



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

FRIDAY, 15 SEPTEMBER 2006
9.15
TRIAL

TRIAL CHAMBER II

Before the Judges:

Richard Lussick, Presiding
Julia Sebutinde

For Chambers:

Ms Carolyn Buff

For the Registry:

Ms Advera Kamuzora

For the Prosecution:

Mr Karim Agha
Mr Charles Hardaway
Mr Vincent Wagona
Mr Michael Brazao (intern)

**For the accused Alex Tamba
Brima:**

Ms Glenna Thompson

**For the accused Brima Bazy
Kamara:**

Mr Andrew William Kodwo Daniels

**For the accused Santi gie Borbor
Kanu:**

Mr Ajibola E Manly-Spain
Mr Silas Cherkera

1 [AFRC15SEP06A - MC]
2 Friday, 15 September 2006
3 [Open session]
4 [The accused present]
09:08:01 5 [The witness entered court]
6 [Upon commencing at 9.15 a.m.]

7 PRESIDING JUDGE: All right. Well, firstly, we have some
8 signed absentee notices from the detainees, from the accused, and
9 they're all expressly waiving their rights to be present today.
09:18:53 10 So pursuant to Rule 60 we will proceed with the trial. And this
11 next witness, if you could give me the pseudonym, please.

12 MR DANIELS: Good morning, Your Honours.

13 PRESIDING JUDGE: Good morning, Mr Daniels.

14 MR DANIELS: The pseudonym for this witness is DAB-126. It
09:19:23 15 is -- he appears on number 34 of the call order, and he will be
16 speaking in Krio. And I think -- I believe I am applying also
17 for interim protective measures.

18 MR AGHA: Your Honours, I think the protective measures
19 have been granted for the balance witnesses, so I don't think
09:20:01 20 that will be --

21 MR DANIELS: Out of the abundance of caution. Thank you
22 very much.

23 PRESIDING JUDGE: Yes. Well, that's the way we have been
24 proceeding, Mr Daniels, witness by witness, but we've only just
09:20:11 25 recently ordered a blanket protective measures; that will include
26 this witness.

27 MR DANIELS: Most grateful, Your Honour.

28 JUDGE SEBUTINDE: And the language of this witness?

29 MR DANIELS: Krio.

1 [Oath administered]

2 THE WITNESS: [No audible response]

3 PRESIDING JUDGE: Well, did the witness say anything at
4 all? Mr Interpreter, did the witness respond to that oath or
09:21:07 5 not?

6 THE INTERPRETER: The witness, the interpreter did not hear
7 anything from the witness, although the interpreter in the booth
8 interpreted what was said by the Court officer.

9 PRESIDING JUDGE: Right. I didn't hear him say a thing but
09:21:24 10 apparently he did respond.

11 MR DANIELS: I did not hear anything; neither did my
12 colleagues.

13 JUDGE SEBUTINDE: He did respond but his -- I think his
14 microphone was not on when he was taking the oath. Isn't that
09:21:37 15 so, Madam Court attendant?

16 MS KAMUZORA: Your Honour, I did not see him open his
17 mouth.

18 PRESIDING JUDGE: Go and swear the witness again, swear the
19 witness again. Now, Mr Witness, you are going to be required to
09:21:54 20 make an oath or a declaration to tell the truth and we want you
21 to repeat after the Court attendant.

22 WITNESS: DAB-126 [Sworn]

23 [The witness answered through interpreter]

24 EXAMINED BY MR DANIELS:

09:22:45 25 Q. Good morning, Mr Witness.

26 A. Good morning.

27 Q. Mr Witness, I'm going to ask you a few questions this
28 morning, so you just answer them as concisely as possible and
29 then when we finish you will be able to go back to where you came

1 from; do you understand?

2 A. Yes, sir.

3 Q. Mr Witness --

4 A. Yeah.

09:23:16 5 Q. -- you were born in March 1968; is that correct?

6 A. Yes, sir.

7 Q. And you were born at Kayima Town?

8 A. Exactly so, sir.

9 Q. And Kayima Town is the headquarters of the Sandor Chiefdom?

09:23:46 10 A. Correct.

11 Q. Sandor, I believe we have, S-A-N-D-O-R. And Sandor
12 Chiefdom is within the Kono District?

13 A. Exactly, sir.

14 Q. You attended primary school at UMC?

09:24:10 15 A. Correct.

16 Q. And this is United Methodist Church?

17 A. Exactly.

18 Q. That was from 1975 to 1981?

19 A. Yes, sir.

09:24:31 20 Q. From 1981 to 1986 you went to government secondary school
21 in Bo?

22 A. Quite correct.

23 Q. This is also known as the Bo government school?

24 A. Yes, sir.

09:24:57 25 Q. From 1986 to 1991 you worked as a radio operator in
26 Liberia?

27 A. Yes, sir.

28 Q. You returned to Kayima Town in 1991?

29 A. Correct.

1 Q. You returned to Kayima Town as a result of the war that
2 broke out in Sierra Leone?

3 A. That was the way it happened.

4 Q. You are married with two children?

09:25:44 5 A. You are quite correct.

6 Q. And at the moment you are a teacher by profession?

7 A. Yes, sir. Yes.

8 Q. You can read and write?

9 A. Exactly.

09:26:07 10 Q. What is your religion?

11 A. I am a Christian.

12 Q. And where do you presently reside?

13 A. In Kayima.

14 Q. Thank you. Mr Witness, I'm going to take your mind back to
09:26:34 15 May of 1997. Where were you in May of 1997?

16 A. 1997, I was in my village, Kayima.

17 Q. What were you doing?

18 A. At that time I was engaged in agriculture. I was doing
19 rice farming.

09:27:12 20 Q. For how many years, or for how long, did you do rice
21 farming?

22 A. I did that for a period of three years.

23 Q. Do you recall any significant events taking place in Sierra
24 Leone, in May 1997?

09:27:37 25 A. Yes. When there, we were in our village, Kayima, we heard
26 over the radio that a group of soldiers had overthrown the SLPP
27 government and they formed their own government called the AFRC
28 and said their leader was Johnny Paul Koroma with some of his
29 comrades.

1 Q. Mr Witness, how exactly did you hear about this?

2 A. As I was saying, I heard it over the media, the radio, the
3 SLBS radio.

4 Q. Do you know what the AFRC stood for?

09:28:43 5 A. AFRC? I don't know its meaning.

6 Q. Did anything happen in Kayima Town around May 1997, as a
7 result of the coup you just talked about?

8 A. No. Everything was peaceful with us because we were doing
9 everything in Kono.

09:29:21 10 Q. At the time, who was in charge of Kayima Town?

11 A. It was the town chief.

12 Q. Is he the same town chief that you have today?

13 A. Yes, he's still the one.

14 Q. Did Kayima Town remain peaceful?

09:30:00 15 A. Our peace was obstructed. When we were told that the
16 ECOMOG had intervened in Freetown, that was the time we saw a
17 group of soldiers, a group of armed men, went up to a place; that
18 is Kayima.

19 Q. Do you recall when exactly it was that a group of armed men
09:30:28 20 came to Kayima?

21 A. It was in June '98.

22 Q. Were you in Kayima in June 1998?

23 A. I was in Kayima.

24 Q. Do you know where this group of men came from?

09:31:11 25 A. Yes. They said they came from Freetown here.

26 Q. Who were these men that came to Kayima?

27 A. They were armed men. They were the RU -- the RUF and a few
28 SLA soldiers.

29 Q. Do you know what the RUF stands for?

1 A. Yes, Revolutionary United Front.

2 Q. Do you know about how many soldiers or how many armed men
3 came into Kayima in June 1998?

4 A. Yeah. The eyes is not the carrier of boredom but it knows
09:32:27 5 something that is difficult. There were around 300 armed men.

6 Q. How do you know they were about 300 armed men?

7 A. The way I observed the number of the people there were
8 many. There were many.

9 Q. How were they dressed?

09:33:04 10 A. Some were dressed in full army uniform. Some wore the cap,
11 some the trousers. Some did not even wear the uniform.

12 Q. Are you able to tell, roughly, their ages? How old were
13 these soldiers?

14 A. I don't understand the question, please.

09:33:40 15 Q. You've told us that, roughly, about 300 armed soldiers came
16 into Kayima Town and you said you saw them. And I want to know
17 that, in looking at them, were you able to tell how old they
18 were, as soldiers, the ages of the men who came into Kayima Town?

19 A. Yes. Most of them, 40, 50, 30. Some, I was older than
09:34:16 20 they were.

21 Q. Do you know who was in charge of the group of soldiers that
22 came into Kayima Town?

23 A. Yes, sir.

24 Q. Who was in charge?

09:34:47 25 A. It was one commander called Colonel Oldshaw.

26 MR DANIELS: Oldshaw, Your Honours, is spelt O-L-D-S-H-A-W.

27 Q. Do you know which faction he belonged to?

28 A. Yes. Colonel Oldshaw was an RUF.

29 Q. How do you know he was an RUF?

1 A. Because he identified himself by telling us.

2 Q. You told us that SLA came into Kayima Town. Who were the
3 SLA to you? What do you mean by SLA?

4 A. They are our own Sierra Leone Army.

09:36:17 5 Q. Do you know who was in charge of the SLA?

6 A. Yes, it was the same Colonel Oldshaw.

7 Q. How do you know that Colonel Oldshaw was in charge of the
8 SLA while they were in Kayima?

9 A. Because the day they arrived, as they arrived, he assembled
09:36:53 10 all of them and spoke to them and, from the time they were there,
11 it was from him that they received orders.

12 Q. Did you ever see the armed men assemble in Kayima Town?

13 A. Yes, every morning he gathered them, he spoke to them, he
14 gave them orders, and sent them out.

09:37:28 15 Q. Where in Kayima Town did he gather the armed men?

16 A. Right in the middle of the town by the old barri.

17 Q. How many barris are there in Kayima Town?

18 A. We have about two. We have the new one and the old one.

19 Q. And where were you staying at that time in Kayima Town, in
09:38:17 20 relation to the two barris you've just mentioned? Where were you
21 staying?

22 A. I was living adjacent the old barri.

23 Q. So were you able to see the assembly of soldiers in the
24 mornings yourself?

09:38:54 25 A. Yes. Where they gathered I used to see -- to see them, and
26 I used to hear them.

27 Q. Did you ever hear Colonel Oldshaw giving instructions to
28 the armed men, yourself?

29 A. Yes, at one -- I had been there once, twice, thrice when he

1 gave orders to them.

2 Q. If you can recall, what did he order them to do?

3 A. I can recall the first day when he arrived, because
4 every -- everybody run away into the bush. I myself wasn't able
09:39:57 5 to run to go to the bush, because I had a swollen leg. When he
6 arrived, he admired the town Kayima and said that was the area
7 his men were going to base. So they captured -- they captured
8 our cattle and looted the town and carried away people's
9 properties.

09:40:30 10 Q. Who captured your town?

11 A. It was this RUF commander, Colonel Oldshaw with his boys.

12 Q. Is it the same person who looted Kayima Town?

13 A. It was the same person that looted Kayima Town through his
14 instruction that he gave to his men.

09:41:07 15 Q. Did you see the looting take place, personally?

16 A. I was there while they were doing it.

17 Q. What did you see?

18 A. During that time, I had nothing to say. I only observed.

19 Q. I didn't say what did you say. I said: What did you see?

09:41:45 20 A. They took all our property in the town; our food, our
21 clothes, our furniture. They looted everything, plus the
22 livestock that I've talked about. And after that, he ordered his
23 boys -- since everybody had run away from the town and went into
24 the bush, he said the town should be burnt down. So he passed
09:42:18 25 the order and the town was burnt down.

26 Q. How do you know that he passed the order for the town to be
27 burnt down?

28 A. As I was saying, I was very close to them. He passed the
29 order and the houses were burnt. And after I heard he had

1 dispersed the boys, through his instruction to go and search for
2 food --

3 Q. [Overlapping speakers] burning of the houses. We shall go
4 on to other matters. Are you with me?

09:43:08 5 A. Yes, sir.

6 Q. Do you know how many houses were burnt down as a result of
7 the orders of Colonel Oldshaw in Kayima Town?

8 A. Yes. The houses were plenty, nearly 200.

9 Q. How do you know there were about 200 houses?

09:43:43 10 A. Well, as I was saying, that time he had dispersed his boys,
11 who went into the bush, I took my supporting stick walking around
12 the town. Without them noticing me, I went round and came back.

13 Q. What did you do when you went round?

14 A. As I went round I counted the burnt houses, the houses they
09:44:15 15 had burnt down.

16 Q. You also said that Colonel Oldshaw was happy with Kayima
17 Town?

18 A. Yes.

19 Q. What do you mean by that?

09:44:34 20 JUDGE SEBUTINDE: The words used were "admired our town."

21 MR DANIELS: I beg your pardon.

22 Q. You also told us that Colonel Oldshaw admired Kayima Town.
23 What did you mean by that?

24 A. Because the town had beautiful houses. It was well
09:44:59 25 planned. We even called it Kono London, and there were a lot of
26 cattle. That was why he admired the town, and it was a big town.
27 And he said, "This is the place where I am going to base."

28 Q. So do you know whether Colonel Oldshaw and his fighters
29 actually based in Kayima Town?

1 A. Yes, that was where they were based.

2 Q. Do you know for how long they were based in Kayima Town?

3 A. They were there for about two months.

4 Q. You've told us that the houses -- about two hundred houses
09:46:00 5 were burnt down; the town was looted. Did anything else happen
6 in Kayima Town at the time that Colonel Oldshaw was present with
7 armed men?

8 A. Yes. I can recall one morning when he gathered them,
9 they -- they used to -- they called -- they called that gathering
09:46:29 10 as --

11 THE INTERPRETER: The interpreter is sorry. Can the
12 witness go a little bit slower so that it can be interpreted
13 accordingly.

14 MR DANIELS:

09:46:41 15 Q. Hold on. Mr Witness, as you speak what you say is being
16 interpreted, so can you please go slowly so everybody can hear.

17 A. Okay.

18 Q. Can you repeat what you were saying?

19 A. One morning he gathered them together and gave them
09:47:04 20 instructions to go a village call Kabaidu.

21 Q. Where is Kabaidu in relation to Kayima?

22 A. Kabaidu is 4 miles away from Kayima.

23 MR DANIELS: Kabaidu is spelled K-A-B-A-I-D-U.

24 Q. Do you know what he asked his men to go and do in Kabaidu?

09:47:49 25 A. He said they should go for food-finding; they should go in
26 search of food.

27 Q. Did the armed men carry out the orders of Colonel Oldshaw?

28 A. Yes. They did not deny. They went.

29 Q. And when they went to Kabaidu, if you know, did anything

1 happen in Kabai du?

2 A. Yes, they went. They killed one old pa called Ngandi Bufeh
3 who was one of the elders.

4 Q. Can you repeat the name again?

09:48:45 5 A. Ngandi Bufeh.

6 MR DANIELS: Ngandi Bufeh I have as G-A-N-D-I [sic] Bufeh,
7 B-U-F-E-H.

8 Q. How do you know that Colonel Oldshaw's men killed Ngandi
9 Bufeh in Kabai du?

09:49:18 10 A. They were the very people that came back and gave the
11 report to Colonel Oldshaw.

12 Q. Were you there when they gave their report?

13 A. I was -- I was there, seated in my house.

14 Q. And what did you hear?

09:49:45 15 A. They came and told him that they had killed one man. We
16 say -- who said - sorry - his name was Ngandi Bufeh because he
17 confronted them.

18 Q. Do you know who Ngandi Bufeh was? Who was he?

19 A. Ngandi Bufeh, he was one of our loving elders in Kayima.

09:50:26 20 Q. Did you know him before he was killed?

21 A. Yes, very well.

22 Q. What did he do?

23 A. You mean Ngandi Bufeh himself? They said that when they
24 went on their mission, he was the one that stubbornly resisted
09:51:02 25 them.

26 Q. I mean, what is his profession, or what was his profession
27 before? Did you know that?

28 A. He was an old man. He was aged. He depended -- he
29 depended entirely on his children.

1 Q. Do you know how he was killed?

2 A. Well, they who came and reported said they shot at him with
3 a gun.

4 Q. Do you know who exactly killed him?

09:52:00 5 A. That one, I don't know.

6 Q. Did anything else happen in Kayima Town?

7 A. Yes. After they had killed Ngandi Bufeh, again, he
8 gathered his boys and sent them to Kaya, so as to come with the
9 section chief there.

09:52:38 10 MR DANIELS: Kaya, Your Honours is K-A-Y-A.

11 Q. Where is Kaya in relation to Kayima? Kaya is 9 miles away
12 from Kayima in the Nieni Chiefdom. It is in the Koranko area.

13 MR DANIELS: Nieni is N-E-I-N-I [sic]. Koranko we have
14 K-R-A-N-K-R-O [sic].

09:53:22 15 Q. How do you know that Colonel Oldshaw instructed his men to
16 go to bring the chief of Kaya?

17 A. As I had said, I was -- I was not well. I was seated at my
18 verandah, I was not far away from them. I heard all the
19 discussions they had.

09:53:53 20 Q. What exactly did they say?

21 A. Well, he said he heard that the section chief at Kaya had
22 said for the ECOMOG from Yifin so that they could come and base
23 in Kaya there. So, based on that, they sent for him.

24 Q. Did the boys of Colonel Oldshaw actually go to bring the
09:54:33 25 section chief?

26 A. Yes, sir. They went. They brought him with his younger
27 brother.

28 Q. Do you know the name of the section chief that they
29 brought?

1 A. Yes, the section chief was called Pa Takally.

2 MR DANIELS: Pa, as in P-A. Takally as in T-A-K-A-L-L-Y.

3 Q. You also said that they brought the section chief and his
4 younger brother?

09:55:29 5 A. Yes, sir.

