



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

FRIDAY, 29 SEPTEMBER 2006
9.19 A.M
TRIAL

TRIAL CHAMBER II

Before the Judges:

Ri chard Lussi ck, Presi di ng
Teresa Doherty
Julia Sebutinde

For Chambers:

Mr Simon Meisenberg

For the Registry:

Mr Thomas George
Ms Advera Kamuzora

For the Prosecution:

Mr Karim Agha
Mr Charles Hardaway
Ms Maja Dimitrova (Case Manager)

For the accused Alex Tamba
Brima:

Ms Glenna Thompson

For the accused Brima Bazy
Kamara:

Mr Andrew William Kodwo Daniels

For the accused Santigie Borbor
Kanu:

Mr Ajibola E Manly-Spain

1 [AFRC29SEP06A - MD]

2 Friday, 29 September 2006

3 [Open session]

4 [The accused present]

09:17:31 5 [The witness entered court]

6 [Upon commencing at 9.19 a.m.]

7 PRESIDING JUDGE: Good morning, before we commence the
8 hearing today, we have received a communication from the second
9 accused, Mr Kamara and he expressly waives his right to be
10 present today. So the hearing will continue in his absence
11 pursuant to Rule 60.

09:20:06

12 Now, Mr Witness, you will recall yesterday that you took an
13 oath to tell the truth and I'm reminding you now that you are
14 still bound by that oath; is that clear?

09:20:26

15 THE WITNESS: Okay.

16 PRESIDING JUDGE: Good morning, Mr Manly-Spain.

17 MR MANLY-SPAIN: Yes, good morning. I am replacing
18 Mr Knoops, who had to leave.

09:20:45

19 PRESIDING JUDGE: Yes, he did mention that yesterday in
20 Court. I think, from memory he said he would be back on the 9th?

21 MR MANLY-SPAIN: Yes. Your Honour, I have an application
22 or a pleading on behalf of the third accused. He would like to
23 be excused after the break this morning for some personal
24 reasons. He will come back in the afternoon.

09:21:14

25 PRESIDING JUDGE: Could I take it that, he's quite happy
26 for you to represent him in his absence?

27 MR MANLY-SPAIN: Yes, Your Honour.

28 PRESIDING JUDGE: Thank you, Mr Manly-Spain.

29 MR MANLY-SPAIN: Thank you. Thank you, Your Honour.

1 [Trial Chamber conferred]

2 PRESIDING JUDGE: Yes, Mr Manly-Spain that application is
3 granted and your client can absent himself after the break in
4 view of the fact that you will be here to protect his interests.

09:21:48 5 MR MANLY-SPAIN: Thank you, Your Honour.

6 PRESIDING JUDGE: Yes, Mr Hardaway.

7 MR HARDAWAY: Thank you, Your Honours. Good morning.

8 WITNESS: DAB-100 [Continued]

9 [The witness answered through interpreter]

09:21:56 10 CROSS-EXAMINATION BY MR HARDAWAY:

11 Q. Mr Witness, good morning.

12 A. Good morning, sir.

13 Q. Mr Witness, when we broke off yesterday, we were talking
14 about diamond mining; do you remember that?

09:22:08 15 A. Yes, I can recall.

16 Q. And you had stated that you had worked for a diamond mining
17 company before?

18 A. Yes.

09:22:32 19 Q. You would agree with me, sir, that a man of your position
20 and your intelligence working for a diamond mining company, you
21 would know quite a lot about diamond mining, wouldn't you?

22 A. Yes.

23 Q. And among the things that you would know is how to find the
24 potentially best areas to mine diamonds, wouldn't you?

09:22:48 25 A. I said yesterday that diamond business was left with the
26 guard. Now, there are times where they would say that if I
27 worked here, I would be able to get diamonds, and you would see a
28 certain area and you say if I mined here, I would not be able to
29 get diamonds, but he might be able to get, so that everything is

1 left to the guard.

2 Q. But that is based upon -- you would pick the areas based
3 upon your knowledge and experience in the diamond mining
4 industry; is that correct?

09:23:23 5 A. Yes.

6 Q. Now, Mr Witness, during the AFRC government the SLAs and
7 RUF were mining diamonds together, weren't they?

8 A. No, they were not together.

9 Q. I put it to you, sir that in Kono District, during the AFRC
09:23:53 10 government, the RUF and the SLAs were engaged in diamond mining
11 as a joint enterprise; what is your response?

12 A. I had already said I do not know about mining. I did not
13 mine. I did not mine together. During the time of the AFRC, we
14 were afraid. We couldn't even go out to go walking.

09:24:16 15 Q. Mr Witness [overlapping speakers] you were mining. Again,
16 and maybe I should have clarified this in the beginning, we can
17 go a lot faster if you would just listen to the question and it
18 can be answered usually "yes," "no," or "I don't know." If I
19 want an explanation from you, I will ask you for it. Are we
09:24:37 20 clear, sir?

21 A. I do understand, man. You asked me initially and I told
22 you no.

23 Q. Thank you. Now, Mr Witness, based upon your position in
24 the community you had occasion to call public meetings, didn't
09:25:01 25 you?

26 A. Yes.

27 Q. And you called public meetings during the AFRC government,
28 didn't you?

29 A. I did not summon public meetings.

1 Q. You never called a public meeting during the time the AFRC
2 was in power?

3 A. I did not call public meetings.

4 Q. You were --

09:25:35 5 A. I as an individual.

6 Q. -- were there public meetings in which you spoke during the
7 AFRC government?

8 A. I do not have an idea about that. I do not know anything
9 about that. I did not say anything in a public meeting during
10 the AFRC regime.

09:25:58

11 Q. Were there public meetings during the AFRC regime, in your
12 area?

13 A. No public meeting did not take place in my own area where I
14 was. During the time of -- at that time the military officers,
15 who were there, before the coup took place.

09:26:19

16 Q. I am not asking you before the coup, sir. I'm asking you
17 during the --

18 A. Okay.

19 Q. [Overlapping speakers] -- no public meetings took place in
20 your area during the AFRC government. Yes, no or I don't know?

09:26:37

21 A. I said no.

22 Q. Okay. Now, Mr Witness, if there were no public meetings,
23 how would you get information to your people concerning the
24 events of the day, the events in Freetown which you testified you
25 knew everything about? How would you communicate that?

09:27:00

26 A. They would meet me. From the time that the coup took
27 place, they would come to me in the morning. Anything that they
28 had, they would come and tell me.

29 Q. So, Mr Witness, what would you do, if you received

1 information from Freetown, that the SLAs were going to come to
2 your area and burn it down? What would you do? How would you
3 let the people know?

09:27:37 4 A. That was what I said, that every morning the people would
5 come. The subjects would come. Early in the morning they would
6 come to me, all of them. We would sit there and discuss in the
7 house.

8 Q. So what you are saying is that the people would come to you
9 for meetings and you would brief them every morning; is that
09:27:59 10 correct?

11 A. What would happen in our own locality, that was what I and
12 they had been discussing.

13 Q. Now that we've established that you've had meetings, sir,
14 during these meetings you told the people, you told the public to
09:28:17 15 support the AFRC, RUF alliance because they needed minerals to
16 buy weapons, didn't you?

17 A. No. I and nobody had held those meetings.

18 Q. During these meetings, Mr Witness, you also convinced the
19 people to help identify viable mining areas for the AFRC/RUF
09:28:42 20 alliance, didn't you?

21 A. No.

22 Q. Mr Witness, during the AFRC government, Sam Bockarie --
23 well first off, do you know Sam Bockarie? Have you heard the
24 name before?

09:29:02 25 A. I have heard the name, but I do not know him.

26 Q. Again, Mr Witness, if I want further explanation, I'll ask
27 you?

28 A. Okay.

29 Q. During the time of the AFRC government, Sam Bockarie was in

1 Kono, wasn't he?

2 A. Yes, I heard about this.

3 Q. You are a close friend of Sam Bockarie, aren't you?

4 A. I did not know Sam Bockarie.

09:29:34 5 Q. Sam Bockarie allowed you to mine diamonds in Kono without
6 being harassed, didn't he?

7 A. It was not like that.

8 Q. He appointed you chairman of minerals for Kono, didn't he?
9 Sam Bockarie?

09:29:50 10 A. No, sir.

11 Q. Part of your duties as chairman of minerals for Kono was to
12 organise all the mining activities for the AFRC/RUF alliance,
13 wasn't it?

14 THE INTERPRETER: Your Honour, would the learned attorney
09:30:14 15 repeat the question?

16 THE WITNESS: [Overlapping speakers] take no appointment
17 from nobody.

18 THE INTERPRETER: Your Honours, would the learned attorney
19 repeat the question.

09:30:27 20 MR HARDAWAY: I will repeat the question, but he already
21 answered it.

22 PRESIDING JUDGE: He has already answered. You've missed
23 it, Mr Interpreter, but the witness didn't. The answer is on
24 record.

09:30:38 25 MR HARDAWAY:

26 Q. I put it to you, Mr Witness -- strike that. The RUF and
27 the SLAs forced civilians to mine diamonds for them in Kono
28 during the AFRC regime, didn't they?

29 A. It wasn't true.

1 Q. I put it to you, sir, that the AFRC -- during the AFRC
2 government, the SLAs and the RUF working together, forced
3 civilians to mine diamonds for them, and that you were complicit
4 in that; what is your response?

09:31:13 5 A. During the time of the AFRC, the SLA that were in Kono with
6 the RUF, no, they were not in agreement at all. In fact, they
7 were not in the same place.

8 Q. But Mr Witness, you testified that they were in the same
9 place yesterday; you are changing your story today?

09:31:37 10 A. No, they were in Kono, in the Kono District. They were --
11 they were in Kono but they were not in the same place. They were
12 in the same district but they were not together.

13 Q. Thank you, Mr Witness. Now, Mr Witness, you know the first
14 accused, Alex Tamba Brima, don't you?

09:31:56 15 A. No, sir.

16 Q. Do you know a woman by the name of Digba?

17 A. I did not know her.

18 Q. Digba's full name is Margaret Digba Brima. Do you know
19 anyone by that name?

09:32:21 20 A. No, sir.

21 Q. Now, Mr Witness, again, based upon your position in the
22 community, and the information that you would have at your
23 disposal about everything going on, in Kono District, you would
24 hear of when important people came in and out of Kono District;
09:32:49 25 you would agree with me on that, wouldn't you?

26 A. Yesterday, I said that we ourselves were not happy during
27 that time of the AFRC.

28 Q. Mr Witness, answer the question. The question is simple:
29 Based upon your position in the community, and the information

1 that you have from all over, the multiple sources of information
2 that you have, if somebody important were to come into Kono
3 District, you would know about it, wouldn't you; "yes," "no" or
4 "I don't know"?

09:33:33 5 A. I would not know all.

6 Q. So if an important person, say, such as Johnny Paul Koroma,
7 were to come to Kono, you wouldn't know about that, would you?

8 A. Except if it's put on over wire, that's all right but, if
9 it was not like that, I would not be able to know.

09:34:00 10 Q. So you say you only rely on some sources of information but
11 not on others to do your job?

12 A. The information, if I listen to a radio, if I was fortunate
13 to listen to a radio, then I would get it and what the other
14 citizens came --

09:34:25 15 THE INTERPRETER: Your Honours, would the witness go a
16 little bit slow?

17 PRESIDING JUDGE: Mr Witness, you are speaking too quickly
18 for the interpreter. Could you please repeat what you said?

19 THE WITNESS: Okay. Okay.

09:34:38 20 PRESIDING JUDGE: Yes. What was your answer?

21 THE WITNESS: I've forgotten.

22 MR HARDAWAY:

23 Q. I will repeat the question.

24 A. Okay.

09:34:56 25 Q. So what you are saying, Mr Witness, is that you only rely
26 on some sources of information to do your job as opposed to all
27 of the sources of information, which you testified to yesterday?

28 A. I said that if I was fortunate to listen to BBC, and I had
29 information, okay, but what my subjects would come and tell me,

1 what had been happening around us, we would sit together and we
2 would know it and know what to do. That was all.

3 Q. So, if a senior member of the AFRC government came to Kono,
4 and let's say came to Yengema, you wouldn't necessarily know
09:35:37 5 about it until that person arrived; is that your evidence?

6 A. This is what I was trying to say.

7 Q. The first accused, Alex Tamba Brima, he made visits to
8 Yengema, didn't he?

9 A. I do not know if he went to Yengema because I did not see
09:36:06 10 him there. I don't even know him.

11 Q. Mr Witness, going back again to your position, and the
12 multiple sources of information that you have at your disposal,
13 and your evidence that you knew and wanted and kept up-to-date
14 with everything in Freetown, from the coup to the intervention,
09:36:40 15 other than Corporal Gborie, as you testified to, did you hear the
16 names of anybody else who overthrew, who helped overthrow the
17 Kabbah government?

18 A. It's -- it was only Tamba Gborie who went on the air, who
19 announced that he was the one that had overthrown the government.
09:37:09 20 That was the individual that I knew.

21 Q. Now, did you -- now, during this time, there were people
22 from Freetown who came to Kono, regular civilians, soldiers,
23 things of that nature; is that right, Mr Witness?

24 A. Could you repeat the question? I don't understand it.

09:37:35 25 Q. During the AFRC government, there would be people who would
26 travel from Freetown to Kono and even from Freetown to the area
27 that you were involved in, wasn't it?

28 A. Yes, there was movement. People had been moving.

29 Q. And you had occasion to talk to these people, didn't you?

1 A. No. If he did not have any business with me, nobody, that
2 individual not come to me. He or she would go to his or her own
3 business.

09:38:14 4 Q. And you wouldn't ask them about information from what's
5 going on in Freetown?

6 A. If somebody went to you then you would ask him, say, but if
7 somebody went and did not go to you, how would you be able to ask
8 him or her?

09:38:32 9 Q. Well, based on your position, sir, you are in charge of
10 getting all the information to make sure your people are well
11 cared for. You wouldn't think it's important to talk to somebody
12 coming from Freetown as to what's going on in Freetown? You
13 wouldn't use that as a source of information?

09:38:55 14 A. The one who would have come to me, and who I knew, then I
15 would ask but, whosoever did not come to me, I would not ask that
16 individual because all of us afraid. We would not even come
17 outside. Everybody was inside.

09:39:11 18 Q. Okay, Mr Witness. After we've established that you've
19 talked to people from Freetown during the AFRC government, who
20 came from Freetown to Kono, you never asked them about who took
21 over the government, from Kabbah?

22 A. They themselves said that -- they said that it was Sankoh,
23 and the others said that they heard Tamba Gborie who made the
24 announcement and, after the announcement, they left and came.

09:39:39 25 Q. So what you're saying is immediately after the overthrow of
26 the Kabbah government people came from Freetown to Kono, spoke
27 with you, and left; is that your evidence? "Yes" or "no"?

28 PRESIDING JUDGE: I'm not sure if that's a fair question,
29 Mr Hardaway. He didn't say immediately after the overthrow. He

1 didn't put any time limit on when he spoke to these people.

2 MR HARDAWAY: I would -- I understand that, Your Honour,
3 but based on how the answer was delivered, that was the
4 impression that I received. I can clear it up.

09:40:11 5 PRESIDING JUDGE: Well, in its present form it's impossible
6 for him to answer that by "yes" or "no" without explaining.

7 MR HARDAWAY: I will clarify that, Your Honour. I will ask
8 another question.

9 Q. Mr Witness, throughout the entire period of the AFRC
09:40:27 10 government, that's from coup to intervention, people from
11 Freetown would travel through Kono; is that correct?

12 A. Yes.

13 Q. And you would talk with these people, not necessarily all
14 of them, but you would talk with some of these people, wouldn't
09:40:49 15 you?

16 A. Yes.

17 Q. And during this time you never asked them about who, other
18 than the name you mentioned, Corporal Gborie, overthrew the SLPP
19 government? You never asked them that?

09:41:07 20 A. That was all they told me. I don't ask them because there
21 was no need for me to ask -- to have asked them because I had
22 heard over the radio that it was Corporal Gborie who overthrew,
23 so there was no need for me to ask them again who overthrew the
24 government.

09:41:28 25 Q. Okay. Let me ask you again, Mr Witness: You never asked
26 these people coming from Freetown to Kono about the structure of
27 the AFRC government? Who was in charge of which ministry?

