religious leaders  
18 in country. I spoke to the spiritual leader who is in Freetown.  
19 He is the head of all the Imams in the country. I had an  
10:42:38 20 interview with him. So like in Makeni I spoke to the paramount  
21 chief of Makeni who is well educated and understands. And  
22 sometimes the paramount chiefs will refer me to court clerk.

23 They said he is the one who deal with it. And I spoke --

24 Q. Pausing there, just to explain the importance of the court  
10:42:56 25 clerk. You said you were referred to the court clerk. What sort  
26 of courts did the court clerk --

27 A. Local courts. Because our custom or tradition or the legal  
28 system at the community level is handled by the local courts, the  
29 court clerk is like the man who knows everything. You know, so



1 they refer to you that you have to talk to him.

2 Q. And what sort of law -- do you know what sort of law the  
3 court clerk is applying?

4 A. Customary law.

10:43:25 5 PRESIDING JUDGE: Ms Pack, would that be a convenient time  
6 to adjourn? This is the time we normally have our mid-morning  
7 adjournment.

8 MS PACK: Yes, Your Honour.

9 PRESIDING JUDGE: Is that a convenient point in your  
10:43:32 10 examination-in-chief?

11 MS PACK: Yes, it is, Your Honour.

12 PRESIDING JUDGE: Very well. We will adjourn for 15  
13 minutes, please. Madam Court Attendant, please adjourn court for  
14 15 minutes.

10:44:14 15 [Break taken at 10.47 a.m.]

16 [On resuming at 11.02 a.m.]

17 PRESIDING JUDGE: Ms Pack, just before you continue with  
18 your examination-in-chief, I have been advised that the document  
19 that has only been marked MFI, we have not got to a point of  
11:01:57 20 tendering any documents. So any numbers that have been given  
21 will have to be given properly at the end if and when the  
22 document is tendered. I think there was a mention of a P30, that  
23 should not be used for the record.

24 MS PACK: Thank you, Your Honour.

11:02:21 25 PRESIDING JUDGE: Sorry, it's the curriculum vitae of  
26 Mrs Bangura, the witness, should be P31.

27 MS PACK: Thank you, Your Honour.

28 PRESIDING JUDGE: I hope that's clear. Yes, Ms Pack,  
29 please continue.

1 Q. Mrs Bangura, just before we had the break you were telling  
2 the Court about your interviews that you personally conducted and  
3 you told us about the interviews of traditional and religious  
4 leaders that you had carried out. Were there other interviews --  
11:03:10 5 apart from of traditional religious leaders and the former bush  
6 wives - were there other interviews that you personally carried  
7 out?

8 A. I spoke to some of the ex-combatants who were husbands.  
9 Some of them were actually present at the interview. I spoke to  
11:03:22 10 them.

11 Q. Whereabouts were they? Which district did you speak to  
12 ex-combatants in?

13 A. It was mostly in Kailahun.

14 Q. The religious leaders -- you've said you spoke to an imam  
11:03:39 15 at the mosque in Freetown or a leader at the mosque in Freetown?

16 A. Yes. He is the spiritual head of the Council of Imams.

17 Q. Generally as you were interviewing religious leaders, from  
18 what religion were these individuals?

19 A. Mostly from the Muslim religion but I spoke to Christian  
11:04:07 20 leaders in Freetown because in terms of marriage traditional,  
21 Muslim marriage is the most common because the Christians really  
22 don't really -- mostly you do it under the general law. So it is  
23 mostly the Muslim religious leaders that have a separate law --  
24 legal system with regards to marriage.

11:04:23 25 Q. How did you record the information that you obtained in  
26 your interviews?

27 A. I have a ledger. I write longhand.

28 Q. The staff from CGG who also carried out interviews,  
29 whereabouts were the interviews that they carried out? Which

1 Locations?

2 A. In Makeni, in Kenema, in Kono and in Kabala, Koinadugu  
3 District.

4 Q. How did they record the information that they obtained?

11:04:59 5 A. They wrote them on piece of -- they wrote them handwritten.  
6 The one in Kabala, because it is so difficult to come, he  
7 normally sends it on email.

8 Q. And did you receive the other handwritten notes prepared by  
9 the other staff members?

11:05:11 10 A. Yes, I did.

11 Q. The CGG staff, who did they interview? Was it just bush  
12 wives or were there others that they interviewed?

13 A. They interviewed the religious leaders, they interviewed  
14 the court clerks, they interviewed traditional leaders. Not just  
11:05:38 15 the bush wives, because in terms of marriage, for example, in the  
16 Koinadugu - Kabala - District the system of marriage was  
17 different so I wanted to see whether there were comparative  
18 differences in terms of marriage, how it relates.

19 Q. Had the CGG staff who carried out interviews for you -- had  
11:06:04 20 they had experience in this sort of work before?

21 A. Yes. Not only on the monthly documentation they did at  
22 CGG, but when the Security Council agreed that we are going to  
23 have a Special Court and the TRC, the discussion debates --  
24 because we were very much involved, we were a part of the working  
11:06:26 25 group of the TRC. We actually -- I had asked for a grant from  
26 the Open Society office in New York. They gave us a grant and in  
27 that, part of that grant included 13 digital cameras. So we had  
28 somebody, Ahwad Dabu [phon] who was then working from UNAMSIL and  
29 somebody initially from South Africa who came and trained them on

1 documenting testimonies. So even before the Special Court --  
2 sorry, the TRC came into being they had documented testimony  
3 because we -- they came back, in their monthly report told us it  
4 is important that some of the testimonies were actually  
11:07:05 5 documented, because as people were getting integrated they don't  
6 want to talk, some of the evidences were going to be wiped out.  
7 So that's why we applied for this grant and we got other 13  
8 digital cameras and so they were trained in documenting  
9 testimony. Somebody came from South Africa and trained them. So  
11:07:22 10 they went out into the field and after the entire information was  
11 documented and processed, we now applied for a second grant -  
12 that was just as I was leaving - in which the UN commission  
13 actually sent Ahwad Dabu to now come and process that information  
14 which became a document of the Human Rights Commission. They  
11:07:46 15 took it literally. So they have the experience of documenting  
16 testimonies.

17 Q. What sort of questions did you ask the traditional and  
18 religious leaders whom you spoke to?

19 A. Well, basically the issue was around marriage, what does it  
11:08:07 20 mean, the way it is handled, the processes you have to go through  
21 and whether there was -- the definition of early an arranged  
22 marriage, why it took place, if it is allowed within the custom.  
23 And that was where I realised that in Islam it is actually  
24 legally wrong, you know. So my question around them was around  
11:08:27 25 the concept of marriage, especially early and arranged marriage.

26 Q. Was that in times of peace or in times of war?

27 A. In times of peace.

28 Q. And you said just before we had the break that you spoke to  
29 the court clerk and you said that he applied customary law in

1 local courts.

2 A. A part of the chieftaincy is that each paramount chief has  
3 a local court in the chiefdom and they have a court clerk that  
4 actually manages the courts. So he is like the institutional  
5 memory of the court. So a lot of time they tell you, "Go to talk  
6 to him, he is the one who will give you the history of how things  
7 are arranged at the traditional level".

8 Q. Going again back to the sort of questions you were asking  
9 in preparing your report, what sort of questions were you asking  
10 the former bush wives?

11 A. Basically I wanted to know first and foremost their name  
12 and when and where they were captured, who did it and what was  
13 their age at that time and what was said to them and their own  
14 feeling at that time and what happened. They explained to me the  
15 period which they were living with them, how was the  
16 relationship, what happened. And the experience within the bush  
17 because most of them were like nomad, they keep moving because  
18 they were not stationed in one particular place, they keep  
19 moving. So they will tell you their experiences in a specific  
20 area where they were, the life of this. And later you tell them  
21 how they feel right now they are there. Some of them who are  
22 living with their husbands, I will ask them why you are living  
23 with them and how is the relationship and I will ask them why  
24 haven't you gone back. Some of them who are still with their  
25 husbands, I ask them why haven't you gone back, would you like to  
26 go back, what are you doing, how do you see the future. So these  
27 were the questions around which we spoke.

28 Q. And when you spoke to the ex-combatants what sort of  
29 questions were you asking them?

1 A. Basically it's about the relationship, because they are  
2 very reluctant to talk that they abducted them. You know, so  
3 it's about how they feel their relationship with them now and why  
4 they themselves -- because I found out that a lot of them also  
11:10:46 5 were not going home, because most of them come from different  
6 parts of the country as well as with the wives. So invariably  
7 some of them also are dislocated in a way and so I will ask them  
8 why they don't want to go, you know, and how do they see the  
9 future. And sometimes it goes beyond the interview and talk why  
11:11:08 10 did you go into the war, what happened, your experience.

11 Q. What was the aim of your line of questioning of each of  
12 these groups of people who you interviewed?

13 A. Basically, first and foremost, I need to identify who was  
14 the one that captured the girls and invariably they give the name  
11:11:28 15 of the person and where they are. And having worked in this  
16 area, you can understand when they refer to one particular group.  
17 There you know it's the one that's like rebel junta, junta rebel,  
18 RUF rebel. You know, it's easy for you to pin out who they are  
19 referring to. And when they were captured and why they called  
11:11:48 20 them wife or how -- where did the language come from. They will  
21 explain to you when did it actually come into the relationship  
22 and how they were treated. And at the end if they had children  
23 what were their experience with these people.

24 Q. Who created the methodology for the interviews that were  
11:12:11 25 conducted by you and also the human rights officers?

26 A. I was the one who did it.

27 Q. The human rights officers, how did they learn about what it  
28 was they were supposed to ask about?

29 A. Well, like I said, they have experience. They have done a

1 whole -- it was a whole year exercise they did.

2 Q. For the purposes of this report?

3 A. For the purpose of this report, we sat with them and I told  
4 them exactly the pattern. Because first I explained to them the  
11:12:39 5 information I'd like and the way in which I think they should ask  
6 the question to be able to make sure they get the precise  
7 information that I think is important for me to write the report.

8 Q. You provide short summaries of accounts from bush wives of  
9 their experiences in the body of your report -- at various points  
11:13:01 10 in the body of your report. Where are those summaries from? The  
11 short summaries you provide, and perhaps I will just give you an  
12 example of one set of summaries at page 14 of your report,  
13 registry page 14489. Just looking at those, broadly speaking,  
14 the summaries from halfway down the page, where were those

11:13:16 15 summaries from?

16 A. It was the interview because for the report which is a  
17 public document you actually like to keep the name of the person  
18 out, this is why I gave them these numbers. But in my ledger the  
19 name is there. I write the name, the age, who captured, the  
11:13:37 20 year, so for the purposes of the report I had to write. Because  
21 I spoke to them one to one, they actually gave me their stories.  
22 They told me exactly what happened to them, so I wrote them by  
23 longhand.

24 Q. Mrs Bangura, you also identify - again going back to page  
11:13:55 25 7 - that you used secondary data in the preparation of your  
26 report as well as these primary sources. Why have you relied  
27 upon secondary data in compiling your report?

28 A. Because the war in Sierra Leone has been highly documented  
29 and there is no way you can capture everything on your own

1 obviously. So I went back to look at groups. I worked with the  
2 Human Rights Watch because they trained our people and they  
3 collected a lot of data from us, and when they were going to the  
4 community we had a relationship with them. We gave the names of  
11:14:32 5 our human rights monitors. So in a lot of areas they were  
6 interpreters for them. So I know that their reports were  
7 collected from firsthand stories. So I was able to read their  
8 reports. And I read a Security Council study that was submitted  
9 as a research, "Women, Peace and Security". That I know is an  
11:14:56 10 authentic document. And I know a report was written by women,  
11 war and peace by UNIFEM. And Elizabeth Rehn who was the deputy  
12 minister of defence in Finland and Ellen Johnson Sirleaf were  
13 here; I was there when they came. I met them, I had a meeting  
14 with them and so when the report was published they sent me a  
11:15:13 15 copy so I know the sources of their reporting. The fact that  
16 they had stayed there for a few days so it was one of the  
17 documents I looked. It is an independent expert assessment on  
18 the impact of armed conflict on women.

19 And also the Women Waging Peace actually conducted a study  
11:15:32 20 here which is "From Combatant to Community: Women and Girls of  
21 Sierra Leone". And I was -- because I am a member of the network  
22 when the report was actually going to be published, I was given  
23 an advance. So those were the research papers which I looked at,  
24 the secondary. And the human rights, Amnesty International also  
11:15:48 25 did reports.

26 So I specifically only read those documents that I knew the  
27 people who wrote them and was aware when the documents were  
28 written, when the studies were done. So those, they are ones I  
29 restricted myself. I went into it. There are a lot of other



1 reports I saw in the internet, from Crime Watch and the others,  
2 but those ones, because I didn't know who the authors were -- and  
3 having been in Sierra Leone for so long and been part of the  
4 process, I have seen reports in which I myself have criticised,  
11:16:13 5 you know, in which I know some of the facts are not the same.  
6 They are not the real thing that happened because I was on the  
7 ground when the incidents happened so some of those reports I did  
8 not use.

9 Q. What is the availability of public statistics on the  
11:16:30 10 practice and prevalence of forced marriage during the war?

11 A. I think like every other statistics in Sierra Leone, most  
12 of us that is in Sierra Leone is provided by international NGOs  
13 who work on specific areas like child combatants; it is easy to  
14 get it from UNICEF and the others. But with regards to forced  
11:16:51 15 marriage because they have not been targeted specifically for  
16 support, nobody can give you real statistics of how many of them  
17 are there on the ground and what are their problems. And so it  
18 is difficult, unless you are able to go yourself and talk to  
19 them. So it is impossible for me to say there are 3,000 or there  
11:17:10 20 5,000. Or like amputees, they had a camp where they were put  
21 together so somebody specifically worked on them and provided  
22 support. So you cannot have statistics analysis of the problem  
23 so far.

24 So that was why one of the reasons I did was for me to go  
11:17:24 25 there myself and talk to the ones I am able to talk and to look  
26 at the areas where they come from and speak to them. So there is  
27 no real -- there is no statistics data in the country that will  
28 tell you, neither in the international community, this is the  
29 number of people that were involved in the situation.

1 Q. And is there an attitude, either generally in Sierra Leone  
2 or on the part of former bush wives, towards giving information  
3 or generating information that has had an impact on the  
4 availability of public information on this topic?

11:17:58 5 A. Well, they want to put it behind them. It is a fact that  
6 they still feel that they are stigmatised, that people look down  
7 on them, that people will label them, the way they call and point  
8 fingers at them. So they are very -- until they are comfortable,  
9 they never talk to you. And that is why a lot of them have not  
11:18:13 10 lived in their own communities, they go back. Even with me in my  
11 family I have two people I can't trace up to now and I know they  
12 are alive. So that is the problem. It is the social aspect of  
13 it or the psychological. They are very reluctant to talk about  
14 it, especially in areas where they have successfully been  
11:18:35 15 reintegrated. They just want to move ahead with their lives.

16 They don't want people who don't know them to know that they were  
17 actually part of that process. Because they feel people will  
18 point fingers at them.

19 Q. I think you have already touched on this but perhaps if you  
11:18:57 20 just tell us this: Why is there an emphasis on Kailahun in your  
21 report?

22 A. Like I said if you look at the long term consequences on  
23 the issue of forced marriages the social and the stigmatisation  
24 aspect, the fact that you are labeled, you tend to find it much  
11:19:19 25 easier to be in areas in which you were accustomed to, so you are  
26 much more confident. And I think because that is the reason a  
27 lot of them went to Kailahun. Not because they were in Kailahun  
28 during the war. Some of them who are now in Kailahun were never  
29 in Kailahun, but as the country was handed over to the government

1 a lot of them reverted to Kailahun. So by the time the  
2 demobilisation and disarmament of ex-combatants had taken place,  
3 Kailahun became a safe haven where they were able to link up with  
4 each other, find comfort with each other, because people there  
11:19:57 5 accepted them for what they were.

6 And some of them, nobody knows them because you can in  
7 Kailahun you can find people as far as from Kabala, who came from  
8 Kabala. It is like the extreme end of the country so nobody  
9 knows them in Kailahun. He is okay he is comfortable. They know  
11:20:15 10 he was this person, he lived this kind of life, he does not want  
11 to go back because back home, especially when it's a young girl  
12 who was captured, say, by the age of ten or eleven or twelve.

13 She is now sixteen years old, she can't go back to school. What  
14 life is she going to live? She has two children. Who is going  
11:20:30 15 to take care of her? So for them it's much better you live in  
16 Kailahun and work there and do whatever you can in Kailahun.  
17 Then it's a whole -- it's starting a whole new life, chapter in  
18 your life.

19 Q. I am going to ask you to turn to another section in your  
11:20:43 20 report. Page 14, which is the section 2.1, headed: The meaning  
21 of forced marriage during the conflict. And that is 14489 of the  
22 registry pages, Your Honour.

23 PRESIDING JUDGE: Thank you.

24 MS PACK:

11:21:05 25 Q. What do you mean by use of the language, forced marriage in  
26 the context of the conflict in Sierra Leone?

27 A. I use it for girls who have been who had been abducted and  
28 literally taken as wives, because when I spoke to this girl, I  
29 said, "What happened?" She said, "When he comes to the house,

1 when he captured, he said, 'You now me wife'." That you are my  
2 wife.

3 Q. "You now me wife" is?

4 A. "You now me wife", you are my wife.

11:21:35 5 Q. Is that Krio?

6 A. It is a Krio word and we use it, this language, "You now me  
7 wife." So I am taking you, you are my wife. So the -- right  
8 from the beginning of the entire relationship with him he  
9 identifies you as his wife, which means you belong to him. You

11:21:53 10 are with him and you are part of his property, I might say,  
11 because he takes care of you, he protects you, he feeds you. So  
12 you are part and parcel of him.

13 Q. Why do you use the language "forced marriage"?

14 A. Because being a wife means you have to be married to him.

11:22:12 15 And for them you are not willing, you do it against your wish.  
16 You don't have an option. You don't have an alternative. You  
17 become a wife by his own definition, not by your or not by  
18 consent which means he has taken you against your consent,  
19 against your will.

11:22:28 20 Q. Where does the language "bush wife" come from?