6 Q. Do you know the name of his younger brother?

7 A. Yes, his name is Pa Kabba.

8 Q. Where was the section chief brought to Takally? Where did
9 they bring him to?

09:56:05 10 A. They brought Pa Takally and his younger brother in
11 Kayima Town. They walked past me.

12 Q. Did anything happen to the section chief?

13 A. Yes. When they came with him, Colonel Oldshaw asked him if
14 the story that he sent for the ECOMOG from Yifin to come and base
09:56:45 15 to his place was true. The Pa said no. Then he ordered that the
16 Pa should be killed. So he ordered one SLA to kill the Pa and
17 his younger brother.

18 Q. Were you present when the order was given to the SLA to
19 kill Pa Takally?

09:57:11 20 A. I was there, very close to them.

21 Q. Was Pa Takally actually killed?

22 A. Yes, but it wasn't the SLA that killed him. It was Colonel
23 Oldshaw himself that killed him.

24 Q. Do you know why the SLA did not obey the orders of Pa
09:57:48 25 Takally to kill him?

26 A. Well, the younger brother from whom they would have started
27 with, he released him and he went away, and that was the time
28 Colonel Oldshaw came and said: "Oh, you've said that this man,
29 his body is bulletproof. Well, this man, I myself would kill him

1 to know whether it is true." After his younger brother had
2 escaped, he himself killed that Pa.

3 Q. How did he kill him?

4 A. He shot him. It was a single shot.

09:58:53 5 Q. So, did anything happen to the one that ran away?

6 A. The man that ran away, nothing happened to him. As I am
7 speaking now, he is the present section chief in Gayia -- Kaya
8 rather. He has replaced his late brother.

9 Q. So do you know whether the ECOMOG troops eventually went to
09:59:30 10 Kaya Town?

11 A. Yes. ECOMOG, they did not come again. They were at Yifin.
12 They did not enter Kaya Town. They stopped at Yifin.

13 Q. Did they come to Kayima Town?

14 A. As I'm saying, they stopped at Yifin. They did not reach
10:00:06 15 at Kayima. If they had arrived there earlier on, this
16 destruction that had occurred wouldn't have occurred at all.

17 Q. Do you know whether Colonel Oldshaw reported to anyone?

18 A. I didn't see anybody in Kayima who was more than Colonel
19 Oldshaw, and I don't know whether he reported it to anybody.

10:00:45 20 Q. Do you know whether Colonel Oldshaw had a deputy?

21 A. No.

22 Q. Did anything else happen in Kayima Town, that you can
23 recall, during the time of the occupation by Colonel Oldshaw and
24 his armed men?

10:01:16 25 A. Yes. One day we saw the Alpha Jet. The Alpha Jet came and
26 then it dropped some bomb at the former APC office which was
27 damaged, and the house in which Colonel Oldshaw was living, that
28 also was damaged. Only that nobody died at that time.

29 Q. Were you present when the Alpha Jets attacked or came to

1 drop bombs in Kayi ma Town?

2 A. It -- it flew over my house. The APC house is near my
3 house. That was the place I was.

4 Q. Now, the time you were in Kayi ma Town, do you recall
10:02:11 5 whether the -- Colonel Oldshaw and his men carried out any
6 mutilations on the civilian population of Kayi ma Town?

7 A. Well, I didn't see that, because all the civilians had run
8 away, had gone.

9 Q. It is alleged that some civilians had the carving AFRC
10:02:44 10 written over their chest and RUF written over their chest. Are
11 you aware of any civilians who have that written over their
12 chest, AFRC or RUF, in Kayi ma Town?

13 A. Well, those things, we heard about them, but I was not
14 there again.

10:03:21 15 Q. Apart from Colonel Oldshaw, was there any other commander
16 in charge of Kayi ma Town?

17 A. At that hour, I knew no other commander, unless Colonel
18 Oldshaw.

19 Q. What about later on?

10:03:47 20 A. Well, later, when I travelled and came to Yi fi n, that
21 was -- we were there when we heard another group had come. That
22 was the time I heard Juni or, I heard about Juni or. They said
23 they were there now.

24 Q. Do you know when this other group came, this other group
10:04:08 25 with Juni or? Do you know which month and which year that they
26 came to Kayi ma Town?

27 A. Well, since I was not there at that time, I had left there.

28 Q. But have you since come to find out whether or not he
29 actually came to Kayi ma Town; that is, Juni or?

1 A. As long as God has enabled me to leave that place, I never
2 made that attempt to go there again.

3 MR DANIELS: Your Honours, that will be all for this
4 witness.

10:05:03 5 PRESIDING JUDGE: Thank you, Mr Daniels. Is there anything
6 more in chief?

7 MR MANLY-SPAIN: Yes, Your Honour. Just a few questions.

8 EXAMINED BY MR MANLY-SPAIN:

9 Q. Good morning, Mr Witness.

10:05:17 10 A. Good morning.

11 Q. Mr Witness, you, in answer to my learned friend earlier,
12 you said that you had heard of the AFRC but you did not know the
13 meaning of AFRC?

14 A. Yes.

10:05:40 15 Q. Mr Witness, you also told this Court that it was in June
16 1998 that our men went to Kayima, led by Oldshaw?

17 A. Yes.

18 Q. Mr Witness, did any troops go to Kayima at any time you
19 were there who referred to themselves as AFRC?

10:06:17 20 MR WAGONA: Objection. That is a leading question, Your
21 Honours.

22 PRESIDING JUDGE: I will allow it. It stems from the
23 evidence already given.

24 MR MANLY-SPAIN: Much obliged, Your Honour.

10:06:28 25 Q. Can you please answer the question?

26 A. Yeah. Repeat your question.

27 Q. My question is: You have told this Court that in June
28 1998, RUF troops with a few SLAs went and stayed in Kayima. My
29 question is: Did any troops go to Kayima whilst you were there

1 who said they were AFRC?

2 A. Well, I -- I don't know, I don't know about AFRC. The only
3 ones I know are the RUF and the few SLA whom I say were subjected
4 to Colonel Oldshaw there.

10:07:22 5 Q. Thank you, Mr Witness. Mr Witness, in 1998, could you
6 remember whether -- would you remember whether there were any
7 villages near Kayima?

8 A. Yes, there are villages around Kayima.

9 Q. Can you tell this Court the names of these villages?

10:07:49 10 JUDGE SEBUTINDE: Does the question relate -- currently or
11 then, in 1998, because the interpreter is talking in the present
12 sense.

13 MR MANLY-SPAIN: Yes, that's why I asked him in 1998
14 whether he remembered.

10:08:03 15 JUDGE SEBUTINDE: Make certain that that is the question.

16 MR MANLY-SPAIN: Yes.

17 Q. I want you, Mr Witness, to tell me the villages that you
18 knew were near Kayima in 1998, not now.

19 A. Foemangadu.

10:08:21 20 Q. Can you spell it for us?

21 A. F-O-E-M-A-N-G-A-D-U.

22 MR MANLY-SPAIN: Yes, please go on.

23 A. Kami nkudu. K-A-M-I -N-K-U-D-U.

24 Q. Were there any more?

10:09:05 25 A. Baudu.

26 Q. Please spell it for us?

27 A. B-A-U-D-U. Yarya, Y-A-R-Y-A-H [sic]. Kongowoh,
28 K-O-N-G-O-W-O-H.

29 Q. Okay, thank you very much.

1 MR MANLY-SPAIN: That is all, Your Honours.

2 PRESIDING JUDGE: Thank you. Is that all the evidence in
3 chief?

4 MS THOMPSON: There is none from me, Your Honour.

10:09:59 5 PRESIDING JUDGE: Thank you, Ms Thompson. Yes, Mr Wagona.

6 MR WAGONA: Thank you, Your Honours.

7 CROSS-EXAMINED BY MR WAGONA:

8 Q. Good morning, witness.

9 A. Good morning, sir.

10:10:12 10 Q. I have a few questions for you. Please answer them
11 truthfully. Do you understand?

12 A. Yes, sir.

13 Q. Now, when you heard that President Kabbah's government was
14 overthrown, did you hear Alex Tamba Brima, aka Gullit, was one of
10:10:49 15 those involved in the overthrow of President Kabbah's government?

16 A. Well, that time it was Johnny Paul Koroma. I heard that he
17 was -- he was the leader and one of our brother, who was Corporal
18 Gborie. I never heard about that man you are talking of.

19 Q. I put it to you, witness, that Alex Tamba Brima, aka
10:11:29 20 Gullit, was one of those involved in the overthrow of President
21 Kabbah's government. What is your response, witness?

22 A. Well, if he was involved, I didn't know.

23 Q. Did you also hear that Ibrahim Bazy Kamara was one of
24 those involved in the overthrow of President Kabbah's government?

10:12:06 25 A. I was in the village. I didn't see it; I didn't hear it.

26 Q. I put it to you, witness, that Ibrahim Bazy Kamara was one
27 of those involved in overthrowing President Kabbah's government.
28 What is your response, witness?

29 A. Well, if he was one of them, I didn't know. I never saw

1 it.

2 Q. Did you hear that Santi gie Borbor Kanu, also known as
3 Five-Five, was one of those involved in the overthrow of
4 President Kabbah' s government?

10:12:51 5 A. Well, that other one you also called I did not see him. I
6 did not hear about him.

7 Q. I also put it to you that Santi gie Borbor Kanu, also known
8 as Five-Five, was involved in the overthrow of Presi dent Kabbah' s
9 government. What do you say, wit ness?

10:13:25 10 A. If he was involved, I don' t know about it.

11 Q. Now, during the government that overthrew President Kabbah,
12 there was di amond mi ning in the eastern province, including the
13 Kono District; is that right?

14 A. Yes, but the village in which I was living, we don' t do
10:14:01 15 mi ning there. We only do farming, and it is off from Koi du area.
16 It is about 32 miles off.

17 Q. And concerning that mining that you heard about, did you
18 hear that sol di ers, SLAs and RUF sol di ers, forced ci vi li ans to
19 mine for them?

10:14:25 20 A. Well, if it ever happened, I don' t know about that.

21 Q. Apart from the killings you talked about, did you hear that
22 during the -- that attack you talked about, did you hear of any
23 other killings happeni ng?

24 MR DANI ELS: Obje ction. I think we should be speci fi c. We
10:15:10 25 don' t know which killings he is referring to. If you could be a
26 bi t more speci fi c.

27 PRESI DI NG JUDGE: Mr Wagona.

28 MR WAGONA: Yes. I will be more speci fi c, Your Honours.

29 Q. You talked about while in Kayi ma, and then Colonel Oldshaw

1 would send people to surrounding villages. Do you remember that?

2 A. Yes.

3 Q. And then they brought two people who were killed. Do you
4 remember that?

10:15:58 5 JUDGE SEBUTINDE: Two people were not killed.

6 MR WAGONA: Okay.

7 Q. They brought one person who was killed and they reported
8 that they had killed another in the village; do you remember
9 that?

10:16:12 10 A. Yes.

11 Q. Apart from those ones, did you hear of any other killings?

12 A. I -- I didn't hear about any other killings.

13 Q. Did you hear of amputations having taken place?

14 A. The time I heard that, I was not there again. At that
10:16:47 15 time, I had already been in Freetown here.

16 Q. Yes, but I'm only asking about what you heard afterwards?

17 A. You mean when I was in Kayima?

18 Q. Later, after all this had happened. What you heard that
19 had happened?

10:17:13 20 A. Well, we heard that they killed some people and some people
21 were amputated, some were raped, but I was not there. But we
22 heard that.

23 Q. Did you also hear of abductions?

24 A. Yes, some of our brothers who were caught, they were taken
10:17:39 25 away and they escaped from them. And when they came, they would
26 tell us that they were -- they were caught.

27 Q. And did you also hear that when -- when these attackers
28 came into Kayima, they came along with abducted civilians who
29 carried loads for them?

1 A. Well, if that -- if that ever happened, I didn't see it.

2 Q. Did you see children as soldiers among the group under
3 Colonel Oldshaw?

4 A. Yes. As I started explaining, I saw some for whom I was
10:18:37 5 older for. Some were children.

6 Q. How old were some of these children?

7 A. Some are even -- so about 14, 15, 16 age.

8 Q. The person you mentioned, CO Junior, was SLA, wasn't he?

9 A. CO Junior I mentioned. It was not this -- that time. It
10:19:24 10 was in Yifin. I was in Yifin when I heard about him. I was not
11 there.

12 Q. But I'm putting it to you that he was SLA. What do you
13 say?

14 A. Well, whether he was SLA or not, I don't know. I never saw
10:19:48 15 him. I don't know.

16 Q. How was Colonel Oldshaw communicating with his men?

17 A. He was -- he was speaking Krio.

18 Q. Yes, but by what means? Did you see his communication
19 equipment?

10:20:19 20 MR DANIELS: Objecti on.

21 THE WITNESS: No, he didn't have any communication set. He
22 wished to assemble there every morning and talk to them orally in
23 the morning.

24 MR WAGONA:

10:20:37 25 Q. Now, during that time in Kayima, did you hear that Ibrahim
26 Bazy Kamara was present in Kono?

27 A. I didn't -- I didn't hear about it, because I hardly speak
28 with them.

29 Q. I put it to you that Ibrahim Bazy Kamara was present in

1 Kono, based at his headquarters in Masingbi Road in Koidu. What
2 do you say?

3 A. Well, as I said, I don't know anything about that. Where
4 you are talking about, I am 32 miles off that place.

10:21:35 5 Q. And I put it to you that at that time in Kono, Ibrahim
6 Bazy Kamara was the overall commander of Colonel Oldshaw. What
7 do you say?

8 A. Well, Colonel Oldshaw was reporting to him or was not
9 reporting to him, I didn't know about that.

10:22:08 10 MR WAGONA: Just a moment, Your Honours.

11 Q. Thank you, witness. That is the end of my questions for
12 you.

13 MR WAGONA: Thank you, Your Honours.

14 PRESIDING JUDGE: Thank you Mr Wagona. Now, is there any
10:22:23 15 re-examination?

16 MR DANIELS: No, Your Honours.

17 PRESIDING JUDGE: Mr Witness, thank you. There is just
18 one -- some questions from the Bench now.

19 QUESTIONED BY THE COURT:

10:22:35 20 JUDGE SEBUTINDE:

21 Q. Mr Witness, you mentioned that you left Kayima at some time
22 and went to Yifin and that you didn't come back to Kayima for
23 some time; is that correct?

24 A. Exactly, it happened that way.

10:22:54 25 Q. Could you tell us when did you go to Yifin, if you can
26 remember?

27 A. It was in the same '98.

28 Q. What month?

29 A. I don't lie. I cannot remember the month again.

1 JUDGE SEBUTINDE: Okay, thank you.

2 PRESIDING JUDGE: Mr Witness, thank you for coming in and
3 giving evidence. We're grateful. You can now leave the Court.
4 If you just sit there for a few moments, we will arrange for the
10:23:38 5 curtains to be pulled and then you can leave.

6 Mr Court Attendant.

7 [The witness withdrew]

8 MS THOMPSON: Your Honours, whilst that is going on, might
9 I just apologise for coming in late this morning.

10:24:14 10 PRESIDING JUDGE: That is quite all right, Ms Thompson.
11 What will be the pseudonym of the next Defence witness?

12 MR DANIELS: Respectfully, Your Honour, the pseudonym for
13 the next witness is DAB-124 and should appear as number 28.

14 PRESIDING JUDGE: Thank you. And this witness will be
10:28:07 15 giving evidence in Krio, I understand?

16 MR DANIELS: That is what I know.

17 WITNESS: DAB-124 [Sworn]

18 [The witness answered through interpreter]

19 EXAMINED BY MR DANIELS:

10:29:18 20 Q. Good morning, Mr Witness.

21 A. Good morning.

22 Q. I will ask you a few questions, which I hope you will
23 answer concisely. And when we finish asking you questions, my
24 colleague on the other side will ask you a few questions, and
10:29:39 25 then you can go home. Do you understand?

26 A. I do.

27 Q. Mr Witness, you were born in 1936?

28 A. Yes.

29 Q. And you were born in Worodu Village?

1 A. Yes.

2 MR DANIELS: Worodu, Your Honours, I have -- I have as

3 W-O-R-D-U [Si c].

4 Q. And in which chiefdom is Worodu Village?

10:30:24 5 A. Sandor Chiefdom.

6 Q. And in which district is that?

7 A. Kono District.

8 Q. You attended primary school at Kayima Village, UMC school ;
9 is that correct?

10:30:49 10 A. Yes.

11 Q. From there you went to Centenary Secondary School, Matru
12 Jong, Bonthe?

13 A. Yes.

14 MR DANIELS: Matru Jong is spelt, M-A-T-T-R-U, J-O-N-G

10:31:11 15 [si c].

16 Q. That was from 1954 to 1956?

17 A. Yes.

18 Q. And you are educated up to form three level?

19 A. Yes.

10:31:37 20 Q. You are married with one wife and four children?

21 A. Yes.

22 Q. You have been a pupil teacher for about 15 years?

23 A. Yes.

24 Q. And you have also done some mining?

10:32:05 25 A. Yes.

26 Q. And you also did some farming in your life?

27 A. Yes.

28 Q. And for purposes of your own security, we shall say you
29 were court chairman in the Kono District?

1 A. Yes. I am a court chairman at Kono District.

2 Q. And you have resided at Worodu Village since you were born,
3 apart from when you were in school?

4 A. Yes.

10:32:59 5 Q. What languages do you speak?

6 A. I talk Kono, Krio, Mende.

7 Q. And what is your -- and you presently reside -- reside at
8 Worodu Village?

9 A. At Worodu Village, I'm there.

10:33:29 10 Q. I'm going to take your mind back to the month of May 1997.