28 A. I was not interested in them, so I did not ask.

29 Q. You didn't even ask them who in the AFRC was in charge of

1 mining and minerals? You didn't even ask them that?

2 A. At all not.

3 Q. Don't you think that's something you probably should --
4 would have asked since you have experience in diamond mining, and
09:42:02 5 you are in a diamond mining area of Kono?

6 A. I did not -- I did not like that government so I did not
7 even gave them scope for -- so that we could have discussions.
8 See, we did not discuss anything concerning mining.

9 Q. All right. So you said you did not like the AFRC
09:42:23 10 government; correct?

11 A. The overthrow, yes.

12 Q. Now, I put it to you, Mr Witness, that the AFRC government
13 was overthrown by other ranked soldiers of the Sierra Leone Army;
14 what is your response?

09:42:39 15 A. I don't have an idea about that.

16 Q. Yet you worked with the SLA soldiers, according to your
17 testimony, in Kono, during the AFRC government?

18 A. Before they take over.

19 Q. I'm asking after the takeover?

09:43:08 20 A. After, yes.

21 Q. Thank you. Now, you have testified, Mr Witness, that
22 ECOMOG had removed the AFRC from power in what is known as the
23 intervention; do you remember that?

24 A. Yes.

09:43:27 25 Q. And that you said afterwards that the soldiers left Kono
26 and headed north; is that correct?

27 A. Yes.

28 Q. How soon after the intervention did the soldiers, according
29 to you, leave Kono and headed north?

1 A. After the intervention, it would be about a week to ten
2 days later, when the jets went and bombed.

3 Q. Now, Mr Witness, when did the Kamajors come to occupy Kono?

4 A. After when the SLA had pulled out, when the jet went and

09:44:22 5 left the bomb at the military headquarter, there at Ngai a

6 Junction, everybody became panicked, so the civilians, the

7 soldiers, they all three pulled out with all their families.

8 They said they were going to Makeni. They were going to join

9 those in Makeni. From there, the civilians themselves, we

09:44:40 10 ourselves, we started pulling out. I was there the next day.

11 Finally we left the place, we went. So after that, now, that was

12 the time that the Kamajors came.

13 Q. What month and what year did they come to Kono?

14 A. The year was 1998. The month was April.

09:45:00 15 Q. All right. Within that?

16 A. Yes, within that.

17 Q. Now, the Kamajors came to drive out the RUF and the SLAs

18 who were part of the AFRC government, weren't they? That was

19 their reason for coming to Kono, wasn't it?

09:45:21 20 A. When they heard that the SLA and everybody had pulled out

21 in Kono, that was why they came inside.

22 Q. So, just so I am clear, Mr Witness, they came inside

23 because the SLA had left? They weren't there to fight the --

24 they weren't there to fight the SLAs and RUF?

09:45:48 25 A. No, no. They only came in quietly. Nobody knew whether

26 they had any other intention because all those ones had left.

27 Q. Okay. So, if the Kamajors came in quietly, and you did not

28 know their intentions, well, let me back that up a little bit.

29 Do you, or at that time, did you consider the Kamajors to be a

1 force for good?

2 A. During that time, yes.

3 Q. Okay.

4 A. Because the Kamajors were on the side of government.

09:46:31 5 Q. Okay, Mr Witness. Now, if the Kamajors were on the side of
6 government, and they came into Kono quietly, and you did not know
7 their intentions, but you knew they were a force for good, why
8 did you run away?

9 A. When I heard that the Kamajors had come, I also came back.
09:46:55 10 At the time the Kamajors were not there, by then, the SLAs had
11 all pulled out, we all pulled out. But later when I heard the
12 Kamajors had come to Kono, I came back.

13 Q. I put it to you, Mr Witness, that you ran away when the
14 Kamajors came in because you were afraid that you would be killed
09:47:14 15 as being a collaborator of the AFRC government; what is your
16 response?

17 A. It's never happened that way. I came.

18 Q. Now, Mr Witness, you had mentioned that you had assisted
19 ECOMOG in a clean-up operation in around March and April of 1998;
09:47:41 20 do you remember that?

21 A. Yes. Yes.

22 Q. And, during this clean-up operation, you had mentioned that
23 you had captured some people; do you remember that?

24 A. I didn't say I captured some people. I never knew. It was
09:47:57 25 the ECOMOG and a few civilians, who went with the ECOMOG to do
26 the mopping-up operation. They arrested people and brought them.
27 I was not the person, I was not there.

28 Q. You saw the people who they arrested; is that correct?

29 A. Yes, yes. That's correct.

1 Q. And you said and these people, who had been captured, had
2 explained themselves do you remember that?

3 A. Yes.

4 Q. How did they explain themselves?

09:48:36 5 A. Well, when they were captured and brought, at any time they
6 were asked, they said they never knew anywhere they were not able
7 to run. That was why they were around. But then later, when
8 they were asked, were you the only people who were in town here?
9 Why did the other people go and you decided to stay? In that
09:49:01 10 case, if you come here and meet here again, then, we will -- from
11 there, they were asked. They said, how were the people? They
12 said, and they explained, that was the time we came to realise
13 that when the people had come, the Kamajors had come. We were
14 there with the Kamajors when we heard guns fire. It was about
09:49:29 15 two midnight and it was coming very closer, but all of us decided
16 to run away, together with the Kamajors. After a month I decided
17 to come back. We never knew the people who came firing.

18 Q. I'm not asking you about that, sir.

19 A. It was those people who came and told us.

09:49:46 20 Q. I'm asking you about the people who were captured; how did
21 they explain themselves? And again, sir, if I want an
22 explanation from you, I will ask you for it. Do you understand?

23 A. Okay, sir.

24 Q. The question again is: The people who ECOMOG captured, who
09:50:04 25 you saw, how did they explain themselves?

26 A. That is what I have explained. They said they were unable
27 to run because they never knew anywhere to go to. That is why
28 they decided to go anywhere and they therefore -- they decided to
29 stay around. But they asked them: Why did the other people run

1 away and you decided to stay?

2 Q. Thank you, Mr Witness. Is this -- first off, which ECOMOG
3 battalion did this mopping-up exercise?

4 A. It was the 5th Battalion.

09:50:42 5 Q. And is this the only mopping-up exercise that you were
6 involved in, the one in which these people were captured?

7 A. That mopping-up operation, I have told you, that I was not
8 with them. We just showed them the way, for them to go, because
9 when somebody comes to your place and, he is there, he want to do
10 something, he must go around the surroundings and make checks.

09:51:08 11 That was why we gave them people so that they would go with them.
12 Probably they would take them to Yengema, and that was where they
13 captured the people. That was where they captured them and
14 brought them.

09:51:25 15 Q. So that was your only involvement in that mopping-up
16 exercise; is that what you are saying?

17 A. That was all.

18 Q. Mr Witness, did you ever go on a mopping -- did you ever go
19 or hear of a mopping-up exercise by 5th Battalion to Burkina?

09:52:27 20 A. I don't know anything about Burkina. I only know about
21 Kono District.

22 Q. Okay.

23 A. That was where I was limited to. I don't know anything
24 about that you are talking about.

09:52:27 25 Q. Now, Mr Witness, before you gave your evidence here today,
26 you spoke to people and gave a statement to the Defence about
27 what you are going to talk about today, didn't you?

28 A. Since the people who went and took evidence from me, at
29 Kono, since then, I have not seen anybody else.

1 Q. But you did give a statement while you were in Kono; is
2 that correct?

3 A. Yes.

09:52:45 4 Q. Mr Witness, the Prosecution is given a summary of the
5 statement that you've provided, and I want to read part of that
6 to you and I'm going to ask you some questions about that, all
7 right?

8 A. Okay, sir.

09:53:03 9 Q. "The mopping-up was conducted by the 5th Battalion. Four
10 civilians were arrested for collaborating with the AFRC. The
11 arrestees said Koroma had been led to Burkina by the RUF." My
12 question to you, sir, is: Did you tell -- the people who took
13 your statement, did you tell them that, that the people who were
14 arrested for collaborating with the AFRC? Did you tell them
09:53:36 15 that?

16 A. Yes. That was what I just explained. That was the reason
17 why they were arrested.

18 Q. Mr Witness, yesterday, when asked by my learned friend on
19 the other side about the people who were arrested, you said that
09:53:49 20 there was no AFRC involvement. Do you remember that?

21 A. Those people were not soldiers. They were civilians in the
22 town, the township. They were in the town. At any time we ran
23 away, they did not run. They were not soldiers. I am not saying
24 --

09:54:09 25 Q. You said --

26 A. -- they are soldiers; they are civilians.

27 MS THOMPSON: Your Honour, I rise because I am not sure
28 whether my friend is trying to say that what was said yesterday
29 is inconsistent with what he said today. The question yesterday

1 related to AFRC, and the question today relates to RUF. How is
2 that inconsistent with the answer that was given yesterday?

3 MR HARDAWAY: The question that I'd asked, Your Honour, as
4 related to part of the statement said they were AFRC
09:54:35 5 sympathisers. I haven't got to the RUF part of the summary yet.
6 And he is saying, yes, I said they were AFRC sympathisers and
7 yesterday he clearly stated these people weren't involved with
8 the AFRC.

9 PRESIDING JUDGE: Well, that is not how you put the
09:54:50 10 question, Mr Hardaway.

11 MR HARDAWAY: I'll rephrase it, Your Honour.

12 Q. Mr Witness, you stated that the people who were captured
13 yesterday, were not involved with the AFRC, didn't you; yes or
14 no?

09:55:08 15 A. I said they were captured because they said they were
16 collaborators and they refused to run away. They didn't go
17 anywhere, they were around. That was why they were arrested.

18 Q. I know you said that in your statement, sir. I'm talking
19 about your evidence yesterday. In your evidence yesterday, you
09:55:28 20 did not mention they were collaborators; yes or no?

21 A. Collaborator, I said that was what they said. They said
22 because they didn't go they were arrested because they were
23 collaborators.

24 Q. I put it to you, sir, that you didn't say that yesterday.
09:55:48 25 You said in your statement -- I say you are changing your story
26 and I say that you are lying; what is your response?

27 MS THOMPSON: Your Honour, I object. The issue yesterday
28 was whether there was any AFRC involvement. That is different
29 from one being accused of being a collaborator and/or a

1 sympathiser. Being a collaborator, there's an accusation. It is
2 not a statement to say that someone is involved and they are two
3 different aspects: One to do with involvement and simple
4 language construction, minimum language to do with the
09:56:19 5 involvement, and the other is to do with whether one is accused
6 of being a sympathiser or collaborator. There is no
7 inconsistency between the evidence that was given yesterday and
8 that which is being given now.

9 PRESIDING JUDGE: Do you wish to reply, Mr Hardaway?

09:56:34 10 MR HARDAWAY: Your Honour, collaboration, I would submit by
11 its very definition, means involvement. But I can ask another
12 question that hopefully can clear this up.

13 PRESIDING JUDGE: Well, the easiest way to clear it up is
14 to quote the evidence verbatim that he said yesterday.

09:56:48 15 MR HARDAWAY: I unfortunately don't have the draft
16 transcript of that, Your Honour, but I can move on. I can move
17 on.

18 Q. Mr Witness, the people who you said were arrested
19 yesterday, they were executed, weren't they?

09:57:02 20 A. Yes, sir.

21 Q. Is it your evidence now that they were arrested for being
22 AFRC collaborators?

23 A. That was why. They said they refused to run away.

24 Q. Mr Witness --

09:57:20 25 A. They accused some people.

26 Q. Mr Witness --

27 A. Yes.

28 Q. -- again, a simple yes or no. They were executed because
29 they were AFRC collaborators, weren't they?

1 A. That was what they said and that was the evidence given
2 against them by people. It was people who gave such evidence
3 against them

4 Q. Thank you, Mr Witness.

09:57:43 5 A. I am not saying I. That was people gave evidence against
6 them

7 Q. I'm not saying that you gave evidence that they were
8 collaborators, Mr Witness. Again, listen to the question. You
9 never mentioned that they were collaborators, yesterday, did you;
10 yes or no? The record can speak for itself.

09:58:00 11 MS THOMPSON: Your Honour, I object again. If my learned
12 friend wants to put any inconsistencies, then let him make use of
13 the transcript from yesterday, but yesterday's evidence was to do
14 with involvement. The witness's answers today has to do with
09:58:15 15 accusations, which is why he has said this is what people said,
16 this is what people said against them, this is the evidence that
17 was given against them. Involvement and accusations are two
18 different things. Accusations is other's perception of what one
19 might have done and this is not what this witness was talking
09:58:33 20 about yesterday. If there is an inconsistency then my learned
21 friend can solve this by using the transcript. There is one
22 available. It was sent to all of us.

23 PRESIDING JUDGE: We are back to what I stated before,
24 Mr Hardaway. We have to know the precise terms of what he did
09:58:46 25 say yesterday.

26 MR HARDAWAY: Well, that being the case, Your Honour, I
27 would ask for a brief adjournment so I can get the transcript and
28 I can put the exact language to him

29 PRESIDING JUDGE: Legal officer, do we need an adjournment

1 to do that? We will have examination-in-chief print it out now
2 and you can find that passage, Mr Hardaway.

3 MR HARDAWAY: Very well, Your Honour. While it's printing
4 Your Honour, I can proceed, if the Court so chooses.

09:59:52 5 PRESIDING JUDGE: Yes. You can move on in the meantime.

6 MR HARDAWAY: Thank you.

7 Q. Mr Witness, you had testified that you had heard the names
8 of various RUF commanders in Kono District; is that correct?

9 A. Yes.

10:00:12 10 Q. And among the names were Issa, Superman and Vandi; is that
11 correct?

12 A. Yes.

13 Q. I put it to you, sir, that Ibrahim Bazy Kamara was a
14 senior commander of the AFRC in Kono; what is your response?

10:00:31 15 A. The people whose names I called were the people I heard
16 about.

17 Q. Now, Mr Witness, you had stated that you had seen and heard
18 of various attacks in the Kono District as well; do you remember
19 that?

10:00:55 20 A. I don't understand that question.

21 Q. You had received information that there were various
22 attacks in Kono, didn't you?

23 A. That was what I said.

24 Q. Among those areas under attack was Koidu Town; do you
10:01:13 25 remember that?

26 A. When -- when was that, that I said they attacked?

27 Q. Koidu Town. You had mentioned that ECOMOG had -- went to
28 Koidu Town to attack; do you remember that?

29 A. That -- that -- yeah, okay. Okay. That is okay.

1 Q. I put it to you, sir, that the attacks in Kono, from
2 mid-February to mid-June of 1998, was done by a mixed force of
3 SLA and RUF; what is your response?

4 A. They were the people -- what -- what did you say they did?
10:02:02 5 I didn't understand when you said "they did that," what is that?

6 Q. The attack that you have testified to, I put it to you,
7 sir, that between mid-February and mid-June of 1998 it was done
8 by a mixed force of SLA soldiers and RUF; what is your response?

9 A. No.

10:02:30 10 Q. Now, Mr Witness, what are some of the towns that are near
11 Koidu Town?

12 A. Lebanon, Koakoyima, Simbakoro, those are all towns that are
13 very close to Koidu Town.

14 Q. Are you familiar with the town of Meiyor?

10:03:00 15 MR HARDAWAY: And Meiyor is spelt, Your Honour,
16 M-E-I-Y-O-R.

17 Q. Are you familiar with that town, sir?

18 A. I don't know that particular town. Sometimes I heard about
19 the name. I normally passed through there but I have never
10:03:22 20 stepped down there.

21 Q. Now, is Koidu Town within your area of responsibility,
22 based upon your position?

23 A. No, sir.

24 Q. During the attacks of ECOMOG on Koidu Town, as you have
10:03:39 25 testified, you said that it was partially occupied by the RUF and
26 partially occupied by ECOMOG?

27 A. Yes, that was what I said yesterday.

28 MR HARDAWAY: Your Honours, may I have a brief moment? And
29 I do have the transcript in front of me just to find the other

1 passage?

2 PRESIDING JUDGE: Yes, by all means.

3 MR HARDAWAY: Thank you, Your Honours.

4 Q. Mr Witness, I want to go back to the point as it relates to
10:05:25 5 the four people who you say in your statement were AFRC
6 collaborators; all right?