21 A. I think if you talk to a lot of the people, even in  
22 Freetown or everybody, they always talk. That is why you can  
23 hear the talk jungle rebel. Jungle. They use the word jungle  
24 meaning bush because these people never stayed in one fixed  
11:22:47 25 position. They never stayed in one particular town. They will  
26 attack them, they will leave. So a lot of the time because they  
27 were running away from attack from whether ECOMOG or soldiers,  
28 they invariably lived in the bush, in places where you cannot  
29 easily see them. So they didn't have a home. So they were

1 bush -- running from one push to the other and then they will  
2 attack another village and then they will move. So that's how  
3 the word came out, "bush wife", which means this was a  
4 relationship that happened out there in the jungle during the  
11:23:14 5 course of the war, while you were running across the country.  
6 But of course it is not a marriage that is acceptable in town  
7 when you come back to live a normal life.  
8 Q. Now you have touched on this already, language used by the  
9 men and you have used a phrase in Krio, I think, "You now me  
11:23:28 10 wife" which translated as wife.  
11 A. You are my wife.  
12 Q. Why do you think the language "wife" was used by the men?  
13 A. It is a sign of control. It is a sign of ownership. It is  
14 like -- because in our tradition when somebody is your wife, you  
11:23:52 15 have complete control over him.  
16 Q. In your tradition meaning?  
17 A. In Sierra Leone, normally culturally in Sierra Leone  
18 whether you are in south or in the east, in Temne or Mende,  
19 somebody who is your wife, you are given that woman for the rest  
11:24:06 20 of your life. That is why if you go back to the tradition of  
21 Sierra Leone, we don't technically have divorce in a way, you  
22 know. So even when your husband dies, among the Temnes, you are  
23 inherited by the elder brothers or the uncle or somebody. So you  
24 are part of that property, you are part of his property. So a  
11:24:25 25 wife means somebody who has complete control over you, who  
26 decides what you shall do, who feeds you, who clothes you and  
27 everything. You are at his disposal any time.  
28 Q. So just to clarify, the husband has control over the wife?  
29 A. Totally.

1 Q. Were there expectations which flowed from the use of the  
2 language of marriage, of wife?

3 A. Yes. Because when you become a wife of a rebel, it means  
4 you service him alone, you take care of him, you do his laundry.

11:25:02 5 And he of course takes care of you, he protects you, and you  
6 belong to him, so nobody else among the other rebels can tamper  
7 with you, can either attack you or rape you. Because there are  
8 two sets of women, the one normally they have sex. So these are  
9 the ones when they go around all the rebels have their wives with  
11:25:23 10 them, you carry their load. So those of you who are not wives  
11 live in a group, in a compound, which is also part of our  
12 tradition, because you live, you sleep in the same place. And  
13 while you are there anybody can do anything to you. Of course,  
14 because there is no rule of law there in the bush you can't  
11:25:36 15 resort to any police or anything and nobody can protect you.

16 So but, so for you it's much better when you are with one  
17 particular person, you know he is the one who decides, including  
18 having sexual relationship, you are only open to him. Until and  
19 unless he wants to dispose of you. Then he sends you out into  
11:25:53 20 the open, but at that particular time, nobody else can touch you.

21 Q. And just turning then to your report at page 16, which is  
22 14491 of the registry copy, you have identified there what it was  
23 that a bush wife was expected to do and that is under heading,  
24 little paragraph two, halfway down the page: "Bush wives were  
11:26:19 25 expected to carry out all the functions of a wife and more." And  
26 you've identified carrying her husband's possessions, gratifying  
27 her husband's sexual wishes, cooking for her husband, showing  
28 loyalty and rewarding him with love and affection and so on.  
29 Those are matters that you have identified there. What's the

1 source of -- for this information that you have identified.

2 A. I spoke to the girls themselves, you know, telling me their  
3 story, what they were expected to do while they were living with  
4 these husbands, the bush husbands and how their life was. So

11:26:58 5 they were the one who were giving me detailed stories and  
6 sometimes even the consequences of trying to run away because I  
7 asked some of them what happens. In cases where sometimes they  
8 fall under ambush, you know, they part company and the wife goes  
9 another way. Sometimes the husband captures them and tells their  
11:27:16 10 own specific story, she gave me what actually he did to her.

11 Because like I mentioned, she is not supposed to have sex  
12 with any other person with him so when they fell under ambush and  
13 they parted company and eventually they sort of met back in the  
14 bush. Because everybody was crawling to find their way out and

11:27:34 15 because he didn't see her for a day or two, when he saw her the  
16 first thing he did that, "I am sure you have gone to sleep with  
17 the ECOMOG or somebody else." And she denied and he actually  
18 forced her and opened her to look at her to make sure to verify  
19 that you have not. So she is his property. "You belong to me  
11:27:52 20 and I am the only one who have to have a relationship with you".

21 Q. And you identify, you say that "bush wives were expected to  
22 carry out all the functions of a wife". What do you mean by the  
23 function of a wife?

24 A. In the Sierra Leone traditional system, mainly from the  
11:28:09 25 Temne myself, you know, the usual is, say, when you married to a  
26 wife, they teach you, that's what you do. A parent tells you,  
27 you have to cook, you have to take care of him, you have to  
28 listen what he says, you have to ask his permission for  
29 everything. This is why even when you have a funeral, you know,

1 they don't allow you to go. You they have come and tell him and  
2 they seek his permission for you to go.

3 Q. Is this just in the Temne tradition or does it transcend?

11:28:36

4 A. No, it does transcend to all ethnic groups, with the  
5 exception of the Krios, who are in the Western Area.

6 Q. In your report, and I am looking at page 14, if you just  
7 look at that again under this same heading, section 2.1 at  
8 paragraph two, just the first sentence, you say, "Forced marriage  
9 became a means of survival for most girls in the bush." What do

11:29:03

10 you mean by that? How did forced marriage becomes a means of  
11 survival?

12 A. Because it's the law of the jungle. You are there; there  
13 is no system or a system wherein you manage the society, it's  
14 gone. These are people just running from one place to the other.

11:29:28

15 You are, as an abducted girl, you are at the mercy of the people  
16 at that time. And so for girls who are identified as wife by  
17 individual, these people protect them from all the other problems  
18 that --

19 Q. Who protects them?

11:29:46

20 A. The husband, the rebel husband, bush husband protects them.  
21 Normally because when they run out of fighting soldiers the women  
22 are trained, which is one of the issues we raise in the women's  
23 rights issue because women are not taken into consideration as  
24 secondary fighter in the disarmament process. Some of them are

11:30:05

25 trained and they are actually sent out into the front. They are  
26 used as spies. And because they move -- for example, if you are  
27 settled in one particular area and then somebody comes in and  
28 says there is going to be an attack tonight or there's going to  
29 be an attack tomorrow. Or if they have ambushed a truck, load of



1 food and everything, these things have to be carried from one  
2 part of -- so these people who really don't belong to people, who  
3 are just part of the group that are running around, are the ones  
4 who do a lot of this work.

11:30:32 5 Q. That is women you are talking about?

6 A. That is most of the women, the young girls who were  
7 abducted. So when you are married to a husband you have your  
8 bush husband. He stands there to say, "No, no, she can't do  
9 this. She's with me. I am taking care of her". So he stands

11:30:47 10 there as your protector. So, as a result of that, even if you  
11 hate him, the fact that he is standing there to help you and when  
12 you see what happens to the other girls, especially at night.

13 There is a lot of gang raping. In the middle of the night

14 somebody comes, you don't even know who he is, and he comes in

11:31:04 15 and he pounces on you and maybe before the end of the night two  
16 or three other people come in. So for you, you will be prepared  
17 to subject yourself to him alone because at least you know he is  
18 the only person. Rather than you being out there in the  
19 wilderness when you don't know anybody, you don't have your

11:31:20 20 family network to protect you, there is no law and order, he can  
21 do anything they want to you. So for you it's a means of  
22 survival because you are saved from some of the worst atrocities  
23 that are happening to your other colleagues. That's why some of  
24 the girls said, "They saved us". And that's how you got -- some

11:31:35 25 of them now are sort of like -- psychologically they are saying,  
26 "Actually without him I could have been worse".

27 Q. So you are talking about this aspect of protection that was  
28 provided by the rebel husbands. In times of peace how important  
29 is marriage in conferring protection on a woman, or doesn't it

1 have any importance?

2 [AFRC030CT05C - CR?]

3 A. Oh, it is very important. I mean, when you are married to  
4 the man, he's the one there who protects you at any time,

11:32:04 5 whatever happens to you, even those of us who were educated here.

6 Your husband stands as a barrier against a lot of other things  
7 that happens and in times of problems in your family, he's the  
8 one who comes there. Nobody can go to you to harm you if you  
9 have a husband. The first thing they go, they go to a man. You

11:32:19 10 husband is prepared to do anything to protect you.

11 Q. You talked about the family network. What role does the  
12 family network play in times of peace?

13 A. The family unit is the unit that holds the community  
14 together. If you go back to the Sierra Leone wherein -- I don't

11:32:36 15 want to call it a dysfunctional state, where the state doesn't  
16 provide basic services and facilities, where the family holds  
17 people together. So, you depend on your family to take care of  
18 you, to help you in times of crisis, to provide support to you.

19 In times of problems they are there who come there. So, family  
11:32:55 20 unit is very, very important in Sierra Leone and for parents of

21 those of us who are first generation of educated, your child is  
22 an investment for the future, you don't have a pension. It is

23 only now they've introduced a national insurance security. But  
24 before, you educate your children with the hope that your

11:33:12 25 children take care of you. So, those of us who come from rural  
26 area, you know that as long as you are educated that's it,

27 because your family is guaranteed a bag of rice every month, you  
28 take care of their medical bills, you educate other people in the  
29 family. So you are an insurance for a better future. So that is

1 why parents value their children's education, send them to  
2 school, so that at the end of day, they know when they are old  
3 enough, they have somebody who takes care of them. So the  
4 family -- that's the way the family works around.

11:33:40 5 Q. Was there a consequence for girls, women, who were abducted  
6 in not having a family network available to them in the bush?

7 A. Well, if you operate in a community where the community is  
8 based around family, and it is the family you turn to in terms of  
9 problem. It is a family that helps you for your children's

11:34:04 10 school and everything. When you are dislocated from Kabala and  
11 you end up finding yourself in Kailahun where you have two,  
12 three, children, it's not very easy because first, the ethnic  
13 language is different. Secondly, in the most difficult times,  
14 there is nobody around you. Because traditionally back in my

11:34:23 15 language, when a girl is pregnant, during the last month of the  
16 pregnancies, they send you to your mother to have the baby,  
17 because they feel you need the comfort of the family with you.

18 So they pack things and everything and send you and go and have  
19 your children, your baby with your parents. And after that when  
11:34:39 20 the child is old enough, you come. That tells you how much they  
21 want you to be around people who care for you.

22 Q. And thinking about just during the conflict specifically,  
23 not looking about long-term consequences, but just after  
24 abduction, was there a consequence then that you identified for  
11:34:55 25 young women or girls who had been abducted in not having their  
26 family network around them?

27 A. Because it's a time of -- a lot of these girls are girls  
28 who were going to school. I met a lot of them who were  
29 school-going girls, who were, of course, abducted in their

1 communities and taken at a very young age when they didn't even  
2 know anything about life and a lot of them, this was the first  
3 time they had sex. Of course, that sex took place in a very --  
4 in the circumstances which it took place, it is not something you  
11:35:26 5 had agreed and the aftermath of it, the way you were treated  
6 psychological during that time, you know, beaten by someone, most  
7 of them would give you experiences how they were beaten, you  
8 know, assaulted and treated. So it's a drastic move from the  
9 family comfort to the bush. Living there in very difficult  
11:35:46 10 conditions. Not sleeping on a bed, having to do things that you  
11 are not used to do. So, that affected the girls and they were  
12 telling me those experiences of what it meant to them, you know,  
13 leaving their homes, leaving their fathers, leaving their  
14 mothers, and sisters and brothers. Not knowing whether they are  
11:36:02 15 even alive up to now. So they still carry that burden with them.  
16 Q. You have spoken about, in your evidence today, about how a  
17 view was expressed to you by some of the bush wives who you  
18 interviewed that they were saved from the worst atrocities; they  
19 viewed their rebel husband as having saved them in some way. Can  
11:36:23 20 you explain what you mean by that?  
21 A. Well, these are people, I interviewed some of them, the  
22 husbands came and they showed me their husbands and I said to  
23 them, "Why are you still with him?" You know, and some of them  
24 said, "Well, I have children. What am I going to do with these  
11:36:43 25 two children? You know, nobody is going to marry me any more."  
26 Some of them said, "Well, he saved me. You know, I saw what  
27 happened. This person was trying to beat me. He took me away  
28 from him. So a lot could have happened to me. Or this person  
29 was going to kill me." So, for them it was -- this person had

1 demonstrated some amount of love, that's the way they feel. Some  
2 of them said, "He took care of me. You know, he gave me money,  
3 he bought clothes for me, which tells me that he loved me. So I  
4 really believe." And some of them even took their husbands,  
11:37:15 5 their bush husbands to their family to meet them. Of course, go  
6 back to where they were.

7 Q. Once captured, what was the alternative to young women or  
8 girls to being a bush wife?

9 A. Well, this was at the disposal of everyone because when a  
11:37:31 10 village is raided or when like Freetown was attacked, when they  
11 captured these girls, they all go in groups to where they are.  
12 Because before they attacked, they assembled somewhere else, and  
13 where they leave some of their property and then come they  
14 attack. And when they attack, they go with them. And so  
11:37:46 15 obviously, when they go, they live in that particular community,  
16 so you see what happens to other people that do not belong to any  
17 particular person. That is just there as the band of girls that  
18 have been captured.

19 Q. When you say they are there for everybody, what do you mean  
11:38:01 20 by that?

21 A. Which means it's not a home. Basically, because the rebels  
22 move, as I said earlier on, in the jungle, the girls who were  
23 captured, if you are not taken by a rebel as your wife, it means  
24 you're there as part of the gang that keeps moving from one place  
11:38:22 25 to the other. So anybody who feels like having sex can have sex  
26 with you and sometimes two, three, four people and there's nobody  
27 to defend you. No matter how much you scream, no matter how much  
28 you shout, everybody pretends not to hear. So most of that, that  
29 is why even with bush wives, when your husband decides to beat

1 you up if you do something against him and he gets annoyed,  
2 frustrated, nobody comes to part you, because there is no law  
3 within the system. The law is themselves. They are the one who  
4 decide what they want to do.

11:38:52 5 Q. You've identified at page 16 of your report, if you could  
6 just look at that, it's at 14491 of the Registry copy. You've  
7 identified a heading (ii), "Some of the bush wives accepted their  
8 status for several reasons based on what non-bush wives were  
9 expected to do. Non-bush wives," and then you have identified

11:39:18 10 various matters, various things that they were required to do:  
11 "carry the camp's heavy loads and food supplies; regularly  
12 sexually abused by any rebel in the camp, because they did not  
13 belong to a particular rebel. They were at the disposal of any  
14 man who felt like having sex and they dared not refuse." You go

11:39:37 15 on, "were not provided with food," and said "they were expected  
16 to find food for others as well as themselves; were expected to  
17 do most of the hard work in the camps; They also did the general  
18 laundry and worked for the bush wives and could be sent to the  
19 war front to fight; were sometimes sent as spies on

11:39:54 20 reconnaissance missions," and so on. What sources did you use in  
21 identifying these matters?

22 A. I spoke to the girls themselves. The bush wives  
23 themselves.

24 Q. I would like to take you to one of your examples. At page  
11:40:13 25 15 --

26 MS PACK: Your Honours, it is at Registry page 14490.

27 Q. One of the examples on that page begins, "YYY was  
28 abducted." Before I ask you to look at that, these examples  
29 here on this page -- let's just look at YYY. What's the source

1 of this summary account of YYY's experience?

2 A. She was a victim herself.

3 Q. Who obtained this information from her? Do you know if it  
4 was either you or a member of the CGG staff who interviewed this  
11:41:04 5 girl?

6 A. It was myself.

7 Q. You say YYY was abducted in 1998 from her father's house  
8 and so on. Then you quote her, "You accept to be a wife because  
9 you have to survive in the jungle. Sometimes you see your

11:41:25 10 family, friends and relatives being killed in front of your eyes.

11 You need food and somebody to protect you. At least as a wife,  
12 you only sleep with one person, you only take care of him and  
13 only he is allowed to beat you up and you are not sent to the  
14 front to fight. It is a matter of trying to survive at all cost

11:41:41 15 and in the most difficult circumstances. As a wife, you have no  
16 alternative but follow your husband wherever he goes and do  
17 whatever he says. I tried to go back to my relatives, but there  
18 was no way I could escape," and so on. Is this an interview you  
19 recall carrying out?

11:42:00 20 A. Pardon?

21 Q. Is this an interview that you recall carrying out?

22 A. Yes.

23 Q. Do you remember anything about the girl whom you  
24 interviewed for the purposes of this account?

11:42:12 25 A. Yes, she was back in school. You know, so we had to bring  
26 her, you know, to the chief's compound -- I couldn't interview  
27 her in the camp. She was in one of the camps that was still  
28 there, but she was going back to school.

29 Q. Do you remember how old she was, roughly?

1 A. It's difficult to tell their age, but she must be over 17  
2 or more.

3 Q. Mrs Bangura, I would like you to look now at a different  
4 section of your report, going back to page 9, section 2 is the  
11:42:43 5 heading.

6 MS PACK: That, Your Honours, is 14484.

7 THE WITNESS: Page 2?

8 MS PACK:

9 Q. It is page 9, section 2, page 9, the numbering at the  
11:43:03 10 bottom right-hand corner. The heading 2 is, "context in which  
11 forced marriage during the conflict occurred" sub-heading,  
12 "Describe the practice of early or arranged marriages in Sierra  
13 Leone in times of peace." You discussed how you gathered  
14 information for the purposes of writing this section of the  
11:43:20 15 report. Can you explain, for the Chamber, what has been the  
16 practice of early or arranged marriages in Sierra Leone during  
17 times of peace?

18 A. I think arranged marriage or early marriage, first there is  
19 no stipulated age for marriage in a traditional and it's when  
11:43:40 20 somebody has a breast and when she started menstruating and  
21 normally, they choose a husband for you. It's not the one you  
22 choose.