11 Where were you during the month of May 1997?

12 A. I was at Worodu.

13 Q. Do you recall anything significant taking place in Sierra
14 Leone during the month of May 1997?

10:34:05 15 A. What I remember, I was sitting near my radio. I heard that
16 they have overthrown Tejan Kabbah.

17 Q. Did you hear who overthrew Tejan Kabbah?

18 A. They said the soldiers.

19 Q. Did anything happen in Worodu Town in May 1997, as a result
10:34:53 20 of the overthrow of Tejan Kabbah?

21 A. In 1997, nothing happened in Worodu. I can remember.

22 Q. Did anything happen in Kayima Town -- in -- I beg your
23 pardon -- Worodu Town after May 1997, while you were there?

24 A. After we have heard that news --

10:35:33 25 MR WAGONA: Objection, Your Honours. That question was
26 asked and answered.

27 PRESIDING JUDGE: But what was the answer?

28 MR WAGONA: He said "nothing happened."

29 PRESIDING JUDGE: Yes. Do you want to reply to that,

1 Mr Daniels?

2 MR DANIELS: Only to say that I asked him what happened
3 after, Your Honour, not in May -- not in June 1998 -- May --
4 after, which is a different time frame.

10:36:21 5 PRESIDING JUDGE: Yes, I'll -- I'll overrule that
6 objection. Go ahead, Mr Daniels.

7 MR DANIELS: Thank you.

8 Q. Do you recall anything happening in Worodu Town after the
9 May 1997 coup in Freetown?

10:36:42 10 A. I have said after we heard that news in 1997, no other
11 thing happened I -- I -- which I can remember.

12 Q. After the coup in May 1997, after the coup, did you
13 continue to stay in Worodu Village?

14 A. After the coup, I was at Worodu Village.

10:37:23 15 Q. And did you -- did anything happen after the coup, in
16 Worodu Village?

17 MR WAGONA: Objection, Your Honours. That is a leading
18 question.

19 PRESIDING JUDGE: I -- I think he has answered that, hasn't
10:37:45 20 he, Mr Daniels?

21 MR DANIELS: Conceded. Very well.

22 Q. Did anything happen in Worodu in 1998?

23 A. In 1998 something happened at Worodu.

24 Q. What happened at Worodu in 1998?

10:38:19 25 A. When we heard that they have removed the soldiers from
26 Freetown, people who were in Kono, Worodu was the way to Guinea
27 and Kabala. They were all gathered at Worodu. They wanted to go
28 to Guinea.

29 Q. Okay. How far is Worodu from Guinea?

1 A. I've never walked there. I cannot tell you the mileage.

2 Q. And who came to Worodu?

3 A. From the other chiefdoms: Madingos, Fullahs, Kono. They
4 were all gathered at Worodu.

10:39:18 5 Q. What did they come to do at Worodu?

6 A. I think they were afraid. Some had their bundles. They
7 had their children. They were all there. Some said, "We are
8 going to Guinea." Some said they are going to Kabala. They were
9 using the same route to go to Guinea and Kabala.

10:39:40 10 Q. You said they were afraid, afraid of who?

11 A. I said when we heard that they had -- the -- the army
12 men -- they had removed the army men who overthrew Kabbah in
13 Freetown, everybody was afraid. So we don't know the way they
14 were taken. So that's why people said they are about to go to

10:40:06 15 Guinea.

16 Q. So those who came to Worodu Town, did they actually leave
17 Worodu Town to go to Guinea?

18 A. Some went, some still stayed.

19 Q. Do you recall when, in 1998, this was?

10:40:31 20 A. I don't know the month. I don't know the day.

21 Q. Did anything happen in Worodu, after this incident you've
22 just referred to?

23 A. Something happened.

24 Q. What happened?

10:40:58 25 A. Between 4.00 to 5.00 in the evening, we heard some gunshots
26 at Worodu. That meant a lot of people were scattered in the
27 whole town.

28 Q. Mr Witness, from where were the gunshots coming?

29 A. Worodu upper side. The road leading to Guinea and Kabala.

1 Q. Did anything happen after you heard these gunshots in
2 Worodu Town?

3 A. We are all scattered. Some went to the bush near the town.
4 I also went to the bush near the town.

10:41:57 5 Q. Did you go to the bush alone?

6 A. I went with my family, except one of my child stayed
7 behind.

8 Q. How far from Worodu Town did you go, when you say you went
9 into the bush?

10:42:23 10 A. I didn't go far. I went under my coffee plantation.

11 Q. And when you went to your coffee plantation, did anything
12 happen?

13 A. When -- when I was in my coffee plantation, and I did not
14 see one of my child, I heard in town -- in town that, "Come out
10:42:59 15 of the bush. Come to town. We who have come, have come to save

16 you from Tejan Kabbah's government. We are freedom fighters."

17 Q. Who said that, "We have come to save you. We are freedom
18 fighters."?

19 A. It was a voice I heard. Because I was not near the person,
10:43:27 20 I didn't see the person's face. It was only the sound I heard,
21 that we should come out of the bush.

22 Q. Did you come out of the bush, as a result of the voice you
23 heard?

24 A. I did not come to town that night, because it was at night.
10:43:52 25 I didn't come to town that night.

26 Q. You told us that you left your son behind when you fled
27 into the bush. Did anything happen to your son?

28 A. In the morning I came back to town. I saw my son under my
29 bed.

1 Q. When you went back to town, which town did you go back to?

2 A. Worodu Town.

3 Q. And what did you see in Worodu Town when you went back?

4 A. When I went back, I met some doors were open, some windows
10:44:45 5 were broken. I took my son. I went round, and then I took him
6 back to the bush, where the balance of the family was.

7 Q. So on your way taking your son back to the bush, where the
8 rest of family were, did you see anything in Worodu Town?

9 A. What I saw: They spoiled the doors; they spoiled the
10:45:22 10 windows.

11 Q. How many doors did you see spoiled?

12 A. I was not able to count them, because I was afraid for my
13 life. I was afraid for my son's life. I was even hiding. I
14 went between the houses until I went back to the bush.

10:45:49 15 MR DANIELS: Your Honours, looking at the time, perhaps it
16 is a convenient time to break.

17 PRESIDING JUDGE: Yes. Thank you, Mr Witness. We are
18 going to have a short break. I will just caution you that you
19 are not permitted to discuss your evidence or this case with any
10:46:11 20 other person while you are in the course of giving evidence
21 yourself. Is that clear?

22 THE WITNESS: Okay, yes.

23 PRESIDING JUDGE: All right. We will adjourn. We'll come
24 back at 11.00 a.m.

10:46:38 25 [Break taken at 10.45 a.m.]

26 [AFRC15SEP06B - MD]

27 [Upon resuming at 11.05 a.m.]

28 PRESIDING JUDGE: Go ahead, Mr Daniels.

29 MR DANIELS: Thank you, Your Honour.

1 Q. Mr Witness, earlier on this morning you told us you went to
2 pick up your son from Worodu; do you remember?

3 THE INTERPRETER: Your Honour, the witness's mic is not on.

4 MR DANIELS:

11:05:35 5 Q. Yes, Mr Witness. When you went for your son in Worodu
6 Village, where did you take him to?

7 A. Where we slept in the bush.

8 Q. Did anything happen when you took your son back to where
9 you slept in the bush?

11:05:35 10 A. I told my family that we should push backwards, and that
11 what I saw in town I was not satisfied with, with that.

12 Q. Did you see who came into Worodu Town?

13 A. The time we ran to the bush? I didn't see who came to
14 Worodu Town, but when I went back to collect my son, I saw

11:05:57 15 people. Some had soldier cap; they didn't have the trousers.
16 Some had the trousers; they didn't have the uniform. Some had
17 the soldiers' raincoat. So I could not differentiate who came
18 and who was there, because there were many. They had guns.

19 Q. If you can, can you just tell us about how many of them you
11:06:21 20 saw?

21 A. I was trying to hide, to go to the bush. I didn't stay
22 there to see, because Worodu also was big and they were all
23 around the corners.

24 Q. Were you able to tell their ages, how old they were?

11:06:47 25 A. Well, I wouldn't be able to tell their age, because there
26 were some who were young. They hung guns on them. They were
27 even unable to carry their guns swiftly.

28 Q. Those who were young, how young were they?

29 A. I wouldn't be able to tell their ages, because we Africans,

1 you can see somebody small in stature, but he can be old.

2 Q. So did you eventually penetrate further into the bush, as
3 you said you told your family?

4 A. It wasn't too far away into the bush. Where we were
11:08:05 5 sleeping, we moved a little bit and went up the hill, wherein I
6 was able to look at the town.

7 Q. And when you went to your new location what -- did anything
8 happen at this location?

9 A. We were there, in that new location, for a week. At -- one
11:08:25 10 night, around about 11.00, I saw fire in Worodu Town. As I
11 stood, I saw fire in Worodu Town.

12 Q. Do you know what was burning as a result of the fire in
13 Worodu Town?

14 A. I wasn't in the town, but I saw fire in the town.

11:09:00 15 Q. Do you know who brought about the fire that you saw?

16 A. If I'm to say who made the fire, I -- I'm saying a lie.

17 THE INTERPRETER: The interpreter is sorry. Can the
18 witness repeat this part of his testimony?

19 MR DANIELS:

11:09:40 20 Q. Can you repeat what you just said, please?

21 A. I wasn't in the town. I wouldn't say this was the person
22 that caused it or not, but we left people in town, and we ran
23 away into the bush. If they were the ones that did it or not, I
24 wouldn't say.

11:10:06 25 Q. Do you know whether anything happened as a result of the
26 fire?

27 A. When I saw the fire in the town, at night, in the -- in the
28 morning I collected members of my family, and we enter the
29 Kabala District, and what happened behind me, I wouldn't say.

1 Q. Where did you go to, within the Kabala District?

2 A. There is a town called Kroo Town, near Yifin. That was the
3 town where we went.

4 Q. Kroo as in --

11:11:02 5 MS THOMPSON: Your Honour, before we go on, a problem with
6 interpretation again. What I'm getting from the witness is that
7 he cannot say, but the interpretation is "I wouldn't say," which
8 is a different meaning. I'm not sure whether there's a problem
9 with interpretation or what have you, but I am certain the
11:11:24 10 witness is saying "cannot say," but we are getting "wouldn't
11 say."

12 PRESIDING JUDGE: Is that in relation to who set the fire?

13 MS JUDGE THOMPSON: Yes.

14 PRESIDING JUDGE: I see. Mr Interpreter, what did the
11:11:37 15 witness say about that?

16 THE INTERPRETER: Well, Your Honour, the interpreter is
17 sorry, except if the question is put back to the witness, the
18 interpreter cannot recall exactly again.

19 MR DANIELS:

11:12:10 20 Q. Mr Witness, we just want some clarification from you on an
21 answer you have given. I ask the question again: Do you know
22 who set the fire within Worodu Town?

23 A. I wasn't in the town, so I cannot tell the person that set
24 the fire in the town.

11:12:47 25 Q. Now, you told us you went to Kroo Town.

26 MR DANIELS: Kroo, as in K-R-O-O.

27 Q. In what chiefdom is Kroo Town?

28 A. If I can recall, they said Nieni Chiefdom.

29 Q. We have that already. In what district?

1 A. It is in the Koinadugu District.

2 Q. And for how long did you stay in Kroo Town?

3 A. I was there between two to three months.

4 Q. And while you were in Kroo Town, did anything happen?

11:13:49 5 A. While we were in Kroo Town, the same -- the same people,
6 with the same uniform, who attacked Worodu, were the same people
7 who came in Kroo Town again.

8 Q. How do you know that the same people who attacked Worodu
9 were the same people who came to attack Kroo Town?

11:14:20 10 A. I didn't say they were the same people. The uniform, those
11 that attacked Worodu had, were the same uniform they had. Some
12 had hat, wore hat. Some had partial, wore partial military
13 uniform and some did not wear any uniform at all.

14 Q. About how many were there that attacked Kroo Town?

11:14:59 15 A. That, again, I'm unable to tell, because if you observe
16 fire burning your house, if you see fire from a distance, you can
17 run away. So if people have attacked a place and you observe
18 them coming from a distance, you run away.

19 Q. So did anything happen in Kroo Town as a result of the
11:15:33 20 attack?

21 A. When we left the bush and came to town, in the morning, I
22 said I was going to take my family back to Kono, and we saw some
23 houses on fire.

24 Q. Do you know who set the houses on fire?

11:16:08 25 A. I did not see the person that set the houses on fire. I
26 did not know.

27 Q. And those persons who came to Kroo Town, do you know where
28 they were coming from?

29 A. I didn't know where they came from, but I saw them coming

1 from Yi fi n Road, because i t was at Yi fi n Road we had our hut.

2 Q. And after the rebels -- after the men left Kroo Town, did
3 anything happen?

4 A. When they left the town, we slept in the bush. The
11:17:04 5 following morning I collected members of my family and asked them
6 to come over to Kono.

7 Q. Now, the persons who came to Kroo Town, do you know whether
8 they had a leader?

9 A. Don't know whether they had a leader.

11:17:41 10 Q. So after you left Kroo Town, where did you go to?

11 A. I came to Worodu bush.

12 Q. And when you came to Worodu bush, did anything happen?

13 A. When we came to the Worodu bush, we heard that the SLA, the
14 loyal soldiers had come to Kayi ma.

11:18:23 15 Q. Who told you?

16 A. During that time there were people that were engaged in
17 business transactions, from Kono to Makeni, they bought different
18 items. For instance, tobacco and in the process they went to our
19 own place.

11:18:48 20 Q. And do you know who was in charge of the SLA in Kayi ma?

21 A. Yes.

22 Q. What do you know?

23 A. Colonel Kally Kamara was in charge of the SLAs.

24 Q. And did you do anything as a result, when you found out
11:19:25 25 that the SLAs were in Kayi ma, did anything happen to you?

26 A. When they told me, I, myself, went to Kanyi ma and saw them.

27 Q. What did you see?

28 JUDGE SEBUTINDE: Mr Daniels, is that Kari na or Kayi ma?

29 MR DANIELS:

1 Q. Mr Witness, are you -- which town are you talking about,
2 Kari na or Kayi ma?

3 A. Kayi ma, Kayi ma. Kayi ma.

4 Q. Do you know the di stance between Worodu and Kayi ma?

11:20:10 5 A. Kayi ma, it is between six and seven miles.

6 Q. And did anything happen in Kayi ma when you went there?

7 A. When I went there and observed that the soldiers were
8 there, I returned to the bush.

9 Q. And after you returned to the bush, did anything happen to
11:20:52 10 you?

11 A. When I went back to the bush, we did not go to the town.
12 Although the soldiers told us to come to the town, but we didn't
13 come to the town because it was the road.

14 THE INTERPRETER: The interpreter is sorry, can the witness
11:21:14 15 say the names of the -- the places he has mentioned?

16 MR DANIELS:

17 Q. Can you repeat the name of the places you've just
18 mentioned?

19 A. Worodu was the main road which was used by the RUF that
11:21:44 20 were settled in Sorgbadu, Masofini a.

21 Q. How do you know the RUF were settled at Sordu, Masofini a?

22 A. Tegbadu, Tegbadu.

23 Q. Thank you. How do you know?

24 A. The people that they used to capture, some were able to
11:22:20 25 dodge from them and they came into the bush.

26 Q. Did you eventually go back to Worodu Town?

27 A. During the period of the SLA, I did not return to
28 Worodu Town.

29 Q. But did you eventually return to Worodu Town, apart from

1 the SLA period?

2 A. Yes.

3 Q. Did anything happen when you returned to Worodu Town? What
4 did you see?

11:23:03 5 A. We went back to make some repairs in Worodu Town.

6 Q. And when you went back to Worodu Town, did you see
7 anything?

8 THE INTERPRETER: The interpreter is sorry. The
9 interpreter is sorry. It is -- the interpreter interpreted --
11:23:33 10 right now is being noticed, notified by the other interpreters
11 that what they had -- been interpreted is not the correct thing.
12 Therefore, the interpreter now is asking to the witness to please
13 come again.

14 PRESIDING JUDGE: You mean, Mr Interpreter, on that last
11:24:00 15 question or -- or from what point?

16 THE INTERPRETER: Yes, my -- My Lord. From the last
17 question.

18 MR DANIELS:

19 Q. Okay, I -- I -- I'll do my best. Mr Witness, did you
11:24:12 20 eventually go back to Worodu Town?

21 A. After the SLA, we -- we went back to Worodu Town on orders.
22 We were ordered.

23 Q. Who ordered you to go back to Worodu Town?

24 A. When the SLA pulled out from Kayima, two days later, the
11:24:59 25 ones they captured, they released them and told us that we should
26 move out from the bush and, if any of us were to be caught in the
27 bush, the person would be killed. So that made me to return to
28 Worodu Town.

29 Q. And when you went back to Worodu Town, who was in charge of

1 Worodu Town?

2 A. Nobody was in charge of Worodu Town. When we went back to
3 Worodu Town, the RUF and big man, who commanded us, was Major
4 Emmanuel, so when we came back to Worodu Town, Major Emmanuel,
11:25:51 5 that was the way he was called.

6 Q. How do you know Major Emmanuel was RUF?

7 A. When they guarded us at the barri, they introduced him to
8 us as our leader.

9 Q. Who introduced him to you as your leader, or as the leader?

11:26:28 10 A. One amongst them, named captain -- Captain One Man One,
11 introduced him to us saying that he was their leader.

12 MR DANIELS: Your Honours, I have spelt One Man One,
13 phonetically. O-N-E, M-A-Y, O-N-E. [sic]

14 JUDGE SEBUTINDE: Could -- could you please repeat that
11:27:00 15 again?

16 MR DANIELS: One Man One. O-N-E, M-A-Y, O-N-E.

17 Q. Did I hear, was it Major Emmanuel?

18 A. Major Emmanuel.

19 Q. Did Major Emmanuel do anything as a result of being
11:27:28 20 introduced as the leader?

21 A. He didn't do anything that was bad because as they looked
22 around, I was the only aged person during that period, so they
23 appointed me to be the town commander.