7 A. I said that was what people said.

8 Q. I have the transcript of your chief, in front of me, sir,
9 and I will read it. It is page 117. It is lines 14 and 15 and
10:05:57 10 the reading is as follows: "Question" -- actually I will back
11 that up for a reference, Your Honour. I will start from line 8.

12 PRESIDING JUDGE: All right. But just to be -- no, I was
13 just about to say that, to be precise in the reference, you are
14 referring to the transcript of the 28th of September; is that
10:06:19 15 correct?

16 MR HARDAWAY: That is correct, Your Honour. May I proceed,
17 Your Honour?

18 PRESIDING JUDGE: Yes.

19 MR HARDAWAY:

10:06:37 20 Q. I'm starting, just reading, line 8:

21 "A. When we entered we captured some. We, they
22 killed some and they captured two who explained
23 themselves to us.

24 "Q. Mr Witness, in this encounter, did you see any
10:06:54 25 soldiers who said they were part of the SLA?

26 "A. During that time when we went there we did not
27 see any soldier.

28 "Q. Did you see anyone who said they were part of
29 the AFRC?

1 "A. No. "

2 MR HARDAWAY: That concludes the reading, Your Honour.

3 Q. So you never mentioned anything about AFRC collaborators in
4 your evidence yesterday, did you?

10:07:25 5 MS THOMPSON: Objection, Your Honour. The question was
6 people, "anyone who said." That is to say those who were
7 arrested said. Not what others said but what those who were
8 arrested said. The question, "Did you see anyone who said they
9 were part?" Not, "Did you see anyone who someone else said was
10:07:49 10 part?"

11 MR HARDAWAY: I will clarify that again, Your Honour, and
12 actually, Your Honour, going on this draft, this is a draft, this
13 isn't the final, and it says at the top, "The rough draft cannot
14 be quoted in any pleading or for any other purpose and may not be
10:08:01 15 filed with any Court." So I don't know how the Court wishes to
16 proceed with that.

17 PRESIDING JUDGE: Well, we are just doing this to see what
18 was said yesterday.

19 MR HARDAWAY: Okay. Very well, Your Honour.

10:08:12 20 Q. You said you --

21 PRESIDING JUDGE: I must say that I will hear further
22 submissions from you, if you want to, Mr Hardaway, but I must say
23 that I think you are talking about two different things.

24 MR HARDAWAY: Actually, Your Honour, based upon his
10:08:32 25 evidence just now, I can clarify it.

26 PRESIDING JUDGE: Well, the state of the batting at the
27 moment is that the witness is saying that other people accused
28 these four that were executed --

29 MR HARDAWAY: Right.

1 PRESIDING JUDGE: -- as being collaborators. He did not,
2 the tone of his answer was that he did not necessarily agree that
3 they were collaborators.

4 MR HARDAWAY: Okay, I can -- that is fine, Your Honour.

10:08:55 5 PRESIDING JUDGE: Now, you are going back to what he said
6 yesterday, that he admitted, he denied seeing anyone who said
7 they were paid -- part of the AFRC. I think that's a different
8 topic altogether.

9 MR HARDAWAY: I can clarify it, Your Honour, then I will
10:09:12 10 move on quickly.

11 Q. Mr Witness, it's your evidence today that people told you
12 these people were executed were AFRC collaborators; is that
13 correct?

14 A. Which ones? The ones that were arrested?

10:09:30 15 Q. The people who were arrested and executed. It is your
16 evidence that -- it is your evidence today that people told you
17 that they were AFRC collaborators; is that correct?

18 A. Yes. They didn't tell me. They said it -- some
19 civilians -- they give them the information about them.

10:09:56 20 Q. And did you see these civilians who were giving them this
21 information?

22 A. People were so plenty. People were plenty.

23 Q. So you would --

24 A. That were giving.

10:10:10 25 Q. -- so you would agree with me that you saw people who were
26 saying that these people who were executed were AFRC
27 collaborators; yes?

28 A. The people who were giving things, they -- it -- the
29 soldiers -- they reported as soldiers. When they came back --

1 Q. Mr Witness --

2 A. -- they were just asking them questions.

3 Q. -- my question is simple; "yes" or "no"? Did you see
4 anybody who was saying the people who were executed were AFRC
10:10:46 5 collaborators? "Yes," "no" or "I don't know"?

6 A. Yes.

7 Q. Thank you. In your evidence yesterday, you said, and I
8 refer specifically, Your Honours, to lines 14 and 15, so that is
9 what my learned friend is focusing on, where it said: "Q. Did
10:11:06 10 you see anyone who said they were part of the AFRC?" And you
11 gave the answer, "No." So which is it?

12 PRESIDING JUDGE: No, I won't allow that question,
13 Mr Hardaway.

14 MR HARDAWAY: Very well.

10:11:17 15 PRESIDING JUDGE: I will tell you why: Because he was
16 asked yesterday about seeing anyone who admitted that they were
17 part of the AFRC. And today, you are asking him did he see
18 anyone who said some other people were AFRC collaborators. They
19 are two different things altogether.

10:11:40 20 MR HARDAWAY: I will move on, Your Honour.

21 Q. Mr Witness, going back to Koidu Town, you said that you've
22 heard of Meiyor, correct? Near Koidu Town?

23 A. Yes, yes, I know about Meiyor.

24 Q. During the ECOMOG attack the RUF occupied Meiyor, didn't
10:12:05 25 they?

26 A. Yes.

27 Q. I put it to you, sir, that ECOMOG had occupied all of Koidu
28 Town and that the RUF had occupied the surrounding areas; what is
29 your response?

1 A. ECOMOG had, did not take the entire township of Koidu. The
2 township is too big. ECOMOG was unable to take the whole town.

3 Q. Mr Witness, you went to Freetown in December of 1998; is
4 that correct?

10:12:40 5 A. Yes, yes, I came to Freetown.

6 Q. And you stayed there until when, 2000?

7 A. 1998, yes, I was here in Freetown. Up to 2000.

8 Q. Okay. So you were in Freetown during the invasion in 1999,
9 weren't you?

10:13:06 10 A. 1999, yes, I was here during January 6th.

11 Q. During what? I didn't hear you.

12 A. 1999.

13 PRESIDING JUDGE: Well, look, I didn't hear that answer
14 either, Mr Interpreter. He said "yes."

10:13:29 15 THE INTERPRETER: During January 6.

16 MR HARDAWAY:

17 Q. During the invasion of Freetown, sir, did you see or hear
18 of any killings?

19 A. Yes, sir.

10:13:46 20 Q. What did you hear about killings?

21 A. Even in our surroundings they were killing people. We were
22 indoors. We normally never used to come outside, in fact, during
23 that time.

24 JUDGE SEBUTINDE: Mr Hardaway, are we talking about
10:14:08 25 Freetown now?

26 MR HARDAWAY: Yes, I am talking Freetown during the
27 invasion. I will clarify, Your Honour.

28 Q. During the Freetown invasion, which is January 6th, you
29 said you saw -- you heard of killings; correct?

1 A. Yes, sir.

2 Q. Who was doing these killings, sir?

3 A. I don't know the people who were killing.

10:14:39 4 Q. Did you see or hear of any amputations in Freetown during
5 this -- during this period -- during the invasion?

6 A. Yes, I heard about hacking; I heard about killings and
7 others.

8 Q. Did you hear about any rapes?

9 A. Yes, I heard people say it.

10:15:01 10 Q. And did you hear of any mutilations?

11 A. Yes, I saw people's hands chopped off.

12 Q. And did you see or hear of any abductions?

13 A. Yes, sir.

10:15:27 14 Q. Did you see or hear of any children being involved in any
15 of the crimes that you talked about in Freetown during the
16 invasion?

17 A. No. No, sir.

18 Q. Did you later come to find out who led -- who invaded
19 Freetown, in January 6th, 1999?

10:15:47 20 A. Yes.

21 Q. And who was it?

22 A. I came to know that later.

23 Q. Who was it? Who led the -- who -- who invaded Freetown in
24 January 1999?

10:16:03 25 A. They said it was a combined force of AFRC and RUF.

26 Q. The invasion, the leader of that Freetown invasion was the
27 first accused, Alex Tamba Brima, aka Gullit, wasn't it?

28 A. Well, I don't hear his name. The person whose name I heard
29 about was Sam Bockarie. I have never heard about that name that

1 you called, sir.

2 Q. So you heard that Sam Bockarie led the invasion in
3 Freetown; is that your evidence?

4 A. That was what I knew because he was the one that had been
10:16:46 5 talking over the BBC, so I knew that it was he.

6 Q. I put it to you that Alex Tamba Brima was the leader of the
7 Freetown invasion in January of 1999; what is your response?

8 A. That's what you say, sir, but I don't know.

9 Q. The second in command -- let me rephrase that. When did
10:17:16 10 you hear Sam Bockarie on the BBC, during the Freetown invasion?
11 When?

12 A. I cannot recall the time, the exact time. I cannot recall.

13 Q. But it was during the actual invasion; would you agree with
14 that?

10:17:43 15 A. It was after January 6. That was the time that they had
16 been interviewed. That was -- he was the one that had been
17 talking on behalf of the group.

18 Q. The second in command --

19 MR HARDAWAY: The Court's indulgence for one moment.

10:18:06 20 Q. Mr Witness, what exactly was Sam Bockarie saying on the
21 BBC?

22 A. He said a lot. See, I cannot recall. From that time up to
23 now, I say I cannot recall.

24 Q. Can you recall anything that Sam Bockarie said?

10:18:28 25 A. The one that I think, see, what he said about, he said that
26 a warship was coming and he talked about that ship. It was only
27 that part that I can remember up to now. He said one country had
28 sent a ship that was on its way and that's the only thing that I
29 can remember now.

1 Q. Did he say that his troops were in Freetown, that Sam
2 Bockarie's troops were in Freetown; did he say that?

3 A. Yes, sir.

4 Q. Mr Witness, the second in command of the Freetown invasion
10:19:17 5 was Ibrahim Bazy Kamara, wasn't it?

6 A. I don't know about that. I only knew about Sam Bockarie
7 because he was the one who had been talking over the wires, and I
8 knew that he was the one that invaded Freetown. I did not know
9 about any other person.

10:19:36 10 Q. I put it to you, sir, that Ibrahim Bazy Kamara was the
11 second in command to Alex Tamba Brima for the Freetown invasion
12 of January 1999; what is your response?

13 A. Well, well, I -- I don't know. I didn't know.

14 Q. Mr Witness, Santigie Borbor Kanu, aka Five-Five, was one of
10:19:59 15 the commanders in the invasion of Freetown, wasn't he?

16 A. I don't know, sir.

17 Q. I put it to you that Santigie Borbor Kanu, aka Five-Five,
18 was one of the commanders of the Freetown invasion in January
19 1999; what is your response?

10:20:18 20 A. That was what he said. I don't know. I don't know. I
21 don't have anything to say about that. I don't know. I did not
22 hear about his name. I did not know him.

23 Q. Mr Witness, from the Freetown invasion until today, other
24 than Sam Bockarie, did you come to know of any of the leaders or
10:20:47 25 participants in the Freetown invasion?

26 A. No, sir.

27 Q. I forgot to ask this before; forgive me, Mr Witness. You
28 are from Kono; is that correct?

29 A. Yes, sir.

1 Q. And you are a Kono by tribe?

2 A. Yes, sir.

3 Q. The Kono tribe is a very proud tribe, aren't they, sir?

4 A. I don't know what you mean --

10:21:25 5 Q. They are a very proud -- they are a very proud --

6 A. -- saying that Kono is a proud tribe; of what?

7 Q. -- the people who are Kono are a very proud and strong
8 people, aren't they?

9 A. They are strong. That doesn't mean that they are proud.

10:21:42 10 Q. Okay. Now [indiscernible] we know that they are strong.

11 If a Kono man were in trouble his fellow Kono men would come to
12 defend him, wouldn't they?

13 MS THOMPSON: Your Honour, I object to this. This is
14 hypothetical. If there -- if there are facts then I will request
10:21:59 15 my learned friend, I would ask that my learned friend actually
16 puts the facts to the witness, rather than putting hypothetical
17 situations to the witness.

18 PRESIDING JUDGE: Yes. What do you reply to that,
19 Mr Hardaway?

10:22:11 20 MR HARDAWAY: I am asking him his own -- well, I will make
21 it specific to him. I will make it specific to him.

22 Q. You would consider yourself a strong Kono man, wouldn't
23 you?

24 A. Yes, sir.

10:22:24 25 Q. And if another Kono man is in trouble, as a strong Kono
26 man, you would come to help him, wouldn't you?

27 A. No, sir. If he is wrong, I would tell him that he is
28 wrong. That is what I came here and swore. See, I would not add
29 and not subtract. If a Kono man does something that's bad, I

1 would tell the Kono man that he had done something that's bad. I
2 wouldn't say that because he is my Kono brother I would back him,
3 no.

4 Q. I put it to you, sir, that you are lying.

10:22:55 5 PRESIDING JUDGE: What's he lying about?

6 MR HARDAWAY: His whole evidence.

7 PRESIDING JUDGE: Put that to him

8 MR HARDAWAY:

9 Q. I put it to you, sir, that your entire evidence is a lie
10:23:03 10 and that you are only here to lie on behalf of the first accused
11 who is a fellow Kono man; what is your response?

12 A. It's not true.

13 MR HARDAWAY: I'm through with you, Mr Witness. I have no
14 further questions, Your Honour.

10:23:18 15 PRESIDING JUDGE: Thank you, Mr Hardaway. Ms Thompson,
16 anything in re-examination?

17 MS THOMPSON: Yes, Your Honour, just a few questions.

18 RE-EXAMINED BY MS THOMPSON:

19 Q. Mr Witness, you recall that you were asked questions, I
10:23:30 20 think it was yesterday, about your job with the NDMC; do you
21 recall that?

22 MR HARDAWAY: Objection, Your Honour. I didn't bring up
23 the NDMC in cross-examination.

24 PRESIDING JUDGE: Yes. What do you say to that,

10:23:46 25 Ms Thompson?

26 MS THOMPSON: My recollection was working with the NDM --
27 perhaps I mumbled -- but certainly working with diamonds. I will
28 check my notes but --

29 PRESIDING JUDGE: He -- the witness was certainly asked

1 questions about diamond mining but I don't recall a reference to
2 NDMC.

3 MS THOMPSON: Your Honour, he's answered -- he was asked
4 about diamond mining and his answer was "I worked for the
10:24:16 5 National Diamond Mining Company. It was not during the AFRC
6 period." And then there were questions as to his expertise and
7 knowledge of diamond mining which followed. May I proceed, Your
8 Honour?

9 HIS HONOUR: Yes, go on.

10:24:22 10 MS THOMPSON:

11 Q. Mr Witness, can you tell us what your job was exactly at
12 the MDNC - NDMC, I should say?

13 A. I was the administrative clerk.

14 Q. As an administrative clerk, did you have any direct -- did
10:24:54 15 you directly work with diamonds, I should say, as an
16 administrative clerk?

17 A. No, sir. No, ma'am. You would not even see the diamonds
18 with your eyes. It was just paper business.

19 Q. Mr Witness, you've also been asked a lot of questions about
10:25:13 20 your position and what you might know as a result of your
21 position. Now, I'm going to ask you, and bear in mind that you
22 are a protected witness, so, be careful. One of the positions
23 you held was in 1998; do you recall that?

24 A. Yes, ma'am.

10:25:39 25 Q. Now, I don't want you to give names. Can you tell this
26 Court if you reported to any specific organisation?

27 A. Yes, I used to report to the ECOMOG commander. Anything,
28 any information that I had, I would pass it on to him.

29 Q. Apart from the ECOMOG commander, in 1998, did you report to

1 anybody else, apart from the ECOMOG commander?

2 A. No.

3 Q. Now, you were asked today whether you worked with SLA
4 soldiers after the takeover and you answered "yes"?

10:26:27 5 A. No, we had not been working together. We were very close.
6 They would come and talk to me and they would go back. If
7 somebody came to you, you will not drive him no, you don't say
8 no, just come to me. I and they had not been working, so they
9 were soldiers and I was a civilian. How would I and they work
10:26:46 10 together? They would just come. They would come, they visited
11 me and they would say chief how was the area and I would say
12 there was no problem. I would say that we were there. That was
13 all. But to say that -- say all of us had been participating to
14 work together, no. See, it was not that I and they had been
10:27:03 15 working.