23 Q. Who does the choosing?

24 A. Invariably it's the father. But sometimes it's the mother.  
11:43:56 25 You know, it depends who is the strong person in the family or  
26 how the -- the purpose of the marriage is important, because  
27 there are different areas where marriages are -- and why marriage  
28 is arranged. So, the talking and the negotiation takes place  
29 between the families, you know, the husband's family and the



1 wife's family. So, you -- the wife herself is the last person to  
2 know about the marriage. So, until the last minute when,  
3 finally, your mother or your aunt or somebody who is close to you  
4 in the family comes and tells you exactly what is taking place  
11:44:29 5 and when is the wedding going to take place and what it is. If  
6 you are still very young, you are going to school, then obviously  
7 they will be bringing things, paying your school fees, buying  
8 things for you, so you know. Sometimes they send you there to  
9 collect things. So, basically, it's when marriage is arranged at  
11:44:46 10 a very early age for a girl, or even at an older age, without her  
11 making the choice herself and it is decided by the family or  
12 friends and relations.

13 Q. Was it common, before the war, early or arranged marriages?

14 A. Well, with more education, it has ceased, but it was common  
11:45:08 15 at the local level at the tradition for various reasons. It is  
16 not an everyday occurrence, but it does happen. Far, far back  
17 just before the war, it wasn't -- as people became more  
18 enlightened and educated, they tried to avoid it, but it still  
19 happens.

11:45:30 20 Q. Where is it more of a practice?

21 A. I think with the exception of Freetown, but even in  
22 Freetown, even if you are educated and professional, sometimes if  
23 you bring a girl, you know, home, your parents don't like her,  
24 they look at the background. It's not as bad as it is out of  
11:45:45 25 Freetown, because no matter what happened, wherever you have to  
26 have the consent of your family. You know, but out there, the  
27 first decision for the marriage is taken outside your own  
28 control.

29 Q. Out there, meaning?

1 A. Out of Freetown. Because we have Freetown and the rest.  
2 Freetown is predominantly controlled by Krio, so they actually  
3 tend to live within the general law, the civil law. Out of  
4 Freetown, they practice customary law and religious law. Even  
11:46:15 5 though inside Freetown they do practice customary religious law.  
6 But predominantly out of Freetown, customary and traditional, and  
7 Muslim/Islamic laws for most of them who are Muslims.

8 Q. You deal with the legal frameworks for marriage in Sierra  
9 Leone on the following page 10 of your report, 14485. You have  
11:46:35 10 touched upon these frameworks already, you talk about the general  
11 or the civil law. You have spoken about religious law, Islamic  
12 law and you've also spoken about customary law. I'm going to  
13 just ask you about customary law. How much of the country is  
14 governed by customary law?

11:47:02 15 A. Technically, Freetown should not be governed by customary  
16 law, but even in Freetown, you still have customary law courts  
17 across the country, which is one thing a lot of people are  
18 fighting. But with the collapse of the legal system and  
19 one-party rule and the collapse of the judicial system, 70/80 per  
11:47:23 20 cent of disputes, marriages and everything -- I am not married in  
21 civil law, I am married in customary law. So even those of us  
22 who are educated are married under customary law.

23 Q. Are you talking about Freetown or outside of Freetown?

24 A. Freetown, that's what I'm saying. Freetown is generally  
11:47:44 25 civil law, but even in Freetown, as I speak to you today, I'm  
26 sure over 50 per cent of people in Freetown go to court law  
27 courts -- customary law courts which are established in Freetown,  
28 even though they are illegal. But out of Freetown, for over 10  
29 or more years before the war or during the war, there was no

1 court system. So everybody, everything was done around customary  
2 law. But mostly marriage is around customary law and Islamic  
3 law. So people don't go to courts to marry because you don't  
4 have any registry out of Freetown. So marriage invariably is  
11:48:18 5 arranged under customary law. So even people who are educated,  
6 we call it engagement. People who go to church, they actually do  
7 a customary before they do the legal marriage.

8 Q. You have summarised the various legal frameworks in your  
9 report. What were the sources that you used in identifying the  
11:48:43 10 legal frameworks and going into their detail?

11 A. Well, there are studies done on women's issues, studies  
12 done by the government of Sierra Leone, which was funded I think  
13 by UNDP, UNESCO, which I looked at.

14 Q. Is this the situational analysis --

11:49:03 15 A. Yes, the situational analysis studied by the government,  
16 the government of Sierra Leone.

17 Q. And you identify that in your bibliography --

18 A. Yes.

19 Q. -- at 14497.

11:49:08 20 A. Yes. The only person who was written under customary  
21 marriages in this country was Dr Joko Smart who actually was my  
22 professor in law at the university. He wrote a book a long time  
23 ago. That book is one of the main authorities on customary law.

24 Q. That again you have identified in your bibliography --

11:49:28 25 A. Yes.

26 Q. -- at 14497 Joko, J-O-K-O, Smart --

27 A. Yes.

28 Q. -- Sierra Leone --

29 A. He was a Supreme Court judge, just retired. And then of

1 course, talking to traditional leaders, they tell you --  
2 paramount chief and court clerk, you know, they tell you about  
3 marriage. Because the issue of adultery and other things is a  
4 huge thing. When it happens in the community, they go to the  
11:49:52 5 local court. So obviously they have to know what it means about  
6 married, how you get married, what is the responsibility and  
7 rights and other things. So that is why lots of the court clerks  
8 are the ones who have the authority. So even when you go to  
9 Paramount Chief, they tell you, "Let me talk to an elder, call  
11:50:06 10 somebody who is an elder, court clerk. I can talk to you what I  
11 know, but they are the authorities." So I spoke to them. This  
12 was why in the interview I made sure every community I go to I  
13 tried to talk to the man -- talking to the CGG staff, I told  
14 them. And of course, under Islamic law, I spoke to the spiritual  
11:50:23 15 head and I spoke to other imams. And so even at home, when we do  
16 Muslim marriage, they do Muslim marriage at home, but they bring  
17 the imams at home, so now they give certificates. So they also  
18 have a lot of marriages take place - even for educated people -  
19 it takes place at home or in the mosques.

11:50:40 20 Q. Early or arranged marriage, is it a practice of customary  
21 law or of Islamic law or of the civil law?

22 A. It is mostly a traditional thing. It is done under  
23 customary law. Islam, when I spoke to the spiritual people, they  
24 told me that forced marriage -- sorry, arranged marriage or early  
11:51:02 25 marriage is not allowed in Islam, because in Islam you need the  
26 consent of the wife, the bride. She is asked for the consent.  
27 But of course, invariably, the family will prevail on her if that  
28 is to her choice. So she won't have anything, because she knows  
29 that if she doesn't, she will be treated as an outcast. But the

1 law itself, what it says is that she needs to give her consent.  
2 This is why when the ceremony has taken place, she collects the  
3 calabash from the people who have brought it and they ask her  
4 three times whether the family shall accept it. They say, "We  
11:51:33 5 can't refund it back, so you have to tell us." And she agrees  
6 yes, you can accept it, yes, you can accept it, and then she  
7 hands it over to her own family, which means she has given her  
8 consent. So without that, giving it over and accepting, the  
9 marriage doesn't take place.

11:51:47 10 Q. Is there a typical age which girls marry in customary law?

11 A. There is no age, really, for marriage. It is a description  
12 of how mature she is, like puberty, whether she has breasts. She  
13 cannot marry without going through the Bondo society. That's  
14 not -- you cannot do that. So she goes in. But the

11:52:10 15 identification of her as a wife, sometimes even before she is  
16 born, somebody says, "If that is a girl, she is going to be my  
17 wife." Sometimes it takes place. Sometimes when she is very  
18 young, "I like her for my son. I will save her for my son." But  
19 she doesn't get married to husband until -- so the ages differ

11:52:29 20 when the discussion starts, but she doesn't go to the husband's  
21 house and become a wife before she gets to puberty. And that age  
22 difference -- because different girls mature at different levels.

23 So this is why you have a high rate sometimes, they say, of death  
24 at childbirth. Because people in use of a medical say she is not  
11:52:49 25 mature enough to carry babies. But then as far as the customary  
26 law is concerned, she has breasts and then she started  
27 menstruating, so she is ready, because anything can happen. She  
28 can go and get pregnant if she has sex.

29 Q. You deal in your report also with the differences between

1 forced marriage as it occurred during the war and early or  
2 arranged marriage in times of peace in Sierra Leone. That's at  
3 page 12 and following of your report, section 2, subsection 3.  
4 That's at 14487 of the Registry copy. What is the key difference  
11:53:34 5 between forced marriage as it occurred in the war and early or  
6 arranged marriages in Sierra Leone in times of peace?

7 A. Traditionally, really, marriage is between two families.  
8 You know, whether it is among the Temnes. It unites two families  
9 and it is important that the family rule is very important in the  
11:54:04 10 marriage institution. So the family have to accept, they have to  
11 agree. And this is why in my -- in the Temne tradition, the  
12 wife, when she gets married to a man, she belongs to his family.  
13 She doesn't go back to her family. Even when the man dies, she  
14 becomes part of the property. So invariably, she is given  
11:54:23 15 back by -- taken back by a brother, an uncle and aunt.

16 So that family role, and the concept given by the family  
17 and the process which takes place, the interaction between the  
18 two families, is very paramount, fundamental to the marriage  
19 institution in Sierra Leone. Then the second aspect is the  
11:54:47 20 consent. Because, whether it is the Muslim religion, even where  
21 the marriage is arranged for you, you don't like the person, your  
22 mother is the one that they give the responsibility in the  
23 family, you have to go and prevail on your daughter that she has  
24 to marry this person. So she has that talking to you, pleading  
11:55:07 25 with you. Eventually you have to agree, because you can't take  
26 the pressure off.

27 But that consent of both your family and yourself is  
28 important, is required, so that you know when you're going to get  
29 married, if have you a problem you can always fall back on

1 somebody. This is why they have intermediaries, godfathers or  
2 godmothers you call them. At the end of the day, they are the  
3 ones who come on behalf of the parents of the husband, and they  
4 are the ones who come on behalf of the parents of the wife. So  
11:55:36 5 it is they who are the forefront of intermediary. They are the  
6 one who the wife is given to so that if she has a problem with  
7 her husband, she doesn't go to her parents. She goes to the  
8 godparents and complain to them. And they are the ones -- for  
9 the Muslim they are the ones who sign, they are the ones who sit  
11:55:54 10 in front. The wife is not given to the husband. She is not.  
11 She is given to the godparents.

12 That's a process of family ties and family connections and  
13 relationships, and uniting two families and the consent of the  
14 wife and everything is so fundamental in marriage that the  
11:56:12 15 absence of it makes the marriage itself meaningful. So these  
16 were the things that were missing in this marriage. Some of the  
17 girls I spoke to said to me after the war when they went actually  
18 with their husbands to go back to their parents and say, "You  
19 know, he saved me. I have a child with him and everything," they  
11:56:34 20 believe that the family has to accept and know the person,  
21 otherwise they cannot continue living with that person.

22 Q. Was there an impact that you found, when you were carrying  
23 out your research or writing the report, of girls or young women  
24 not having the intermediaries to fall back on once abducted and  
11:56:54 25 becoming a bush wife?

26 A. You are at his mercy. Because during the process of  
27 marriage, the family gives conditions that you can't beat my  
28 daughter, you can't do this, I have to see, and these sorts of  
29 things. So you have a responsibility and obligation towards that

1 marriage. It is clearly spelt to you during the process. You  
2 know if anything happens - if he treats you badly, he flogs you,  
3 he doesn't give you food, you know, he doesn't take care of your  
4 children or he goes and has another wife, he didn't consult you -  
11:57:27 5 you always have a fall back, which was somebody to go and talk  
6 to. Somebody that will come and sit with him and say, "No, you  
7 cannot do this", and try to bring you together. That is absent.  
8 And because of that, you don't have a fall back position.  
9 Anything he does to you, have you to -- especially where you are  
11:57:42 10 stuck with two children. Your life is ruined. You can't start  
11 back, you can't go back to school. Nobody can go and marry you  
12 for this children. Apart from the fact that you are stigmatised,  
13 because of the economic situation in the country, nobody wants a  
14 young girl with two children or with a child. So as a result of  
11:57:58 15 that, you are stuck in that relationship and you have to  
16 undertake and do everything that is -- no matter how he treats  
17 you, you have to accept because you know you don't have anywhere  
18 to go, you can't complain to anybody. And when they know that,  
19 they take advantage of the situation, because they know at the  
11:58:18 20 end of the day you can't run away from them.  
21 Q. We have touched on this already today, but I want to look a  
22 little at the long-term consequences of forced marriage. You  
23 deal with that in section 2.2 of your report, which starts at  
24 page 16, if you could look at that. Registry page 14491. You  
11:58:50 25 have touched on the example of Kailahun, and you deal with  
26 Kailahun in some detail in this section, too, in relation to the  
27 consequences of forced marriage during the conflict for its  
28 victims. Do your findings in relation to these women whom you  
29 interviewed from Kailahun differ from your findings in relation



1 to women interviewed in other areas in Sierra Leone?

2 A. The first aspect of the family tie, because a lot of the  
3 women who finally went and settled in Kailahun, most of them are  
4 disconnected from their families. The consequences of the  
11:59:33 5 destruction of the family tie and the protection you get from the  
6 family and the support and everything differs. Because for those  
7 ones who finally were integrated, their problem is more of  
8 psychological, you know, physical and psychological impact. So  
9 they live with it, they suffered from medical problems. And

11:59:51 10 of course, in one particular one, she cannot have a baby anymore  
11 because her uterus was taken. And the trauma, the psychosocial  
12 trauma that you have to deal with for the rest of your life. The  
13 way you feel about yourself as a human being, because you have  
14 been not only psychologically but sexually abused. The dignity  
12:00:19 15 takes away, the self-confidence of your ability to deal with  
16 other people, always thinking if somebody knows you hiding this,  
17 lives with them more, those who were integrated. That is one of  
18 their biggest burden.

19 Q. If you look, then, in your example of the Makeni bush  
12:00:34 20 wives - and you deal with their situation at page 20 of your  
21 report, again section 2.2 and that is page 14495 of the Registry  
22 copy - you deal with the example of bush wives whom you  
23 interviewed in Makeni, halfway down the page. You say that, "In  
24 Makeni, those interviewed had been accepted by their families and  
12:00:59 25 successfully re-integrated in their communities. Their return  
26 was facilitated by national and international NGOs and they  
27 received skills training," and so on. Why have these wives been  
28 successfully re-integrated into their communities as compared to,  
29 for example, the Kailahun wives who you spoke to?

1 A. A lot of them were taken for shorter period. Some of them,  
2 their families were able to trace them at a very early stage and  
3 they don't have any children, so it was much easier for them to  
4 be part of the Save the Children programme and others. So, the  
12:01:42 5 knowledge of their past is limited to them and their family  
6 members. So, they're able to deal with it and resume a so-called  
7 normal life, which is different from people who have children.  
8 Or people who come from, for example, in Pujehun. I mean,  
9 Pujehun District, I found out, whether it is ex-combatants, men,  
12:02:05 10 or whether it is girls, a lot of them have not been able to  
11 return because the community is the most hostile to that set of  
12 people across -- in the country. The whole country. It is the  
13 most hostile community. So, a lot of the people you find have  
14 been reluctant to go. Some it's just the fear, "that what I'll  
12:02:27 15 face. I might not be able to face it and deal with it, so I want  
16 to keep it. So, I would rather stay here," because the  
17 uncertainty of what they are going to face is what is preventing  
18 people. But, invariably, they are the ones that have children,  
19 because they already -- they go back as somebody else. They are  
12:02:42 20 not going as a young girl. They are going as a mother of two or  
21 three children.

22 Q. I think again you have touched on this a little. The long  
23 term consequences that have been experienced by those bush wives  
24 who have returned to their communities. You have touched on this  
12:03:01 25 a little, but what long-term consequences did you identify for  
26 those women who have been returned to their communities?

27 A. Like I said earlier, it is psychological. You know, it is  
28 the self-confidence, it takes away from you the self-dignity as a  
29 woman. I mean, no woman, no matter who you are, cannot

1 psychologically deal with the rape as a person. It takes away  
2 some part of you that you can never return. And for people,  
3 young girls who do not understand this, and sometimes they start  
4 questioning themselves, like any rape victim, "Did I cause this?"

12:03:39 5 You know, "What will happen to me? Do people know?" They feel  
6 ashamed. So, a lot of them are very shy and keep to themselves.  
7 In a country where we have only one psychiatrist, you know, it is  
8 very difficult. The people in the Ministry of Health will tell  
9 you, that invariably over 80 per cent of Sierra Leonean have some

12:04:02 10 form of psycho-social problem. They tell you that when you do  
11 this -- explain and they say it is the effect of the war. So you  
12 find this much more within people who had been physically abused  
13 or sexually abused who had been taken out from their family at a  
14 very tender age and went through this bad trauma, and then

12:04:18 15 eventually, they had to return back to their family. So, it's a  
16 chapter in their life they want to close, but once in a while it  
17 comes up and so they don't want to talk about it. You go to any  
18 part of the country, Makeni, anywhere, you will never get anybody  
19 to accept, "I was this because it is closed. Let's forget about  
12:04:38 20 it and move ahead."

21 Q. And in the example then of those bush wives who chose to  
22 stay with their rebel husbands; why have they stayed?

23 A. A lot of them have children. I spoke to them. I saw the  
24 children. They tell you, "Where am I going to take these  
12:05:04 25 children." Some of them tell you, "He saved my life." That's a  
26 psychological problem. "He saved my life. He loved me. He took  
27 care of me when we were in the bush. He was very particular  
28 about me. So, I mean, I love him." It is difficult for me to  
29 understand, but that is what she says. "I love him and I just

1 want to stay with him." Because for her, her life has already  
2 been interrupted. She can't go back to school. She can't do  
3 anything with her life. So she might as well get married which  
4 is the only other option. She hasn't got any skill. Even if she  
12:05:39 5 has, skill like those of us who were trained, she hasn't got the  
6 money to start her own business. She cannot be employed. So,  
7 the only thing left with her is to get married and live with the  
8 husband happily ever after.

9 Q. You have spoken about the fear or uncertainty about what to  
12:06:02 10 expect if they went back to their communities. Why is it that  
11 bush wives have encountered difficulties when they have returned  
12 to their communities?