24 JUDGE SEBUTINDE: The one what person, Mr Interpreter?

11:27:58 25 THE INTERPRETER: The aged person.

26 JUDGE SEBUTINDE: Is that "aged," or?

27 THE WITNESS: Well, I was the only elderly person among the
28 people.

29 MR DANIELS:

1 Q. Did Major Emmanuel ask you to do anything?

2 A. Yes. I told him that not all the people that had come to
3 town, some were in the bush, so that he should give me some time
4 to inform them. So, he said that the RUF order was 72 hours.

11:28:51 5 Q. The RUF order was 72 hours to do what?

6 A. They said 72 hours.

7 Q. To do what?

8 A. To bring the people from -- to bring the remaining people
9 from the bush to town.

11:29:09 10 Q. Did anything happen after Major Emmanuel gave the 72- hour
11 deadline to bring the people from bush to the town?

12 A. They went back to Kayima. The following morning he sent --
13 he sent one Captain Aki bo who was to ensure that we carried out
14 the order.

11:29:34 15 Q. Do you know why Major Emmanuel went to Kayima?

16 A. It was there he -- he came from and met us in Worodu.

17 Q. And Captain Aki bo who came to replace Major Emmanuel, do
18 you know which faction he belonged to?

19 A. He himself was a RUF member.

11:30:15 20 Q. How do you know he was a RUF member?

21 A. When they came, when they came, before they talked to us,
22 first of all they introduced themselves.

23 Q. And do you know how long Captain Aki bo stayed in Worodu?

24 A. Captain Aki bo was Worodu with us for a period of three
11:30:53 25 months.

26 Q. Did anything happen Worodu Town at the time that Captain
27 Aki bo was in charge?

28 A. What happened, there was forced labour. They said we
29 should produce coffee, and we did that. They forced young men,

1 they called it manpower. They were -- they were the people that
2 used to carry the coffee at the Guinea border. They forced our
3 wives to do fishing for them.

11:31:45 4 Q. Who forced your wife to do fishing and carry out the forced
5 labour?

6 A. It was Captain Aki bo.

7 Q. Did you carry out any forced labour?

8 A. No. I was the chief. I was not doing any work. Except,
9 except the time when Captain Aki bo was changing, he did something
11:32:22 10 to me that made me to do some work.

11 Q. When was Captain Aki bo changed?

12 A. After three months Captain Aki bo was changed and Captain
13 The Veri, came.

14 Q. Who changed Captain Aki bo?

11:33:08 15 A. It was from Kayima the orders came, that they should
16 interchange positions.

17 JUDGE SEBUTINDE: Please spell the name of this other
18 individual.

19 MR DANIELS: Aki bo, A-K-I -B-0.

11:33:29 20 JUDGE SEBUTINDE: Not that one, the other one.

21 THE WITNESS: The Veri.

22 MR DANIELS: As in "the very," T-H-E, V-E-R-I.

23 Q. And Captain The Veri --

24 A. Uh huh.

11:33:56 25 Q. -- how long did he stay Worodu Town?

26 A. He spent there nearly four months.

27 Q. Did anything happen when Captain The Veri was in
28 Worodu Town?

29 A. The same thing that was done, that was done by his brother,

1 he -- he continued. But what -- what he added to that was
2 that -- is the vehicle that was used by his boss had no fuel. So
3 we used to -- we used to crack palm kernel nuts then prepare some
4 palm kernel oil, which was used as fuel.

11:34:58 5 Q. Did Captain Aki bu do anything to you personally.

6 A. Captain Aki bu did not do anything to me. The Veri, yes,
7 the Veri. He made me to -- to stand naked before my family
8 because I did not crack palm kernel nuts.

9 Q. Do you know who was the overall commander of the RUF?

11:35:33 10 A. In our own part, when Major Emanuel went, they sent one
11 colonel, who was called Colonel Juni or.

12 Q. When was that? Do you remember the year?

13 A. I cannot remember the year, but Veri was changed, Emanuel.
14 Colonel Juni or came.

11:36:10 15 Q. At the time that the RUF occupied Worodu Town, or
16 Worodu Village, did any killings take place?

17 A. No. Nobody was killed in Worodu.

18 Q. Were there any amputations?

19 A. No.

11:36:39 20 Q. Were there any mutilations of writing AFRC on people's
21 chest and RUF on people's chest; are you aware?

22 A. I didn't see that at Worodu Town.

23 Q. Did any rapes take place that you are aware of?

24 A. Just one child reported to me that she was raped her name
11:37:13 25 was [redacted].

26 MR DANIELS: Your Honours, I believe -- if we could have
27 that name redacted from the record? I believe that particular
28 person was a witness before this Trial Chamber.

29 PRESIDING JUDGE: Yes. All right. She is a protected

1 person?

2 MR DANIELS: That is so.

3 PRESIDING JUDGE: That name can be redacted from the
4 record.

11:37:57 5 MR DANIELS:

6 Q. Did you ever hear of the name Ibrahim Bazzy Kamara, as
7 being responsible for some of the atrocities in Worodu Village?

8 A. I -- I didn't hear. I didn't hear, I didn't see him. I
9 didn't know him.

11:38:28 10 MR DANIELS: Your Honour, that will be all for this
11 witness.

12 PRESIDING JUDGE: Thank you, Mr Daniels. Yes,
13 Mr Manly-Spain.

14 MR MANLY-SPAIN: Yes, just a couple of questions, Your
11:38:43 15 Honour.

16 EXAMINED BY MR MANLY-SPAIN:

17 Q. Mr witness, good morning.

18 A. Yes, good morning.

19 Q. Thank you. Mr Witness, you told this Court that when the
11:38:55 20 armed men went to Worodu, they introduced themselves. Is that --
21 am I right?

22 A. The army men or?

23 Q. The army men who were dressed in different kinds of
24 clothing.

11:39:18 25 A. The time they came, the time they came, they came with
26 those different -- different -- they didn't introduce themselves,
27 not until Major Emanuel came with them. That was the time they
28 introduced themselves.

29 Q. Thank you, Mr Witness. At that time, Mr Witness, you said

1 they introduced themselves as RUF; am I right?

2 A. Yes.

3 Q. Well, what I want to ask you is that: Did anybody at that
4 time introduce themselves to you as being AFRC?

11:39:56 5 A. I didn't know whether there were soldier -- were among
6 them, but nobody called himself a soldier.

7 Q. No, I'm asking AFRC. Did anybody call themselves AFRC?

8 A. I didn't hear that.

9 Q. Thank you, Mr Witness. Mr Witness, lastly, you said some
11:40:28 10 people were captured, and when they came back, they told you
11 certain things.

12 A. Yes. We heard our information from people who were hiding
13 from them.

14 Q. Did these captured people tell you who captured them?

11:40:50 15 A. They did not tell us those who captured them. They only
16 came there. We were at RUF custody in Segbedu (as interpreted),
17 because that was the place they based.

18 Q. Thank you, very much. And, finally -- I said finally
19 before. Finally now, Mr Witness, can you tell me the villages
11:41:16 20 that were close to Worodu in 1998?

21 A. The village that is near Worodu, we have Kabi du, which is
22 one and half miles. We have Yarya, which is three-and-a-half
23 miles.

24 Q. Which was the first one?

11:41:40 25 A. Kabi du.

26 Q. Can you spell that for me?

27 A. K-A-B-I-D-U.

28 Q. Thank you. And the next one.

29 A. Yarya.

1 Q. Can you spell that also?

2 A. Y-A-Y-A-H.

3 Q. Was there any other one close to Worodu?

4 A. We have Dumbadu.

11:42:15 5 Q. Please spell it.

6 A. D-U-M-B-A-D-U.

7 Q. Thank you, sir.

8 MR MANLY-SPAIN: No more questions.

9 PRESIDING JUDGE: Yes, Ms Thompson.

11:42:28 10 MS THOMPSON: Just one question from me.

11 EXAMINED BY MS THOMPSON:

12 Q. Mr Witness, in 1998 in your district, did you ever hear the
13 name Alex Tamba Brima, as being a commander in your district?

14 A. I didn't hear that.

11:42:53 15 MS THOMPSON: Thank you very much, Mr Witness.

16 PRESIDING JUDGE: Yes, go ahead.

17 CROSS-EXAMINED BY WAGONA:

18 MR WAGONA: Thank you, Your Honours.

19 Q. Mr Witness, how are you?

11:43:11 20 A. I thank God.

21 Q. I will ask you just a few questions. Please answer them
22 truthfully; you understand?

23 PRESIDING JUDGE: Look --

24 THE WITNESS: I do.

11:43:24 25 PRESIDING JUDGE: Just before we go any further, this
26 request to the various witnesses to answer the questions
27 truthfully, it's not a matter to be requested. As a matter of
28 law, all witnesses have to answer truthfully, otherwise, they
29 face up to two years' imprisonment and a two million Leone fine. So

1 it's a duty, it's not a matter of a specific request from
2 counsel.

3 MR WAGONA: Much obliged, Your Honour.

4 Q. Witness, when you heard that soldiers had overthrown
11:43:58 5 President Kabbah's government, did you hear that Alex Tamba
6 Brima, aka Gullit, was one of those soldiers?

7 A. When there was the overthrow, I heard the news, but I
8 didn't hear Tamba Brima's name. What I heard, was that their
9 leader was Johnny Paul Koroma.

11:44:36 10 Q. Did you hear that Ibrahim Bazzy Kamara was one of those
11 soldiers who overthrew President Kabbah's government?

12 A. I -- I feel within myself that the names that I've called,
13 those are the only names I know. I don't know any other person
14 because I was not in Freetown.

11:45:07 15 Q. Did you hear that Santigie Borbor Kanu, also known as
16 Five-Five, was one of those soldiers who overthrew President
17 Kabbah's government?

18 A. I didn't hear that.

19 Q. I put it to you, witness, that those three people I have
11:45:40 20 mentioned to you were involved in the overthrow of President
21 Kabbah's government; what do you say?

22 A. I cannot say anything because I don't know them. If they
23 are -- I don't know whether they are army people. These are
24 people I don't know them.

11:46:05 25 Q. Now, I will ask you about that time when those soldiers who
26 you say overthrew President Kabbah were in power. During that
27 time, did you hear that diamond mining was going on in Kono?

28 A. The soldiers who overthrew Tejan Kabbah?

29 Q. During their time in power, yes, in power. During their

1 time when they were in power.

2 A. I would not say they were the particular ones who were
3 mining, but mining was taking place.

4 Q. And did you hear that soldiers forced civilians to do
11:47:00 5 mining for them at that time?

6 A. Where the place I was, where I had licence, no soldier
7 forced a civilian there. That area, no soldier forced civilian,
8 so I would not say soldiers forced civilians.

9 Q. I will now take you to the time of the attack on Worodu
11:47:36 10 when you ran to the bush. Did you, afterwards, hear that as a
11 result of that attack there were killings in Worodu?

12 A. I did not see it. I did not hear that.

13 Q. Did you hear that there were any rapes in Worodu, as a
14 result of that attack?

11:48:12 15 A. It was not the attack time they raped somebody. After they
16 had attacked and were with them, that was the time they raped
17 [redacted].

18 PRESIDING JUDGE: Once more, please don't mention any
19 names, Mr Witness. That lady is a protected witness and you are
11:48:31 20 endangering her security.

21 THE WITNESS: Okay.

22 PRESIDING JUDGE: So I will order that that name be
23 redacted from the transcript.

24 MR WAGONA: Thank you, Your Honours.

11:48:43 25 Q. Did you hear of forced labour at that time? I'm still
26 asking you about the attack on Worodu.

27 A. Forced labour was there. They were called manpower. And
28 any time we heard in Worodu, it was not our -- they would say it
29 is government property.

1 Q. Did you hear of abductions; people being abducted?

2 A. They were abducting young men but these young men, we
3 were -- we hid from them to come back to the village.

4 Q. I will now ask you about when they attack on Kroo Town,
11:49:54 5 where you went.

6 A. Kroo Town?

7 Q. Yes, Kroo Town. Yes. Thank you.

8 A. When they attacked Kroo Town, we went to the bush.

9 Q. But following that attack, did you later hear that any
11:50:13 10 killings happened, resulting from that attack?

11 A. I didn't see any killing. I didn't see any corpse. I only
12 saw that houses were burned. That was the morning time I was
13 coming.

14 Q. I'm asking you about what you heard later, afterwards. Did
11:50:36 15 you hear that there were rapes during that, as a result of that
16 attack?

17 A. In Kroo Town?

18 Q. Yes.

19 A. I didn't hear that.

11:50:56 20 Q. Did you hear that there were abductions, as a result of
21 that attack?

22 A. I didn't hear that because they attacked -- they attacked
23 today, went to the bush. At about 7.00, I left Kroo Town and
24 returned to my village at Worodu bush.

11:51:15 25 Q. Did you hear that civilians were forced to carry loads?

26 A. This they did at Worodu.

27 Q. When you saw the attackers and you said some of them were
28 young, some of these young ones were children, weren't they?

29 A. When I say children, I cannot tell their ages, but when you

1 looked at him, you'll find out that they were below ten, 15
2 years. They were within that range.

3 Q. Now, you mentioned that you -- when you tried to come back
4 to Worodu, you first went to where the loyal SLAs were based; you
11:52:50 5 remember that?

6 A. Kayima.

7 Q. Yes, Kayima. And then later, when you went to Worodu,
8 Major Emanuel of RUF was in charge; you remember that?

9 A. Yes, when the soldiers moved.

11:53:18 10 Q. Now, I need you to help me with the time period, and I will
11 take you to what you stated in your statement. So I will ask
12 you, did you -- did people from the Court here speak to you and
13 record your statement before your coming to Court today?

14 A. Yes.

11:53:55 15 Q. Now, what I have here is a summary of that statement and
16 I'm going to read to you what was summarised, allegedly, from
17 what you said. Please listen. Now, this is after, after you got
18 to your house and take your child with you back to the bush. Now
19 listen. "One week later, witness was in the bush when he saw
11:54:33 20 fire all over Worodu Village and the next morning he moved with
21 his family to Nieni Chiefdom." Do you remember saying that?

22 A. After I took my child.

23 Q. To the bush?

24 A. We came to the place, I left -- I left there and went a
11:55:03 25 little bit further behind the first hiding place. That was what
26 I said.

27 Q. So you did not say that one week later you saw fire in
28 Worodu Village and next morning you moved to Nieni Chiefdom?

29 A. I said, when I took my child, I told my family to go

1 further. We went there. After one week, we saw fire at Worodu.

2 Q. Okay. Let me read what follows. "While in Nieni, witness
3 heard that loyal SLA troops had been deployed at Karina Town and
4 that the chiefdom was safe for people to return." Do you

11:55:54 5 remember saying that? Do you remember telling the person who
6 obtained your statement that, while in Nieni, you heard that
7 loyal SLA troops had been deployed at Karina Town and that the
8 chiefdom was safe for people to return?

9 A. I said, when I was in the bush at Kroo Town, those who were
11:56:32 10 going about doing trading, they told us that SLA had come to
11 Kayima. I also went. I saw that they were there.

12 Q. Then it goes further to say, "So he went back and stayed
13 with the RUF in Worodu for January and February 1999." Did you
14 say that you went back and stayed with RUF in Worodu for January
11:57:02 15 and February 1999?

16 A. I said, when the soldiers left Kayima, the RUF ordered us
17 to come out of the bush. That was the time I went to Worodu, to
18 meet the RUF.

19 Q. So did you mention that this was in January/February 1999?

11:57:36 20 A. January to February 1999, just after Christmas.

21 Q. Okay. Thank you. So that's when you went and found
22 Major Emanuel in charge of RUF; is that right?

23 A. Yes.

24 Q. Now Colonel Junior, whom you mentioned, was SLA, wasn't he?

11:58:26 25 A. No.

26 Q. What was he?

27 A. He was RUF.

28 Q. How do you know that he was RUF?

29 A. They themselves had told us. They will tell Colonel

1 Junior, "I'm RUF."

2 Q. I put it to you that that is not correct. Colonel Junior
3 was SLA; what do you say?

4 A. Colonel Junior was not an SLA. He was an RUF. He,
11:59:10 5 himself, uttered these words with his mouth.

6 Q. Did you hear, at the time when the incidents you talked
7 about were happening, did you hear that Alex Tamba -- I beg your
8 pardon. Did you hear that Ibrahim Bazy Kamara, at that time,
9 was present in Kono District?

11:59:45 10 A. I didn't hear that and I didn't see that. Kono District is
11 divided. The part where he was, they call Sandor, if I don't
12 forget, is about 37 miles from Koidu, so you cannot be in Sandor.
13 And where we are mining at Gbetema, it could be -- you can be
14 there for two and three months and you don't know anything about
12:00:21 15 Koidu.

16 JUDGE SEBUTINDE: Mr Interpreter, did you say "the part
17 where he was"; did you use those words?

18 THE INTERPRETER: The part where he was, the witness.

19 JUDGE SEBUTINDE: Why are you saying "the part where he
12:00:38 20 was," instead of "the part where I was"?

21 THE INTERPRETER: Sorry, that's --

22 JUDGE SEBUTINDE: Because they are talking about Ibrahim
23 Bazy Kamara. Why are you confusing us?

24 MR MANLY-SPAIN: May I be of help, Your Honour? I think
12:01:19 25 what the interpreter was interpreting was what the witness said,
26 after saying he did not know about Ibrahim Bazy Kamara. He went
27 on to explain where he was. The witness used -- the interpreter
28 used the words "the part", "where I was," he should have said.
29 "I could be there for three months without knowing anything about

1 Koi du Town." I submit --

2 JUDGE SEBUTINDE: That's exactly the point I'm trying to
3 make. He should interpret in the first person, singular, just as
4 if he's the one testifying.