16 Q. Thank you, Mr Witness. That's very good. That's very
17 clear. Now, what I want to know is this interaction that you've
18 just told us about, do you recall which government was in power
19 when these soldiers would come and visit you?

10:27:22 20 A. Throughout, even -- even before the take-over, soldiers had
21 been coming to me. They said any assistance that they wanted,
22 I'd say I would help. That was how it operated, even before the
23 take-over, because it was in our place that the military
24 headquarters was. Even before the take-over, we all together
10:27:41 25 were in the same place.

26 Q. Thank you, Mr Witness. Sorry, Mr Witness, just one more.
27 Now, you mentioned a few minutes ago that you heard Sam Bockarie
28 over the BBC. Apart from Sam Bockarie, during the January 6th
29 invasion, did you hear anyone else, over the BBC, in relation to

1 the January 6th invasion?

2 A. No, ma'am

3 MS THOMPSON: Thank you, Mr Witness. Thank you very much.

4 Sorry, that concludes my re-examination.

10:28:16 5 PRESIDING JUDGE: Yes. Thank you, Ms Thompson.

6 QUESTIONED BY THE COURT:

7 JUDGE DOHERTY:

8 Q. Mr Witness, during the period of the AFRC government, did
9 you actually go to the mining sites in the Kono area?

10:28:34 10 A. No, ma'am

11 JUDGE DOHERTY: Thank you.

12 PRESIDING JUDGE: Yes. Well, thank you for coming to Court
13 and giving evidence, Mr Witness. Your testimony is now finished,
14 and we are going to arrange for you to be able to leave the

10:28:52 15 courtroom in a moment or so. So just sit there for -- until the
16 curtains have been drawn.

17 [The witness withdrew]

18 PRESIDING JUDGE: I understand the next witness is going to
19 be DAB- 156?

10:30:12 20 MS THOMPSON: That is so, Your Honour, yes.

21 WITNESS: DAB- 156 [Sworn]

22 [The witness answered through interpreter].

23 EXAMINED BY MS THOMPSON:

24 JUDGE SEBUTINDE: Ms Thompson, what language will this
10:32:09 25 witness take?

26 MS THOMPSON: Krio, Your Honour.

27 Q. Madam Witness, good morning.

28 A. Good morning, ma'am

29 Q. Madam Witness, I'm going to ask you some questions today.

1 A. Okay.

2 Q. Please listen carefully to my questions. Answer as best
3 you can.

4 A. Okay.

10:33:25 5 Q. And then, don't forget that what you say is being
6 translated, and we are writing it down. When I finish my friends
7 on this side might have some questions and then my friends on
8 that side might also have some questions.

9 A. Okay.

10:33:51 10 Q. Now, I know you haven't been feeling well so --

11 A. Okay.

12 Q. -- so if you try and listen to the questions, and then
13 answer the question directly, we will try and get through this --

14 A. Okay.

10:34:06 15 Q. -- as fast as we can, okay? So we won't keep you too long.

16 A. Okay. Okay.

17 Q. Thank you. Madam Witness --

18 THE INTERPRETER: Your Honours, would the witness be
19 instructed to come closer to the mic.

10:34:23 20 PRESIDING JUDGE: Madam Witness, the interpreter is having
21 trouble hearing you. Can you please bring that microphone a
22 little closer to you. Thank you.

23 THE WITNESS: Okay.

24 MS THOMPSON:

10:34:39 25 Q. Madam Witness, you are 26 years of old -- sorry, 26 years
26 of age?

27 A. Yes, sir.

28 Q. And you are married with a child?

29 A. Yes.

1 Q. You are, in fact, a Fullah by tribe?

2 A. Yes.

3 Q. And you live in the greater Freetown area?

4 A. I was born in Kono.

10:35:17 5 Q. Yes, Madam Witness. I haven't got to that stage yet. I'm
6 talking about where you live now. You live somewhere just
7 outside Freetown?

8 A. Yes.

9 Q. You are educated up to Form 2, secondary school?

10:35:36 10 A. Yes.

11 Q. And, as you've told us, you were born in Kono?

12 A. Yes.

13 Q. Madam Witness, May 1997, do you remember that month and
14 year?

10:35:56 15 A. I can recall '97.

16 Q. Okay. Can you tell us if you can recall if anything
17 happened in Sierra Leone in that year?

18 A. Yes.

19 Q. What was that?

10:36:17 20 A. That was the time that they overthrew.

21 Q. Overthrew who?

22 A. When I -- I have been hearing that it was the AFRC.

23 Q. Okay. Where were you when you heard that the AFRC had
24 overthrown?

10:36:42 25 A. I was in Koidu Town.

26 Q. Do you know who they overthrew?

27 A. No.

28 Q. Madam Witness, I'm going to take a jump from May 1997 to
29 February 1998; do you remember if anything happened in Sierra

1 Leone around February 1998?

2 A. Yes.

3 Q. Can you tell us what that was?

4 A. Well, the one that I can recall, was the time when they
10:37:38 5 ousted the AFRC government.

6 Q. Where were you then, Madam Witness?

7 A. I was still in Koidu Town.

8 Q. What were you doing in Koidu Town?

9 A. Well, there all my family were.

10:38:00 10 Q. After you heard that the government had been -- or the AFRC
11 had been ousted, do you recall anything happening in Kono? In
12 Koidu Town where you were, sorry?

13 A. Yes. Because where I was, I was --

14 Q. Please don't call the man's name -- you were a neighbour to
10:38:36 15 someone?

16 A. I was a neighbour to somebody who was the -- a relative of
17 the soldiers.

18 Q. Do you know what -- if that person worked?

19 A. Yes.

10:38:52 20 Q. What work did he do?

21 A. Well, he was in charge of the diamond that was being dug.

22 Q. Okay. Madam Witness, now, you said -- you told us that in
23 answer to the question if anything happened. Now, I want you to
24 tell me now if anything happened in Koidu?

10:39:15 25 A. During that time anything happened?

26 Q. Yes, Madam Witness. Please tell us.

27 A. Well, when I was a neighbour to that -- to that old man,
28 when we were trying to pull out, there was one other Lebanese who
29 sent for two trucks of Kamajors. That was what made us to fear

1 because I was helping that old man to show some house, some
2 works, so they had been even pointing to some soldier families to
3 be killed. So what made me to leave Koidu with the pa, I even
4 saw where one MP was burnt. He be put some tires around him at
10:40:25 5 main Opera. They've burnt him. That made me to be afraid and I
6 left Kono Town and I came to Kabala.

7 Q. Okay, Madam Witness. I didn't quite get what it is you did
8 for this man. Can you repeat that please? I just had works. I
9 don't know whether Your Honours heard anything different.

10:40:51 10 PRESIDING JUDGE: No, ask her again.

11 MS THOMPSON:

12 Q. Madam Witness, please, I'm going to ask you the question
13 again but please try and speak slowly and make sure the
14 interpreter --

10:41:04 15 A. Okay.

16 Q. -- so that the interpreter will interpret. You mentioned
17 that you did something for this man; what was it that you did?

18 A. Well, we were neighbours. He used to send me and I used to
19 do some household chores. He would ask me to fetch water for him
10:41:25 20 so that he could wash. So when I was so close to him, the
21 neighbours saw that I was so close to this old man, so that was
22 what made me to be with him in his place.

23 Q. Okay, Madam Witness. You said you left with this old man.
24 Apart from yourself and this --

10:41:48 25 A. Yes.

26 Q. -- old man, did anybody else leave with you?

27 A. Yes.

28 Q. Don't call their names, but just were they relatives?

29 A. Yes. It was -- it was the old man's members of his family

1 and other people that were my friends, all of us left together.

2 Q. Madam Witness, where did you go?

3 A. Well, from the time that we left Koidu Town, we walked to
4 go through Mansofinia. From Mansofinia --

10:42:39 5 Q. Just hold on a minute. Just hold on. You went to
6 Mansofinia. How long did it take you from Koidu Town to
7 Mansofinia?

8 JUDGE SEBUTINDE: Ms Thompson, is that Mansofia [sic] or
9 Mansofinia?

10:42:53 10 MS THOMPSON: Mansofinia, the one we've heard before.

11 JUDGE SEBUTINDE: That's not what the interpreter said.
12 I'm just wondering if it is two different places.

13 MS THOMPSON: I think -- let me put it back to the witness.

14 Q. Madam Witness, where did you go from Koidu Town? Can you
10:43:10 15 tell us again, please?

16 A. From Koidu Town, we walked -- because we passed some
17 villages, the Tombudu part and we came to Mansofinia.

18 MS THOMPSON: I think it's a question of pronunciation,
19 Your Honour.

10:43:32 20 Q. Okay, Madam Witness. How long did it take you to get to
21 Mansofinia?

22 A. Well, I cannot lie. But I cannot recall the date. See,
23 I've never walked so, while I was in a hurry so as to know about
24 my families.

10:43:57 25 Q. When you got to where you were going to Mansofinia, did
26 anything happen there?

27 A. Well, we did not stop there.

28 Q. Where did you go after that?

29 A. We went -- we went to Kurubonla, to Bunbuna.

1 Q. Did you stay there?

2 A. We were at Bunbuna. There we spent the night. We found
3 some food and we ate. From there, we walked and went to Binkolo.

10:44:51 4 Q. Your Honours, Bunbuna is B-U-N-B-U-N-A, and Binkolo is,
5 B-I-N-K-O-L-O. Did anything happen at Binkolo?

6 A. Well, nothing happened there that was bad that I knew about
7 but, when we arrived at Binkolo, the old man with whom I was, he
8 came and saw some soldiers who knew him. So they gave me a
9 vehicle so that we could go to Kabala Town. In that particular
10:45:23 10 area we did not walk. We went by vehicle.

11 Q. Madam Witness, do you know the names of some of these
12 soldiers you met at Binkolo?

13 A. Well, I don't know. It was the old man that knew him
14 That knew them. It was because of the old man that they did that
10:45:50 15 favour to us.

16 PRESIDING JUDGE: Anywhere that is convenient now,
17 Ms Thompson.

18 MS THOMPSON: I will stop there, Your Honour, because we
19 are actually moving to a new area and I hadn't realised the time.

10:46:02 20 PRESIDING JUDGE: Thank you. Witness, we are going to have
21 a short break now. I will just warn you. You are not permitted
22 to discuss the evidence or the case with any other person; is
23 that clear?

24 THE WITNESS: Okay.

10:46:17 25 PRESIDING JUDGE: All right. We will adjourn the Court
26 until 11.05.

27 [Break taken at 10.45 a.m.]

28 [Upon resuming at 11.08 a.m.]

29 PRESIDING JUDGE: Yes, Ms Thompson.

1 MS THOMPSON: Thank you, Your Honour.

2 Q. Madam Witness, we're going to continue from where we left
3 off before we had the short break. Now, you said that this old
4 man went to Kabala in a vehicle. Did you eventually arrive at
5 Kabala?

11:09:26

6 A. Yes, that very day, we were able to enter Kabala, from
7 Binkolo to Kabala.

8 Q. When you arrived at Kabala, did anything happen to you?

9 A. Yes.

11:09:53

10 Q. Can you please tell the Court.

11 A. Yes. When we reached Kabala, the old man went and saw his
12 son. He was with him. I also went and looked out for my own
13 family members. Because my mother hid from Kabala, so I went
14 there. Just when I went to my family members, but at that time,
15 the whole town was in turmoil. It was at that time that Junior
16 Lion met me. The place where he met me, he held me. He raped
17 me. He beat me on my forehead. Even as I'm talking to you, you
18 can see I have -- I have the scar there.

11:10:29

19 Q. Madam Witness --

11:11:04

20 A. I'm even ashamed of letting the public see it.

21 Q. Madam Witness, are you okay to continue? Madam Witness,
22 are you okay to continue?

23 JUDGE SEBUTINDE: We used to have a box of tissues --

24 THE WITNESS: Let me tell you. Before I get to this
25 particular area of my explanation, I will not feel fine at all.
26 Please, give me a little bit of chance. Let me come back to
27 myself.

11:11:39

28 JUDGE SEBUTINDE: Madam Witness, you can take a drink. You
29 might feel better.

1 MS THOMPSON:

2 Q. Madam Witness, I'm not going to ask you to dwell on that
3 experience, okay. It's on the record. I'll move on. Does that
4 help?

11:14:14 5 A. Yes.

6 Q. If you're okay to move on, shall we move on now?

7 A. Yes.

8 Q. Okay. Please take it easy and take it slowly.

9 A. Okay.

11:14:36 10 Q. After that, what you've just told the Court, did you
11 continue to stay in Kabala?

12 A. No. From there, he, the same Junior Lion took me from
13 Kabala and when he finished, he used the main line to go to Kono.

14 Q. Did you go to Kono with him?

11:15:19 15 A. Yes, yes.

16 Q. When you arrived at Kono, can you recall where exactly in
17 Kono you went to?

18 A. Yes, I can recall the place. It was at Five-Five Spot. It
19 was on the main Masingbi Road.

11:15:49 20 Q. Did you meet anyone there when you arrived there?

21 A. Yes, we met plenty people there. But that particular day,
22 I did not -- I was not used to the people, but the next day, I
23 saw people coming to visit him. I heard a man's name was called,
24 Colonel Savage. The man had red eyes.

11:16:26 25 Q. Madam Witness, how long did you spend in Kono?

26 A. Well, we stayed there for a long time because I was not
27 happy to stay under such a situation.

28 Q. Did you see eventually leave Kono?

29 A. Yes.

1 Q. Where did you go?

2 A. I was not the only person that left Koidu Town. We all
3 came back, he himself with Junior Lion, and his boys.

4 Q. Do you know the names of these boys?

11:17:23 5 A. I cannot recall their names, most of them, because they
6 were plenty.

7 Q. Now, when you -- I'm not sure if you told us this, but when
8 you left Kono, where did you say you went to?

9 MR HARDAWAY: Objection, Your Honour. Asked and answered.

11:17:50 10 She said Koidu Town.

11 PRESIDING JUDGE: I thought I heard her say she'd left
12 Koidu Town, not arrived at it.

13 MR HARDAWAY: [Indiscernible] Your Honour.

14 MS THOMPSON: That's the question I was asking, Your
11:18:03 15 Honour. I know she said they left Koidu Town, but I wasn't sure
16 whether she said where they went to. That's the question I was
17 putting back to her.

18 Q. When you left Koidu Town, where did you go?

19 A. Well, we came back to Mansofinia. To Mansofinia, we came
11:18:27 20 to Kurubonla.

21 Q. Do you remember how you travelled from Koidu Town to
22 Mansofinia?

23 A. Yes.

24 Q. How did you travel?

11:18:42 25 A. We came on foot to go there.

26 Q. Then from Mansofinia, you said you went to Kurubonla. How
27 did you travel to Kurubonla?

28 A. There, also, we walked on foot.

29 Q. How long did it take you from Mansofinia to Kurubonla?

1 A. Well, I don't want to lie. I cannot recall that.

2 Q. When you got to Kurubonla, who did you find -- did you find
3 anyone in Kurubonla?

4 A. Yes. We met many people there at Kurubonla.

11:19:34 5 Q. These people, do you know if they belonged to any fighting
6 faction?

7 A. Well, at that time when I reached there, because the people
8 with whom I went, together with Junior Lion, we met people there,
9 we met soldiers there, and the wives of soldiers, and we met some
11:20:07 10 other people, including civilians.

11 Q. These soldiers that you met, did they have a leader?

12 A. Yes. But that particular day, I was not -- I could not
13 know that person. It was when I stayed for some time that I came
14 to know the leader for them there.

11:20:37 15 Q. When you came to know the leader, did you know his name;
16 did you come to know his name?

17 A. Yes.

18 Q. What was that name?

19 A. It was Sergeant Musa who was the head for them.

11:20:56 20 Q. Did SAJ Musa have a deputy?

21 A. Yes. There were people who deputised him.

22 Q. Do you know their names?

23 A. Yes, I can recall some of their names.

24 Q. Can you please tell the Court?

11:21:26 25 A. Yes.