13 A. There was a time in this country that a word was coined,  
14 collaborators, that you connived with these people. The  
12:06:25 15 consequences of that led to peoples' death. You know, some  
16 people had tyres put around their neck, they were burnt alive. A  
17 lot of people died. So that news, of course, filtered. Bush  
18 wives, because they stayed with these people for a much longer  
19 period, have that fear that they are seen as part and parcel of

12:06:45 20 them and it is not easy for somebody to forgive them. We  
21 shouldn't like somebody who is -- when a village is attacked,  
22 somebody is raped, and they abandoned them, they go there and the  
23 community comes, takes that person and treats them, and  
24 everything. But once you have gone there, people have witnessed  
12:06:59 25 the consequences. People who manage to escape when they come  
26 back. They are killed, brutally killed and murdered, chopped  
27 into pieces and all sorts of thing. So, for them, "How will they  
28 see me now that they feel I am married to this man?" And so  
29 that's why in some of the people I spoke to they tell you they

1 call rebel wives, rebel blood. They have all these things  
2 originally. When I was in CGG, we had to go to the police with  
3 the girls we later interviewed in Freetown to actually get the  
4 police to give an injunction to their neighbours that, "If you  
12:07:35 5 use this word against them, we will take you to court". We had  
6 to come in. So, it is the fact that you are labelled as somebody  
7 who collaborates with the rebel, who works with them, who is part  
8 of them. They do not see the fact that you were taken away by  
9 force and that you stayed there against your wish. But the fact  
12:07:50 10 that you stayed there means you benefited something and you were  
11 part of them. So, the anger against them, because they can't get  
12 them, it's you they resort to. So it is difficult for you to  
13 explain that you were not really willing.

14 Q. This example you have just spoken about, the example in  
12:08:07 15 Freetown when CGG intervened, can you remember anything about  
16 this incident about the young girls --

17 A. They were two sisters, they were actually two sisters who  
18 were abducted on January 6. They came -- they live somewhere in  
19 central Freetown. So, when they came, when we were documenting  
12:08:24 20 the atrocities that were committed against the city, we came  
21 across these two girls. So we took their testimonies. Later  
22 they started telling us, that even when they were going to  
23 school, the people in the compound had started telling people,  
24 "These were rebel's wives, you know. They took them, they went  
12:08:46 25 to the jungle." And they started saying things against them like  
26 "rebel blood". Even in their school, they started teasing them  
27 that they were infested with HIV. You know, so their life became  
28 hell in the neighbourhood, in the street. So we went back to the  
29 officers and made a complaint. Then we went to the police

1 station and they sent people at the police station to come to the  
2 community and give them a warning and said, "If you do that,  
3 we'll take you to court." Because this incident happened. So  
4 we had to intervene in some cases and actually get a stop to the  
12:09:15 5 neighbourhood in Freetown in the city. So these are some of the  
6 examples. In addition to the fact that the way people who came  
7 back, who managed to escape during this time were treated by  
8 neighbours, because the anger was there. You know, at the same  
9 time these people who had been cut off from their communities, it  
12:09:29 10 is very difficult for you to tell how they will receive you. So  
11 when you hear this person went and they killed him, this person  
12 went and they burnt his house and everything, you just decide, "I  
13 don't want to go there."

14 Q. Just a question of language. You have used the word  
12:09:41 15 "rebel" in the course of your report and also in your testimony.  
16 What do you mean by that word?

17 A. Basically we have three fighting forces in this country:  
18 The CDF, the RUF and the AFRC. I have never seen a report, I  
19 have never interviewed anybody where they called a CDF a rebel.  
12:10:03 20 The rebel was associated both to the AFRC and the RUF. And the  
21 RUF and everybody tell you RUF rebel. So, that's how you know  
22 them. They put the RUF in front. With the AFRC, they can call  
23 them AFRC junta rebel, junta rebel, rebel junta. So the word  
24 "rebel" is used between the RUF and the AFRC and, of course, the  
12:10:27 25 word junta is specifically, which is like military, it is  
26 specifically limited to AFRC. So that's how in collecting the  
27 report, in testimony at our office, we came to -- when somebody  
28 is making a statement, you know exactly who he is referring to.  
29 If he says junta rebel, you know it is the AFRC. If he says

1 rebel junta, you know he is the AFRC. So it's the AFRC junta.  
2 Then he can say the RUF rebels. So when he says rebel, I said,  
3 "Which one of them?" He said RUF rebel or AFRC junta, and so on  
4 like that.

12:10:55 5 Q. You have recorded various summaries of accounts that were  
6 given to you, and you have use language like, for example, AFRC,  
7 junta rebel or junta. Is that your language or is it the  
8 language of the girls or young women whom you interviewed that  
9 you are recording?

12:11:11 10 A. The girls? The country. It is a word that is used  
11 everywhere. That's the word that developed during the course of  
12 the war.

13 Q. Finally, I wanted to look at one further quotation that  
14 you -- one further part of your report. Page 17, which is 14492  
12:11:29 15 of the Registry copy of the report. You touched on this aspect  
16 of the response to communities to young women who returned. You  
17 have identified in the second paragraph, second-to-last  
18 sentence --

19 A. Which page, please?

12:11:48 20 Q. 17 on your copy. You say, second-to-last sentence, second  
21 paragraph: "Bush wives who are rejected by their communities  
22 face a bleak future as rejection by the community is one of the  
23 worst experiences that an individual can face in Sierra Leone."  
24 Why do you say that?

12:12:11 25 A. Because the community and the family unity is the centre of  
26 life in rural Sierra Leone out of Freetown. It is where you will  
27 go back in times of trouble. It is the ones who come to you to  
28 support you and help you. And for those of us who come from that  
29 background, you know that there are cases where when you go to

1 school, the whole community participates in educating you,  
2 providing money. That, for example, when I had my first salary,  
3 my mother refused to allow me to eat the money. I had to buy  
4 something and I went house to house to give it because to thank  
12:12:51 5 them for supporting me during my education. That is how  
6 community life is in rural -- typical rural -- not in urban  
7 towns. So, you belong to the community and you are part of the  
8 community and the community protects you and guides you. So,  
9 when you are taken from that, especially in the context where the  
12:13:11 10 government doesn't have the protection that is needed to give to  
11 individual, you know, like, for example, the police, you can't go  
12 just to the police and make a statement and you expect them to  
13 protect you because we know how difficult it is. You can't go to  
14 court and you actually get justice. You know, so, you depend on  
12:13:31 15 that family to give you that support to help you in times of  
16 crisis, to take care of your children, to take care of your  
17 family and other things. So, when you are uprooted, it is like  
18 an empty shell. You become an empty shell without the protection  
19 that is needed for you. So, that's why it is difficult for girls  
12:13:47 20 who are taken away from these, the way they feel, when they go,  
21 when you talk to them.

22 Q. Thank you, Mrs Bangura, those are all the questions I have  
23 for you, but there will be questions from learned friends for the  
24 Defence.

12:14:08 25 PRESIDING JUDGE: Cross-examination? Mr Knoops, you are  
26 leading in the cross-examination, are you?

27 MR KNOOPS: Yes, Your Honour.

28 PRESIDING JUDGE: Very well. Please proceed.

29 MR KNOOPS: Thank you, Your Honour.



1 CROSS-EXAMINED BY MR KNOOPS:

2 Q. Good afternoon, Mrs Bangura.

3 A. Good afternoon.

12:14:38 4 Q. Mrs Bangura, is this the first report you have written on  
5 the subject of forced marriage?

6 A. Yes.

7 Q. Your submissions, with respect to this report, were they in  
8 any way reviewed by a form of peer review?

9 A. I did not get a seat like you get people come together to  
12:15:02 10 peer review, but I spoke to people who had worked -- for example,  
11 during the course of the war in Sierra Leone, the lady who  
12 jointly wrote the report, she's now in London, she was the one  
13 who was working with the AFRC. She specifically was dealing --  
14 because we did training of the AFRC combatant, all of them on

12:15:27 15 peace-building and other things. We were the intermediary  
16 between AFRC and the government and international donor  
17 community. So, she was specifically assigned with working with  
18 the AFRC. She understands them. She knows some of the problems.

19 The other person, of course, is dealing with the RUF. So that is  
12:15:42 20 why I got her involved in the report, because she was involved  
21 initially as the human rights officer and others. Then, of the  
22 people, when I have finally written the report, I spoke about,  
23 for example, the Council of Imam, I spoke back to him and said,  
24 "This is what I wrote, is it okay?" But I didn't get a group to  
12:16:00 25 sit together and discuss it.

26 Q. I mean with academic, peer review, academic peer review.

27 A. Well, there is very little literature on forced marriage.  
28 Academic -- there is no academic material on it.

29 Q. Thank you. When we look into your report as an overall

1 document, can you say that certain portions of your report were  
2 extracted from existing reports, you mentioned, for instance, in  
3 your references?

4 A. Yes.

12:16:31 5 Q. Are you able to identify which portions you extracted from  
6 existing reports referred to in your references?

7 A. Some of them, I gave them quotations and I indexed. Some  
8 of them I didn't. For example, on the issue of marriage, which  
9 defined the different marriages. Because after I had spoken to

12:17:05 10 the Council of Imam, I had my notes and I looked at the  
11 literature that was written and it definitely the same  
12 literature, so I wrote -- most of it I wrote.

13 Q. With respect to the interviews referred to in your report,  
14 if you may look at it, pages 18 and 19, also pages 14 and 15.

12:17:32 15 Are you able to say whether you conducted the interviews  
16 mentioned there or summarised there, all of them, or were some of  
17 them done by you and some of them by others?

18 A. Page 18?

19 Q. Yes, 18, 19, 14 and 15.

12:17:57 20 A. Some of them were by me and some of them were not by me.

21 Q. Is there a record kept by you based on which you are able  
22 to say which interviews you did yourself and which were provided  
23 to you by others?

24 A. For example, in BJ1, it's in the ledger. I have my ledger  
12:18:24 25 here. Because every interview I do, I have a particular ledger  
26 which I used, a blue ledger to do and I put the date and the  
27 names of the people that I interviewed.

28 Q. Yes. So that counts for BJ1. Is there any other interview  
29 on this list on page 18, 19 done by you?

1 A. SCT. SCT was done by me in the office. I have the report  
2 on it. AM1 was done by me in Kailahun, Baiwala or something. I  
3 have that with me. She was captured. IKK was not done by me and  
4 MKAC was not done by me. But the first three were specifically  
12:19:22 5 done by me. The third one in Kailahun and the two in Freetown.

6 Q. The one mentioned on page 19, IK5. Page 19 at the top.

7 A. This was done by me.

8 Q. Mrs Bangura, could you please turn to page 14 and 15 and  
9 indicate to the Court which interview was mentioned there

12:20:10 10 conducted by yourself?

11 A. Definitely not SKA and not FY19. And so JK -- the Kabala  
12 ones.

13 Q. And HRS?

14 A. No, the Kabala was not by me. These were documents from  
12:20:41 15 the siege, not me.

16 Q. Mrs Bangura, with respect to page 15, we know from the  
17 interview mentioned there that it was done by you, the first one.  
18 What about BAK, GSM and ABA, the three?

19 A. I did GSM, not ABA.

12:21:16 20 Q. And BAK?

21 A. Not. No, not BAK.

22 Q. Thank you. So it's fair to say that your report, part of  
23 it, was composed on materials you got from other individuals,  
24 statements and existing reports you rely on in your references?

12:21:45 25 A. Reliable reports from people who I had worked with, I had  
26 trained and who had done that work previously.

27 Q. With respect to the literature you used, we have observed  
28 that in your list of references you mentioned some references  
29 which are not fully matching with the methodology and the use of

1 secondary data which you refer to on page 7. On page 7 you say  
2 that secondary data were collected from archived monthly human  
3 rights reports --

4 A. CGG.

12:22:46 5 Q. Yes. Working papers, internet sources and reports from  
6 Forum of Conscience, research report.

7 A. Mm-hm.

8 Q. Now, I recall during the examination-in-chief you indicated  
9 that you selected certain reports for your research and some of  
12:23:11 10 the existing materials you didn't use. Could you please  
11 indicate, for the Court, what your selection criteria were in  
12 terms of the implementation of existing reports into your own  
13 research?

14 A. The war for me, as somebody who lived in Sierra Leone  
12:23:42 15 during the war, was an active player, there is a lot of  
16 distortion. I can give you one specific reason. You read a lot  
17 of literature, people will tell you it was the RUF that came to  
18 Freetown in January. In a lot of international forum I have had  
19 to dispute people. Literature written. Authority by authority  
12:23:57 20 people. So you have to be very careful what you read. This is  
21 why a lot of time when people write their report, they send it to  
22 me. There are a lot of people who write reports and say, "Can  
23 you have a look at it and tell us which is right." Now, I am  
24 looking at one for a British university. Invariably when I  
12:24:16 25 choose a report for reference, I know the background, the people  
26 who have written it and whether they have come to Sierra Leone.  
27 So I don't quote report. I went into internet, I looked at a lot  
28 of reports that people have written. Sometimes that is the first  
29 time I saw some of the distortion, so I didn't quote them.

1 Specifically the ones I quoted are the ones to a large degree I  
2 can verify the people came here, they were here and I've read the  
3 report, and that there was some -- at least if there is any  
4 discrepancies, not as much as a lot of other people. In areas  
12:24:46 5 where I quote I know I didn't go. Because, of course, the  
6 interviews I did, I spoke with people I spoke to.

7 This is why when I mention about the issue of marriage, the  
8 Christian and the Muslim, when I compare what the imam told me  
9 and I looked at the situation analysis, and I saw it is the same  
12:24:59 10 thing, I just wrote the one on the situation analysis. If I had  
11 found that it was different, then I couldn't have written what I  
12 was told, not only what consultants did. It was on that basis.

13 This was why when I explained the reports, I systematically  
14 called them and I said the people who wrote them and I explained  
12:25:15 15 the reason why I chose to read them. And at least be able to  
16 educate myself more, especially in areas where I wasn't able to  
17 go. They had more time to do research, a year, sometimes six  
18 months. I didn't have that time. So I had to depend on some of  
19 the sources.

12:25:37 20 Q. Is it fair to say in that regard, when it comes to the  
21 selection of your sources, that for you an important factor was  
22 your personal account of the events during the war?

23 A. My knowledge of the source of the information, taking into  
24 consideration the level of distortion in the Sierra Leone crisis.

12:25:56 25 So I only rely on the ones I am sure and can guarantee are  
26 reliable sources of information. Other than that, I don't use  
27 them.

28 Q. But how were you able to assess the level of distortion?  
29 What was the basis for saying that source was influenced by a

1 kind of distortion and that source was not?

2 A. Initially I had given an earlier indication. You read a  
3 lot of book, they will tell you that the RUF was the one who  
4 came. That is just one example. It was the RUF that came to  
12:26:32 5 Freetown in January 1999. Those of us who stayed, who were here,  
6 who interacted with them and had to deal with them, know it was  
7 the AFRC. So, there are little things when you read them, you  
8 find that a lot of reports are written -- when you read the  
9 reports, you find that a lot of things that are said in this

12:26:51 10 report are not true. Because I was here in Freetown. I worked  
11 here, I stayed here. And even when I went into exile for 9/10  
12 months, I came back. So when it comes to the reality of the  
13 situation on the ground, because I was very much involved in the  
14 whole process, I develop a relationship with the AFRC and RUF. I  
12:27:06 15 trained them during the process, which was a week for each group.  
16 And so I listened to them when they were giving their own story,  
17 because they had to talk and make a commitment. So some of the  
18 things they said.

19 And, secondly, as the coordinator for the Campaign For Good  
12:27:26 20 Governance, on a monthly basis my monitors actually collated  
21 human rights reports. And even in areas where, for example, in  
22 the north, where when the RUF/AFRC took it over, it was cut off  
23 from the rest of the country, we had to negotiate so people who  
24 were living with them to give us reports of what was happening to  
12:27:47 25 them. So on a monthly basis I was able to read all those reports  
26 from the 12 districts. So I kept track of what was happening in  
27 the country, I knew who was doing what where.

28 So my knowledge on the war and the crisis in the war is  
29 much more richer than a lot of people. We were the only group in

1 this country that had monitors in the 12 districts that  
2 documented what was happening and had a whole, rich archive. So  
3 that knowledge I use. So when I read reports written by people,  
4 or literature or research paper or working papers, it is easy for  
12:28:19 5 me to say, no, no, this one is not truth. What they have said is  
6 not exactly what happened. So I have, at least, a memory of some  
7 of those things.

8 Q. You already pointed to that issue. When we looked through  
9 your qualifications, we observed that you were involved in the  
12:28:42 10 reinstatement of the democratically elected government of  
11 President Kabbah, and you supported the campaign and mobilisation  
12 of international support to reinstate that. When you wrote this  
13 report, were you at that moment still politically involved?

14 A. If you ask the people who are defending the AFRC, they will  
12:29:11 15 tell you that my job, I took a position because it was wrong to  
16 remove the government. And when they came back, I was one people  
17 who gave them more support than any other group in this country.  
18 When Johnny Paul Koroma was appointed as a chairman of that  
19 commission, it was my office that actually provided every little  
12:29:35 20 working material he needed in his office. I worked with him, I  
21 sat with him, and I provided support and linked him up with every  
22 individual. So whenever big person is coming, whether it's  
23 [indiscernible] or anybody, I will sit with him and talk to him  
24 and try to highlight him of his problems.

12:29:52 25 They come to me when they have problem, they explain. So I  
26 worked with them. And when he realised their capacity was weak  
27 in terms of implementing the peace process, we organised training  
28 for all the combatants of the AFRC. Over 40 of them were trained  
29 by us for a week by a trainer from Ethiopia and Kenya and Ghana.

1 It was under the one which is the West African Network for Peace  
2 Building. Came and trained them for a week to prepare them to  
3 engage in the peace process and to effectively and generally  
4 participate. So my job, I worked with all of them. This was how  
12:30:19 5 I divided my two key staff, Christiana Solomon with the AFRC and  
6 Abdulai Bayraytay with the RUF. So that every occasion and  
7 opportunity, we would link with them and get them involved in the  
8 peace process. So everything. So with the issue of bias, I  
9 cannot use it if my job, because I fight for certain principles  
12:30:44 10 and value, and that I demonstrated to them and everybody. so In  
11 the end, nobody was my friend. It was on the principle I was  
12 working on.  
13 Q. Were you, Mrs Bangura, interviewed by the Truth and  
14 Reconciliation Commission as an expert?  
12:31:01 15 A. I refused.  
16 Q. Were you were --  
17 A. I was invited, but I refused to go.  
18 Q. Was there a specific reason for that?  
19 A. I would rather not say, but I didn't go, I didn't want to  
12:31:12 20 go.  
21 Q. With respect to the methodology of your report, if I count  
22 it well, you yourself interviewed 59 witnesses: 50 bush wives in  
23 Kailahun; five in Makeni; and four in Freetown, exclusive to the  
24 four focus group meetings with 35 bush wives.  
12:31:52 25 A. Yes.  
26 Q. Is that correct?  
27 A. Yes.  
28 Q. You also indicated during the examination-in-chief that  
29 there are no statistics.