12:01:40 5 MR MANLY-SPAIN: That's where [overlapping speakers] the
6 part where he was.

7 PRESIDING JUDGE: Go ahead.

8 MR WAGONA: Thank you.

9 Q. Now, witness, I put it to you that Ibrahim Bazy Kamara was
12:02:00 10 based in Kono at that time?

11 A. That was why I said a lot of -- Kono is divided. Where we
12 are, it will take about two or three months, you would not hear
13 anything about Koi du Town. Where people say Kono, Kono, Koi du,
14 they will take it to be.

12:02:28 15 Q. So you don't know whether he was there or not? Thank you.

16 A. I didn't know, but if -- if he had been there, I don't know
17 him, so I would not be able to tell, because I didn't know him.

18 Q. Now, concerning your statement again, when you talked to
19 the person who obtained your statement, and then you mentioned

12:03:00 20 Colonel Junior, did you also state that the more senior
21 commander, Hector Bob Lahai, was based in Koi du but visited
22 Worodu frequently?

23 A. Colonel Hector, who was called Borbor Lahai, he used to
24 leave Koi du and came to Kayima, and he and Junior used to travel

12:03:39 25 together, and they introduced him to us as their big boss,
26 Colonel Hector.

27 Q. Now, that Colonel Hector was SLA, wasn't he?

28 A. He was an RUF. As he said, as they said it, he was an RUF.

29 Q. Now, I put it to you that Colonel Hector Bob was SLA; what

1 do you say, witness?

2 A. I don't know if he was an SLA. He said he was an RUF.

3 Q. And I put it to you that he was an honourable in the AFRC
4 government; what do you say?

12:04:33 5 A. I don't know.

6 MR WAGONA: Just a moment, Your Honours. Thank you,
7 witness. That is the end of my questions. Thank you, Your
8 Honours.

9 PRESIDING JUDGE: Thank you, Mr Wagona. Any
12:05:33 10 re-examination?

11 MR DANIELS: No, Your Honours.

12 QUESTIONED BY THE COURT:

13 JUDGE SEBUTINDE:

14 Q. Mr Witness, when you said there were loyal SLAs based at
12:05:46 15 Kayima, you remember that?

16 A. Yes.

17 Q. What do you mean by loyal SLAs?

18 A. The soldiers that were -- that were Tejan Kabbah soldiers
19 on the part of Tejan Kabbah, those were the ones I described as
12:06:14 20 the SLAs, loyal SLAs.

21 Q. Are you saying these were based at Kayima during this
22 period when you were in Worodu?

23 A. Yes.

24 Q. Did you also say that Major Emmanuel was also based at
12:06:35 25 Kayima at the same time?

26 A. No. After the soldiers had pulled out, that was the time
27 Major Emmanuel and his own group came.

28 Q. Came to Kayima?

29 A. Yes.

1 JUDGE SEBUTINDE: Thank you, Mr Witness. That will be all
2 from me.

3 PRESIDING JUDGE: Mr Witness, thank you for coming to
4 Court. You will be able to leave and go home in a few moments.
12:07:06 5 Please just sit there. We will have the curtains pulled and then
6 you can leave.

7 THE WITNESS: Thank you.

8 [The witness withdrew]

9 PRESIDING JUDGE: That witness can leave the courtroom now.
12:09:34 10 Just before we start the next witness, a few days ago, Mr Fofanah
11 asked for some special arrangements to be made for Fridays. I
12 think he said that the counsel would not wish to return before
13 2.30; is that correct?

14 MR MANLY-SPAIN: Yes, Your Honour.

12:09:56 15 PRESIDING JUDGE: Did that involve leaving -- having lunch
16 at the same time, at 12.45, and then an extra 15 minutes in the
17 afternoon?

18 MR MANLY-SPAIN: Yes, after 4.00.

19 PRESIDING JUDGE: And that is still required, is it? That
12:10:15 20 different timing?

21 MR MANLY-SPAIN: I presume so, Your Honour.

22 PRESIDING JUDGE: Well, not by you.

23 MR MANLY-SPAIN: No, no. I believe that he still wants it,
24 Your Honour.

12:10:27 25 PRESIDING JUDGE: But he is not here. That is what I'm
26 asking. Should we adhere to that for today or --

27 MR MANLY-SPAIN: No. Well, since he's not here --

28 PRESIDING JUDGE: It was just --

29 MR MANLY-SPAIN: It won't be necessary. It's just for him.

1 PRESIDING JUDGE: I see. I understand. Thank you. Well,
2 the next witness then?

3 MR DANIELS: Your Honours, the next witness is with the
4 pseudonym 127 and he will be speaking in Krio.

12:11:06 5 JUDGE SEBUTINDE: Is that DAB, DSK or what?

6 MR DANIELS: DAB.

7 WITNESS: DAB-127 [Sworn]

8 [The witness answered through interpreter]

9 EXAMINED BY MR DANIELS:

12:13:32 10 Q. Good afternoon, Mr Witness.

11 A. Afternoon, sir.

12 Q. Mr Witness, I will ask you a few questions after which my
13 colleagues on the other side will ask you some questions and
14 after that you should be able to go home; do you understand?

12:13:50 15 A. Yes, sir.

16 Q. Mr Witness --

17 A. Yes.

18 Q. -- you were born in Kayi ma Town?

19 A. Yes.

12:14:15 20 Q. And Kayi ma Town is in the Sandor Chi efdom?

21 A. Yes, sir.

22 Q. Which is in the Kono Di strict?

23 A. Yes, sir.

24 Q. You are employed as a chi efdom police officer; is that
12:14:38 25 correct?

26 A. Yes, sir.

27 Q. And you've worked as a chi efdom police officer for the last
28 four years; is that so?

29 A. Yes.

1 Q. Presently you stay at Kayi ma Town?

2 A. Yes, si r.

3 Q. You are married with two wives and three children?

4 A. Yes, si r.

12:15:33 5 Q. You attended UMC Primary School ?

6 A. Yes, si r.

7 Q. And UMC stands for United Methodist Christian school .

8 United Methodist Church, I beg your pardon.

9 A. Yes, si r.

12:15:59 10 Q. You are presently about 40 years of old -- of age?

11 A. Yes, si r.

12 Q. And before you worked for the chie fdom, you were engaged as
13 a farmer?

14 A. Yes, si r.

12:16:19 15 Q. And you presently stay in Kayi ma with your family?

16 A. Yes, si r.

17 Q. And you have stayed in Kayi ma all your li fe?

18 A. Yes, si r.

19 Q. You are a Christi an?

12:16:51 20 A. Yes, si r.

21 Q. What l anguages do you speak?

22 A. I speak Kri o, si r.

23 Q. Thank you. Mr Wi tness, I want to take your mind back to
24 the month of May in 1997?

12:17:12 25 A. Yes, si r.

26 Q. Do you recal l the month of May 1997?

27 A. Not at all .

28 Q. Di d you ever hear of the overthrow of the Tejan Kabbah
29 government?

1 A. Yes, sir.

2 Q. Where were you when you heard of the overthrow of the Tejan
3 Kabbah government?

4 A. I was -- I was in Kayima. I was in Kayima.

12:18:04 5 Q. How did you hear of the overthrow of the Tejan Kabbah
6 government?

7 A. I was there. I heard it over the radio, sir.

8 Q. Would you please repeat that?

9 A. Over the radio, sir.

12:18:39 10 Q. And as a result of the overthrow of Tejan Kabbah, did
11 anything happen in Kayima Town?

12 A. When we heard that, we had mixed feelings. We were
13 completely tormented. We didn't know what to do.

14 Q. Did you hear who overthrew the government of Tejan Kabbah?

12:19:22 15 A. Yes.

16 Q. What did you hear?

17 A. We heard that it was the RUF that overthrew Tejan Kabbah's
18 government.

12:19:49 19 Q. After the overthrow of the Tejan Kabbah government, did
20 anything happen in Kayima Town? I'm talking about after the
21 overthrow, not at the time of the overthrow. After the
22 overthrow, did anything happen in Kayima Town?

23 A. Yes.

24 Q. What -- what happened?

12:20:13 25 A. Well, after some time, we -- we saw RUF in a group. They
26 entered the town and attacked and captured all the civilians.

27 Q. How do you know that the RUF entered the town and captured
28 the civilians?

29 A. They used to talk about it and they boastfully said it,

1 that they were the RUF.

2 Q. How soon after the overthrow of the Tejan Kabbah government
3 did the RUF come to Kayima Town?

4 A. What had happened? Pardon? Again.

12:21:20 5 Q. You have told us about the overthrow of the Tejan Kabbah
6 government. You told us that people were confused in
7 Kayima Town. You've also told us that later on the RUF came into
8 Kayima Town. The question is this: How long after the overthrow
9 of the Tejan Kabbah government did the RUF come to Kayima Town?

12:21:48 10 A. Well, I am unable to tell the exact time. I cannot tell
11 the time. It has taken a long time.

12 Q. Fair enough. Do you know how many of the RUF came into
13 Kayima Town?

14 A. Well, I don't know the number, but there were many.

12:22:15 15 Q. Were there up to 20? Were there up to 100? Can you tell
16 us?

17 A. Above. Above. I wouldn't be able to say but there were
18 many.

19 Q. How were they dressed?

12:22:35 20 A. Well, they dry -- they dressed in civilian clothing but
21 they were all armed.

22 Q. Did you know how old they were? Were you able to determine
23 their ages at that time?

24 A. No.

12:23:06 25 Q. Do you know where the RUF were coming from?

26 A. Yes.

27 Q. Where were they coming from?

28 A. They came from the Koi du end.

29 Q. How do you know this?

1 A. They told us.

2 Q. Did they have a leader?

3 A. Yes.

4 Q. Do you know who the leader was?

12:23:49 5 A. Yes.

6 Q. Can you tell us?

7 A. Yes, sir.

8 Q. What was his name?

9 A. Colonel Tikerero.

12:24:05 10 Q. Your Honours, for Tikerero, I have T-I-K-E-R-O. How was
11 Colonel Tikerero dressed?

12 A. Colonel Tikerero dressed in civilian clothing, but he had an
13 arm.

14 Q. Where was Colonel Tikerero based?

12:24:37 15 JUDGE SEBUTINDE: Is that -- an arm; what is that?

16 THE WITNESS: At the court barri --

17 MR DANIELS: Can you hang on, please.

18 Q. When you say he had an arm, what do you mean?

19 A. He had a gun. He held a gun.

12:24:56 20 Q. And where was -- if you know, please tell us, where was
21 Colonel Tikerero based in Kayima Town?

22 A. Colonel Tikerero was based at the new court barri.

23 Q. In which town?

24 A. Kayima.

12:25:30 25 Q. Is the new court barri known by any other name?

26 A. It has no other name. That is the only name that, NA
27 barri. Court barri.

28 Q. How many court barris are there in Kayima Town?

29 A. We have two; the old one and the new one.

1 Q. Were you living close to the new court barri?

2 A. Yes.

3 Q. How close were you?

4 A. Six feet away from the court barri.

12:26:35 5 Q. Can you describe six feet to us? What is six feet?

6 A. Well, that's the distance. I wouldn't be able to tell now
7 but the distance was a little bit far. The distance, I wouldn't
8 be able to tell the distance in miles, but it wasn't far too much
9 from my house to the court barri. It is not that far.

12:27:05 10 Q. How long will it take you to walk six feet?

11 A. How long?

12 Q. Yes.

13 A. Well, I wouldn't suffer myself, in fact, while doing it.

14 Let me just say, I will take it from here to the house where I

12:27:31 15 was collected and brought into this Court; that is the distance.

16 Q. Is the new court -- the new court barri, is it near any
17 structure in Kayima Town?

18 MR HARDAWAY: Objection, Your Honour. Relevance.

19 THE WITNESS: Yes.

12:27:54 20 PRESIDING JUDGE: Well, it was objected to, Mr Daniels.

21 What was the relevance?

22 MR DANIELS: Your Honours, this is a witness of fact, and
23 he is coming to tell us what he saw. It's necessary to know how
24 far his house was from where the scenes, or alleged scenes, took
12:28:13 25 place. It's just so that the Court are clear on what he says.

26 PRESIDING JUDGE: All right. Well, he's answered it
27 anyway, but keep the questions relevant.

28 MR DANIELS: Most grateful.

29 Q. Did anything happen while Colonel Tikeru was in

1 Kayi ma Town?

2 A. Yes, something happened.

3 Q. What happened? Please tell us.

4 A. Well, the time when Colonel Tiker o was there, they used us

12:29:00 5 as manpower. We carry load for them. They used to beat us and
6 they brought us to the brigade where they would order us to bring
7 the load.

8 THE INTERPRETER: The interpreter is sorry, the witness is
9 going so fast that --

12:29:16 10 MR DANIELS:

11 Q. Mr Witness -- Mr Witness, what you are saying is being
12 interpreted for the Judges to hear. So please, take your time
13 and speak slowly, so it can be interpreted, so we can finish this
14 session quickly. You understand? So I will ask the question
12:29:35 15 again and can you go slowly. Did anything happen as a result or
16 when Colonel Tiker o was in Kayi ma Town?

17 A. Yes.

18 Q. What happened?

19 A. Well, when we were in Kayi ma Town, Colonel Tiker o used to
12:29:57 20 give us load to carry it to the brigade. Apart from that, we
21 were not allowed to eat according to our wish. We were not given
22 enough time to sleep.

23 Q. When you say that Colonel Tiker o asked you to carry load to
24 the brigade where -- which load would you carry?

12:30:28 25 A. The -- whatever they looted from other people they would
26 put those things together. They would tell us to carry them to
27 the brigade.

28 Q. Where was the brigade?

29 A. They told us that it was at Koi du Town.

1 Q. Did you yourself carry any load under the instructions of
2 Colonel Tiker o?

3 A. Yes.

4 Q. What did you do?

12:31:12 5 A. Myself?

6 Q. Yes.

7 A. We made a farm for him.

8 Q. What farm was that?

9 A. Rice farm.

12:31:34 10 Q. How do you know that the brigade was at Koi du, in what was
11 then in Koi du?

12 A. They told us.

13 Q. Is this the same or -- in what district is Koi du?

14 A. In Kono District.

12:32:09 15 Q. Apart from farming for Colonel Tiker o, did anything happen
16 in Kayi ma Town?

17 A. Yes.

18 Q. What happened?

19 A. In the morning, we went for parade to carry load.

12:32:44 20 THE INTERPRETER: The interpreter is sorry. Can the
21 witness please go a little bit slower?

22 MR DANIELS:

23 Q. Mr Witness, I'm going to tell you for the second time:

24 Please, when you are talking, take your time so that it can be
12:32:58 25 interpreted for the Judges to hear; do you understand?

26 A. All right, sir.

27 Q. So please repeat your answer.

28 A. I said Tiker o, we done rice farm for him. After that, he
29 can be in the house. Other people come and say Tiker o wants to

1 see you to carry load. We go. We are forced. We are threatened
2 to do so.

3 Q. How many times did this happen?

4 A. It's more than four times, to tell the truth.

12:33:48 5 Q. Was Colonel Tikeru reporting to anyone?

6 A. Yes.

7 Q. Who was he reporting to?

8 A. Well, they told us the time we are going to brigade, they
9 said their big man is at brigade, but we never reached there.

12:34:15 10 When we get to brigade, we had a place we had to put the load and
11 they will take their load to their bus. We never reached there.

12 Q. Did you ever get to know the name of the big man who was at
13 the brigade?

14 MR HARDAWAY: Objection, Your Honour. I believe he was
12:34:33 15 just asked and answered that.

16 THE WITNESS: I do not know his name, sir.

17 PRESIDING JUDGE: But I would disagree. I don't think he
18 did ask that question, Mr Hardaway. But, in any event, it has
19 been answered.

12:34:44 20 MR HARDAWAY: Very well, Your Honours.

21 MR DANIELS: What was the answer? I didn't hear that.

22 Q. Could you repeat your answer? I didn't hear that.

23 A. Well, My Lord, repeat your question again.

24 Q. I said did you ever know who --

12:35:01 25 A. Yes, sir.

26 Q. -- get the name of the brigade commander?

27 A. Not at all, sir.

28 Q. Did Colonel Tikeru communicate with the brigade --

29 JUDGE SEBUTINDE: Isn't that rather vague? What do you

1 mean?

2 THE WITNESS: Well, I wouldn't know that.

3 MR DANIELS: Thank you.

4 Q. Did Colonel Tikeru continue to stay in Kayima Town?

12:35:47 5 A. No, he had moved from there.

6 Q. Do you know where he moved to?

7 A. He went to Koi du Town.

8 Q. And when he moved, who was in charge of Kayima Town?

9 A. When he moved, and we saw another colonel who was Colonel

12:36:22 10 Juni or.

11 Q. Do you know whether Colonel Juni or was SLA or RUF?

12 A. Yes.

13 Q. Who was he?

14 A. He was an RUF.

12:36:41 15 MR HARDAWAY: Excuse me, Your Honour, for -- I don't mean
16 to interrupt my learned friend, but for purposes of clarification
17 of the record, can we have a time period for this phase of the
18 evidence, please?

19 PRESIDING JUDGE: Mr Daniels?

12:36:57 20 MR DANIELS: I'm doing my best but it appears that the
21 witness is not very good with dates, but I'll do my best, Your
22 Honour.

23 Q. Mr Witness --

24 A. Yes.

12:37:11 25 Q. -- do you know when it was that Colonel Juni or came to
26 Kayima Town?