26 Q. Madam Witness, I think I asked you if you could tell the
27 Court the names of the deputy.

28 A. The people that I can recall that I knew deputised him, and
29 I think they were -- they did things in common, because I was now

1 staying with them for some time. I had been used to them. There
2 was one FAT and there was King and he himself, Junior Lion.
3 Those are the names that I can recall.

4 Q. Okay. This FAT, do you know if he has a surname?

11:22:46 5 MR HARDAWAY: Objection. Leading.

6 PRESIDING JUDGE: I'll allow it. He's come up in evidence
7 before. We all know the other name that Ms Thompson's referring
8 to. It's an easy question, Madam Witness. You either know the
9 answer or you don't. All you have to do is so say.

11:23:16 10 THE WITNESS: I didn't get you clear.

11 MS THOMPSON:

12 Q. Now, you mentioned one FAT. You mentioned King and you
13 mentioned Junior Lion. I asked -- the question I'm asking you,
14 FAT, does he have a surname? Do you remember if he has a
11:23:34 15 surname?

16 A. Well, I cannot recall the surname, because I never knew it.
17 I only heard people call him FAT.

18 Q. All right, Madam Witness, let's move on. Now, how long did
19 you stay in Kurubonla for? Sorry, I withdraw that. I withdraw
11:24:00 20 that. I'll ask you another question: Whilst in Kurubonla, did
21 anything happen?

22 A. Well, what I can recall that happened, because I was there
23 under the auspices of Junior Lion, because he told me at all
24 times what I should do, but at a point in time, I found out about
11:24:25 25 a man who was called Simon, and he spoke to King and he said that
26 he knew me, so I should stay with him. And at that time, King
27 was Junior Lion's friend, so anything he tells Junior Lion,
28 Junior Lion will take it. Therefore, Junior Lion decided to
29 release me. And, at that time, I stayed with him this

1 [redacted].

2 MS THOMPSON: Your Honours, I think that is likely to
3 identify this witness, the name of the person she subsequently
4 went to stay with. It may be an idea, for the purpose of
11:25:01 5 protecting her identity, for that name to be redacted off the
6 records, and I will then tell her not to mention that person's
7 name again.

8 PRESIDING JUDGE: Right. That last name can be redacted.

9 MS THOMPSON:

11:25:18 10 Q. Madam Witness, you remember you mentioned a name of the
11 person you went to stay with. Just now, you just mentioned the
12 name.

13 A. The person who took me to Mansofinia was Junior Lion.

14 Q. Yes, I know that. I know that. Listen carefully to what
11:25:44 15 I'm saying, please. This is important. You've mentioned that
16 King asked Junior Lion to release you; not so?

17 A. Yes.

18 Q. And you went to stay with another person.

19 A. Yes.

11:26:06 20 Q. That person's name you just called it, please don't call it
21 again, okay?

22 A. Okay, sir.

23 Q. If you want to, you can refer to -- you can refer to him,
24 but not by name, all right?

11:26:36 25 A. Okay.

26 Q. When you went to stay with this person, what did you go to
27 stay with this person as?

28 A. Well, he used to encourage me and he even told me that he
29 was a married man, he had his wife in Freetown here, but that he

1 would want me to become his second wife. And he was actually
2 taking good care of me. And at that time, I also became very
3 lively around him, because I was just from a stressful situation.

11:27:20 4 Q. When he asked you to become his second wife, did you
5 eventually become his wife?

6 A. Yes.

7 Q. Now, Madam Witness, apart from that in Kurubonla, did
8 anything else happen?

9 A. Yes.

11:27:48 10 Q. Can you tell the Court, please?

11 A. Well, when we were there at that time now, I became very
12 used to that man with whom I was now staying. And, at that time,
13 any time Sergeant Musa said something, the man would tell me.
14 And later he came - and at that time we were sleeping at night -

11:28:12 15 he told me, they were going to travel to go somewhere. They were
16 going to look out for another place, another town. But because,
17 according to him, it was Junior Lion who was leading the troops,
18 I shouldn't go with him. He will let me stay with his brother,
19 who was [redacted]. Then I agreed to it. And they first went
11:28:34 20 ahead.

21 MS THOMPSON: Again, Your Honour, I think perhaps the last
22 name ought to be redacted and we'll keep it at his brother.

23 PRESIDING JUDGE: That's going to tend to reveal the
24 witness's identity, is it?

11:28:51 25 MS THOMPSON: It may do, Your Honour. It may do.

26 PRESIDING JUDGE: That last name of the brother can be
27 redacted from the transcript.

28 MS THOMPSON:

29 Q. Madam Witness, you must be careful not to mention names

1 that might ultimately reveal your identity, okay? I'll try and
2 guide you as much as I can --

3 A. Okay.

4 Q. -- but you have to be careful. Now, did your husband
11:29:21 5 subsequently leave Kurubonla?

6 A. Yes. He left me and I stayed at Kurubonla. At that time,
7 he and Junior Lion and others went to look out for another place,
8 and later, they said we should go and meet them there.

9 Q. Who said you should go and meet them there?

11:29:41 10 A. It was my husband that said that to me. He said, as they
11 were leaving, I should stay and, later, we should go and meet
12 them there. And he said as I'm there, let me - don't be worried
13 about any other thing, later I will meet him ahead.

14 Q. Okay. Did you subsequently leave Kurubonla?

11:30:08 15 A. Yes, later I left Kurubonla, together with his brother.

16 Q. Apart from yourself and his brother, who else did you leave
17 Kurubonla with? You can name names now.

18 A. Well, we were many, but I can recall some of the names that
19 I was used to.

11:30:35 20 Q. Can you tell us then, please?

21 A. You want me to call the names?

22 Q. Yes, but let me ask you one question first, before you do
23 that. These people that you left with, were they civilians?

24 A. Well, we left together with some civilians and even
11:31:04 25 soldiers were together with us again.

26 Q. The soldiers who were with you, do you know their names?

27 A. Yes.

28 Q. Not the civilians, the soldiers' names. Can you tell us
29 who the soldiers were?

1 PRESIDING JUDGE: And not the brother either.

2 MS THOMPSON:

3 Q. And not the brother.

4 A. Okay. We were now there, together with one soldier called
11:31:37 5 0-Five and Keforkeh. I know those people, because even my
6 husband's brother was a soldier, but you have said that I
7 shouldn't call his name.

8 Q. That's quite right, Madam Witness. Now, when you left
9 Kurubonla, did you know where you were heading?

11:32:09 10 A. Well, I never actually knew where we were heading for. I
11 shouldn't lie.

12 Q. On the way going, do you remember if anything happened?

13 A. You mean the time my husband and others had gone ahead, and
14 the time we left to go? Let me understand you well.

11:32:37 15 Q. When you were going -- you've mentioned you, your husband's
16 brother, 0-Five, Keforkeh and some civilians. When you were
17 going, did anything happen on the way?

18 A. Yes.

19 Q. Can you tell the Court what happened?

11:32:59 20 A. As we were going to look out to the place where my husband
21 and Junior Lion and others had gone to look out for, we came back
22 to Mansofinia. After Mansofinia, there was another village that
23 I can recall, which was called Worodu. From Worodu, then we went
24 to Yarya.

11:33:28 25 Q. When you got to Yarya, did anything happen in Yarya?

26 A. Yes.

27 Q. Can you tell the Court?

28 A. Well, when we got to Yarya, we and the other wives of the
29 soldiers and some other soldier families, because they had their

1 families there, we were now there, two of us, together with some
2 other soldiers and we saw the other soldiers going ahead. And
3 when they came back, they told us that they had gone to a farm
4 where they met a soldier and he's been arrested. But that
11:34:11 5 moment, I was unable to see the soldier with my own naked eyes.

6 Q. Did they tell you who the soldier, who had been arrested,
7 was?

8 A. That very moment, they didn't tell me. It was when we were
9 going ahead, when we met the men there that I came to know the
11:34:39 10 man who was arrested.

11 Q. And do you recall who this person was that was arrested?

12 A. That very day, when we had reached where my husband was, I
13 never knew the person, but the name that they called, I have it
14 in mind that I cannot easily forget. My husband showed me the
11:35:08 15 name.

16 Q. Okay, Madam Witness. Let me backtrack. When you were in
17 Yarya and they came and said someone -- a soldier had been
18 arrested, at that point, did you know the soldier's name?

19 A. Well, at that time, they only told us that they had
11:35:39 20 arrested a soldier. People were calling his name, but I never
21 believed that that was the name. It was when I reached where my
22 husband was that I came to know the name. And my husband told me
23 that they even arrested some other people at the place there.

24 JUDGE SEBUTINDE: Ms Thompson, I'm a bit confused. The
11:36:02 25 testimony is that a soldier was arrested and then they arrested
26 this soldier. Is it the group that was walking with this witness
27 who actually carried out the arrest?

28 MS THOMPSON: I'll clarify that.

29 JUDGE SEBUTINDE: Or they found a soldier had been arrested

1 by unknown people?

2 MS THOMPSON: I'll clarify that.

3 Q. Madam Witness, when you -- do you know who had arrested
4 this soldier?

11:36:31 5 MR HARDAWAY: Objection, Your Honour. She said other
6 soldiers.

7 PRESIDING JUDGE: Yes, she said she saw some soldiers going
8 ahead and [overlapping speakers] --

9 THE WITNESS: I said a soldier.

11:36:45 10 PRESIDING JUDGE: She has answered it, Ms Thompson.

11 MS THOMPSON:

12 Q. Do you know which group these soldiers were with? These
13 soldiers that arrested this man, do you know which group they
14 were with?

11:37:07 15 A. Well, the group that we were going ahead with was the group
16 that they were together with.

17 Q. Okay. Now, you say that when you reached where your
18 husband was, he told you this soldier's name. Can you remember
19 the name that your husband told you?

11:37:34 20 A. Yes, I can recall some of their names, but I cannot recall
21 all of them because there were many.

22 Q. Can you tell us those names, please?

23 PRESIDING JUDGE: Are these the names of the people who
24 were arrested, or the names of the soldiers who were arrested?

11:37:51 25 MS THOMPSON: I think I'll start with the first one,
26 Your Honour. I'll backtrack a little bit.

27 Q. The name of the soldier who was arrested in Yarya is the
28 name I'm asking for, Madam Witness. Do you recall the name --
29 you said your husband told you the soldier's name. Do you recall

1 what name he told you?

2 A. Yes.

3 Q. Can you tell us, please?

4 A. Well, the name he told me about, that I know, was Tamba
11:38:22 5 Brima.

6 Q. Now, before this arrest, had you seen this Tamba Brima
7 before?

8 A. I never knew him before. I've never seen him with my eyes.

9 Q. Madam Witness, you've mentioned that you went to meet your
11:38:46 10 husband. Where is it that you met your husband?

11 A. Well, the town where I met my husband, because I never knew
12 the name of the town, it was my husband that showed me the name.
13 The town was called Eddie Town.

14 Q. Apart from your husband, who else was at Eddie Town when
11:39:07 15 you arrived?

16 A. Well, the very first man that captured me, he was also
17 there because he was the one who was leading my husband and the
18 others in the squad that were going ahead, who was Junior Lion.
19 And FAT too was there. King also was there. And some other
11:39:37 20 soldiers were there. They also went with their own families.

21 Q. Do you know if there was a boss, a leader, at Eddie Town
22 when you arrived there?

23 A. Well, it was people like FAT, himself, and Junior Lion and
24 King. Those were the people that I knew that they said, "We are
11:40:14 25 the leaders of that batch." But it was Eddie who found -- found
26 Eddie place.

27 Q. This Tamba Brima, who you said was arrested in Yarya, did
28 you see him after this arrest whilst you were in Eddie Town?

29 A. Yes.

1 Q. Where did you see him?

2 A. Well, it was almost night fall and my husband told me that,
3 in the morning, if I would be brave enough to go and see where
4 they had locked up the guys, the men who they arrested. And they
11:41:05 5 said, if I am brave enough to go and see where the men were, the
6 men who were arrested were kept, and I told him that as long as
7 you have the mind to do so, and I am with you, I also have the
8 gut to do so.

9 Q. Okay. Madam Witness, before we get there, I asked you
11:41:25 10 about one man and you now are telling us about men who were
11 arrested. Did you see -- apart from Tamba Brima, did you see
12 anybody else arrested?

13 A. Well, I didn't see any other person arrested. But then
14 when I arrived at Eddie Town, it was my husband that told me.
11:41:50 15 And he said they had arrested some other people. We met them
16 arrested. I was not there, I never saw. But they had gone ahead
17 and he was the person who told me.

18 Q. Okay. Did you subsequently see these people?

19 A. Yes. I saw them at Eddie Town.

11:42:10 20 Q. Where in Eddie Town did you see them?

21 A. They dug a hole. There was a way that they used to call
22 it. That was normally where they used to keep them. And when it
23 was daylight and the sun was very hot, they would take them out
24 for them to look at the sun and I asked my husband. I said, "Why
11:42:45 25 are these men very much old men that you've arrested"? And he
26 later told me the reason why they have arrested the people.

27 Q. And what was the reason he told you?

28 A. My husband told me that the people had wanted to escape.
29 That is the reason why they are now suffering, and they are not

1 going to escape to anywhere. That is why they are suffering.
2 They are going to suffer the penalty and they were all in
3 civilian clothing. They had people who were guarding them, but
4 they were not carrying guns when they were being guarded within
11:43:26 5 that surrounding.

6 Q. Do you remember how many of them there were?

7 A. Well, I can recall some of the names, but I cannot
8 recall the exact number of them.

9 Q. Okay. Can you tell us some of these names you can
11:43:46 10 remember?

11 A. Well, I can recall the name Tamba Brima and Santigie Kanu.
12 I can recall Ibrahim Bazzy, and Abdul Sesay and Woyoh. Those
13 particular people, I can recall the names. The others I cannot
14 recall.

11:44:18 15 Q. Okay. Apart from seeing the arrested people in Eddie Town,
16 Madam Witness, do you recall anything else happening in Eddie
17 Town?

18 A. Yes, what I can recall is what I have to say.

19 Q. Yes, Madam Witness, please carry on.

11:44:44 20 A. Whilst we were now at Eddie Town, from there, when we had
21 left Kurubonla, SAJ Musa met us there in Eddie Town again. He
22 and his own squad, that was where they met us now.

23 Q. Do you know some of the people in SAJ Musa's squad?

24 A. Well, I don't know them, because they also came with a very
11:45:19 25 large population to the place.

26 Q. Okay. Do you remember when SAJ Musa came to Eddie Town,
27 the month?

28 A. Well, I cannot recall the month, but what I can recall, for
29 sure is that, at that time, it was almost during the rains,

1 because we'll have -- we would have sun at a point in time and
2 then later we would have rains. It was almost like at the end of
3 the rainy season.

11:46:07 4 Q. After SAJ Musa came to Eddie Town, did you continue to stay
5 in Eddie Town, Madam Witness?

6 A. Yes, they did not come and we left. We were there for some
7 days in the town.

8 Q. After those days, Madam Witness, where did you go?

11:46:36 9 A. Well, after those days, SAJ Musa said they should head
10 back, to come to Freetown.

11 Q. Did you come to Freetown, Madam Witness?

12 A. Yes.

13 Q. When you were coming to Freetown, Madam Witness, who did
14 you come with?

11:46:56 15 A. When -- because when we were coming, we did not come the
16 same day. Junior Lion would travel, like, today. The next batch
17 would travel, like, tomorrow. We would go, like, next tomorrow.
18 At any time where Junior Lion was, the place would be safe and
19 when we arrived there, there would be no problem in the place.

11:47:25 20 Q. So you would be -- by your explanation, you would be the
21 third set of people who would leave; is that what you're saying?

22 A. The third group with SAJ Musa's own people, when they had
23 met us, when we were with SAJ Musa, because he would not allow
24 the women to be ahead. He said no woman should be with her
11:47:57 25 husband, so we should be with the men that were arrested.

26 Q. These men that you say you should be with the men who were
27 arrested, are they the same men as the ones you had seen in Eddie
28 Town?

29 A. Yes, they were the same men who were with me.

1 MS THOMPSON: That should be "Who were with us. "

2 Q. Madam Witness, on the way from Eddie Town to Freetown, do
3 you recall anything happening?

4 A. Yes.

11:48:47 5 Q. Please tell us.