1 A. Yes.

2 Q. Why, then, are you, in your report, extrapolating your  
3 experiences and your interviews to qualifications such as, "Women  
4 and girls in particular were targeted as thousands of them were  
12:32:27 5 abducted. Hundreds have relocated to other communities." This  
6 is part of page 8 of the report. Is it fair to say that for a  
7 certain part of your report, you extrapolated your research to a  
8 more generalisation of the situation?

9 A. There are statistics on abducted girls. People keep  
12:33:01 10 records because a lot of people -- there are no statistics on  
11 forced marriage, because not every girl that was abducted was in  
12 a forced marriage. People who were integrated, you have NGOs who  
13 have statistics. So the statistics that are not available is  
14 under forced marriage, because it is not an item that has been  
12:33:23 15 taken out. Invariably, you look at a lot of literature in this  
16 country and people will give you an approximate number of how  
17 many girls were abducted. For example, in Freetown, when people  
18 talk about it, they will tell you about 3,000 or 4,000. They  
19 will tell you the number of people who were amputated. But they  
12:33:39 20 will tell you about the abducted girls. Some were abducted and  
21 after a while, they returned. But nobody can tell you because  
22 these are personal events that happened to people which they are  
23 not willing to talk about. But parents who had their daughters  
24 abducted were able to tell others, "My daughter was taken away  
12:33:52 25 from me." So through that you can do an approximation. The  
26 thing you have quoted is talking about girls who have been  
27 abducted, because it was a systematic process that was done, but  
28 not on forced marriage. When I tell you there are no statistics,  
29 I said on forced marriage, because no particular NGO or donor has

1 specifically targeted those remained for support and taken a  
2 statistical analysis on that particular aspect.

3 Q. But, Mrs Bangura, your report also says on page 8, if you  
4 please have a look at it in the sixth sentence from below, "Many  
12:34:26 5 of these bush wives later had babies and after the war could not  
6 go back home to the parents because of the stigmatisation  
7 associated with being a bush wife. Hundreds have been relocated  
8 to other communities, especially around the Kailahun area."

9 My question is: this qualification "hundreds of them"  
12:34:53 10 clearly does not meet the number of interviews you conducted  
11 yourself and also taking into account the other reports and  
12 assessments, so how were you able to extrapolate that to the  
13 qualification, "Hundreds have relocated to other communities,"  
14 et cetera.

12:35:24 15 A. When I went for the UNHCR report, UNHCR consultancy, I took  
16 a different angle of Kailahun, the road which leads you to  
17 Koindu. And One of the thing I know about Kailahun which my  
18 report UNDP says, no village in Kailahun that hasn't got  
19 ex-combatant, no village. In some villages, there are more  
12:35:39 20 ex-combatants than the community people. So from previous work,  
21 you can talk about them, not the ones that I interviewed. When  
22 you take an estimation of the number of people that you've come  
23 across that are from other areas, because of the work I had to  
24 do, this time, unfortunately, I don't have a map here, but if you  
12:36:00 25 look at the towns, they flow along a particular angle of  
26 Kailahun, all the towns I recall that I visited, because these  
27 were the towns I had not visited previously with my UNDP and  
28 UNHCR consultancy. So that's the angle I took. The other angle  
29 was going towards Koindu, and Liberia and Guinea I had done

1 previously, so I didn't bother to go there. When I do the  
2 estimation, I base it on my knowledge of the area and my previous  
3 visits. But when I talk about specific instances, I talk about  
4 those who I dealt with on this particular issue.

12:36:36 5 Q. Mrs Bangura, in that regard, your report on page 6 under  
6 the subheading 1.1 "Purpose", it's the sixth sentence, it says,  
7 "I was also asked to clearly identify the factual assumptions I  
8 make." Is it correct that when using the words "factual  
9 assumptions" in this context, this is also referring to what you  
12:37:17 10 just said, that you were making, for a certain extent of your  
11 report, which portion of the report you could not rely on  
12 statistics, you had to extrapolate or make factual assumptions?

13 A. Yes.

14 Q. My question is: were you able to verify, other than what  
12:37:34 15 you just said, these factual assumptions in any sense?

16 A. In what way?

17 Q. For instance, by conferring with other experts on this  
18 area, or by checking your assumptions with other information  
19 which may have come to you, or was this factual assumption merely  
12:38:00 20 an assumption based on your personal account of events?

21 A. For example, when I first went to Kailahun, with the grants  
22 that the UNDP provided from the Japanese government, there was an  
23 institution that was dealing with these women specifically which  
24 was funded. Obviously part of the training was dealing with the  
12:38:21 25 trauma counseling. He was just like the principal -- his name is  
26 in my previous ledger from the UNHCR consultancy. He came and I  
27 spoke to him. So he can give me an estimate of how many of those  
28 girls who have gone through his own training, you know, his own  
29 training, and they come from around the country. Because I had

1 gone to his institution, I had met those girls at a previous  
2 meeting. Of course, when I went back the program was finished.  
3 By then, they had given them a sewing machine and everything.

4 So he came to talk to me and I asked him how was the  
12:38:55 5 experience, what did they do with the sewing machine, these sorts  
6 of things. For a person like that, I was able to get an  
7 estimated amount of what happened, so key people who were dealing  
8 with them, I spoke to because I had met them previously with this  
9 girl. Not all of them were there. Of course, with the CGG

12:39:12 10 staff, like I said, previously, these are people that I hired, I  
11 worked with, I trained, and they have been in the human rights  
12 field for the last five or six years. Obviously, I have some  
13 amount of reliability on what they are doing and what they are  
14 capable of doing. I didn't just pick up the phone and call them.

12:39:30 15 All of them came to Freetown. The one in Kenema, I met. The one  
16 in Makeni, I went there. The one in Kabala came. We sat down,  
17 we held discussions. So even when they gave me their reports, we  
18 also had discussions with them: how did the interview go; who  
19 did you talk to? So some of the things I wrote, like the names

12:39:44 20 of the imam and other things I wrote on a pen [sic], I wanted to  
21 keep to make sure that I have that. Invariably, I took it from  
22 people I could rely on, where the areas were I couldn't go and  
23 then of course the areas I went to, I had a very clear idea.

24 Kailahun is the one district I have visited more than any other  
12:40:01 25 district in this country, because almost all the consultancies I  
26 did had gone. The reason being that during my CGG as  
27 coordinator, I was never able to go there. Because like I  
28 mentioned, it was completely under the control of the -- so at  
29 the end of the day, I have visited that district more than any

1 other district in the country. So when it comes to detail and  
2 facts and issues, and talking to people, I attend, I still work  
3 in Kailahun.

12:40:32 4 Q. The information you just referred to, was that information  
5 brought to you in writing?

6 A. Yes.

7 Q. The summarisations in your report of the witness  
8 statements, were they provided to you in a verbatim form?

9 A. No, they were provided written.

12:40:48 10 Q. I mean, were they transcribed in a verbatim way?

11 A. Yes.

12 Q. Who made the summaries of these?

13 A. I did because the reports were given in writing. I did the  
14 summary. Like I said, the only one who didn't give me his report  
12:41:02 15 in writing was the one in Kabala because he's very far. So he  
16 has an internet. He uses the UNAMSIL internet, so he sends his  
17 own email.

18 Q. When you are saying that the most devastating effect on  
19 women of the war was the phenomenon of bush wives, were you in  
12:41:22 20 any way able to verify that based on certain other data?

21 A. Like I mentioned to you, there is no data. It is only what  
22 I collected, the people I spoke to. You ask them how they felt  
23 and the literature I have read, because it is a different  
24 category. It is a different effect. They stayed much longer in  
12:41:45 25 a situation which they were forced to be, and the effect on their  
26 life. It is really those who were children. People who are just  
27 raped, or who were a wife for a week or two can go back and lead  
28 a normal life. But when you have children, you have a baggage  
29 that lives with you for the rest of your life. It is also a

1 memory of what happened. It means you cannot wipe out that  
2 period of your life. For them, that is why the devastation is --  
3 most of them who cannot be reintegrated is because they have  
4 children, a lot of them. That is a memory. You can't wipe it  
12:42:15 5 out. That's why I said the devastation, the effects. Then of  
6 course the medical side. I told you there is one particular  
7 person, a child, her uterus had to be taken out and, up to now,  
8 she doesn't even know it. Who is going to tell her? Her parent  
9 are dead, her grandmother is dead. So that's why the day when  
12:42:32 10 she will know, you can imagine the consequences. That's why I  
11 said the devastating effects on that, because of the long time.  
12 It happens because of the period in which they stayed and what  
13 happened after that.

14 PRESIDING JUDGE: Mr Knoops, I note the time. We normally  
12:42:49 15 adjourn at this time. Are you at a particular part of your  
16 cross-examination where it would be convenient to adjourn, or do  
17 you want to ask more questions on that aspect?

18 MR KNOOPS: I could, Your Honour, finish with two  
19 additional questions on the summary of the report.

12:43:06 20 PRESIDING JUDGE: Please do so.

21 MR KNOOPS:

22 Q. Mrs Bangura, in the summary of your report on page 6, you  
23 refer to the physical and psychological abuse of women which were  
24 subjected to being a bush wife. Other than the interviews you  
12:43:26 25 mentioned, the 59 interviews you conducted yourself, were you  
26 able to assess this psychological abuse in any way?

27 A. I'm not a medical doctor. I'm not a mental doctor. There  
28 is no way. It's what the person tells me, the way she feels and  
29 how she is handling it. That's the only way you can be able to

1 describe it. I'm not medically competent enough to tell you that  
2 this is what should happen. I never did counsel or social  
3 counselor, or whatever you call it, I have never studied it.

12:44:10 4 Q. To your recollection, were any of these women ever  
5 subjected to a psychiatric or psychological evaluation?

6 A. No, there is one only. The only person that I know that  
7 was Baiwala or something, you know, in Kailahun district I met,  
8 she doesn't need a medical person. Because one thing that they  
9 told me in the committee, she doesn't have a memory of her past.  
12:44:33 10 So she can't remember her name; she can't remember who she is;  
11 she can't remember where she comes from. That one is the only  
12 extreme case I have encountered. I don't think -- of course, in  
13 the country there is nowhere you can do a psychiatrist  
14 evaluation. We only have one psychiatrist in this whole country.

12:44:54 15 So there is no way I can use that to measure. That's the only  
16 one extreme case I came across that she has to be given a new  
17 identity, because she doesn't remember her whole identity, who  
18 doesn't remember who she is. Other than that, I haven't seen  
19 anyone that somebody can say she has so been disturbed mentally  
12:45:09 20 that she cannot be herself.

21 Q. So the qualification the most devastating effect of the war  
22 in relation to the phenomenon of bush wives, ie, the  
23 psychological trauma you describe is, in fact, only founded on  
24 your interviews?

12:45:29 25 MS PACK: I'm not sure if that's a quotation. If it is, it  
26 is a misquotation of page 6, the devastating effect. Perhaps if  
27 my learned friend could make sure if he's going to quote from a  
28 paragraph on page 6 he quotes it in full.

29 PRESIDING JUDGE: Can you refer us to that line, please,

1 Mr Knoops?

2 MR KNOOPS: Yes, Your Honour. It is page 6 under the  
3 subheading "Summary", 1.2, the fifth sentence: "However, the  
4 most devastating effect on women of the war was the phenomenon  
12:46:04 5 called bush wife, rebel's wife or jungle wife."

6 Q. When I read your summary, this assessment of the most  
7 devastating effect was also founded on the psychological abuse of  
8 women; is that correct?

9 A. If I can take you back, for those of us who have been in  
12:46:28 10 the war, who have been affected, if you talk to Sierra Leoneans  
11 who have been affected by the war, every time you try to talk to  
12 them, they cry. "I lost my house, everything." Up to now,  
13 nobody I want to talk about it. It's over, forgotten about in my  
14 past. Every time somebody brings it up, they just burst into  
12:46:52 15 tears. I don't think anybody needs to tell you psychological,  
16 because you want to forget about it, you don't want to be  
17 remembered. I know as an educated person, when somebody is  
18 traumatised by a particular issue, she doesn't want to talk about  
19 it. Those of us who have gone through abuse in childhood or any  
12:47:08 20 other things, or discrimination in whatever form, you want to  
21 move ahead with your life.

22 For me, my knowledge of psychology is how it affects you as  
23 a person. So when you talk to somebody and you start talking and  
24 the person comes down with tears and she keeps crying, she  
12:47:23 25 doesn't want to talk about it, you know that thing has  
26 traumatised her. She doesn't want to remember it. So using the  
27 word "psychology", I'm not using "psychology" as a professional  
28 person. I'm using "psychology" as the effects of the war on  
29 people and all of us who have been thrown into it. So in



1 interviews, these girls, when you talk to them, the way they  
2 respond to you. You know it is something they don't want to  
3 bring out. It is something that brings a lot of bad memories for  
4 them and it's something that hurts their feelings, they can't do  
12:47:51 5 anything about it. But it brings back some of the things she  
6 carries with her. Because we don't have counseling facilities,  
7 you can't respond. When we were in CGG, most of the girls we  
8 dealt with, we send them to Fawe for counseling. But there are  
9 very limited counseling facilities. Secondly, there is very  
12:48:08 10 little statistics about issues like that, or you don't have the  
11 capacity or the resources to, one, get the psychiatrist, somebody  
12 to come and deal with it and then the person can tell you this  
13 person is not a psychological framework to deal with this, or  
14 this is how it has [sic] handled it. Basically, on that basis,  
12:48:22 15 that is why. So if you have gone through trauma yourself, you  
16 know what it means and you know how you feel about it and you  
17 know how you respond to questions about it.

18 Q. My question was, and thank you for your answer - my last  
19 question before the break - is it correct to say that the  
12:48:40 20 assessment of the most devastating effect, as just quoted from  
21 page 6, was founded by you on only the 59 interviews you took?

22 A. Yes. And the literature I have read, yes.

23 MR KNOOPS: That concludes this portion, Your Honour.

24 PRESIDING JUDGE: Thank you, Mr Knoops. We will adjourn  
12:49:07 25 for lunch.

26 [Luncheon recess taken at 12.53 p.m.]

27 [AFRC030CT05D - SV]

28 [Upon resuming at 2.27 p.m.]

29 PRESIDING JUDGE: I note there aren't any of the accused

1 persons in court. Is there any reason for that?

2 MR KNOOPS: Not to my knowledge, Your Honour. I'm sorry.

3 PRESIDING JUDGE: Maybe logistics of getting them back  
4 here. So there's no particular reason. They'll turn up in due  
14:25:03 5 course.

6 MR FOFANAH: They are coming.

7 PRESIDING JUDGE: Excellent. Thank you. Mrs Bangura,  
8 there are likely to be more questions for you in the course of  
9 the afternoon. Could I make one request, as we mentioned this  
14:25:14 10 morning. If you could speak a little more slowly. All of us are  
11 making notes, but also we have an official transcriber, and she's  
12 typing away as hard as she can to keep up with you. So when  
13 you're answering try not to speed up, if you could assist us in  
14 that way. Mr Knoop, you were in the midst of your

14:25:35 15 cross-examination.

16 MR KNOOPS: Thank you, Your Honour.

17 JUDGE SEBUTINDE: Perhaps the witness could wear her  
18 headphones and switch on the microphone.

19 MR KNOOPS:

14:25:58 20 Q. Good afternoon, Mrs Bangura.

21 A. Good afternoon.

22 Q. I have one additional query about the summary of your  
23 report. Mrs Bangura, on page 20 of your report, if you could  
24 have a look at the top of page 20 under the subheading "IV",  
14:26:28 25 second paragraph, you indicate that, first, there are no  
26 statistics to show the number of bush wives nation-wide.  
27 Therefore, it's impossible to determine how many have been  
28 reintegrated. It's a statement you still deem appropriate; you  
29 agree with that?

1 A. Yes.

2 Q. Yes. In your summary of your report at page 6, if you  
3 please could have a look at the fifth sentence from below, it  
4 says, "Currently there are --

14:27:17 5 MS PACK: We have a page number, just so Mrs Bangura has a  
6 page number for that. Page 6, which is 14481 for the record.

7 MR KNOOPS: Thank you for your assistance.

8 Q. Do you have it before you, Mrs Bangura?

9 A. Yes, please.

14:27:40 10 Q. It's the fifth sentence from below:

11 "Currently there are thousands of bush wives who have not  
12 been reintegrated and who do not have any source of  
13 livelihood, especially in Kailahun."

14 In light of your observation on page 20, is it fair to say  
14:27:54 15 that this qualification "thousands of bush wives" is an  
16 assumption of yours, an assessment based on your own personal  
17 account, or do you have any reasons to give us a foundation for?

18 A. Statistically it is known that the unemployment rate in  
19 this country is over 70, 80 percent. And it is a known fact that  
14:28:29 20 in places like Kailahun, where you have very little investment  
21 opportunities, a cash crop economy, and it's a fact that when  
22 you're unskilled and untrained you have lesser opportunity for  
23 employment. So based on that, it was easy for me to come to that  
24 assumption that the opportunity for them to be employed and to  
14:28:57 25 have a living is just impossible if you're living in Kailahun.

26 Q. But you agree with me that it states an assumption of you?  
27 There is no scientific evidence for this remark you make on page  
28 6?

29 A. Definitely.

1 Q. Thank you. I would like to move on to the next topic. In  
2 your report and the interviews you conducted, 59 interviews  
3 conducted by yourself, 23 interviews by CGG and four focus group  
4 interviews or consultations with 32 women, according to your  
14:29:43 5 report, that this report and these interviews are based on the  
6 assumption that the women you interviewed were bush wives. You  
7 can expect my question. Was there any methodology determined by  
8 you before you started this research how to assess whether a  
9 woman was a bush wife or not, and how this has been verified by  
14:30:19 10 yourself or your researchers?

11 A. When you come from the word -- when you encounter the word  
12 "wife", the first question you ask is, "why did he call you a  
13 wife", and most of them, apart from the fact of what you need to  
14 do, which it is generally and traditionally accepted is the duty  
14:30:46 15 of a wife, she tells you, "He told me you are my wife." So it is  
16 a language that they themselves use. And the bush came from the  
17 fact that they were not living in town. It was an arrangement  
18 that took place while they were within a particular environmental  
19 circumstances. Immediately they come out of town, that  
14:31:11 20 relationship is over. And when we were in CGG, after January 9,  
21 1999, one of the problems we had were some of the girls who  
22 managed to escape and came back to the city, and people followed  
23 them and say "You are my wife."