27 A. Well, I would not be able to tell the date.

28 Q. Can you recall the year?

29 A. The year? No.

1 Q. How -- did you ever hear of the removal of the AFRC from
2 power?

3 MR HARDAWAY: Objection, Your Honour. He never said the
4 AFRC was in power. I understand was as it related to my question
12:37:55 5 but --

6 MR DANIELS: That is not --

7 MR HARDAWAY: If he doesn't know, then so be it. Fine.

8 MR DANIELS: Well, that is not in doubt.

9 PRESIDING JUDGE: I am just going over the evidence of what
12:38:09 10 he said. He's never actually mentioned the AFRC. He knows about
11 the overthrow but he hasn't mentioned the AFRC.

12 JUDGE SEBUTINDE: Actually, he said the RUF overthrew the
13 Kabbah government.

14 MR DANIELS: Very well.

12:38:29 15 JUDGE SEBUTINDE: Consistently.

16 MR DANIELS: I am willing to assist my learned friend, but
17 I will carry on.

18 Q. Did anything happen in Kayima Town when Colonel Junior came
19 to take over?

12:38:48 20 A. Yes.

21 Q. What happened?

22 A. Well, when Colonel Junior took over, he himself also took
23 over. They were treating us the hard way. They were punishing
24 us. We don't eat on time. We don't do anything according to our
12:39:09 25 own time. When the time came to lead us to do work, at any time
26 all went through his own orders. He just gave orders. So time
27 came, they came with a cow for him. They told his boys that they
28 should tie the cow behind the house. That house, there was a
29 toilet, a toilet had been dug there, but it had never been used.

1 Q. Mr Witness, you are doing fine but just take your time,
2 please.

3 A. All right, sir.

4 Q. Who came with a cow?

12:39:52 5 A. His boys.

6 Q. And what happened?

7 A. I said the cow was tied behind one house.

8 Q. And what happened?

9 A. Behind that house there was a toilet had been dug there,
12:40:16 10 but they had never used it. The cow fell into that toilet.

11 Q. And did anything happen as a result of that?

12 A. Yes.

13 Q. What happened?

14 A. They send his boys. He give orders to his boys that we
12:40:39 15 should remove that cow from that hole.

16 Q. Did you remove the cow?

17 A. Yes, we removed the cow from the hole. The cow died. The
18 cow had already died when it fell into that hole.

19 Q. Did anything happen to you as a result of the death of the
12:41:03 20 cow?

21 A. Yes. He, Junior, he gave commands to his boys that they
22 should call us. Those of us who removed the cows from the hole,
23 that we should be taken in front of him. We were taken -- we
24 were taken to him, when the cow had already died. He gave
12:41:24 25 command to his boys that we should be given 50 lashes each.

26 Q. Were you given 50 lashes?

27 A. I, myself, yes.

28 Q. Where were you lashed?

29 A. All over my body. Wherever you turned he will beat you.

1 If you turn to the waist, he will beat you. If you turn
2 towards -- to the side, he will also beat you there.

3 Q. For how long did Colonel Junior stay in Kayima Town?

4 A. Well, Colonel Junior, he took some time but he was not too
12:42:27 5 long. He himself left there.

6 Q. Apart from this coincidence, did anything else happen in
7 Kayima Town, while Colonel Junior was in Kayima?

8 A. Yes.

9 Q. What happened?

12:42:48 10 A. Well, after that time, the next thing we just saw
11 Colonel Junior, he called us, he said we should all be called, we
12 should carry load to brigade.

13 Q. Did you carry a load to brigade?

14 A. Yes, we carried a load to brigade.

12:43:16 15 Q. Do you know why he asked you to carry a load to brigade?

16 A. Yes.

17 Q. Why was it?

18 A. He said he heard that the Kamajors were at the Guinea
19 borders and that they were coming. So he was worried and so he
12:43:37 20 said, "Your brothers are coming. If they come and meet you, they
21 will shoot at you all."

22 Q. So when you carried the load to brigade, did you return to
23 Kayima?

24 A. Where we went with the load, yes. We were given a
12:43:59 25 bodyguard so that nobody would escape, so that they would lead us
26 to Kayima Town.

27 Q. And when you got back to Kayima Town, did anything happen?

28 A. Yes.

29 Q. What happened?

1 A. When we reached the other day, the Kamajors entered. We
2 were all scattered. Everybody ran away. We were in the bush
3 when we heard some firing.

12:44:44 4 Q. Did anything happen in Kayima Town as a result of the
5 attack by the Kamajors?

6 A. Well, during that time I was not in the town again.

7 Q. Mr Witness, did you ever hear of the name of Ibrahim Bazy
8 Kamara as being a commander?

9 A. No.

12:45:10 10 Q. In Kayima Town?

11 A. No.

12 Q. Did Colonel Junior and his boys carry out any rapes in
13 Kayima Town?

14 A. No.

12:45:31 15 Q. Did they carry out any amputations?

16 A. No.

17 Q. Did they carry out any mutilations?

18 A. No.

19 MR DANIELS: Your Honours, that will be all.

12:46:05 20 PRESIDING JUDGE: Right. Is there anything else in chief?

21 MR MANLY-SPAIN: No questions, Your Honour.

22 PRESIDING JUDGE: Thank you.

23 MISS THOMPSON: None from the first accused, Your Honour.

12:46:18 24 PRESIDING JUDGE: Thank you, Ms Thompson. Mr Hardaway, I
25 don't know how long you are going to be.

26 MR HARDAWAY: Very brief, Your Honour.

27 PRESIDING JUDGE: All right. We will do it now then, and
28 the witness can get away.

29 MR HARDAWAY: Thank you, Your Honour.

1 CROSS-EXAMINED BY MR HARDAWAY:

2 Q. Good afternoon, Mr Witness.

3 A. Yes, sir. Good afternoon, sir.

4 Q. I just have a very few questions for you. I want you to
12:46:37 5 listen to them carefully and concisely and answer them as
6 truthfully as possible; all right?

7 A. Yes.

8 Q. Now, Mr Witness, when Colonel Tikeru was in Kayima, did you
9 see or hear of him using any radio communications equipment?

12:47:05 10 A. Yes.

11 Q. Thank you. Now, Mr Witness, it is your evidence that the
12 RUF overthrew the Kabbah government; correct?

13 A. Yes.

14 Q. I put it to you, sir, that the Kabbah government was
12:47:25 15 overthrown by soldiers, by SLA soldiers; what is your response?

16 A. It was the RUF who have overthrown the government. That
17 was what I heard.

18 Q. I also put it to you, sir, that you did not hear about the
19 overthrow of the Kabbah government over the radio as you've
12:47:50 20 testified; what is your response?

21 A. Pardon?

22 Q. I put it to you, sir, that you did not hear about the
23 overthrow of the Kabbah government over the radio as you
24 testified to; what is your response, sir?

12:48:12 25 A. Yes, I said I heard it over the SLBS.

26 MR HARDAWAY: Thank you, Mr Witness. I have no more
27 questions for you. Your Honours, this concludes my
28 cross-examination.

29 PRESIDING JUDGE: Yes, thank you, Mr Hardaway. Any

1 re-exami nati on?

2 MR DANIELS: No re-exami nati on, Your Honour.

3 PRESIDING JUDGE: Thank you for coming to Court,

4 Mr Witness. You will be allowed to leave now. We are going to

12:48:47 5 adjourn the Court. We will adjourn until 2.15 and you will be

6 able to get away once they pull the curtains. We will adjourn

7 now. Thank you.

8 [The witness withdrew]

9 [Luncheon recess taken at 12.48 p.m.]

14:17:24 10 [Upon resuming at 2.16 p.m.]

11 PRESIDING JUDGE: What number is this witness?

12 MR MANLY-SPAIN: Good afternoon, Your Honour.

13 PRESIDING JUDGE: Good afternoon.

14 MR MANLY-SPAIN: He is DAB-042.

14:17:48 15 JUDGE SEBUTINDE: What number is it on the summaries?

16 MR MANLY-SPAIN: Eleven.

17 WITNESS: DAB-042 [Sworn]

18 [The witness answered through interpreter]

19 PRESIDING JUDGE: This is in Kono, is it, Mr Manly-Spain?

14:19:00 20 MR MANLY-SPAIN: In Krio.

21 EXAMINED BY MR MANLY-SPAIN:

22 Q. Good afternoon, Mr Witness.

23 A. Good afternoon, Mr Witness.

24 Q. Mr Witness, when I ask the questions, I want you to wait

14:19:25 25 for the interpretation before you answer; is that okay?

26 Understood?

27 A. Yes.

28 Q. Mr Witness, you reside in Yengema Town, Kono District.

29 A. Yes.

1 Q. And you were born in Kono?

2 A. Yes.

3 Q. You also went to school in Kono.

4 A. Yes.

14:19:54 5 Q. But you only did primary school education and stopped in
6 class 7.

7 A. Yes.

8 Q. After that, you helped your parents to do petty trading in
9 Kono?

14:20:13 10 A. Yes.

11 Q. And then, when you were grown up, you did petty trading for
12 yourself?

13 A. Yes, sir.

14 Q. Mr Witness, are you married?

14:20:31 15 A. Yes.

16 Q. And how many wives do you have?

17 A. I have one wife.

18 Q. Do you have children, Mr Witness?

19 A. Yes.

14:20:52 20 Q. How many children do you have?

21 A. I have two.

22 Q. And you are a Muslim by religion.

23 A. Yes.

24 Q. Thank you, Mr Witness. Mr Witness, I want you to recall
14:21:21 25 the year 1997.

26 A. I can recall the year 1997, yes.

27 Q. In the beginning of that year, where were you?

28 A. At the beginning of the year, I was at Yengema Town.

29 Q. What were you doing there then?

1 A. I was doing some petty trading.

2 Q. During that time -- did you have cause to leave Yengema,
3 Kono, to go anywhere else?

4 A. Yes.

14:22:03 5 Q. Yes. Can you tell this Court where you went to?

6 A. Well, I left Yengema and went to Tongo to do petty trading,
7 as a result of business circumstances.

8 Q. Do you know in which district Tongo is?

9 A. Tongo is under Kenema District.

14:22:37 10 Q. Do you recall how long you stayed in Tongo?

11 A. Well, I did not stay there for long, as a result of
12 conflict.

13 Q. What conflict do you refer to, Mr Witness?

14 A. There was a conflict between the soldiers and the Kamajors.

14:23:09 15 Q. As a result of this conflict, did anything happen?

16 A. Yes.

17 Q. Please tell the Court.

18 A. Well, I was at home when I heard some gunshots between the
19 soldiers and the Kamajors. I heard there's a problem between

14:23:37 20 them, but I didn't know the problem, but there was a fight in the

21 town. I had to fled in order to avoid the township. After the

22 fighting, I was around, but I heard that the soldiers have left

23 the ground because of the fight, so as the soldiers left, I was

24 not confident that I was safe, so as the soldiers left, I joined

14:24:07 25 them and went to Kono.

26 Q. Thank you very much. Did you arrive at Kono, Mr Witness?

27 A. Yes, sir.

28 Q. When you arrived at Kono, did you stay anywhere in Kono?

29 A. I went back to Yengema.

1 Q. Can you recall, Mr Witness, whilst you were at -- were you
2 at Yengema in May 1997?

3 A. Yes, sir.

4 Q. Whilst you were there, did anything happen in Sierra Leone?

14:24:56 5 A. Yes.

6 Q. Please tell this Court what happened.

7 A. Well, whilst we were there, we heard that AFRC has
8 overthrown -- we heard it over the radio and soldiers told us
9 about it.

14:25:28 10 Q. Do you know whom the AFRC had overthrown?

11 A. They said it was the Kabbah government.

12 Q. Thank you, Mr Witness. At the place you stayed in Kono,
13 was there anything close by?

14 A. Yes.

14:25:56 15 Q. What was it?

16 A. I mean, it was a soldier barracks.

17 Q. Thank you, Mr Witness. Do you know the place where the
18 soldier barracks was in Kono?

19 A. Yes. Yes.

14:26:21 20 Q. What was the name of the place?

21 A. It's headquarter. It was the former NDMC headquarter.

22 Q. Do you know whether it was situated in any particular
23 place?

24 A. If the headquarter was situated in any particular place? I
14:26:44 25 can't understand.

26 Q. Yes, the name of the place where this headquarter was?

27 A. It was at Yengema. It's the Yengema headquarter.

28 Q. Thank you, Mr Witness. Mr Witness, at the time you heard
29 of the overthrow of the Kabbah government, did anything happen in

1 Yengema?

2 A. Yes.

3 Q. Please tell the Court what happened.

14:27:31 4 A. Well, we heard that they've overthrown Kabbah, so we saw
5 people jubilating around, who were soldiers. They said, "They've
6 got back the power."

7 Q. Yes, did you notice anything else?

8 A. I didn't notice any other event at that moment.

9 Q. Thank you. You have mentioned that the people who
14:27:57 10 overthrew Kabbah was called the AFRC; is that so?

11 A. Yes.

12 Q. Do you know how long this AFRC remained in power?

13 A. Since then, from '97 up to '98, they were in power.

14 Q. Thank you. Whilst the AFRC was in power, between '97 and
14:28:33 15 '98, did you observe anything occurring in Koidu, or Yengema?

16 A. I didn't observe anything. Everything was going on
17 normally.

18 Q. Thank you. Mr Witness, do you recall the time in 1998 when
19 the AFRC was removed from power?

14:29:10 20 A. Yes.

21 Q. Can you tell this Court when?

22 A. When the AFRC was removed from power, it was in 1999, I
23 think, because I can't recall exactly. It's a long story.

24 Q. Thank you, Mr Witness. Mr Witness, you earlier told this
14:29:42 25 Court that you remember that in 1998 the AFRC was removed from
26 power; do you know who removed the AFRC from power?

27 A. Well, I knew later.

28 Q. What did you come to know?

29 A. I learned that it was the Nigerians who came to re-install

1 Kabbah.

2 Q. Thank you. And do you know whether these Nigerians went by
3 any name?

4 A. Yes.

14:30:27 5 Q. What was the name that the Nigerians went by?

6 A. They said ECOMOG.

7 Q. Thank you, Mr Witness. Before the AFRC was removed from
8 power, had you heard the name ECOMOG?

9 A. No.

14:30:58 10 Q. Thank you, Mr Witness. After the AFRC was removed from
11 power, did anything happen in Kono, Yengema, where you were
12 living?

13 A. Yes.

14 Q. Please tell the Court what happened.

14:31:23 15 A. Well, I woke up one morning, I saw a jet. It was very
16 early in the morning, between 9.00 and 10.00, and it dropped some
17 bombs in two areas, so that caused a lot of panic in the area.

18 Q. Do you know, or did you know which areas the jet dropped
19 the bomb?

14:31:56 20 A. Yes.

21 Q. Which areas were they?

22 A. It was at Ngai a Junction and by the airfield.

23 MR MANLY-SPAIN: Your Honours, I have Ngai a, N-G-I-Y-A
24 [sic].

14:32:21 25 Q. Which airfield do you refer to, Mr Witness?

26 A. It was the Yengema airfield.

27 Q. After these bombs were dropped by the jet, did you do
28 anything?

29 A. Well, it created a lot of panic, even with myself and a lot

1 of other people in the area.

2 Q. After the panic, did you do anything?

3 A. Yes.

4 Q. What did you do?

14:33:08 5 A. Well, I decided to make a move.

6 Q. Before you go further, Mr Witness, let me just ask you:

7 Did you know who dropped the bombs?

8 A. We heard that it was ECOMOG.

9 Q. And were you told why they dropped the bombs?

14:33:38 10 A. We heard that they were trying to reinstate Kabbah, and
11 that they didn't want to see any soldier in the country.

12 Q. Thank you very much, Mr Witness. Mr Witness, so what did
13 you do?

14 A. Well, I had a friend, at first, who came and met me. He
14:34:14 15 was the first to meet and ask me. He said, "My friend, I want to
16 bring my properties for you to keep them." And this friend was a
17 soldier. So --

18 Q. Don't call his name.

19 A. Okay.

14:34:32 20 Q. Yes, please go on.

21 A. He said he wanted to keep his properties to my place. I
22 said, "Well, I am also panic." I don't want to keep his
23 properties in my place.

24 Q. Did you keep the properties, Mr Witness?

14:34:53 25 A. We were on these, and everybody was panic. Everybody was
26 moving helter-skelter with their families.

27 Q. Did you do anything then?

28 A. Whilst they were going, I stayed around for the meantime.

29 Q. Thank you, Mr Witness. Whilst you were staying around,

1 Mr Witness, did you notice anything happening?

2 A. Yes.

3 Q. What did you notice?

4 A. I -- Kamajors came around. We saw them on board the
14:35:46 5 vehicle, and they came into the town.

6 Q. Which town are you talking about?

7 A. Yengema Town.

8 Q. When the Kamajors came into Yengema Town, did anything
9 happen?

14:36:10 10 A. Yes.

11 Q. Can you tell this Court what happened?

12 A. Well, people were identifying soldiers and their relatives.
13 If you are identified, you will have a problem. They killed some
14 in my presence; I saw it myself.

14:36:30 15 Q. You said they killed. Who killed?

16 A. The Kamajors.

17 Q. And who did the Kamajors kill?

18 A. I didn't know the name of the person, but I heard that it
19 was a relative of a soldier.

14:36:57 20 Q. Thank you, Mr Witness. Apart from the killing by the
21 Kamajors, did you notice any other thing happening in Yengema
22 Town?

23 A. They burnt houses.

24 Q. Who burnt houses?

14:37:16 25 A. The Kamajors.