6 A. I can recall when we were coming from Eddie Town, the first
7 town that we passed, there was a lot of water, because that
8 particular water, in fact, it was -- men had been helping us to
9 cross. In fact, we struggled to cross that -- on that stream. I
11:49:08 10 can recall one town that was called Gbendembu. That was the only
11 town that I can recall.

12 Q. After you passed that, coming down to Freetown, did
13 anything else happen, that you can recall?

14 A. Yes. When we arrived, when we had left that particular
11:49:34 15 place, we walked to come to Freetown, because we walked -- we
16 climbed the hills. We really struggled in order to come, until
17 we reached Waterloo.

18 Q. What happened at -- did any -- sorry, I beg your pardon.
19 Did anything happen at Waterloo?

11:49:55 20 A. Well, Waterloo, when we arrived there -- see, when we were
21 at the back, we heard a heavy firing. But because even when we
22 had been coming, ECOMOG had attacked us. They had been firing.
23 That plane that had been flying, it would drop bombs and it would
24 burn houses and it would kill people. See, I only forgot to tell
11:50:22 25 you about this incident.

26 Q. Where was this plane bombing houses; do you remember?

27 A. Yes. It was because that plane, which was threatening
28 people in Kono, that was why we came, that was why we came to
29 Eddie Town. This plane had been disturbing us. Early in the

1 morning, none of us were in the town. So we'd go into the bush.
2 We'd be in the bush until around 7.00, then we'd come into the
3 town, because it was because of that plane that we had been
4 hiding in the bush.

11:51:04 5 Q. Where was this, Madam Witness?

6 A. Even when we were at Colonel Eddie Town, we used to hide
7 from it. Even at Kurubonla, we used to hide from it. Even in
8 Kono, we used to hide from it.

9 Q. Okay, Madam Witness. Now, I asked you about Waterloo.

11:51:29 10 Apart from these planes and you've said heavy firing, did
11 anything else happen?

12 A. Yes. So from Waterloo, by then, we came, we arrived at
13 Benguema. Because that was my first time of knowing Benguema,
14 Benguema, although I knew Freetown, but that was my first time of
11:51:58 15 knowing Benguema, which they said was the barracks for the
16 soldiers. That was my first time of knowing it.

17 Q. Do you know if anything happened in Benguema?

18 A. Yes. When we were at Benguema the ECOMOG had been firing
19 one gun, but that gun, which had been fired -- the place would be
11:52:22 20 dark -- the place would be bright as it is here. So we were
21 afraid. We, the women, did not know about that. SAJ Musa had
22 been advising us not to be afraid because they had just been
23 threatening us, so they said we should not be afraid.

24 Q. Did anything happen there?

11:52:47 25 A. Yes, we were at Benguema. Because there that time, since
26 we had walked, a lot had started to be acquainted with SAJ Musa.
27 I would fetch water for him, because I was just trying to fetch
28 and to save my life. Because even the man with whom I was, I did
29 not have confidence in him and SAJ Musa was the commander for all

1 the group.

2 Q. Yes, Madam Witness. Please, I asked you if anything
3 happened and you said "yes."

4 A. Yes.

11:53:17 5 Q. Please, let's move to what happened?

6 A. So, when we are at Benguema, back then, the place where
7 they kept the ammunition, they had guns which they had been
8 firing with. SAJ Musa said that everything should be removed
9 from that place. The building, it was a one big building. They
11:53:36 10 said they should remove everything. So when a place -- an
11 indigene like me was by him when he was saying those words, so
12 when he took the guns out, and SAJ Musa told his boy, he said
13 they should set the fire ablaze.

14 Q. Did they set it ablaze?

11:53:58 15 A. Yes. They set it ablaze, so when they set it ablaze, it
16 was the bomb. It was there that there was a bomb, and that was
17 the time that it exploded. When it exploded, that was the -- a
18 fragment came and hit him on his head.

19 MS THOMPSON: Mr Interpreter, I think the witness said
11:54:27 20 building. First you said fire ablaze and then it was it ablaze.

21 THE INTERPRETER: Yes, it ablaze, that is the building, set
22 it ablaze.

23 MS THOMPSON:

24 Q. After that happened, Madam Witness, do you recall anything
11:54:46 25 else happening?

26 A. Yes. We took SAJ Musa to one hill, because a lot of people
27 did not know that SAJ Musa had died. The place was quiet. All
28 the soldiers were quiet during that time. So -- so they said
29 that it was in Freetown that they would actually bury SAJ Musa.

1 I heard that in my ears, but it was not like that.

2 Q. Who took SAJ Musa?

3 A. Well, it was his boys.

4 Q. Do you know any of these boys?

11:55:31 5 A. If I should see them, I would know them, but I did not know
6 their names. But if I should see them, I would know them

7 Q. Now, Madam Witness, you had said that they arrested men who
8 were travelling with you. When you were in Benguema, where were
9 these arrested men?

11:55:46 10 A. When we reached Waterloo, the firing, it was so intensive,
11 so everybody was trying to save his life. So I did not want to
12 know about those men again. I did not see them from that time.
13 Let me don't say lies. From that time, I did not see them again.

14 Q. Okay. Carry on. Did you continue to stay in Benguema?

11:56:20 15 A. No. I continued to travel with them again, to head for
16 Freetown.

17 Q. Whom did you travel with?

18 A. So we travelled with Junior Lion, O-Five, with FAT, with
19 some soldiers. We travelled, we, the civilians. The families of
11:56:52 20 the soldiers were with them when we were travelling to come to
21 Freetown.

22 Q. Do you know if they had a leader at this time?

23 A. Yes, it was FAT. Well, I heard that he was the one that
24 should lead to come to Freetown.

11:57:12 25 Q. Madam Witness, you said you headed to Freetown. Did you
26 actually arrive in Freetown yourself?

27 A. Yes.

28 Q. Whereabouts in Freetown did you arrive?

29 A. Well, we walked again from Benguema. When we had left

1 Benguema, we were coming. But they said SAJ should be buried in
2 Freetown. So, when they were carrying the body, it was falling
3 on the ground. So they came to realise that they would not be
4 able to bring the body to Freetown. So where they buried him,
11:57:55 5 like, an indigene like me knows the place, so it was in one
6 village after Benguema, up one hill. You have two mango trees.
7 There is one mango tree here and the other was there and, in the
8 middle, there he was buried. If I should go to the village, I
9 know where SAJ Musa was buried, I, that am sitting here.

11:58:19 10 Q. Okay, Madam Witness. Where in Freetown did you come?

11 A. Well, when we had left the place, we walked and passed
12 Hastings. From there, we stayed at kola tree. So when we were
13 staying at kola tree, it was from kola tree that we entered
14 Calaba Town, so that was during the Muslim month of fast -- of
11:58:51 15 Ramadan. So early in the morning when they had been fasting --
16 but I did not enter this town. We stopped at Ferry Junction, by
17 Kissy there. There, we stopped.

18 Q. When you say, "we stopped at Ferry Junction," who was with
19 you? Who stopped with you at Ferry Junction?

11:59:09 20 A. Well, my husband, he himself did not come. We all stayed
21 there, with his brothers and the others who came into town.

22 Q. Who came into town, Madam Witness? You stopped at Ferry
23 Junction. Who came into town?

24 A. Well, I stayed at Ferry Junction. It was not that somebody
11:59:37 25 was stopped not to come into town, but we feared the firing,
26 because the population was so much. So Junior Lion were the ones
27 that entered into Freetown here, see, with King, with 0-Five.
28 They were the ones that entered Freetown.

29 Q. Apart from Junior Lion, King, 0-Five, do you remember the

1 names of any other person who entered Freetown?

2 A. The names, I know a lot of soldiers, but I cannot recall
3 all their names.

4 Q. Okay. Now, Madam Witness, how long did you stay at Ferry
12:00:18 5 Junction for?

6 A. We stayed there for a considerable time, because the way in
7 which the plane had been firing, so you had the people coming out
8 tying white rags on their hands and the others, civilians, would
9 come out, saying that we wanted peace, we wanted peace. And
12:00:46 10 there was one lady, who was a friend of mine who came into
11 Freetown, but when she returned and came, and said that that
12 plane had killed a lot of people, soldiers, pregnant women at
13 this main Siaka Stevens Street.

14 Q. Madam Witness, at this time, did you see any of the
12:01:12 15 arrested persons at Ferry Junction?

16 MR HARDAWAY: Objection, Your Honour. She testified that
17 she never saw them after Waterloo.

18 PRESIDING JUDGE: That's correct, Ms Thompson.

19 MS THOMPSON: I'll move on, Your Honour.

12:01:26 20 Q. Okay. After you -- you said you stayed at Ferry Junction
21 for some time. Did you subsequently leave Ferry Junction?

22 A. Well, when I left Ferry Junction, it was because they had
23 piled a lot of pressure on them here. ECOMOG had been firing.
24 The firing was intensive, people had been dying. So they saw, in
12:01:51 25 fact, they had more families. Instead of their families to die,
26 they decided to withdraw, so we used the mental hill roads on the
27 hills, so we walked. We did -- we did walk.

28 Q. Where did you walk to?

29 A. Well, we walked -- we returned to Benguema.

1 Q. Did you stay in Benguema?

2 A. When we were going -- I'm sorry, that particular part, when
3 they had said that Junior Lion had come and opened this Pademba
4 Road, it had been opened, SAJ's wife was there, but I had never
12:02:40 5 known her. It was at Benguema that I knew her, SAJ's wife. I
6 saw the late president. That was the very day that I knew that I
7 knew him. And they also freed one old man who was blind. He was
8 blind, so they used to hold his walking stick. So we all used
9 those hills to come to Benguema. That was how I came to know
12:03:08 10 them facially.

11 Q. Did you stay at Benguema, Madam Witness?

12 A. Yes.

13 Q. How long did you stay at Benguema for?

14 A. Well, we stayed there for a long time, because other people
12:03:25 15 have come to Waterloo. Superman and the RUF were at Waterloo, so
16 we would walk from Benguema to Waterloo to find food, and we'd
17 go -- so things were normal for us during that time. During that
18 time, ECOMOG were not prepared.

19 Q. Where was your husband at this time?

12:03:42 20 A. Well, my husband was at Benguema during that time.

21 Q. Did you subsequently leave Benguema at this time?

22 A. Yes. Why we left Benguema --

23 Q. Wait. You said "yes." The question I was going to ask you
24 then was: Where did you go?

12:04:05 25 A. When we left Benguema, we walked, continued walking,
26 because ECOMOG attacked the place. The jets had been disturbing,
27 so the plane had been firing, so we walked -- we went through
28 bush roads to go to Mile 38, those areas.

29 Q. Did you stay at Mile 38?

1 A. Yes. We were there for some time.

2 Q. Did you eventually leave Mile 38?

3 A. Yes, we left Mile 38.

4 Q. Where did you go?

12:04:52 5 A. We came to Lunsar.

6 Q. And who did you go to Lunsar with?

7 A. My husband. We all came to Lunsar with his brother.

8 Q. Did you stay at Lunsar?

9 A. Yes. We stayed at Lunsar, because, during that time --
12:05:20 10 see, I had already become pregnant for this man. It was from
11 Mile 38 that I had this pregnancy.

12 Q. Did you subsequently leave Lunsar?

13 A. Yes. We stayed at Lunsar for some time. We left this
14 place and went to Makeni Town.

12:05:39 15 Q. When you arrived at Makeni, did you see anyone you know, or
16 you knew, I should say? Did you see anyone who you knew?

17 A. Well, that particular moment when I arrived in Makeni, I
18 did not know anybody initially, except when I had stayed for some
19 time before, I had become acquainted with people.

12:06:07 20 Q. Madam Witness, did you see soldiers at Makeni?

21 MR HARDAWAY: Objection. Leading.

22 MS THOMPSON:

23 Q. Madam Witness --

24 PRESIDING JUDGE: Yes, Ms Thompson.

12:06:19 25 MS THOMPSON: I'll rephrase.

26 Q. Madam Witness, did you see any fighting factions in Makeni?

27 A. Yes. We were mixed up in the place. RUF were there. The
28 SLA soldiers were there again.

29 Q. Do you know any of these SLA soldiers who were in Makeni?

1 A. I know them, but I don't know their names, most of them

2 Q. Whilst you were in Makeni, did anything happen?

3 A. Yes.

4 Q. Please tell us.

12:07:06 5 A. We had stayed in Makeni for some time, so my stomach had
6 become strong. That was the time that the RUF, with the SLA,
7 fought. So there was heavy firing in Makeni Town. So in Makeni
8 Town by then, the soldiers were not able, so they left Makeni
9 Town and they found their own side where they stayed, which was
12:07:39 10 the Okra Hill.

11 Q. Okay. Madam Witness, before I ask you about that, you said
12 your stomach had become strong. Now, before I ask you to clarify
13 that for the records, I'm going to ask you one question: Were
14 you still pregnant at this time?

12:07:55 15 A. Yes. See, I was still pregnant.

16 Q. Do you know how far gone your pregnancy was at that time?

17 A. Yes. It was something between eight to nine months. It
18 was strong by then.

19 Q. Now, you said the soldiers left to Okra Hills; where did
12:08:21 20 you go -- left Makeni to go to Okra Hills. Where did you go,
21 Madam Witness?

22 A. Well, at that time, when the firing had taken place, I did
23 not know the whereabouts of my husband, I did not see him. So
24 all of us had dispersed. They had come, because they had been
12:08:44 25 trying to escape to try to save their lives. So who -- when they
26 saw a soldier, the other soldier --

27 THE INTERPRETER: Your Honours, would the witness go a
28 little bit slow?

29 MS THOMPSON:

1 Q. Madam Witness, start again and take it slowly because the
2 interpreter lost you somewhere, okay. You were talking about the
3 soldiers had dispersed, everybody had dispersed. The question I
4 asked you was: Where did you go? Just stick to that, please.

12:09:16 5 Just tell me where you went. You've told us that your husband --
6 you couldn't find your husband, so where did you go?

7 A. Yes. I went and stayed with one old man that was called
8 Pa Demba. I met a lot of the wives of soldiers who were with the
9 old man.

12:09:36 10 Q. How long were you there for?

11 A. Well, I stayed with the old man for four days.

12 Q. And where did you -- where was this man?

13 A. Well, the old man, my -- I did not know the whereabouts of
14 my husband. Let me don't say lies.

12:10:01 15 Q. No, no, no, no. This man that you went to stay with, whom
16 you stayed with for four days, what town was he in?

17 A. It was in Makeni Town.

18 Q. Okay. After those four days, where did you go?

19 A. After those four days, I saw another group, which was the
12:10:25 20 family of the soldiers. They were heading to come to Berry
21 Junction. They said they heard that the SLAs were at Okra Hills.
22 That's where I joined them.

23 Q. Did you arrive at Okra Hills?

24 A. Yes. We walked from Makeni to Lunsar. From Lunsar, we
12:10:48 25 reached Okra Hills. By then, my pregnancy was already strong, so
26 we arrived at Berry Junction. So we met some Ogas at Berry
27 Junction, so they were sympathetic with me simply because I was
28 pregnant. They were the ones who directed us where our husbands
29 were.

1 Q. Madam Witness, I'm going to ask you two questions. First,
2 who were Ogas?

3 A. The Nigerians who had been fighting.

4 Q. Secondly, do you know if Okra Hill is known by any other
12:11:28 5 name?

6 A. Well, it was when I arrived there that I came to know that
7 Okra Hills had other name that I heard about.

8 Q. What was the other name?

9 A. Well, we walked. When we had arrived there, by then, I
12:12:06 10 heard some people -- Junior Lion's boys called the place West
11 Side.

12 Q. Madam Witness, do you know who was in charge of this place?

13 A. I don't get you clear.

14 Q. Do you know who was in charge of this West Side?

12:12:25 15 A. Yes.

16 Q. Who was it?

17 A. Well, Kalleh was there. He was the big man with he, the
18 Junior Lion. They were the ones that we met there as big men.

19 Q. Apart from Kalleh -- does Kalleh have another name? Do you
12:12:55 20 know if there is another name for Kalleh; if you can remember?

21 A. Well, it was that Kalleh that I knew.

22 Q. That's fine. Apart from Kalleh and Junior Lion, did you
23 see anybody else at this place?

24 A. Yes, I met a large population there again at the place.

12:13:28 25 Q. Do you know the names of some of these people you met at
26 West Side?