24 So we had a few cases where we had to go to the police  
14:31:37 25 because this gentleman or gentlemen actually went to the family  
26 and insisted that "She's my wife; I own her." So we had to go to  
27 the police to get injunction to restrain them from coming near  
28 the houses of the women that they had claimed, because those  
29 people wanted to put this thing behind them. They managed to

1 escape and survive and they came to town, they want to live a  
2 normal life. And yet some of these people followed them. So we  
3 had to deal with those when I was in CGG. So it's based on the  
4 circumstances, the relationship and talking to the people  
14:32:12 5 themselves. So it was something that kept appearing and we saw  
6 instances of it and we spoke to them who were still there. So,  
7 the combination of the word "wife" and the "bush" is a result of  
8 the relationship the wife and what he says to you when he  
9 captures you. One particular lady says to me, "He holds your  
14:32:32 10 hand and says you are my wife." And then, of course, how they  
11 relate to you when they came to town and some of them who still  
12 stayed with them.

13 Q. I can understand your reasoning when it concerns these 59  
14 interviews you conducted yourself. But how were you able to  
14:32:47 15 verify whether the interviews conducted by, for instance, CGG and  
16 the other interviews in which you did not directly participate  
17 relating to women who were actually bush wives?

18 A. They give you the name of person, they give you the dates,  
19 and sometimes they give you the period and how long they were  
14:33:13 20 with them. So she tells you, "He was my husband within this  
21 period. I was captured by so and so person," and then they gave  
22 you the name. Then, like I mentioned earlier on, he will tell  
23 you he is an AFRC junta, then you know he is an AFRC, if he tells  
24 you he is a junta rebel you know it's an AFRC, it's a rebel  
14:33:30 25 junta, you know it's an AFRC. Then they tell you whether it's an  
26 RUF rebel. So from that specification you know exactly the  
27 category where the person comes from and you know how long it was  
28 and what they said. So it was from themselves that the word came  
29 from.

1 Q. But I mean, Mrs Bangura, other than information from the  
2 women who were interviewed, was in any way in the research any  
3 form of verification conducted as to the authenticity of their  
4 status as bush wife? So, I mean, I understand what you say that  
14:34:06 5 you relied upon their information, but was that information in  
6 any way checked by yourself or the other researchers?

7 A. The first person you can check information is the person it  
8 affects. The rebels were not there. You can't talk -- you only  
9 talk to those who were still with their wives, and they still

14:34:26 10 continue to be wives. So there's no need to even talk to them,  
11 because they said, "I'm still with him. I met him in the bush.  
12 He saved my life." So he's still married in the word, not in the  
13 traditional ceremony married to him. The ones that are not  
14 married said, "This is what he said." So you don't have the

14:34:40 15 person to exist around. You know working through the war in  
16 Sierra Leone, getting reports, talking to people, you know  
17 definitely there was always -- even in the city now you can talk  
18 to people. They'll tell you, "This one was the rebel wife."

19 They'll tell you. They still use it around. So within the  
14:34:57 20 course of the war, we developed certainly vocabulary that was  
21 used in relating to certain issues. That is why initially I  
22 came -- we say "collaborator". Anybody who is there -- even if  
23 you ask your client they will tell that a lot of people verified  
24 on the issue just by naming them as collaborators. When they

14:35:12 25 tell you a collaborator, it means you are working with them  
26 willingly, you connive with them and you meet the penalty like  
27 they should have given to them. So these were words that were  
28 developed along, during the course of the war, to describe  
29 certain situations and environments. So it's common everywhere

1 and so we use it -- we saw it in literatures, we saw it in the  
2 monitor documents and you talk to the person. So when they  
3 explain to you, it makes -- it enables you to understand what  
4 they are saying, because you've heard it several times over.

14:35:41 5 Q. But when you did set up this research and you were faced  
6 with the methodology you had to pursue in this case, it's for the  
7 first time that apparently the phenomenon of forced marriages is  
8 investigated upon. Did you beforehand exclude the responsibility  
9 to verify potential statements of women who would say, "I am a  
14:36:14 10 bush wife", or was this a decision which you took pending your  
11 research when you faced all kinds of practical problems? I mean,  
12 was it a fundamental decision in your research before you started  
13 that you would just rely on the statements of the women you were  
14 going to interview, or was your research actually handicapped by  
14:36:41 15 the incapability to investigate these statements pending your  
16 investigation?

17 MS PACK: Your Honour, I heard quite a few questions there.  
18 If my learned friend could break down and maybe just ask one  
19 question, I think it would be easier for us all to understand.

14:36:59 20 PRESIDING JUDGE: Indeed, Mr Knoops, you had three  
21 questions in there. So one at a time please. And Mrs Bangura,  
22 you may not realise it but you speeded up again there.

23 THE WITNESS: Sorry.

24 PRESIDING JUDGE: That's all right. You'll get used to it.

14:37:22 25 MR KNOOPS: Thank you, Your Honour. I am sorry for the  
26 combination of questions.

27 Q. Mrs Bangura, was it part of the methodology which underlies  
28 this report that the research would be confined to just obtaining  
29 statements of bush wives?

1 A. Definitely not. Definitely not, because the first village  
2 I went to there were a lot of women I spoke to. There was one  
3 interesting experience because there was a lady who was 80 years  
4 old -- sorry, she was not 80, but very old and she kept telling  
14:37:54 5 me, "I was raped, I was taken away." And so they explained.  
6 They explained to me. I didn't take their story. I had to  
7 pretend like I was writing because everybody wanted to tell me  
8 what happened to them. And specifically I was paying attention  
9 to all of them because and when someone told me -- because we  
14:38:09 10 were sitting in the focus group meeting, each one of them was  
11 explaining. So there were incidents of a lot of other things  
12 people told me about. But the only one I paid attention to were  
13 the one that described that "I stayed with this person; we were  
14 married and he was my husband there", and this is what happened.  
14:38:28 15 They were the ones that I was able to fish out. But I met a lot  
16 of women along the discussion and lots of lots of them affected  
17 in various ways. But then I listened to their story and this was  
18 not what I documented.

19 Q. But out of the 59 statements you obtained, the interviews  
14:38:46 20 you conducted yourself, of how many statements or interviews you  
21 obtained you were able to determine, other than by obtaining the  
22 statement of the wife, that she was indeed a bush wife for a  
23 rebel or a junta?

24 A. She tells you. There are some of you who tells you, "I was  
14:39:09 25 with them. I took loads. I carried things." Some of them will  
26 specifically tell you, "I married this person," and they will  
27 give you the specific name. And then you can then continue the  
28 interview and say, "For how long? Under what circumstances?  
29 What were you expected to do?" So all the ones that I put the



1 numbers were the ones who said they were married to one person or  
2 the other. Some of them, when they said their husbands were  
3 dead, I didn't bother to write that name because then he's dead,  
4 it's not an issue any longer. But I made sure I took the ones  
14:39:40 5 that specifically pointed the name of the people, that they  
6 explained to you, "We married. He was my husband," and they give  
7 you a specific name. "We run around from this village and that  
8 village and this is how we went." So basically those were the  
9 ones that I paid attention to because I wanted to know the  
14:40:01 10 content under which this thing happened, their relationship with  
11 them, and what happened during the process of the relationship  
12 and the war.

13 Q. What do you mean with, "I paid attention to"?

14 A. I listened to more attentively those who told me that they  
14:40:10 15 were married to rebels. That, "He was my husband." They gave  
16 you a name.

17 Q. In your research did you approach any of these individuals  
18 which were referred to in the statements by the women you  
19 interviewed?

14:40:26 20 A. The only ones I spoke to were the ones who were still  
21 married with them. They were the ones -- for example, the only  
22 people that told me that they could remember where the people  
23 were are the ones I interviewed in Freetown here, who told me --  
24 I asked them because they told me that I said, "Do you still know  
14:40:47 25 where they are?" One of the girls said to me, "No, but I met her  
26 boss and he called the name of the officer who told me that is  
27 station is so and so place, but that's it." They didn't -- they  
28 were the only people in Freetown who told me they know where  
29 these people were and I didn't go to interview these people

1 because they were now in the army.

2 PRESIDING JUDGE: Mrs Bangura, you've said "those people".

3 Who do you mean?

4 THE WITNESS: The girls in Freetown. Two of the sisters

14:41:12 5 that we had to have a police injunction to stop the other

6 neighbours calling them rebel wives. They were the only people

7 of all the ones I interviewed who told me that they know that the

8 rebel husband they had were still in the army. They saw them

9 because their boss, the bosses of these two boys, actually met

14:41:31 10 the girls some time. He was also in uniform and told them that

11 these people were asking for them and they were in such and such

12 a place. But I didn't follow to find out those people.

13 MR KNOOPS:

14 Q. So, out of the 59 interviews, two of them refer to the

14:41:47 15 example you just gave. The two sisters?

16 A. Who knows where the men are. The others don't know.

17 Q. So, out of the 59, you were actually -- you had to rely for

18 the other 57 on the statements of the women you interviewed?

19 A. Because their statements were very specific with a name and

14:42:08 20 a date and a time. So, they know exactly what they are saying.

21 Q. Thank you. Mrs Bangura, with respect to the other

22 interviews you were provided with, undertaken by the CGG and the

23 focus group, did you receive additional information from the

24 people who conducted these interviews with respect to the way

14:42:37 25 they were able to verify whether the interviewees were actually

26 bush wives?

27 A. The one that had a problem, because we were very reluctant

28 to talk where I had to go, was in Makeni because he specifically

29 told me that it was very difficult to talk to the people because

1 they have been reintegrated, they had problems accepting. But  
2 because they had done the previous statement-taking and  
3 testimony-taking on other things during their previous work they  
4 know exactly who they are and where. So, that was the reason why  
14:43:13 5 I had to make a trip to Makeni myself and try to talk to them and  
6 got them out and got even the chief to be able to direct me to  
7 some of the places. So, he was the only person who sort of had  
8 difficulties because these people had been reintegrated. So I  
9 had to make a trip to Makeni myself and talk to the people -- the  
14:43:33 10 children themselves.

11 Q. How many witnesses this trip related or was it a general  
12 trip during which you tried to obtain information?

13 A. No, it was specifically for this purpose.

14 Q. But is it fair to say that from the other two groups who  
14:43:49 15 were interviewed by first of all the CGG and secondly during the  
16 four focus group meetings, the information you had to rely on was  
17 only confined to the statements of the women?

18 A. I definitely believe so because during the course of the  
19 war there is no way you can accept, even because there was so  
14:44:15 20 much information I had, the fact that the TRC was going to take  
21 place and so they couldn't give you information. They would  
22 definitely -- the rebels themselves will definitely, definitely,  
23 not give you information. And for my relationship with all of  
24 them, right from the top, including Foday Sankoh and everyone, I  
14:44:32 25 had to do it on a personal level, they will never accept -- they  
26 never accepted this happened. So, as far as they're concerned,  
27 it never happened. So, there is no way he's going to take  
28 responsibility for what he did.

29 Q. With respect to the four focus group meetings which were

1 held in the Kailahun District with 35 bush wives, is it fair to  
2 say that these can be qualified as collective interviews? Was  
3 this a meeting with all 32 women in one room and questions and  
4 answers were exchanged?

14:45:08 5 A. It was an issue of sharing experiences, talking to them.  
6 Because, like I said earlier again, Kailahun District, there is  
7 no village, no village in Kailahun District that hasn't got ex-  
8 combatants and their family. As a result of that, the way the  
9 issue of stigmatisation and the reluctance of people to talk  
14:45:34 10 about it and deal with it, you will not find in Kailahun, as you  
11 find in other countries, where the majority of the people who  
12 came back. For example, in Kono whole communities went away and  
13 they came back as refugees and IDPs and you have a lot of  
14 communities in Kono that has no ex-combatants. So, in Kailahun  
14:45:55 15 people are much more open in talking about it. So since it is an  
16 issue that affected women -- just women's groups and so we talk  
17 about it, each one of them was willing to explain their  
18 relationship; what happened there; how they experienced it and  
19 what they felt and so-so. It was an open topic, because one or  
14:46:09 20 the other, the majority of them, had gone through the process, so  
21 they were able to freely talk about it. And because they were  
22 also comfortable with me, I had worked other areas, they know me,  
23 and they know because I work on women's rights, they understand  
24 that I am advocate of women issues. So they are prepared to say  
14:46:26 25 to me exactly what they thought was the right story and what  
26 really happened to them.

27 Q. So, these focus group meetings with 32 wives were not  
28 conducted in a personal -- by way of personal interviews?

29 A. No, no, no, no, no. It's in Kailahun Town. It was in a

1 room, an enclosed place, but all of them -- all of us were  
2 sitting there and I was sitting on the side. And in some of the  
3 villages, it's also in a confined area, but not in public but  
4 just me and them.

14:46:55 5 Q. And any information given during these meetings, was it  
6 transcribed or was it taken on record, or was it being  
7 audio-taped?

8 A. No, I had a notebook. I didn't use a tape, I had a  
9 notebook. Because a lot of -- some of them talk in Mende,  
14:47:10 10 somebody -- one of them has to interpret or maybe the human  
11 rights officer who was with me has to interrupt.

12 Q. Thank you. Mrs Bangura, on page 8 of your report you speak  
13 about the majority of the bush wives interviewed in Kailahun.  
14 The report written by you on page 8 in the third paragraph,  
14:47:39 15 starting the second sentence, "Kailahun was the only district  
16 that the RUF had control of during the entire period of the war.  
17 They had used it as their biggest training camp and for years as  
18 the main RUF HQ." Was this information obtained from the  
19 interviewees?

14:48:10 20 A. The fact that Kailahun -- can you repeat the question,  
21 please?

22 Q. Was the information stated in your report, namely Kailahun  
23 was the only district that the RUF had control of during the  
24 entire period of the war, they had used it as their biggest  
14:48:35 25 training camp and for years as the main RUF HQ; was that  
26 information extracted from the interviewees?

27 A. It's a statement of facts because throughout the war I was  
28 here, the UN was here, everybody was here and everybody knows the  
29 war started in Kailahun, the 23rd March. And that Kailahun was

1 the last district to be disarmed, because the disarmament  
2 timetable was always public and the human rights officer we had  
3 for Kailahun District was always coming to Freetown, he had to  
4 move to Kenema. So, on the exception of the enclave of Daru,  
14:49:21 5 where you had Nigerian soldiers, that little town of Daru, the  
6 whole of Kailahun, everybody in Sierra Leone who is -- who knows  
7 the war inside of Sierra Leone, who knows that from the beginning  
8 to the end. So, when the negotiation for disarmament was taking  
9 place, the calendar was set and it was agreed that Kailahun was  
14:49:39 10 the last district, and everybody knows that. So it's a statement  
11 of fact, not only from me, but it's something in the UN documents  
12 and those of us who were working on the peace building and  
13 everyone in Sierra Leone knew exactly that Kailahun was the last  
14 district.

14:49:56 15 Q. Do you refer to your references when you say, "I refer to  
16 certain reports in this regard"?

17 A. Which ones?

18 Q. I refer to your list of references on page 22. Is there  
19 any reference which could serve as a foundation for --

14:50:21 20 A. For that statement.

21 Q. -- statement of fact?

22 A. No, I don't need a reference for that statement. I lived  
23 in Sierra Leone during the course of the war. I followed the  
24 war. I was an active participant in the peace process. I was in  
14:50:37 25 Abidjan when we signed the first process. I was very much  
26 involved in the signing of the second process and I also, with  
27 regards to the history of the war and what happened and the  
28 players and the stakeholders, I don't think I need to reference.  
29 This was why I initially said, "When you take back to the

1 marriage there are certain things which you know, you verify it  
2 in a document. So when write it as a reference, you know it's  
3 not true, you don't use it. But this one I don't need to  
4 reference. It's a statement of fact that I know by virtue of my  
14:51:08 5 own staying here and working in Sierra Leone and being involved  
6 in the war in Sierra Leone.

7 Q. Does it also count for your qualification that the RUF had  
8 control of that district during the entire period of the war?

9 A. Yes.

14:51:23 10 Q. Does it also count for your statement, it's in the fourth  
11 sentence of that paragraph, "It therefore became a fortified and  
12 secure fortress for all RUF activities"?

13 A. Because they were the control people who controlled it. So  
14 that everything that has to do with the war that relates to them,  
14:51:37 15 they were there.

16 Q. Mrs Bangura, in this regard was there a methodology  
17 determined by you to verify what an interview meant with a rebel,  
18 a junta or an AFRC?

19 A. Ohm definitely. Anything that is junta is military and  
14:52:11 20 that means the military; the AFRC. They tell you, "It's the  
21 SLA". Normally they call them SLA. But when they say junta,  
22 they mean SLA because you ask them over and over.

23 Q. But was there, for instance, in the questionnaire was there  
24 any form of verification implemented how to secure that the  
14:52:29 25 interviewee was able to know whether she was taken under the  
26 control of a rebel or an AFRC or a junta?

27 A. One, they can tell you where they belong. Two, they tell  
28 you where they captured. If you look at the history of the war,  
29 you will know where the AFRC was stronghold. So she can tell

1 you, for example, in Kabala she said, "I was captured in Kabala  
2 by the AFRC and they travelled the length and breadth until they  
3 get to Kailahun. And so, after the war, when Kailahun was  
4 disarmed and demobilised, a lot of the other people from the  
14:53:05 5 other areas came to Kailahun. Now whether they were AFRC or RUF.  
6 So when she tells you where she was captured, this was why right  
7 from where I mentioned to you the issue of Freetown. When people  
8 know that when you talk to girls who were captured in Freetown,  
9 you definitely invariably know it was the AFRC. When they tell  
14:53:24 10 you, "I was in Kabala" they will tell you it's the AFRC. And  
11 when they tell you it's Makeni, you will be able to know.

12 They tell you in Kono -- there are all districts like, for  
13 example, in Kono which change hands. So you will know from the  
14 districts they were captured and they will give you the  
14:53:42 15 description of the person. So most of these interviews were not  
16 ones originally who were in Kailahun, were the ones who went to  
17 Kailahun at the end of the disarmament program, that's where they  
18 resettled finally. So they were not in Kailahun during the  
19 process of the war. They resettled in Kailahun when the rest of  
14:54:07 20 the country had been disarmed and they found it difficult. And  
21 some of them, their husbands had not disarmed or didn't want to  
22 disarm, so everybody flocked into Kailahun. That's how they  
23 ended up in Kailahun.