26 Q. Do you know where these houses were located in Yengema
27 Town?

28 A. Yes.

29 Q. Can you tell the Court where?

1 A. Uni on Road and Mai n Road.

2 JUDGE SEBUTINDE: What was that first name of the road?

3 MR MANLY-SPAIN: Uni on.

4 THE WITNESS: Uni on. Uni on Road.

14:38:05 5 MR MANLY-SPAIN:

6 Q. Was that all you saw when the Kamajors came into town,
7 Yengema Town?

8 A. Yes.

9 Q. Thank you, Mr Witness. As a result of what you saw, did
14:38:13 10 you do anything, Mr Witness?

11 A. Yes, sir.

12 Q. What did you do?

13 A. I moved to Masingbi .

14 MR MANLY-SPAIN: Masingbi , we've had before.

14:38:34 15 Q. Did you have any reason, Mr Witness, to go to Masingbi ?

16 A. It was because of the war; yes.

17 Q. Mr Witness, before you go on, you told us earlier that the
18 military headquarter was near to where you stayed. Do you know
19 what happened to the soldiers that were there?

14:39:05 20 A. It was the jets that dropped a bomb around and, as a result
21 of that, most of them dispersed.

22 Q. Thank you. Mr Witness, did you arrive at Masingbi ?

23 A. I went to the peripherals of Masingbi at first.

24 Q. When you got there, did you meet anyone there?

14:39:36 25 A. Yes.

26 Q. Who did you meet there?

27 A. I met Kamajors and ECOMOG.

28 Q. After that, did you stay in Masingbi ?

29 A. I stayed there for some time, yes.

1 Q. Do you recall where in Masingbi that you stayed?

2 A. Yes.

3 Q. Where did you stay in Masingbi?

4 A. At the extreme end of the town.

14:40:23 5 Q. Mr Witness, can you describe for the Court how Masingbi is
6 located with regard to the main highway leading to Kono?

7 A. Yes.

8 Q. Please explain.

9 A. Well, the town is inside. The highway passed within the
14:40:52 10 town. The town is on the highway, on the left-hand side, if you
11 are heading for Kono.

12 Q. Thank you. So when you say you were at the extreme end of
13 the town, what did you mean?

14 A. Because the ECOMOG was on the highway, and the Kamajors, so
14:41:20 15 civilians were at the side of the town.

16 Q. Mr Witness, do you know how far Masingbi is from Yengema
17 Town?

18 A. I can't recall the mileage, but it's a long distance.

19 Q. This highway you're talking about, do you know its real
14:41:51 20 name, its correct name?

21 A. We called it Kono Road, the time when I was at Masingbi.

22 Q. Thank you. Mr Witness, whilst you were at Masingbi, did
23 you do anything?

24 A. Yes.

14:42:16 25 Q. What did you do?

26 A. I was doing -- I continued to do my petty trading,
27 purchasing rice and bringing it out to sell.

28 Q. Thank you. And whilst you were doing this petty trading at
29 Masingbi, did anything happen?

1 A. Yes.

2 Q. Please tell the Court what happened.

3 A. There was a time when two soldiers came to surrender to the
4 ECOMOG soldiers, and, during that time, the traditional hunters
14:43:04 5 were on top of the station, so they captured these two soldiers
6 and chop off their heads, and they started dancing with the
7 heads, saying that they've killed a soldier.

8 Q. Thank you, Mr Witness. Do you recall where these soldiers
9 went to surrender to ECOMOG?

14:43:33 10 A. Well, they came from the northern flank.

11 Q. Where was ECOMOG at the time?

12 A. They were based at Masingbi Highway.

13 Q. Thank you. Is this Masingbi Highway the same as Kono
14 Highway that you told us about?

14:44:00 15 A. Yes. The highway crossed -- it leads to Freetown and Kono.
16 It's between the town.

17 Q. Mr Witness, thank you. Mr Witness, you said that the
18 traditional hunters killed the two soldiers; who do you refer to
19 as the traditional hunters?

14:44:24 20 A. They are called the Kapras.

21 Q. Thank you, Mr Witness. Mr Witness, did you personally see
22 these killings?

23 A. The other killing took place, I didn't see, but I saw them
24 with the parts, jubilating around the town.

14:44:54 25 Q. Do you know any of the soldiers that were killed?

26 A. I know one of them, but the other, I didn't know.

27 Q. How do you know him?

28 A. Well, he was based at headquarter, attached to the medical
29 unit. He was a medical soldier.

1 Q. Thank you. Do you -- did you know his name?

2 A. I know his name.

3 Q. Can you tell the Court?

4 A. Johnny. Like that, Johnny.

14:45:42 5 Q. Thank you, Mr Witness. Mr Witness, you said that these
6 soldiers came to ECOMOG to surrender; how did you know that?

7 A. Well, the village that we were living before, they passed
8 us whilst we were on the way, because when I came, we were far
9 away from the town, because we were afraid to come. So they

14:46:12 10 passed us and they said they were going to surrender.

11 Q. Thank you, Mr Witness. Mr Witness, after that incident in
12 which the two soldiers were killed, do you know whether any other
13 soldiers went to ECOMOG to surrender?

14 A. Well, other soldiers, they didn't come to surrender. When
14:46:40 15 I entered into the bush, and I saw a lot of soldiers going by the
16 north, as they were aware of the fact that, when they come to
17 Masingbi, they will be killed.

18 Q. Thank you, Mr Witness. Mr Witness, when you say "going by
19 the north," to where do you mean?

14:47:02 20 A. By the Kabala direction.

21 Q. And did you talk to them?

22 A. I was getting message from the villages where I used to go
23 and purchase rice, because I used to walk over 30 miles to go and
24 purchase rice, just for the survival of my family.

14:47:30 25 Q. Thank you, Mr Witness. Mr Witness, you said you did not
26 stay in Masingbi Town for long.

27 A. Yes.

28 Q. When you left Masingbi Town, where did you go to?

29 A. I came back to Kono.

1 Q. Which part of Kono did you go to?

2 A. Yengema.

3 Q. At the time you were leaving Masingbi Town, were there
4 still ECOMOG soldiers in Masingbi Town?

14:48:10 5 A. Yes. I left them there.

6 Q. Thank you, Mr Witness. Mr Witness, when you returned to
7 Yengema, did you find any force in control of Yengema Town?

8 A. At that time, when I returned, there were forces.

9 Q. Do you know which forces were there?

14:48:45 10 A. It was ECOMOG.

11 Q. Did you see them yourself?

12 A. Yes.

13 Q. Mr Witness, you said forces were there. By "forces," do
14 you mean only ECOMOG?

14:49:13 15 MR AGHA: I object to that, Your Honour. He's answered who
16 was there; ECOMOG.

17 PRESIDING JUDGE: Mr Manly-Spain?

18 MR MANLY-SPAIN: Your Honour, obviously the answer is not
19 complete. He said "forces." That is why I've asked that
14:49:30 20 questi on.

21 PRESIDING JUDGE: All right. Ask that questi on. He did
22 use the plural, yes.

23 MR MANLY-SPAIN: Thank you.

24 Q. Mr Witness, did you get my questi on?

14:49:38 25 A. Yes, I get your questi on.

26 Q. I'm still asking you, you said "forces were," but you have
27 only mentioned ECOMOG.

28 A. When I said "forces," I know that, because I am just giving
29 you the shortcut. Because I was at Masingbi when I saw Sierra

1 Leone soldiers. They came in a vehicle, saying that they want to
2 deploy. Even the Kamajors were there. They said they didn't
3 want any Sierra Leonean soldiers, but --

4 THE INTERPRETER: Your Honours, can the witness please go
14:50:13 5 over --

6 MR MANLY-SPAIN: Hold on, Mr Witness.

7 THE INTERPRETER: -- the last segment of his statement.

8 MR MANLY-SPAIN:

9 Q. Please let us guide you, and you say it in a way that makes
14:50:22 10 sense, okay. Just tell me, when you got there, apart from
11 ECOMOG, did you meet any other forces?

12 JUDGE SEBUTINDE: You mean Yengema?

13 MR MANLY-SPAIN: Yengema. Yes, Your Honour.

14 Q. Yes, did you meet any other forces in Yengema?

14:50:37 15 A. No.

16 Q. Okay. You were telling us something about Sierra Leone
17 soldiers. What were you saying?

18 A. We were there when the Sierra Leone soldiers came to deploy
19 at the headquarters.

14:50:53 20 Q. When they came to deploy, did you see them?

21 A. Yes.

22 Q. Did they deploy at the headquarters?

23 A. At Yengema headquarter, they deployed there.

24 Q. Having deployed there, do you know whether anything
14:51:22 25 happened to them?

26 A. Well, they were later attacked.

27 Q. Do you know who attacked them?

28 A. It was the rebels, the RUF.

29 Q. Mr Witness, were you present in Yengema when the RUF

1 attacked?

2 A. Yes.

3 Q. Do you remember what time of the day it was?

4 A. It was in the evening hours.

14:52:15 5 Q. After -- when the RUF attacked, what happened?

6 A. Well, all the soldiers pulled out. I was captured.

7 Q. When you say "all the soldiers pulled out," do you mean
8 only the -- do you mean merely the SLA soldiers?

9 A. Both SLA and ECOMOG soldiers pulled out.

14:53:09 10 Q. Do you know whether the SLAs and the ECOMOG were together?

11 A. Well, that I don't -- I cannot tell, actually, because they
12 are fighting forces. I can't say much about them. I don't know
13 much about them.

14 Q. Thank you, Mr Witness. Mr Witness, after they pulled out
14:53:32 15 of Yengema Town, did anything happen?

16 A. Well, I fell in the hands of the rebels. That was all I
17 knew. I was captured and taken down to Kailahun.

18 Q. Before we go to Kailahun, Mr Witness, apart from Yengema
19 being captured by the rebels, do you know whether any other place
14:54:04 20 in Kono District was captured by the rebels in this attack?

21 A. The entire Kono was under the hands of the rebels.

22 Q. Just to clarify, Mr Witness, I believe you said that these
23 rebels were RUF?

24 A. So I saw them.

14:54:33 25 Q. How did you know that they were RUF?

26 A. By their attire.

27 Q. And how were they dressed?

28 A. Some had combat, the others had slippers, the others had
29 civilian clothing. They were dressed in a mixed-up fashion.

1 Q. You have said that you witnessed this attack by the RUF.
2 Mr Witness, did you, by any chance, know who led the RUF on this
3 attack?

4 A. It was the rebels, the RUF, who was Issa. That was the
14:55:36 5 information we have.

6 Q. Do you know what was the full name of this Issa?

7 A. I don't know his full name.

8 Q. Mr Witness, in this attack, did you notice anything
9 happening to Yengema Town?

10 A. Nothing happened at that time that I knew of.
14:56:06

11 Q. Do you remember how long after the attack that you were
12 captured by the RUF?

13 A. Yes.

14 Q. Please tell this Court.

14:56:38 15 A. I was with them up to three months.

16 Q. Mr Witness, let me put the question again. You have said
17 that the RUF attacked, and the whole of Kono was captured by the
18 RUF. How long after this attack by the RUF were you captured,
19 not how long you were with them. The time you were captured, I'm
14:57:07 20 asking about.

21 A. The time I was captured?

22 Q. Yes, Mr Witness.

23 A. That was the time they attacked the Kono -- that was the
24 time they captured the Kono ground. It was after they have
14:57:24 25 pulled out, the ECOMOG. That was the time they did everything.
26 That was the time I was captured.

27 Q. Thank you, Mr Witness. Where, first of all, were you
28 captured?

29 A. Yengema Town.

1 Q. Do you know, among the RUF, who captured you?

2 A. Well, I don't know them by names, but the first people that
3 captured me, I later learnt the names of their commanders.

4 Q. Yes. Can you tell the Court the names that you later
14:58:13 5 learned as their commanders?

6 A. One was called Moses Kallon, Issa, and Superman.

7 Q. Thank you, Mr Witness. Mr Witness, after you were captured
8 in Yengema, did you go anywhere?

9 A. Yes.

14:58:43 10 Q. Where did you go to?

11 A. They gave us load to carry to the Mende land area.

12 Q. Thank you, Mr Witness. Mr Witness, you said they gave us
13 loads to carry. Do you know how many of you were captured and
14 given loads to carry to the Mende land area?

14:59:15 15 A. I can't give the exact amount. We were many. It has taken
16 a long time.

17 Q. Do you recall what types of things you were asked to carry?

18 A. Yes.

19 Q. What were they?

14:59:37 20 A. Even beds they carried, baling machines, rice. By then, we
21 had beans that they brought us supply. Then we were asked to
22 queue.

23 Q. You were asked to what?

24 MR MANLY-SPAIN: Please ask him again to finish the last
15:00:04 25 sentence that he gave.

26 JUDGE SEBUTINDE: Mr Interpreter, we lost you towards the
27 end.

28 THE INTERPRETER: Can the witness please repeat the last
29 segment of his testimony?

1 MR MANLY-SPAIN:

2 Q. Mr Witness, I'm asking you to repeat the last sentence, the
3 last statement you had made towards the end; what were you
4 saying?

15:00:36 5 A. I want to listen to the question again so that I can
6 answer.

7 Q. I asked you what kinds of things you were asked to carry,
8 and you were itemising them. You were telling us, but we did not
9 get the last few things that you said. We did not hear the last
10 few items.

11 A. Baling machine.

12 Q. Yes.

13 A. Some rice.

14 Q. Yes, go on.

15:01:19 15 A. And some beans.

16 Q. Do you know who was doing the mining?

17 A. Yes. I used to hear about them. I used to hear their
18 names being called.

19 Q. Yes. Do you know who -- can you tell this Court the name
15:15:05 20 you heard, or names you heard?

21 A. Yes.

22 Q. Yes, please tell the Court.

23 A. In the -- in the mining area the other man was called the
24 mining commander. He was called Peleto. And Issa, who was their
15:15:28 25 overall boss.

26 Q. Do you know where this mining area was?

27 A. Yes, I know there.

28 Q. Please tell the Court.

29 A. They were mining around Small Sefadu area and Ngai a

1 Junction also, where there were mining going on, but it was a
2 black earth kind of.

3 Q. Thank you, Mr Witness. Do you know -- you said the
4 commander that they had, the mining commander was called Peleto.

15:16:02 5 Your Honour, I believe we had that before, but I can give the
6 spelling. P-E-L-E-H-T-O [sic]. Do you know who were actually
7 doing the mining?

8 A. It was the RUF that was doing the mining.

9 Q. And do you know whether Peleto belonged to any force?

15:16:46 10 A. Yes.

11 Q. Mr Witness, you said it was the RUF that were doing the
12 mining. Did you actually go to the mining sites yourself?

13 A. Yes.

14 Q. And can you --

15:17:15 15 A. I was there with them.

16 Q. Can you describe how it was done?

17 A. Well, they would dig a pit. Sometimes they would capture
18 people and then they forced them to go and work. So most times
19 they captured people. They captured people's children. They

15:17:39 20 take them there to work. They work sometimes for the rest of the
21 day.

22 Q. Thank you, Mr Witness. Mr Witness, I just want you to
23 describe the work, the way they did the work, these people who
24 were captured. What did they actually do?

15:17:53 25 A. They gave them shovels. It was manual labour kind of.

26 Q. What did they use the shovels to do?

27 A. You would take the earth from the ground. Then you send it
28 over to somewhere else.

29 Q. Thank you. Mr Witness, you mentioned children were there.

1 Did you see them yourself?

2 A. Yes, they had them. They used to call them SBU. They were
3 small-small children and, in fact, they were more dangerous than
4 the elder ones because, in fact, they never had any respect for
15:18:40 5 anybody.

6 Q. Do you recall --

7 JUDGE SEBUTINDE: Mr Manly-Spain, did you ask whether
8 children were amongst the RUF or amongst the people mining? What
9 was the question?

15:18:50 10 MR MANLY-SPAIN: My question was amongst the people mining,
11 but he answered amongst the RUF. I was going to ask him again.

12 Q. I'm asking you, Mr Witness, did you see children among the
13 people who had been captured to do the labour, work in the
14 mining?

15:19:10 15 A. No. All of the people who used to dig were mature people.

16 Q. Okay. These SBUs which you have mentioned, do you recall
17 how they were dressed?

18 A. They normally dress up like any other person. They have
19 their guns and then most times they were the ones that they sent
15:19:43 20 on their little errands.

21 Q. Thank you, Mr Witnesses. Mr Witness, during this time that
22 you were with the RUF in Yengema, and you mentioned Issa, do you
23 know where this Issa stayed?

24 A. Issa -- Issa was staying at Lebanon.

15:20:08 25 Q. You also mentioned Kallon; do you know where he stayed?

26 A. Kallon, I never knew where he resided actually. But people
27 were saying Koakoyima. But the actual residence where he was, I
28 never knew. I only used to hear his name.

29 MR MANLY-SPAIN: Koakoyima, Your Honours, we have heard

1 before.

2 Q. Mr Witness, I want to ask you whether at any time from 1997
3 you heard the name of one Santi gie Kanu, alias Fi ve-Fi ve?

4 A. Yes. During the AFRC.

15:21:04 5 Q. Did you ever meet with this person called Santi gie Kanu,
6 alias Fi ve-Fi ve?

7 A. During the AFRC I met with him.

8 Q. And can you tell this Court where you met with him?

9 A. Well, during the AFRC, when things were going on normal, he
15:21:37 10 summoned a meeting in the community centre which was for youths.
11 He spoke about progress, cleaning and other caretaking of the
12 town, and that was the time I knew that this was the man. That
13 was the time I met with him.

14 Q. Thank you, Mr Witness. Mr Witness --

15:21:57 15 JUDGE SEBUTINDE: Mr Manly-Spain, what community centre?
16 Where?

17 MR MANLY-SPAIN: Sorry, Your Honour. I am very grateful.

18 Q. Mr Witness, where was this community centre that he called
19 this meeting?

15:22:14 20 A. It was in Koi du Town. All of us, the youths, were taken
21 along on board vehicles. That was in Koi du Town.