27 A. Yes.

28 Q. Who were they?

29 A. Well, the men who -- whom I had left to see, I met them

1 there at the Okra Hills, but they were still under arrest.

2 Q. Which men had you -- which you had stopped -- which men --
3 let me rephrase this. Now, you said the men who you had stopped
4 seeing, and then you saw them again, who were these men?

12:14:13 5 A. Well, I saw them again, Santigie Kanu, Tamba Brima, Ibrahim
6 Kamara. I even saw Papa again. He was under arrest, with Abdul
7 Sesay, with Foday Bah. All of them were under arrest.

8 Q. How did you know, Madam Witness, that they were under
9 arrest?

12:14:44 10 A. Well, my husband, whom I met there, was the one that
11 explained to me, because I did not know anything concerning
12 soldiers. Anything, I was being informed by my husband.

13 Q. Madam Witness, did you actually see them under arrest?

14 A. Yes.

12:15:03 15 Q. Can you describe what you saw?

16 A. Yes.

17 Q. Please do so.

18 A. They still -- they were still put in the same hole where
19 they had been punishing them where I last saw them, but they
12:15:29 20 covered the place.

21 Q. Madam Witness, how long were you at West Side for?

22 A. Well, I stayed there for some time, and I left -- I was
23 there -- see, when I gave birth to my baby girl, I was there when
24 I gave birth to my baby. When we crossed the stream, that was
12:16:00 25 the area that I gave birth to my child.

26 Q. Did you subsequently leave West Side?

27 A. Yes.

28 Q. What year was that?

29 A. I left there in 1999. I gave birth to my child in

1 1999, November 20. That was the time that I gave birth to my
2 child in West Side.

12:16:42 3 Q. Madam Witness, I'm going to ask you one more question,
4 which would mean going back to Kurubonla. Do you remember the
5 month that you left Kurubonla? Remember you told us you left
6 Kurubonla with O-Five, your husband's brother and some other
7 people. Do you remember what month that was?

8 A. The month, it was in the end of the rainy season. The
9 place was a little bit sunny and a little bit rainy, that I can
12:17:12 10 recall.

11 Q. Okay, Madam Witness. Thank you very much. That is all the
12 questions I have for you. Thank you.

13 PRESIDING JUDGE: Thank you, Ms Thompson. Any
14 cross-examination from the Defence?

12:17:38 15 CROSS-EXAMINED BY MR DANIELS:

16 Q. Good afternoon, Madam Witness.

17 A. Yes, good afternoon, sir.

18 Q. Madam Witness, it has been your evidence today that while
19 you were at Eddie Town, you saw the second accused Ibrahim Bazy
12:18:01 20 Kamara.

21 A. Eddie Town, yes.

22 Q. Did you know him before you met him at Eddie Town?

23 A. I never knew him before. I never knew him, really.

24 Q. After you saw him, did you get to know him very well?

12:18:27 25 A. Yes. But we never used to have discussions, but I normally
26 see them and they also see me.

27 MR DANIELS: That will be all. Thank you.

28 PRESIDING JUDGE: Thank you, Mr Daniels. Anything,
29 Mr Manly-Spain?

1 MR MANLY- SPAIN: Yes, Your Honour.

2 CROSS- EXAMINED BY MR MANLY- SPAIN:

3 Q. Madam Witness, good afternoon.

4 A. Yes, good afternoon.

12:19:06 5 Q. Madam Witness, you spoke -- you told this Court this
6 morning about your movement from Eddie Town to Freetown. Do you
7 remember?

8 A. Yes, I can recall that because we went through struggles.
9 I can forget that because we even crossed a stream

12:19:37 10 Q. Thank you, Madam Witness. Madam Witness, I want you to
11 remember after the death of SAJ Musa, when you were coming to
12 Freetown until you stopped at Kissy, do you recall seeing houses
13 at Kissy, Calaba Town, Wellington being burnt?

14 A. Well, at the time we were entering, we didn't see any house
12:20:13 15 burning.

16 Q. Did you recall any one amongst your group, that is the
17 civilians amongst your group, burning houses in that area of --
18 before you arrived in Freetown?

19 A. Well, for me, I don't want to lie. I didn't see that. The
12:20:43 20 only thing that I know about was when the jet used to drop the
21 bombs, you can see houses damaged, and people will be disturbed
22 too, and people died.

23 Q. Thank you, Madam Witness. Madam Witness, do you recall
24 seeing Santigie Kanu distributing boxes of matches to the
12:21:10 25 civilians with you, and telling them to go and burn houses?

26 A. I did not see that happen in Freetown here. At all.

27 Q. Thank you, Madam Witness. Madam Witness, you spoke about
28 the civilians with whom you were when you were coming in
29 Freetown. Do you know whether, during that period after you left

1 Eddie Town, anyone was in charge of the civilians, anyone was
2 given the responsibility to look after them?

3 A. Well, for me, with regards that, I only knew that for us,
4 the civilians and the wives of the soldiers, we were on the side
12:22:10 5 of Sergeant Musa. That is what I can recall.

6 Q. Thank you, Madam Witness.

7 MR MANLY-SPAIN: That is all.

8 PRESIDING JUDGE: Thank you. Yes, Mr Hardaway.

9 CROSS- EXAMINED BY MR HARDAWAY:

12:22:27 10 Q. Madam Witness, good afternoon.

11 A. Afternoon.

12 Q. I have some questions for you. I want you to listen to
13 them carefully, answer them truthfully. A lot of times, the
14 answer can be -- you can answer "yes," "no," or "I don't know;"
12:22:54 15 do you understand?

16 A. Yes.

17 Q. If I want an explanation, I will then ask for it. Do we
18 understand each other?

19 A. Yes.

12:23:12 20 Q. Madam Witness, I want to take you back to the neighbour who
21 you said, I believe, was in Koidu Town, who was involved with the
22 diamonds; do you remember that?

23 A. Yes.

24 Q. During the time that you were his neighbour, did anybody
12:23:37 25 have the chance to visit him, any important people come to visit
26 him?

27 A. Yes.

28 Q. Alex Tamba Brima, the first accused, went to visit your
29 neighbour on several occasions, didn't he?

1 A. I never knew him. At the time I was still with that old
2 man.

3 Q. I'm not asking if you knew him, ma'am. Listen to the
4 question. Alex Tamba Brima, aka Gullit, had gone to visit your
12:24:31 5 neighbour, the old man, while you were in Koidu Town, didn't he?

6 A. No. It is not everything that you will expect me to know
7 about.

8 Q. I'm not asking you everything, ma'am, just my questions. I
9 put it to you that Alex Tamba Brima, aka Gullit, did in fact go
12:24:57 10 to Koidu Town and make visits to your neighbour to discuss
11 diamond mining; what is your response?

12 A. Well, I don't know about that.

13 Q. Madam Witness, I want to now take you to Kabala. How long
14 did you stay in Kabala before you were abducted by Junior Lion,
12:25:33 15 as you've testified to.

16 A. Well, I stayed there for some time. I cannot recall the
17 length of time because I was under stress. I was stressful.

18 Q. You were under stress when you arrived in Kabala?

19 A. Well, at the time I reached Kabala, the time him, the
12:26:15 20 Junior Lion, had not captured me, I was not feeling that bad
21 because I now had the confidence that I had entered my mother's
22 township, and it was when he held me that I felt very, very bad.

23 Q. We'll get to that in a moment, Madam Witness. What month
24 and year did you arrive in Kabala?

12:26:38 25 A. I cannot recall the month. I can't recall the month at
26 all.

27 Q. Was it the rainy season or was it the dry season?

28 A. Well, it was not raining that much at that time.

29 Q. And you say that you were there for some time before you

1 were abducted and raped by Junior Lion; is that correct?

2 A. Yes, because I was now staying with my own family members
3 before he captured me, but then when I reached Kabala Town, it
4 had not stayed too long.

12:27:39 5 Q. Again, Madam Witness, just please listen to the question.
6 A lot of the times, again, it can be answered "yes," "no," or "I
7 don't know." If I wish an explanation, I shall ask one of you,
8 all right?

9 A. Okay.

12:28:00 10 Q. Now, when you arrived in Kabala with the soldiers who would
11 help the old man, where were they staying after you all arrived
12 in Kabala?

13 MS THOMPSON: "They" who, Your Honour?

14 MR HARDAWAY: The soldiers who helped them move to Kabala.

12:28:26 15 THE WITNESS: They were in Kabala Town, but the ones that
16 we met at Binkolo, they were the ones who looked out for that
17 particular vehicle, for the driver to take us to Kabala.

18 MR HARDAWAY:

19 Q. So your evidence is the soldiers that helped you, they
12:28:47 20 stayed in Kabala; yes or no?

21 MS THOMPSON: Your Honour, I think before the witness
22 answers --

23 THE WITNESS: No. It was only the old man.

24 MS THOMPSON: There is some confusion here as to the
12:29:05 25 evidence. The evidence was not that soldiers took them to
26 Kabala, but soldiers had them and were providing a vehicle to
27 take them to be Kabala.

28 Now, if my learned friend -- my learned friend might wish
29 to establish whether, in fact, she did go with soldiers, or

1 whether it was a vehicle and a driver and the soldiers stayed
2 behind.

3 MR HARDAWAY: I'll clarify.

4 MS THOMPSON: They are certainly two different things.

12:29:27 5 MR HARDAWAY: I'll clarify, Your Honour.

6 Q. Madam Witness --

7 MR HARDAWAY: Your Honour, she's raising her hand. I think
8 she might want to address the Bench.

9 PRESIDING JUDGE: Yes, Madam Witness, what's the problem?

12:29:48 10 THE WITNESS: I want to use the restroom. I want to ease
11 myself.

12 PRESIDING JUDGE: All right. We'll take an early lunch.

13 We'll be back at 2 p.m. instead of 2.15 p.m.

14 Madam Witness, do not discuss this case or your evidence
12:30:28 15 with anybody else in the meantime; is that clear?

16 THE WITNESS: Yes.

17 PRESIDING JUDGE: We'll adjourn now and Court will resume
18 at 2 p.m..

19 [Luncheon recess taken at 12.30 p.m.]

13:59:34 20 [AFRC29SEP06C - MD]

21 [Upon resuming at 2.00 p.m.]

22 PRESIDING JUDGE: Go ahead, Mr Hardaway.

23 MR HARDAWAY: Thank you, Your Honour.

24 Q. Good afternoon, Madam Witness.

14:02:47 25 A. Good afternoon, sir.

26 Q. When we broke for lunch, I was asking you about the
27 soldiers who helped you in the -- to get the vehicle to go to
28 Kabala; do you remember that?

29 A. Yes, I can recall that, and I was -- they give us a driver

1 to take us to Kabala.

2 Q. Did those soldiers ever go with you to Kabala, ma'am?

3 A. Well, the driver, I don't know whether he was a soldier,
4 but they begged the driver to take us to Kabala.

14:03:24 5 Q. Right. But the soldiers who begged the driver to take you
6 to Kabala, did they accompany you? Did they go with you?

7 A. No.

8 Q. Now, when you went -- when you were in Kabala, please
9 correct me if I am wrong, but you had mentioned that there were
14:03:46 10 soldiers protecting you; were there soldiers there protecting
11 you?

12 A. I did not say that soldiers were protecting me.

13 Q. Were there soldiers in Kabala at the time you arrived?

14 A. Soldiers were there in Kabala, when I got there.

14:04:13 15 Q. All right. And were there soldiers there at the time you
16 were abducted by Junior Lion?

17 A. Well, the time when he abducted me, those that I saw with
18 him, I don't know them. I don't know whether they were soldiers.

19 Q. But any -- were there any of the other soldiers, who you
14:04:41 20 had seen around Kabala before, were they still there?

21 A. The ones that we met there, they were still there, but
22 where Junior Lion was -- they were not there. Other people were
23 taken there, but I don't know them.

24 Q. Thank you, Madam Witness. Now, Madam Witness, I want to
14:05:08 25 apologise to you ahead of time. There are some questions that I
26 want to ask you, but I want to let you know it is not my
27 intention to ask them to hurt you or to make you feel
28 uncomfortable. I'm asking questions -- the next questions I'm
29 going to ask, I'm asking because we need to find the truth, and

1 it's going to concern your abduction and rape by Junior Lion; do
2 you understand, ma'am?

3 A. Yes, I can get you correct. It was not only that he raped
4 me. He also beat me on my forehead and he removed my teeth and
14:05:51 5 now, right now, I have false teeth. The teeth I have in my mouth
6 are false teeth.

7 Q. I understand, ma'am. Now, how exactly did Junior Lion
8 abduct you?

9 A. Well, at that time, the time was already in the turmoil
14:06:14 10 because they were taking people from the people -- from the time
11 when he too had captured me. So he will make me into a wife.
12 But the way he turned me into his wife was by force.

13 Q. Where were you exactly, in Kabala, when Junior Lion
14 abducted you?

14:06:46 15 A. In Yuromia Town.

16 Q. Where exactly in Yuromia Town, what part of the town?

17 A. By Foday Street.

18 Q. And were any of the soldiers who you had seen before, were
19 they in the area?

14:07:07 20 A. No, they were not there. They were not in the area. The
21 ones I had seen were at Baowa II.

22 Q. After you were abducted by Junior Lion, and he raped you,
23 did you ever have occasion to see any of the other soldiers who
24 you had seen before Junior Lion abducted you?

14:07:47 25 A. Well, at that time I was not able to go to their area so I
26 was under his command.

27 Q. Madam Witness, I put it to you that you are not telling the
28 truth when you say that Junior Lion abducted and raped you; what
29 is your response, please?

1 A. Well, I know that I am saying the truth. I cannot come
2 here as a Muslim, a daughter of a Muslim, and I took up a Koran
3 to take an oath and come here to die for my only child.

14:08:33 4 Q. I put it to you, ma'am, that at the time Junior Lion was in
5 Kabala he was unable to abduct and rape you because he was
6 seriously injured from a motor vehicle accident; what is your
7 response?

8 A. It is not so, sir.

14:08:57 9 Q. Madam Witness, I now want to go, take you to your part of
10 your testimony when you said you went to Kurubonla; all right?

11 A. Okay.

12 Q. Now, what month did you arrive in Kurubonla?

13 A. Well, for now, I cannot recall the month because it has
14 taken a long time. I cannot recall the month.

14:09:22 15 Q. And you came from -- and you went to Kurubonla from
16 Mansofinia; is that correct?

17 A. Yes.

18 Q. And it was at Kurubonla that you first saw SAJ Musa, isn't
19 it?

14:09:38 20 A. Yes.

21 Q. It was also at Kurubonla where SAJ Musa gave Santigie
22 Borbor Kanu and FAT to the first accused Alex Tamba Brima so that
23 they could find --

14:10:00 24 THE INTERPRETER: Your Honours, could counsel take that
25 again please, and very slowly.

26 MR HARDAWAY: My apologies to the interpreter.

27 Q. Madam Witness, it was during this time in Kurubonla that
28 SAJ Musa gave Santigie Borbor Kanu, alias Five-Five, the third
29 accused, and FAT, to Alex Tamba Brima, the first accused, so that

1 they could find a base towards Freetown, wasn't it?

2 A. It is not so. I don't know about it, sir.

3 Q. I put it to you that it was at Kurubonla that SAJ Musa gave
4 Santigie Borbor Kanu, alias Five-Five, and FAT, to the first
14:10:55 5 accused, Alex Tamba Brima, aka Gullit, so that they could move
6 forward and find a base towards Freetown; what is your response?

7 A. Well, I don't know about it. I did not hear those names in
8 that place. My husband told me everything. Even when they were
9 coming, he told me that I should remain together with his

14:11:22 10 brother, but I don't know the names of those people. They were
11 not in that area.

12 Q. Now, you stated that you went to Kurubonla from Mansofinia
13 with troops; is that correct? You went with soldiers?

14 A. The time I went to Kurubonla, it was my husband that took
14:11:45 15 me there to leave -- to give me over to his brother.

16 Q. Now, were you the only two that went or were there other
17 soldiers that went with you?

18 A. We were walking in the -- in the crowd.

19 Q. Was it a large crowd?

14:12:07 20 A. Yes.

21 Q. Would you say -- I'll strike that. I put it to you, Madam
22 Witness, that the troops, or that the crowd that you are
23 describing, never went from Mansofinia to Kurubonla, and that you
24 are not being truthful with this Court; what is your response?