24 Q. May I give you one example, please, on page 14. If you  
14:54:24 25 please have a look at page 14 of the report, it's the second  
26 paragraph from below. It says: "ZGK was 16 years old when she  
27 was captured in her hometown of Bilimaia, Kabala by RUF rebels in  
28 1999." I don't recall that you took this statement yourself?  
29 A. No.



1 Q. But for instance with this interview, how was it possible  
2 for the researchers to verify whether this person was actually  
3 captured in her hometown by RUF rebels, is my first question?

14:55:23 4 A. First, he lived in Kabala, he worked in Kabala. Secondly,  
5 Kabala was taken over by the AFRC after the February 19 -- I  
6 can't remember when. Until they drove them out. So Kabala  
7 became an AFRC territory where Savage was, because it's a name we  
8 all came to recognise, that he took it over. In the earlier  
9 stages the RUF were there. But later the AFRC took over until  
14:55:58 10 when 2000, I think, or 1999, I can't remember, when eventually  
11 the RUF took over Bombali District and removed the AFRC and sent  
12 them back to the Kabala area before they were evacuated by  
13 ECOMOG. So there are certain areas that would interchange, there  
14 were certain areas that originally in the beginning of the war  
14:56:20 15 the RUF attacked.

16 And, secondly, if you go back to the beginning of the war,  
17 the strategy was not to hold land. The strategy was never to  
18 occupy a space and keep it. The strategy was to attack and leave  
19 away. So the strategy of the war changed at various times. So  
14:56:40 20 when you are involved in the documentation of the war and dealing  
21 with the experts, they will tell you at a particular time who was  
22 in this particular area. So when they attack, that's why they  
23 tell you, "We move out". So when they attack, they move and they  
24 move into another area. So they were very mobile. They never  
14:56:59 25 stayed in one particular place because there was attack and  
26 counterattack and counterattack so they keep moving at every  
27 direction. But that is why specifically when you talk to them  
28 they will tell you it's RUF rebel, they will tell you it's AFRC  
29 junta, they will tell you it's rebel junta. So as a person who

1 is very much involved in it, you get used to these terms and the  
2 words and you know that when it is said it particularly refers to  
3 a particular person.

14:57:33 4 Q. Were the interviewees asked how they were able to say when  
5 somebody belonged to the RUF or the junta or the AFRC?

6 A. It is the group. When they attack, the group tells you,  
7 you know whether they are RUF or whether they are AFRC because  
8 the group themselves -- because you stay with them for a few days  
9 or a while you know exactly which group they are because when  
14:57:48 10 somebody else come and attack they will tell you this other group  
11 is coming to attack us. So you get to know them, you get to know  
12 the commanders who is there and you will be able to know whether  
13 they are AFRC or RUF.

14 Q. But my question is do you recall that to all the  
14:58:06 15 interviewees these questions were asked; how they were able to  
16 say that somebody belonged to RUF?

17 A. I said, "Who captured you" and they were very specific.  
18 "Who was the one who took you?" They said, "It was an RUF  
19 rebel".

14:58:18 20 Q. I can imagine that you were able to do that with your own  
21 interviews, the 59 interviews. What about the other two sections  
22 of interviews by the CGG and --

23 A. Well, I told them. I told them to ask and in those CGG  
24 archives they are always the people, because even when attacks  
14:58:41 25 were taken they were informed on the report who attacked, when  
26 and how. So because they know there was this fluidity between  
27 the different groups, it was always important that we know who  
28 did what. Because for the purpose of accountability it always  
29 has to be very specific to know exactly who did what at what

1 time. So it was an issue that we made point right at the  
2 training because there was not just one faction in the war.  
3 There was the CDF, there was the RUF and there was the AFRC. So  
4 it was very important for our own documentation throughout the  
14:59:16 5 process I was in CGG and including when I took this work to be  
6 able to know exactly who did what.

7 Q. Thank you. Mrs Bangura, I will move on to the next  
8 subject. The distinction between forced marriage outside a war  
9 situation and in times of peace. Do you agree that as a  
14:59:40 10 preliminary remark it's fair to say that forced marriage has  
11 always been part of the system of Sierra Leone, at least the  
12 customary law system, and is still a common practice within  
13 Sierra Leone?

14 PRESIDING JUDGE: You've got two questions there,  
15:00:00 15 Mr Knoops.

16 MR KNOOPS: Yes.

17 Q. My first question is: Do you agree that forced marriage  
18 has been part of customary law in Sierra Leone?

19 A. The way I spelt it here, it's not. It's arranged marriage,  
15:00:20 20 that's why I differentiated. Because the consent, the family  
21 relationships is not there. So this was why even though the ones  
22 who fell in love, who became attached psychologically to the  
23 people they were married to felt it obligated to go back to the  
24 family. So the comparison, it cannot be because the way I define  
15:00:44 25 forced marriage here is wherein the consent of the family is not  
26 taken and the normal tradition and ceremony and processes under  
27 which a daughter is given to you as your wife does not apply in  
28 this case. So in the other case, that's why I called it arranged  
29 marriage. Because this was something that was done without your

1 consent but it has the respectability of the community and the  
2 participation of the family. So you cannot compare the two. So  
3 it's not forced marriage. Maybe you can define it, but for me,  
4 for what I use for the purpose of this report, I cannot call it  
15:01:19 5 forced marriage because I gave a clear description of what I  
6 meant by forced marriage.

7 Q. In your report, Mrs Bangura, you have relied on the report  
8 Human Rights Watch report titled "We'll Kill You If You Cry;  
9 Sexual Violence in the Sierra Leone Conflict"?

15:01:39 10 A. Yes, please.

11 Q. On page 17 of that report, which is mentioned in your  
12 reference, it is stated that: "Marriages are usually arranged  
13 and the consent of the bride to be is not considered essential in  
14 most ethnic groups, but the consent of the girl/woman's family is  
15:02:08 15 required. The fact that a girl is considered ready for marriage  
16 at such a young age and her consent is not sought has contributed  
17 to the common practice of early forced marriages". That's the  
18 quotation from the Human Rights Watch report which you rely on.  
19 Is it your view that the Human Rights Watch report in this regard  
15:02:47 20 should not be followed when it concerns the qualification of  
21 common practice of early forced marriages?

22 A. I'm sure she did the force in inverted commas. So that's  
23 our own best way of describing it so that it can be very clear,  
24 and I'm sure that's why she put in "arranged marriage". But even  
15:03:09 25 in that she will be able to tell you that the consent of the  
26 family is essential and fundamental and the involvement of the  
27 family is fundamental and essential. So that's a very big  
28 distinction and, the family unit being the bedrock of the  
29 community in Sierra Leone, it's important. If it is not there,

1 it cannot be.

2 Q. The Human Rights report specifically refers to the common  
3 practice of early forced marriages. Do you agree that the  
4 concept of what you call arranged marriage is still existing  
15:04:00 5 right now in Sierra Leone as part of customary law?

6 A. Yes. As I describe it in the report, it still exists under  
7 the circumstances which I described in the report.

8 Q. Now you make a distinction in your report between forced  
9 marriage in peace and in war. Is that distinction also made by  
15:04:23 10 Professor Joko Smart in his book of 1983?

11 A. Joko Smart wrote his book well before the war. I was still  
12 at college.

13 Q. I know that.

14 A. So there was no way he could have realised there was going  
15:04:37 15 to be a war, so he couldn't have mentioned war time.

16 Q. Of course I know that there was no war at that time but was  
17 he able to elaborate on any distinction in this regard?

18 MS PACK: I don't understand the question. I'm not sure  
19 how Professor Smart, as the witness has pointed out, writing a  
15:04:53 20 book in 1983 can be of any assistance on forced marriage during  
21 the war.

22 MR KNOOPS:

23 Q. Not during the war, a war?

24 A. He couldn't. Nobody thought there was going to be a war in  
15:05:04 25 Sierra Leone. The war is the last thing we would think about.

26 Q. No, I don't refer to the war in Sierra Leone. Was he able  
27 to make a distinction in general between forced marriage in times  
28 of peace and in times of war?

29 A. He could not have.

1 Q. Thank you. As I understand your report well, you say the  
2 fundamental difference between an early and arranged marriage in  
3 times of peace and that of a forced marriage during the war is  
4 that the family members are not involved in the arrangement; is  
15:05:33 5 that correct?

6 A. Yes.

7 Q. Do you agree that from the point of the women who do not  
8 consent, who do not consent in a marriage, there isn't really a  
9 difference between what you call arranged marriage in times of  
15:06:00 10 peace and forced marriage in times of war in the event you look  
11 at it from the perspective of the wife?

12 A. If they felt it didn't matter they couldn't have wanted to  
13 take their husbands to be accepted by their families. So even  
14 those who still live there, you ask them and they will say, "We  
15:06:28 15 went. I went and introduced him, I wanted my family to meet him  
16 and accept him," and they came back. So for them, they  
17 understand that the family has to accept, has to give their  
18 consent. I met one particular gentleman who said he actually  
19 went and worked in the farm of his in-laws for a number of  
15:06:46 20 months, a whole season, just so to get acceptance from them. So  
21 for them, they also know it is fundamental.

22 And those who are still living with them who have not been  
23 able to go, they're so afraid they will not accept them and they  
24 are tied up with the children and they know it's not possible to  
15:07:01 25 leave these people. So they rather stay away from the family and  
26 just stay there. So they themselves realise the consent is very  
27 important and is fundamental for their own benefit.

28 Q. With respect to the issue of consent, you, in your  
29 evidence-in-chief, elaborated on the situation what could happen

1 if a woman comes back after the conflict to her parents and seeks  
2 for consent. Have you found any examples of situations - you  
3 refer to Makeni in your report - in which the parents actually in  
4 a retrospective sense agreed with the marriage?

15:07:54 5 A. Yes, I spoke to them. They went. They said -- some of  
6 them who said they went, the family agreed and said, "Okay, you  
7 can go back" because the family has -- you come with two children  
8 and there's nothing the family can do. The family, as long as  
9 you're alive, you're okay, that's it. So you can go ahead and  
15:08:17 10 live your life. So none of them told me that a marriage ceremony  
11 was performed. But they introduced them to their family and  
12 their family said it's okay, agreed, "We met him, okay, thank you  
13 very much," and they went back. They didn't stay with the  
14 family. They returned back where they came from.

15:08:31 15 Q. In your opinion, when a woman comes back after the war and  
16 seeks after all consent of her parents and the parents consent,  
17 you still believe it's forced marriage?

18 A. It is after the war. For me, the description of forced  
19 marriage took place during the course of the war. So as long as  
15:08:51 20 the relationship is still there, it's an ongoing relationship.  
21 So she was forced to marry him during the course of the war. And  
22 then of course after the war they had events, they literally come  
23 to introduce him, to tell them, "This is the person that saved me  
24 in the war". The family are happy to see you are living, that's  
15:09:10 25 okay, you go back. So none of them, like I said earlier on,  
26 actually told me the family said to them you have to come and  
27 deliver with the exception of this one fellow I met who told me  
28 that he had to work in the farm of the parents -- of the father  
29 of the girl and so after that he went back. For him it's now

1 sort of legitimised, the relationship, that I have been accepted.  
2 But he didn't live there, he was not asked to come and bring kola  
3 nuts or calabash or bring your own family.

4 Because when you say you want to marry somebody nobody  
15:09:40 5 across Sierra Leone, with the exception of Western Area, will  
6 accept you. They tell you, "Go back and bring your family". So  
7 you have to go and bring your family. And the fact that none of  
8 the parents of those girls said, "Who are your parents, go and  
9 bring them back," because marriage is between two families. So  
15:09:57 10 it's not for you to come into my house and tell me you want my  
11 daughter. It is for your own parents, your family, to come and  
12 tell me that they want my daughter for you. And the fact that  
13 that has not been done tells you, at the bottom of it, that still  
14 families still don't want to deal with it.

15:10:15 15 Q. On page 20, Mrs Bangura, in this regard, it's in the fifth  
16 paragraph, it's written: "In Makeni those interviewed had been  
17 accepted by their families and successfully reintegrated in their  
18 communities". Does the words "have been accepted" also extend to  
19 the acceptance of the marriage, as such, during the war?

15:10:43 20 A. No, no, no. These were girls who have been reintegrated on  
21 their own.

22 [AFRC30CT05E - AD]

23 Q. Okay. Out of the 59 interviews you conducted yourself,  
24 were there any examples emerging for consent post facto, so to  
15:11:02 25 say?

26 A. I think it has to be explained further, because, when I  
27 mean, consent involves legitimising the process. Consent in  
28 accepting the relationship is different from consent in actually  
29 getting you to perform the ceremony which you have not performed.



1 I have not come across any of them who told me I had to bring my  
2 family to meet this other's family. The consent is that they  
3 accept that you are alive. This was the person, I have seen him,  
4 I saw him. It is one step. And so that one a few of them told  
15:11:39 5 me that they did because they thought it had to be done. But  
6 none of them told me that we had to do the ceremony which we have  
7 to bring our relationship, because, again, the phenomenon is that  
8 a lot of them -- some of the husbands RUF/AFRC who are there also  
9 are not in their own community; they are also not natives of  
15:12:01 10 Kailahun. They are also reluctant to go. So they themselves  
11 have not been reintegrated. So how are you going to take your  
12 own family to go and get the consent of another family in the  
13 whole district? So I am sure that was the problem there; this  
14 was why they just went with the wives in tradition to the family.  
15:12:16 15 But they did not bring their family. And in our tradition, as  
16 long as your family, the boy's family, does not come to the  
17 family of the wife, the marriage is not taken -- it is not a  
18 binding marriage; it is not a real marriage. So that has not  
19 taken place.  
15:12:32 20 Q. Was this issue specifically inquired by you?  
21 A. Oh, yes. I asked them, when you stayed, after you  
22 became -- did you go back to your home to meet, and they told me,  
23 yes. "And what happened?" "How did your family react?" "Did  
24 you do the ceremony?" So those were the questions. Because,  
15:12:51 25 having looked at the issue of marriage and what it means, and the  
26 circumstances under which it takes place and the definition, the  
27 way it is accepted by the religion and traditional people, you  
28 definitely have to go and ask the question, "After the war, now  
29 that you are sitting and you have children, did you go back to

1 your family", when you asked them where they come from. So they  
2 tell you whether we went or I went alone. You know, at least  
3 there was one person who said she went alone. You tell them,  
4 "When did you go? How did the family react to you? How was your  
15:13:21 5 experience with them?" Basically the question keeps going on and  
6 on to get the real story.

7 Q. In this regard, Mrs Bangura, if you could please have a  
8 look at your report page 13, the last paragraph, the fourth  
9 sentence from below. It says:

15:13:41 10 "Some parents did not even request a legitimisation of the  
11 marriage. Knowing that the children were alive was all  
12 that they cared to know."

13 Is it correct that, referring to these situations, for the  
14 parents no issue of forced marriage arose at that time?

15:14:13 15 MS PACK: Perhaps if my learned friend could read the  
16 following sentence, which says, "Some of these girls felt that  
17 psychologically they were dead to their parents and that their  
18 parents had adjusted to that." I think the whole of the context  
19 would probably be a better reflection of the proceeding sentence.

15:14:30 20 PRESIDING JUDGE: I think counsel is entitled to put his  
21 question, Ms Pack.

22 THE WITNESS: Can you repeat the question, please?

23 MR KNOOPS:

24 Q. Speaking about the issue of consent and an official  
15:14:48 25 ceremony post facto, I referred to your remark on page 13:

26 "Some parents did not even request legitimisation of the  
27 marriage. Knowing that the children were alive was all  
28 that they cared to know."

29 Is it so that in these situations for the parents no form

1 of official marriage was necessary and that they actually  
2 accepted the issue of forced marriage for their child?

3 A. Well, if you look at the process of marriage, for the  
4 parents to request a legitimisation means they have to identify  
15:15:37 5 who the person is, where he comes from. And marriage here is  
6 public, because everybody who is in Sierra Leone knows that when  
7 you marry it is a big ceremony outdoor. Obviously that will  
8 bring back memory what their child went through and they didn't  
9 want it. So, for them it is better you have children, you are

15:15:50 10 settled with him, you are happy with him, you want him, that's  
11 it. So, it is a part of the life that we have to accept, so you  
12 can go and live of with him. But to request him to bring his  
13 parents and to come and explain who he is, and to explain where  
14 you met -- because when I spoke to the imam, the spiritual aide,

15:16:17 15 some of the questions they asked the bride, groom or the husband  
16 is where you met, how you met, the circumstances. All those are  
17 detailed questions that you are asked during the process of  
18 marriage. So, for parents it means bringing back the memory of  
19 what happened to their children and getting more people to know,

15:16:37 20 because you have to invite family members and friends. It is not  
21 a ceremony inside an open room; it is in an open place. So, you  
22 do not want to go through it. You just accept them as long as  
23 they are happy, they want to go with it, you live with it. So  
24 that is it. It is accepted. They go. That doesn't mean you are

15:16:54 25 happy with it. But it means it is a fait accompli. So you  
26 cannot complain. And the forced marriage, for me, as I say about  
27 it, it is at the time the marriage took place. The girl was  
28 captured, and during the time she lived with him before the end  
29 of the war. So that was where the focus of it and the fact that

1 she had to do it against her own consent, and the fact that her  
2 family were not there, they were not asked, they did not  
3 participate, that is the basis upon which I am discussing the  
4 issue of forced marriage. After the war, if they want to stay or  
15:17:31 5 whatever reason, this is why when they tell me "I love him", I  
6 said okay. So I didn't go about it after, because that wasn't an  
7 issue anymore.

8 Q. If you speak about some parents did not even request  
9 legitimisation of the marriage, what should be envisioned with  
15:17:52 10 the words "some parents"? Have you any figure?

11 A. No, no. Sorry, I don't. Because only those ones who told  
12 that me they actually went are not all of them. That they made  
13 attempt to go back to their community to trace their family  
14 members. And there are some of them who didn't bother, who have  
15:18:12 15 not actually gone.

16 Q. Out of the 59 interviewees you spoke to, how many of them  
17 went back?

18 A. Less than 10; less than 10. Because not all of them have  
19 children. Less than 10; those who are still with their husbands.

15:18:33 20 Q. This group of less than 10, was this group after the war  
21 accepted by the parents?

22 A. They were not living with the parents; they were still  
23 living where they had made a home. But they thought they should  
24 go to the parents and actually for the parents to know they were  
15:18:54 25 arrived. So they went back. But when I interviewed they have  
26 returned back to the place where they were still with their  
27 husbands.