22 Q. Thank you. Mr Witness, after the overthrow of the AFRC,
23 did you come across Santi gie Kanu, alias Fi ve-Fi ve, in Koi du or
24 Yengema?

15:22:44 25 A. No. After the overthrow I never saw him again.

26 Q. After the overthrow of the AFRC, did you hear that Santi gie
27 Kanu was commanding AFRC troops in Koi du, Yengema or in the Kono
28 District?

29 A. No.

1 Q. Mr Witness, have you ever heard the name Ibrahim Bazy
2 Kamara?

3 A. Ibrahim Bazy Kamara, I heard the name, but I don't know
4 him in person.

15:23:31 5 Q. Where did you hear his name?

6 A. It was during the period of the AFRC. I used to hear the
7 name, when they were in power.

8 Q. Thank you, Mr Witness. Mr Witness, after the AFRC was
9 removed in power, did you hear that Ibrahim Bazy Kamara was in

15:23:53 10 Koidu Town or Yengema Town or in Kono District leading the AFRC
11 forces?

12 A. No.

13 Q. Did you -- have you, Mr Witness, heard the name Tamba
14 Brima?

15:24:17 15 A. Tamba Brima, I used to hear that name also. That was
16 during the AFRC, when we were moving about freely, but after the
17 overthrow of the AFRC I never saw them again and I never knew
18 about their whereabouts.

19 Q. Did you specifically hear that Tamba Brima was in Kono,
15:24:42 20 leading AFRC forces?

21 A. No.

22 Q. Mr Witness, from your own experience, can you tell this
23 Court the people you know or the forces you know that were
24 fighting in Kono?

15:25:06 25 A. Yes.

26 Q. Who were they?

27 A. Moses Kallon is one. They called the other one Superman,
28 who was Denis Mingo.

29 Q. Thank you, Mr Witness. But what I'm asking, not the

1 individuals now, but the forces whom you experienced fighting in
2 Kono. The names of those forces.

3 A. They were the RUF.

4 Q. Who were of the RUF fighting against?

15:25:47 5 A. The RUF were fighting against the soldiers who were there
6 in Kono.

7 Q. And did they fight against anyone else in Kono?

8 A. Yes. General Issa.

9 Q. I didn't hear?

15:26:09 10 A. The man that they called General Issa.

11 Q. I didn't hear the interpretation of my question but I think
12 something is wrong with it. Can I ask again, Your Honours? I
13 want you -- you've said that the RUF was fighting, and you have
14 mentioned against the SLAs in Kono. Were they fighting, or did
15 they fight any other group in Kono, the RUF?

16 A. Well, not really any other group, except for the Kamajors
17 and the soldiers who were there in the ECOMOG.

18 Q. So to conclude, Mr Witness: Whilst you were in Kono, apart
19 from the abduction of people to carry loads and the forcing of
15:27:05 20 people to mine, did you see the RUF do anything else?

21 A. Well, it was more of mining that they engaged in. After
22 fighting, they had their mine organisers. They had their
23 fighters and they had their mining organisers. That is what
24 normally I saw them do.

15:27:36 25 MR MANLY-SPAIN: Thank you, Mr Witness. That is all, Your
26 Honours.

27 PRESIDING JUDGE: Anything else in chief?

28 MS THOMPSON: No, Your Honour, on behalf of the first
29 accused.

1 PRESIDING JUDGE: SO, Mr Daniels?

2 MR DANIELS: Just one question.

3 CROSS-EXAMINED BY MR DANIELS:

4 Q. Mr Witness, you just told us that the RUF were fighting the
15:28:01 5 soldiers in Kono. Do you know why the RUF were fighting the
6 soldiers?

7 A. Well, they said they were fighting to rule this country.
8 The RUF said they wanted to rule this country.

9 Q. So that's why they fought?

15:28:29 10 A. Yes.

11 Q. You also mentioned -- my learned friend asked you whether
12 you knew of -- or you mentioned the name Peleto, and he asked you
13 which force he belonged to. You did not follow up. Which force
14 did Peleto belong to?

15:28:47 15 A. He was RUF.

16 MR DANIELS: Thank you very much. No further questions.

17 PRESIDING JUDGE: Mr Agha?

18 CROSS-EXAMINED BY MR AGHA:

19 Q. Yes, witness. I have a few questions for you, and most of
15:29:09 20 these questions can be answered with a yes or no answer. And if
21 I need any further explanation, I will ask you; is that okay?

22 A. Okay.

23 Q. Now, I just want to clarify certain parts of your evidence.
24 Now, earlier you said that there was a quarrel between the SLA
15:29:31 25 and Kamajors in Tongo in 1997; do you remember saying that?

26 A. Yes.

27 Q. Now, was this before or after President Kabbah's government
28 was overthrown?

29 A. President Kabbah was in power when the Kamajors and the

1 soldiers had that problem.

2 Q. And you said that the AFRC had overthrown the Kabbah
3 government and that soldiers had told you about this. Did you
4 learn that Alex Tamba Brima, alias Gullit, was one of the
15:30:11 5 soldiers who overthrew the government?

6 A. Well, we heard that it was Johnny Paul Koroma. I did not
7 hear the name you are talking about, ever.

8 Q. Now, after the overthrow of the AFRC government by ECOMOG,
9 the SLAs pulled out of Kono and went to Kabala, didn't they?

15:30:36 10 A. Yes.

11 Q. Did you hear that SAJ Musa was based in Kabala?

12 A. Well, through information we used to hear that he was in
13 Kabala, SAJ Musa.

14 Q. And roughly how long after the SLA were driven out of Kono
15:31:04 15 did you remain in Yengema?

16 A. How long?

17 Q. Roughly, yes.

18 A. Well, when the SLA were driven out?

19 Q. Yes. How long did you remain in Yengema?

15:31:25 20 A. I was there until the Kamajors entered, when they were
21 driven out. The SLAs, the government SLAs who were there, when
22 they were driven out, at those particular times everybody
23 dispatched and it was after that when the rebels came and
24 captured me, took me to Kailahun.

15:31:51 25 Q. Okay. Can we go a step backwards? As I mentioned earlier,
26 if you could just answer initially yes or no, then when I ask for
27 the explanation, because we now have to go a little back. Now,
28 you say you stayed in Yengema when the Kamajors came in. Did you
29 learn that Johnny Paul Koroma came to Koidu Town shortly

1 thereafter?

2 A. Yes.

3 Q. And did you learn that Johnny Paul Koroma, with a force of
4 SLAs and RUF, forced the Kamajors and ECOMOG out of Koi du Town
15:32:30 5 again?

6 A. Well, I heard information.

7 Q. Now, you fled to Masingbi from Koi du Town -- from Koi du
8 Town. How far is Masingbi from Koi du Town; how many miles?

9 A. It's nearly 70 miles, roughly.

15:33:00 10 Q. And when you say "nearly 70 miles" in which direction?

11 A. Roughly.

12 Q. Roughly?

13 A. Roughly.

14 Q. Is it in the direction towards Kailahun or is it in the
15:33:09 15 direction towards Freetown or in the direction towards Kabala;
16 which way is it towards?

17 A. Masingbi is towards the Makeni direction, but I didn't use
18 that route. I used the -- the bush path.

19 Q. So whilst you were in Masingbi, which is roughly 70 miles
15:33:35 20 from Koi du Town, would it be fair to say that you were unaware of
21 the events which were happening in Kono at that time, because you
22 weren't there?

23 A. Yes.

24 Q. I say to you -- well -- you -- after you left Masingbi you
15:33:58 25 returned to Yengema Town; do you remember saying that?

26 A. Yes.

27 Q. I say to you that you returned to Yengema Town after July
28 1998; would that be about right?

29 A. During ECOMOG deployment yes, I returned.

1 Q. But what I'm saying to you, the month would have been
2 around July 1998?

3 A. Well, the time now I cannot recall. I cannot recall. I
4 cannot remember the dates and all of those. I have forgotten.

15:34:40 5 Q. Is it fair to say you don't remember the date when you
6 returned to Yengema Town?

7 A. I cannot recall that now.

8 Q. Now, in late 1999 the RUF launched an attack against ECOMOG
9 and Kamajors and the government SLA forces, and removed them from
10 Koi du and Yengema Town, didn't they?

11 A. Yes.

12 Q. So it was in late 1999 that RUF, under Issa Sesay, took
13 command of Koi du Town, wasn't it?

14 A. Yes.

15:35:22 15 Q. And you were captured by the RUF, after the RUF had
16 captured Koi du Town; that's right, isn't it?

17 A. Yes.

18 Q. Now, during the time of your capture, you say that there
19 were some SLAs under RUF command; do you remember that?

15:35:44 20 A. Yes.

21 Q. And these SLAs were working with the RUF, although under
22 their command; is that right?

23 A. Yeah, they were under their command because they were all
24 there together. They were under RUF command.

15:36:00 25 Q. But they were working together with the RUF?

26 A. Yes, but they were under their command.

27 Q. Now, you mentioned later in your evidence that a person
28 named Five-Five came to a community centre in Koi du Town; do you
29 remember that?

1 A. Who? Whom are you talking about? I want to listen to that
2 again.

3 Q. The person referred to as Five-Five, Santi gie Kanu?

4 A. Yes. I made -- I made mention about that. He called -- he
15:36:46 5 summoned a meeting at the communi ty centre which we have
6 attended.

7 Q. And when you say he summoned the meeting which you all
8 attended, how many of you, roughly, attended the meeting?

9 A. We were many. I cannot recall. We were many.

10 Q. And what did Santi gie Kanu, alias Five-Five, speak to you
11 about at the meeting? What did he address you?

12 A. He told us about a cleani ng. He said peopl e shoul dn' t be
13 too worried, things will be okay, and that people should try and
14 clean up the gutters, make the town clean, and that we should
15:37:35 15 form youth groups, we should stay, nobody should get him or
16 hersel f worri ed.

17 Q. And this was during the AFRC government, while they were in
18 power?

19 A. Yes, yes.

15:37:47 20 Q. Now, di d Santi gie Kanu, Fi ve-Fi ve, have any sol di ers wi th
21 him when he came to the communi ty centre?

22 A. Yes. Sol di ers were there whom I never knew, but he has
23 sol di ers who were gui de -- guardi ng hi m.

24 Q. And di d you regard hi m as a big man, when he summoned the
15:38:12 25 meeti ng?

26 A. Well, he was introduced to us. They said, "These are the
27 recent sol di ers who have taken over power." And then he spoke to
28 us and told us that we should form youth groups, we should clean
29 the gutters, make the town clean, that everybody should stay,

1 nobody should get him or herself worried.

2 Q. And who introduced him to you? Was it the mayor, the
3 paramount chief? Who was the person who introduced him to you?

4 A. It was a woman.

15:38:55 5 Q. And did she hold any particular position in Koidu Town?
6 What was her job?

7 A. Well, at last she was the mammy queen.

8 Q. Is that quite an important position in Koidu Town for a
9 woman?

15:39:17 10 A. The woman was staying at Yengema, but it was an important
11 position.

12 Q. And did you hear that Five-Five, Santi gie Kanu, was
13 referred to as an "honourable" at all?

14 A. Well, I don't actually have much idea about that.

15:39:45 15 Q. What does -- you mentioned mammy queen. What does a mammy
16 queen actually do? What is her job?

17 A. Well, she is an elder who leads all the women.

18 Q. And at this meeting which Santi gie Kanu, alias Five-Five,
19 addressed, were there any other elders there, or people with
15:40:14 20 senior positions?

21 A. People were many there whose positions I never knew. Some
22 of them were very important people in society. I knew, I know
23 some, their names I cannot recall now, but there were many people
24 there. Things were very normal at that time.

15:40:30 25 Q. And did Santi gie Kanu, alias Five-Five, come to Koidu Town
26 again, or Kono again, during the AFRC government?

27 A. During the AFRC government if I was in Koidu Town? That
28 question is not in place. During that time -- what I'm talking
29 about -- after that I never knew anything about him again.

1 Q. I'm talking about this period of the AFRC government. Did
2 you hear that he came again to Yengema or Kono or Koidu Town?

3 A. During the AFRC government?

4 Q. Yes.

15:41:14 5 A. He was there, yes. In Koidu Town.

6 Q. And how long was he there for?

7 A. Well, roughly, I cannot tell because I am a man who moves
8 around. I normally do my petty business. Sometimes I come to
9 Koidu, sometimes I go to some other areas, but the actual time I

15:41:39 10 cannot recall.

11 Q. But you saw him from time to time while you were doing your
12 petty trading during the AFRC government?

13 A. When I normally pass around, they said he was living at
14 Five-Five spots. I never went to his house but I only knew that
15 people said he was staying at Five-Five spots on Masingbi Road.

15:41:54

16 Q. Now, during the AFRC government period, when the AFRC was
17 in power, did you hear that Tamba Brima ever came to Koidu Town?

18 A. Tamba Brima? I don't know him.

19 Q. Did you hear that he ever came to Koidu Town during the
20 AFRC government period?

15:42:24

21 A. I never heard that name, Tamba Brima. I don't even know
22 the person.

23 Q. Have you ever heard of the name Gullit?

24 A. Gullit? Yes, I used to hear that.

15:42:47

25 Q. And you heard that in Koidu Town or where did you hear it?

26 A. It was around Freetown area here. Not in Kono. I never
27 heard that name around Kono area.

28 Q. When you say you heard it in Freetown, when was that? Was
29 that around 1998, the period you have been giving your evidence,

1 or is it recently, within a year or two?

2 A. He has not stayed long.

3 Q. Now -- excuse me. Did you know that Tamba Brima was also
4 referred to as Gullit?

15:43:39 5 A. If I know what?

6 Q. Did you know that Tamba Brima's nickname was Gullit?

7 A. Tamba Brima? He is a man that I don't know. I don't know
8 him. I don't want to lie. I don't know him at all.

9 Q. No, no. I'm not asking you to lie, witness.

15:44:00 10 MR AGHA: I have no further questions, Your Honour.

11 PRESIDING JUDGE: Thank you, Mr Agha. Is there any
12 re-examination?

13 MR MANLY-SPAIN: Just one question, Your Honour.

14 RE-EXAMINED BY MR MANLY-SPAIN:

15:44:10 15 Q. Mr Witness, in examination-in-chief you said that during
16 the AFRC time -- government -- time of the AFRC government,
17 everything was normal.

18 A. Yes, in Kono.

19 MR AGHA: Your Honour, I don't believe that arises out of
15:44:29 20 any cross-examination question.

21 PRESIDING JUDGE: Pardon? I didn't hear the beginning of
22 that.

23 MR AGHA: During cross-examination I didn't ask any
24 questions about what life was like, so I don't believe by way of
15:44:40 25 re-examination a question can be asked about --

26 PRESIDING JUDGE: No, no.

27 MR AGHA: -- normality, so I would object to that question.

28 PRESIDING JUDGE: Where did that come up in
29 cross-examination?

1 MR MANLY-SPAIN: It came up, Your Honour. The witness said
2 again that life was normal during the AFRC. I am merely asking
3 him to explain what he means by life being normal.

4 PRESIDING JUDGE: Well, neither myself nor my colleague
15:45:10 5 have got a note of that in cross-examination. It did come up in
6 chief, but not in cross-examination.

7 MR MANLY-SPAIN: I crave the indulgence if the staff can
8 look at the records and see --

9 PRESIDING JUDGE: Can we check the transcript, please?

10 JUDGE SEBUTINDE: Is this -- is this where the witness was
11 referring to the meeting convened by Five-Five in -- in the
12 community centre?

13 MR MANLY-SPAIN: Yes, Your Honour, around that period.

14 JUDGE SEBUTINDE: If you could look around that area, when
15:47:21 15 the witness says, "This was during the AFRC days."

16 MR MANLY-SPAIN: And things were normal.

17 JUDGE SEBUTINDE: So if you could -- if you could look
18 around there. This was in cross-examination. You don't have to
19 look very far.

15:48:54 20 PRESIDING JUDGE: Well, your objection is overruled.
21 Apparently it does appear in cross-examination. You were quite
22 right, Mr Manly-Spain, so you can ask that question again.

23 MR MANLY-SPAIN: Thank you, Your Honour.

24 PRESIDING JUDGE: So you can ask that question again.

15:49:04 25 MR MANLY-SPAIN:

26 Q. Mr Witness, you have said a couple of times that during the
27 AFRC -- the rule of the AFRC -- life was normal. What do you
28 mean by "life was normal" in Yengema where you were?

29 A. Well, what I meant was business was going on, shops were

1 open, there were market. I think that was what I referred to as
2 life was normal. Vehicles were applying the rules. There were
3 people around. That was what I meant that life was normal.

4 MR MANLY-SPAIN: That is all, Your Honour.

15:49:50 5 PRESIDING JUDGE: Any other re-examination?

6 MR DANIELS: No, Your Honour.

7 PRESIDING JUDGE: Mr Witness, thank you for coming to
8 court. You will be able to leave in just a few minutes. If you
9 just sit there, we will make arrangements for you to leave.

15:50:16 10 Well, we will adjourn the Court until Monday morning at 9.15.

11 Just sit there please, Mr Witness, until we leave the courtroom,
12 and then you will be able to go. Adjourned to 9.15 Monday.

13 [The witness withdrew]

14 [Whereupon the hearing adjourned at 3.50 p.m., to be
15 reconvened on Monday, the 18th day of September 2006,
16 at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DAB-126	3
EXAMINED BY MR DANIELS	3
EXAMINED BY MR MANLY-SPAIN	17
CROSS-EXAMINED BY MR WAGONA	19
QUESTIONED BY THE COURT	23
WITNESS: DAB-124	24
EXAMINED BY MR DANIELS	24
EXAMINED BY MR MANLY-SPAIN	42
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CROSS-EXAMINED BY MR HARDAWAY	68
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EXAMINED BY MR MANLY-SPAIN	69
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