28 Q. When you speak in this regard of -- same page 13, last line  
29 first sentence:

1 "Some bush wives took their husbands to meet their families  
2 after the conflict complained that their families were very  
3 cold towards them."

4 Can you give an estimation as to "some bush wives"?

15:19:30 5 A. I can't; I'm sorry.

6 Q. Is it your personal estimation that there were more than  
7 one who took their husband to their families after the conflict?

8 A. Oh, yes. Because I can remember definitely somebody in  
9 Baiwala, I can remember somebody in Giema who I met. So

15:19:58 10 definitely there is more than one of them. I told you the  
11 instance of the boy I met who had this young girl and told me he  
12 went to work for the farm. So definitely there is more than one.

13 Q. You were not able to tell us how many of the 59?

14 A. I can't remember. Of the 59, not all of them are married  
15:20:15 15 with their husband.

16 Q. No.

17 A. Exactly. So, the 59 is not all of them that still live  
18 with their husbands.

19 Q. I will move on, Mrs Bangura, to the next topic. Speaking  
15:20:29 20 about the meaning of forced marriage during the conflict, on page  
21 14 of your report the second paragraph, it says:

22 "Forced marriage became a means of survival for most girls  
23 in the bush."

24 Out of the 59 interviewees you spoke to, and also the other  
15:20:58 25 interviews you received from CGG and the interviews and  
26 conversations during the focus group meetings, how many, by way  
27 of estimation, told you that forced marriage was a means of  
28 survival for them in the bush?

29 A. Most of them. Most of them accepted it because they don't

1 have an option. It is less punishment for them.

2 Q. And did all of these girls actually say that it saved their  
3 lives, that they were forced to go into a marriage?

4 A. Like when I asked them why, how did you know he was  
15:21:49 5 marriage, they told me all this, some of them are still attached  
6 to them because when they saw the level of punishment. I think  
7 you have to put this in the context of the fact that these people  
8 didn't live in towns and villages. There were no modern  
9 amenities. A lot of them lived in the bush where there are no  
15:22:08 10 houses, there are no markets, and they kept moving one and the  
11 other, and you always encounter ambushes. So, for most of them  
12 at that particular time when taking into consideration the  
13 constant raping that was taking place -- so at that period they  
14 felt that it was easy -- "I had to do it"; "I had no option"; "I  
15:22:34 15 couldn't refuse"; "anyway there was no alternative". So you look  
16 at the alternative, it is even worse than the other. The issue  
17 is the fact that they are captured, abducted and detained against  
18 their will. That was the issue. So among all of them of them  
19 who were the victims, they had to be assigned to particular  
15:22:55 20 individuals.

21 Q. In your report in this regard in this same paragraph you  
22 say that -- it is the third sentence of the second paragraph:

23 "However, when the husbands decided to take second bush  
24 wife, the first one was thrown out and she no longer  
15:23:16 25 enjoyed his protection."

26 Is that correct?

27 A. Yes, please.

28 Q. Did you inquire the situation when a certain individual was  
29 forced into marriage and a second woman took over her place, and,

1 specifically, what happened afterwards?

2 A. When he takes -- he finds somebody more beautiful or maybe  
3 younger, or he just raided a new village and he has taken  
4 somebody else, obviously he cannot take care of two wives. Other  
15:24:08 5 than the commanders, which what they said, some commanders had  
6 two wives, of course, or mistresses, which you can't dispute  
7 because they are not under your control, but invariably because  
8 they all sleep unto one, it means he is not going to spend all of  
9 his time with you. So you are shifted out from that privilege

15:24:23 10 position. So you go and join the rest of the other girls who  
11 don't have husbands, who are just part of the group.

12 Q. Out of the interviewees you spoke to, how many mentioned  
13 this situation, that they were thrown out by way of second?

14 A. I cannot give you an exact figure, but a few of them. I  
15:24:47 15 can't remember an exact figure.

16 Q. You say "few", you have -- is that more than one?

17 A. Oh, yes, more than one.

18 Q. More than five, more than 10?

19 A. Not more than 10.

15:25:03 20 Q. Did you encounter any situations whereby one of the  
21 interviewees you spoke to indicated that there were certain  
22 individuals, rebels, member of the junta or of the AFRC who had  
23 actually had more than one wife around him?

24 A. Only the commanders. Only the commanders, because these  
15:25:29 25 people were mobile. They kept move from one place to the other.  
26 It was basically holding you and going along with you. So the  
27 commanders who were settled, for example, when I went -- I can't  
28 remember the name -- where you had -- they will tell you this is  
29 this person's house, this is where this person lives. So very

1 few of them actually were stationary. A lot of them kept moving  
2 as they captured area and lost it and captured it. So you were  
3 moving with him all over the country. So you don't have a fixed  
4 abode, so you move with him.

15:26:08 5 Q. Did you find in this regard any example of a commander  
6 having more than one wife whilst all the wives were accepted and  
7 not thrown out?

8 A. Oh, yes, the commanders. Yes, the commanders had more than  
9 one wives. The commanders, because the commanders had settled.

15:26:27 10 The commanders had control of a particular regiment or whatever.  
11 For example, if you talk about Savage, or you talk about -- he is  
12 AFRC. He controls a particular area, so all the people fighting  
13 within that area -- so invariably he doesn't really go in and  
14 out, especially where they feel much more comfortable in the

15:26:42 15 area. So he doesn't go fighting, so he develops a family, a home  
16 and settles there. But these other young boys, who are the ones  
17 that they put in the war front, are invariably the ones who keep  
18 moving from one place to the other. So they are the ones who  
19 find it difficult to have two, three wives. But the commanders,  
15:26:58 20 who had homes and stationed in towns, actually had more than one  
21 wives.

22 Q. You just indicated that these women had no option than to  
23 accept the situation. On page 16 of your report in the second  
24 paragraph, it says:

15:27:29 25 "Some of the bush wives accepted their status for several  
26 reasons based on what non-bush wives were expected to do."

27 Then you enumerate a list of several items. First of all,  
28 was this information obtained from the interviewees?

29 A. Yes, please.



1 Q. Does it also count for the second paragraph saying, "bush  
2 wives were expected to carry out all the functions of a wife and  
3 more"?

4 A. Yes.

15:28:08 5 Q. In how far were you able to detect during your interviews  
6 that the acceptance of the status by the bush wives was based  
7 upon their account of the situation and that, in a sense, they  
8 were able to choose based on their free will for the forced  
9 marriage or not?

15:28:43 10 A. They became wives against their will; they had no option.  
11 Because like I demonstrated to you, one of them demonstrated -- I  
12 said when he captures you and he holds you and says to you, "You  
13 are my wife".

14 Q. But in times of war, do you agree that it was for them a  
15:29:04 15 specific choice to live, to stay alive?

16 A. Oh, yes. The survival instinct is more important to you.

17 Q. And that -- sorry.

18 A. The survival is more important to you.

19 Q. So, in a way, they were able to, although under forceable  
15:29:21 20 conditions, to make a choice based upon several options. In this  
21 regard there was a form of free will for them?

22 A. You were not given a choice. He grabs you and says, "You  
23 are my wife." So he doesn't ask you, "Do you want to come with  
24 me?", or "Can you be my wife?" He grabs you and says, "You are

15:29:41 25 my wife." And while you are with him against your will, without  
26 your consent, and while you live with him and go along with him,  
27 you now see what happens to people who are not wives. So that it  
28 is only after the event of you being a forced wife that you are  
29 now able to compare what it is between. This is why a lot of

1     them who tell you when they drove them out this is the problem  
2     they have. The decision to become a wife -- you can't explain  
3     it. You become a wife automatically he captures you. So you do  
4     not have the ability to compare between you and a non-bush wife,  
15:30:22 5     because you don't know who is a non-bush wife. It is only after  
6     you live with him, while you keep going with him under terrified  
7     notion of what is happening, then you now realise within that  
8     difficult and challenges there are people you are better off  
9     than. So that is where you take the consolation and why you  
15:30:41 10    cannot resist any more. So you try as much as you can to please  
11    him so that he doesn't throw you out, because you know if he  
12    throws you out you are going to be in a worse position.  
13    Q.     Mrs Bangura, there was a choice for these women. You  
14    pointed it yourself in your report. They had an alternative;  
15:31:00 15    namely, if they would refuse to marry they were expected to carry  
16    out other functions as a wife. You enumerate on page 16. So  
17    there was an option to refuse. That would of course imply that  
18    they had to do additional --  
19    A.     The option was afterwards. Because you can still refuse  
15:31:21 20    with him when he takes you or when he goes away. This is after  
21    you have been a forced wife. Because when he captures you, he  
22    tells you immediately you are a forced wife. As terrified as you  
23    are, you don't even understand what it means. It is as you go  
24    along, you now realise what it means to be a forced wife.  
15:31:37 25    Obviously, when you get exposed to their own environment and the  
26    area in which they operate, you now realise there are two  
27    different alternatives. There are people who do not belong to  
28    anybody and you see the way they are punished. So you see what  
29    they do. That is where the comparison comes in. So, at the

1 beginning the issue is when she is captured, immediately at that  
2 time he tells them, "You are my wife." So he holds you and then  
3 he gets you into where they are. He abducts you and takes you  
4 where they are. It is while you are there as his wife that you  
15:32:11 5 get exposed to the environment and the way they live. You now  
6 start seeing those who are not wives, who do not belong to  
7 anybody, do not have the protection in the jungle. Because that  
8 is basically, that is what they call them, but it is in the bush.  
9 They don't have any protection. So you are not given a choice at  
15:32:27 10 the time of being taken. You see the alternative and you realise  
11 you are better off where you are, and you continue to hope that  
12 you will stay there.  
13 Q. So in that regard it was a choice between better and worse?  
14 A. If you say so.  
15:32:45 15 Q. I am asking you.  
16 A. Well, at the beginning you don't have a choice. That is  
17 the issue I am saying. When it happens you do not have a choice;  
18 the choice comes afterwards. When you see the situation, that's  
19 when you know that there is an alternative. Because when you are  
15:32:59 20 captured -- for example, let's take for Freetown, when they  
21 raided Freetown. People were in their homes and their houses and  
22 these girls were forcibly taken out. And he tells you, "You are  
23 my wife. I am taking you to the jungle." And he travels with  
24 you 10, 20, 30 miles. And, of course, in the process you sleep  
15:33:18 25 in different villages and communities. And then sexually he  
26 satisfies, you carry his bag, the things that he has looted in  
27 Freetown he gives you to put on his head and you go along with  
28 him. Along that line you start understanding what it means to be  
29 your wife. That means he has constant sex with you, you help him

1 with his things, you find food, and he also protects you. Then  
2 when you now go where their camp is, which sometimes takes a day,  
3 which sometimes takes three days, which sometimes takes a week,  
4 you are with him. It is in that environment, in that  
15:33:46 5 environment, you now see different other wives, you are  
6 understand what it means, and then you see those who do not  
7 belong to anybody, how they are treated. So the comparison for  
8 you, the option that you are given is not given to you at the  
9 time at which you become a forced wife. It is given to you after  
15:34:01 10 you come to understand what a forced wife means, and then you see  
11 among that in the jungle there is an alternative. You then  
12 realise that even though my situation is bad, which you had gone  
13 through for a week so, but at least there is a situation than I  
14 am, so I better stay where I am because already I am out from my  
15:34:20 15 parents' protection. Nobody can protect me here; I don't have  
16 anywhere I can go; I am within their own confines, so I have to  
17 do what they want.

18 Q. In this regard, from your perception, it is then a choice  
19 between two social situations post factum.

15:34:41 20 A. If you say so.

21 Q. Did you inquire into the situation whereby a bush wife  
22 refused to marry?

23 A. I think as terrified as the girls were you couldn't. I  
24 mean, if there is no place that was raided that had not been put  
15:35:08 25 under pressure within a certain number of days before it is  
26 raided. If I give example in the Western Area, Freetown was  
27 raided on the 6th of July. But obviously the entire country had  
28 been taken systematically. So the terror and the anticipation of  
29 what would happen and the stories puts you in such a traumatic

1 situation that when you are actually now captured you expect the  
2 worst. In that situation you don't have a choice. You know you  
3 are captured, you are taken away. Within that period, the trauma  
4 you go through, you are not in a position to say when he tells  
15:35:49 5 you, "I want you to be my wife", to say no or yes. If you can  
6 scream, you scream, and then, of course, he will slap you. If  
7 you can shout -- but he takes you away. There is no way you can  
8 reject; there is no way you can refuse, because they have the gun  
9 and you know that there are stories - nobody knows whether they  
15:36:07 10 are true or not - of people who have been killed. And you know  
11 that they kill people, they burn houses and you see it. So there  
12 is nothing you can do. You just accept and hope that when you  
13 get there you might be able to escape, which some of them did,  
14 especially when there is a counterattack, and then everybody is  
15:36:25 15 scattered and people go into different directions.

16 Q. Mrs Bangura, suppose the situation you describe -- you  
17 describe the situation of bush wives and their status and  
18 obligations on the one hand, and, secondly, the situation of  
19 non-bush wives with the increased, what you say, burden of  
15:36:48 20 functioning and tasks for their husbands. You suppose that the  
21 bush wife is forcibly married to a person. When she envisioned  
22 the situation where she is in and she decides not to stay with  
23 her husband, and she chooses to be, for instance, a second wife  
24 or she voluntarily chooses not to function as his wife anymore  
15:37:26 25 and to fulfill these extra functions, can you still say that in  
26 such a situation there is no free will?

27 A. Of course, there is no free will, because you are not  
28 allowed to go back home, because for you, you have been brought  
29 somewhere against your will. If you had an option, the road is

1 open and they said, "If you want to go, you can go", but you know  
2 and you are being told in no uncertain terms in any attempt by  
3 you to escape will lead to death, and you see some of your  
4 colleagues who have died as a result of them trying to escape,  
15:38:04 5 there is no free will. The free will is when you know and he is  
6 willing to let you go. Then you have a free will. But as long  
7 as you were staying there under duress and the surround of a gun,  
8 whatever decision you make at that time is not based on free  
9 will, it is based on the circumstances in which you find  
15:38:24 10 yourself, you didn't have an alternative. That is the way I look  
11 at it.

12 Q. Isn't that more a matter of being forcibly abducted instead  
13 of forcibly married?

14 A. Forcibly married because already the act was done before  
15:38:35 15 and you have to stay in that marriage as a result of the  
16 circumstances and the situation and the alternative. So, you  
17 still stay in a forced marriage because the alternative is less,  
18 or is worse than in which you should have found yourself. So you  
19 still stay in the marriage.

15:38:55 20 Q. In your research, specifically these 59 interviews you  
21 undertook, was there a situation encountered by you as described  
22 by me, that a woman is forcibly married, during the marriage she  
23 decides not to be married anymore and decides to opt for this  
24 other status, and subsequently what happens then?

15:39:36 25 A. I didn't meet anybody who told me they opted out of it, no.  
26 The only person -- I met somebody who told me that "I was thrown  
27 out, he met somebody and so he threw me out." But none of them I  
28 met actually willing said to me, "I decided to take the decision  
29 to leave out from him."

1 Q. Was that situation specifically researched on?

2 A. No, no, no.

3 Q. So, the hypothetical situation described by me in this  
4 example was not part of your research and therefore you cannot  
15:40:13 5 able to --

6 A. No, when you asked them about their situation in marriage  
7 and you asked them why they stayed in marriage, and they tell you  
8 the alternative, and then they tell you the experiences of people  
9 who had been thrown out of the marriage -- you know, somebody

15:40:29 10 decides that I don't want you any more and so off you go -- and  
11 you lose the protection that he gives to you, so obviously you  
12 know as well as they do, and everybody does, none of them would  
13 be prepared to subject themselves to that kind of condition after  
14 what they have seen happen to people who, even though they don't

15:40:48 15 want her to go out. And even those who lost their husband,  
16 because some of them were married and then, of course, in  
17 ambushes and other things the rebel husbands died or were killed,  
18 so all of a sudden they join the rest of the other people, unless  
19 if you are lucky somebody else picks you up. But generally you

15:41:08 20 lose that protection of that one particular person, so you become  
21 the low. So these were instances as I called. And so these  
22 other women of course knew that they cannot. So every day you  
23 pray that either you escape or you are able to go, or they do an  
24 ambush and you are able to survive, they catch you, or that you  
15:41:23 25 survive with him and you leave.

26 Q. But you are not able to tell us any data on that situation  
27 as you described?

28 A. No.

29 MR KNOOPS: Thank you, Your Honour. That concludes my --

1 THE WITNESS: Can I use the bathroom?

2 PRESIDING JUDGE: Certainly, Mrs Bangura. Will somebody  
3 from witness support assist the witness, please. Thank you,  
4 Mr Knoops.

15:41:49 5 [The witness stood down]

6 PRESIDING JUDGE: Counsel, I note the time, and it would  
7 appear there will only be a very short time for new  
8 cross-examination. In the circumstances, it might be more  
9 practical to start tomorrow. I will however wait until the  
10 witness returns in order to give her, the witness, the usual  
11 warning we given when a matter is not completed.

12 [The witness entered court]

13 THE WITNESS: Thank you.

14 PRESIDING JUDGE: You are welcome, Mrs Bangura.  
15:44:15 15 Mrs Bangura, it is getting very close to the time when this Court  
16 normally adjourns for the day. There are two other lawyers who  
17 may have questions for you. In the circumstances, we will  
18 adjourn now, because there is only a few minutes, and I ask you  
19 to come back tomorrow to complete the cross-examination. I  
15:44:34 20 should warn you that until all your evidence is finished, the  
21 oath and promise you took this morning to tell the truth will be  
22 binding upon you until the end of your evidence and between now  
23 and the time all your evidence is finished you should not discuss  
24 your evidence or the report or any other matters relating to your  
15:44:52 25 evidence with anyone. Do you understand this?

26 THE WITNESS: Yes, please. Thank you.

27 PRESIDING JUDGE: Thank you, Mrs Bangura. Mr Court  
28 Attendant, please adjourn Court until tomorrow at 9.15 a.m.

29 [Whereupon the hearing adjourned at 3.49 p.m.,



1                   to be reconvened on Tuesday, 4 October 2005, at  
2                   9.15 a.m.]

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EXHIBITS:

Exhibit No. P30	4
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WITNESSES FOR THE PROSECUTION:

WITNESS: ZAINAB BANGURA	2
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EXAMINED BY MS PACK	2
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CROSS-EXAMINED BY MR KNOOPS	81
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