14:12:37 25 A. I am saying the truth. I and my husband went and took me
26 to where he left me, and there were other people in Mansofinia.

27 Q. I put it to you madam --

28 A. Many people went there.

29 Q. I put it to you, Madam Witness, that it was only a

1 delegation under the command of the first accused, Alex Tamba
2 Brima, that went to brief SAJ Musa and it was at that time that
3 he received instructions to find a base towards Freetown; what is
4 your response?

14:13:21 5 MS THOMPSON: Your Honour, "what is your response" --

6 THE WITNESS: I don't know about that, sir.

7 MS THOMPSON: I was just about to point out the question is
8 loaded and it's in two parts and I'm not sure which one the
9 witness was to respond to.

14:13:34 10 PRESIDING JUDGE: It was a difficult question, but she's
11 given an answer she doesn't know about it anyway. I presume
12 she's responding to the total question, Mr Hardaway?

13 MR HARDAWAY: I believe so as well. I can move on. Thank
14 you.

14:13:57 15 Q. Madam Witness, I want to take you now to when you arrived
16 at Eddie Town; do you remember that part of your evidence?

17 A. Yes.

18 Q. At Eddie Town, and please correct me if I am wrong on the
19 wording of this, your husband had asked if you had had the
14:14:21 20 courage to see the prisoners at Eddie Town; is that correct?

21 A. He told me that if I would be able to go and see them, and
22 I said yes, because I would want to see them myself, because I
23 didn't know them before.

24 Q. Madam Witness, why would you want to see the prisoners?

14:14:48 25 A. Because some of the soldiers' wife went there to look at
26 them and they allowed people to go and see them so I, too, was
27 eager to see them.

28 Q. Now, it is your evidence, ma'am, that these prisoners were
29 in a pit and then brought out in the sun to suffer; is that

1 correct?

2 A. Yes.

3 Q. I put it to you, Madam Witness, that you are not telling
4 the truth; what is your response?

14:15:29 5 A. I'm saying the truth.

6 Q. I put it to you, Madam Witness, that at Eddie Town the
7 prisoners were kept in a house and not in a pit; what is your
8 response?

9 A. I know that when they were -- those that were guarding
14:15:52 10 them, who were taking care of them, they were -- they were in the
11 house but they were in the pit. That is what I know about.

12 Q. Madam Witness, while you were at Eddie Town, did you attend
13 any muster parades?

14 A. Not a day. It never happened. I did not attend any muster
14:16:18 15 parade.

16 MR HARDAWAY: Court's indulgence for one moment, please.

17 [Prosecution counsel conferred]

18 MR HARDAWAY: I thank the Court.

19 Q. Madam Witness, while at Eddie Town, are you aware of any
14:16:35 20 muster trades that were held by SAJ Musa?

21 A. I don't know about that because only thing that I know, in
22 the morning, we will be struggling to go into the bush. SAJ Musa
23 will not allow anybody to remain in the town.

24 Q. And that was because of safety for fear of attack; is that
14:17:07 25 correct?

26 A. Yes.

27 Q. Now, Madam Witness, I want to take you now to Benguema; all
28 right?

29 A. Okay.

1 Q. Now you -- it was your evidence that you -- that a bomb
2 exploded and that a fragment struck and killed SAJ Musa; is that
3 correct?

4 A. It happened that way, sir.

14:17:36 5 Q. And did you personally see SAJ Musa get struck with this
6 fragment?

7 A. I did not see the -- I did not see the fragment hit SAJ
8 Musa, because I couldn't see it, but I was there when he said
9 that he should set the place on fire. Later after he had died
14:18:04 10 his boy told me, I don't know his name but if I could see him I
11 will see him. He told me that it was a fragment that struck --
12 that hit him. And because they burned that place, it was during
13 the process that the fragment hit SAJ Musa.

14 Q. Did you see SAJ Musa die?

14:18:17 15 A. Yes, I saw it. Because I was there when he was buried.

16 Q. Did you see -- after SAJ Musa fell, did you see anybody
17 trying to give him anything to drink?

18 A. Well, I did not see anybody. I did not see somebody give
19 something to drink. Let me don't tell a lie.

14:18:50 20 Q. I put it to you, Madam Witness, that you are again not
21 being truthful; what is your response?

22 A. I know the truth and that is what I'm saying.

23 Q. I put it to you that you were not present when SAJ Musa
24 died because SAJ Musa would never endanger the families; what is
14:19:11 25 your response?

26 A. I was there when he said that they should set the place on
27 fire. We were there together with the prisoners because when the
28 soldiers, the Nigerians were sending the weapons and it will
29 give -- brighten the place, so he, too, said that we should not

1 be afraid, they were threatening us. That the Pa said it and I
2 heard of that.

3 Q. Madam Witness, did you ever hear of a person close to SAJ
4 Musa called Alabama?

14:19:51 5 A. Thank you, sir. The name I've forgotten about it, but the
6 Alabama, that is how it happened, sir. Each time we came he will
7 be close to him. He held on his bag.

8 Q. Thank you, Madam Witness. Madam Witness, have you -- one
9 second. Madam Witness, you stated that Alabama was -- my
10 apologies, Your Honours.

11 Madam Witness. You said that Alabama was always close to
12 SAJ Musa; correct?

13 A. I'm sorry, sir. The name, the name is Adamu. He has so
14 many beards. I could remember the name now. He is Adamu he
15 beards and he is a very tall man. He carried SAJ Musa's bag.
16 It's only now that I've thought of the name.

17 Q. So you don't know anyone close to SAJ Musa named Alabama;
18 is that correct?

19 A. Well, I wouldn't know all those names.

14:21:49 20 Q. Madam Witness, after the death of SAJ Musa, who led the
21 troops into Freetown?

22 A. It was 0-Five and Eddie.

23 Q. I put it to you, Madam Witness, that the troops being led
24 into Freetown were led by the first accused, Alex Tamba Brima;
14:22:14 25 what is your response?

26 A. Well, it is not so, sir. Those men were under detention.
27 That is what I know about them and I stopped seeing them at
28 Waterloo. Here -- I seated here in front of you, I came together
29 with Eddie. Together with 0-Five and others to Freetown and I

1 stopped at Kissy at PWD.

2 Q. Madam Witness, I put to you that the second accused,
3 Ibrahim Bazy Kamara, was the second in command for the Freetown
4 invasion; what is your response, please?

14:22:55 5 A. I did not hear that name and I did not see him

6 Q. Madam Witness, I put it to you that Santigie Borbor Kanu,
7 alias Five-Five, was one of the commanders of the Freetown
8 invasion; what is your response, please?

9 A. It is not so, sir. Those that we came together, I know
14:23:26 10 most of them, but I don't know all their names but if I should
11 see one, I would know them, but I don't know their names.

12 MR HARDAWAY: If I could have a moment, Your Honour,
13 please.

14 [Prosecution counsel conferred]

14:23:53 15 MR HARDAWAY: I thank the Court.

16 Q. Madam Witness, you had mentioned earlier --

17 A. Yes.

18 Q. -- in your evidence that you no longer saw the people
19 arrested, those under detention, after Waterloo; is that correct?

14:24:10 20 A. No, I didn't see them after that at all, because the
21 population that entered, nobody would really say that they would
22 be able to see his companion at that time.

23 Q. So just so we are clear, your evidence is that after
24 Waterloo, you did not see them again; correct?

14:24:42 25 A. Yes.

26 Q. You also testified before the break, Madam Witness, that
27 you then saw these people again when you went to the West Side;
28 do you remember saying that?

29 A. Yes, but Waterloo, I stopped seeing them in Waterloo. But

1 when I came back to Lunsar, I came to Makeni. By then I had -- I
2 was pregnant. I saw those men in Waterloo, at the Okra Hill.

3 Q. So please help me with this, Madam Witness. Which one is
4 the truth and which one is the lie?

14:25:23 5 A. When we got to Waterloo, everybody dispersed. Most of the
6 people, not everybody entered Freetown at that time. Not all of
7 them entered Freetown.

8 Q. So that part is the truth, you did not see them again after
9 Waterloo?

14:25:42 10 A. I stopped seeing them at Waterloo and where I saw them the
11 next time is at Okra Hill.

12 Q. So your testimony of -- if Waterloo is the truth, then when
13 you say you saw them again at Okra Hill, that has to be a lie
14 doesn't it?

14:26:03 15 PRESIDING JUDGE: I don't think that's fair, Mr Hardaway.
16 There might be some problem with her expression, but --

17 MR HARDAWAY: I'll move on.

18 PRESIDING JUDGE: Yes. All right.

19 MR HARDAWAY:

14:26:22 20 Q. Madam Witness, when you arrived at West Side, your
21 pregnancy was almost complete, wasn't it? You were almost ready
22 to give birth?

23 A. Yes.

24 Q. And did you give birth in the West Side?

14:26:41 25 A. I gave birth there, in November 20th.

26 Q. And that was in 1999, wasn't it?

27 A. In 1999, November 20, I gave birth on Saturday, at the West
28 Side.

29 Q. I put it to you, Madam Witness, that prior to your arrival

1 at the West Side, that the second accused, Ibrahim Bazy Kamara,
2 was the leader in the West Side; what is your response?

3 A. Well, it was not so. Those that I met there, the leader I
4 met there -- the leaders I met there are the ones that I've
14:27:30 5 called out to you.

6 Q. Madam Witness, my question -- I am putting it to you that
7 before you arrived Ibrahim Bazy Kamara was the leader in the
8 West Side; what is your response, please?

9 MS THOMPSON: Asked and answered, Your Honour.

14:27:55 10 PRESIDING JUDGE: Yes, she did say not so, didn't she?

11 THE WITNESS: It was not so, sir.

12 MS THOMPSON: She went on to say that those that she met
13 are the ones she's talking about, and, in any event, those that
14 she met at the time she went there, it's outside the indictment
14:28:10 15 period, Your Honour.

16 PRESIDING JUDGE: But I'm not quite sure what you meant to
17 ask, Mr Hardaway. Did you mean to ask her: There was a leader
18 there before she got there and it was Ibrahim Bazy Kamara?

19 MR HARDAWAY: That is what I am getting at, Your Honour.

14:28:25 20 PRESIDING JUDGE: And that he was not the same leader that
21 she struck when she got there.

22 MR HARDAWAY: Yes, that's what I'm getting at.

23 PRESIDING JUDGE: I took your question the other way. I
24 think you should break it up if you are going to ask her that.

14:28:37 25 MR HARDAWAY: Very well, Your Honour.

26 Q. When you arrived, Madam Witness, when you arrived at West
27 Side, who was the leader?

28 A. Junior Lion and Kallay.

29 Q. Now, before you arrived at West Side, do you know who the

1 leader was?

2 A. I didn't know. It was only when I reached there that I
3 knew.

4 Q. I put it to you, Madam Witness, that before you arrived at
14:29:25 5 West Side, the leader was the second accused, Ibrahim Bazzi
6 Kamara; what is your response?

7 A. Well, it was not so, sir, because when I got there, the
8 leaders that I found there, who were introduced to me, were those
9 two men whose names I know, and I was in the West Side when
14:29:51 10 Junior Lion sent [as interpreted] that they should kill Tito.

11 Q. Madam Witness, the prisoner who you referred to as Tamba
12 Brima, did you ever hear or see anyone refer to him as Gullit?

13 A. Well, I only know of Tamba Brima.

14 Q. Your husband never mentioned Tamba Brima as Gullit all the
14:30:28 15 times you've spoken with him?

16 A. No. He told me of Tamba Brima.

17 Q. Madam Witness, I put it to you that the first accused, Alex
18 Tamba Brima, is also known as Gullit, and that you are lying when
19 you say you've never heard of it; what is your response?

14:30:52 20 A. I'm not telling lies. The name that I know is the one I
21 know. There was a large population there. That was the name I
22 heard. That is the name I know for him.

23 Q. Madam Witness, I put it to you that your entire testimony
24 here today has been a lie; what is your response?

14:31:13 25 A. I'm not lying. I will repeat again: I will not take an
26 oath in your presence, so that I will die for my one and only
27 child that I gave birth in the booth. I will never do that. I'm
28 telling you the truth. I'm telling you all that I know.

29 Q. I put it to you, Madam Witness, that your evidence here

1 today is a lie because you want to get back at the person who you
2 believed raped you, Junior Lion; what is your response?

3 A. I don't get you clear, sir.

4 Q. I put it to you, Madam Witness, that your entire testimony
14:32:04 5 here today is a lie because you want to get revenge on the man
6 you believed raped you, Junior Lion; what is your response?

7 A. That is not so. I am not a God to fight. God will fight
8 for me. All I know is what I'm testifying in this Court.

9 MR HARDAWAY: Thank you, Madam Witness. I have no more
14:32:41 10 questions of you. That concludes my cross-examination, Your
11 Honour.

12 PRESIDING JUDGE: Thank you, Mr Hardaway. Ms Thompson, is
13 there any re-examination?

14 MS THOMPSON: No, Your Honour, there is none.

14:32:52 15 PRESIDING JUDGE: Thank you. Thank you, Madam Witness, for
16 coming to Court. Your testimony is over now. There will just be
17 some questions from the Bench.

18 THE WITNESS: Welcome.

19 QUESTIONED BY THE COURT:

14:33:10 20 JUDGE SEBUTINDE:

21 Q. Madam Witness, I have a few questions relating to Eddie
22 Town. You told Court that you went and visited where the
23 prisoners were, and that you had a look at them. Could you
24 describe to us the place where these prisoners were detained?

14:33:29 25 A. Well, I'm unable to explain everything because we were not
26 allowed to stay long in watching the place. So I can't remember
27 everything that I saw.

28 Q. I didn't ask you to describe everything. I just asked you
29 to describe the prison, or the place where they were detained.

1 Are you able to do that or not?

2 A. Well, I know that where they were detained was a place that
3 I've testified, in a pit.

4 Q. Okay. Do you know if anybody was in charge of the
14:34:21 5 detainees at Eddie Town?

6 A. They were soldiers; they had weapons.

7 Q. But was one person in charge of them?

8 A. Not one person. I can't say I know all of them, but not
9 one person was in charge.

14:34:57 10 Q. Okay. Now at Benguema you said you were present when SAJ
11 Musa died. Could you tell the Court, in relation to SAJ Musa,
12 where were you sitting or standing when the explosion happened?
13 How far from SAJ Musa were you?

14 A. Well, the place where SAJ Musa said they should set fire
14:35:26 15 on, they said that we should give way so that they can put fire
16 on the place. So when the bomb exploded, I heard the bomb, but
17 we are far away. At that time the place was quiet, and all the
18 soldiers were quiet, because nobody was saying that -- no one had
19 the gut to say that SAJ Musa has died. They were just gossiping
14:36:13 20 that he has died. From there, we come up to a bush where he was
21 laid --

22 Q. No, no, no, I didn't ask you that. I didn't ask you
23 anything beyond that. I simply asked you where you were standing
24 or sitting and you've answered. Now, the other thing is: When
14:36:13 25 SAJ Musa died, did anybody else die with him or did he die alone?

26 A. Well, for that, I can't explain. All I knew was SAJ Musa
27 died at Benguema as a result of fragment.

28 Q. Did you see any other soldiers dead at the scene?

29 A. Well, people died; soldiers died; civilians died but I

1 can't say I saw a soldier who died that I knew. I can't say
2 that.

3 Q. You said that they took away SAJ Musa's body from Benguema;
4 they carried it away. How -- who carried it away?

14:37:15 5 A. Those that were with him. If I see their faces I will
6 recognise them.

7 Q. How did they carry it away?

8 A. They laid him on something, and they carried it on their
9 head and the body fell. Then they said they should come and bury
14:37:41 10 it in Freetown but they were unable.

11 Q. I'm sorry, I asked you how did they carry the body and you
12 said they laid it on something. What? What did they lay it on?

13 A. I don't know how they called the thing. The soldiers know
14 how they managed to tote it and carry it.

14:38:05 15 Q. Can you describe it?

16 A. No.

17 JUDGE SEBUTINDE: Okay. Thank you, Madam Witness. That is
18 all.

19 PRESIDING JUDGE: Yes. Any questions arising from the
14:38:22 20 Bench questions?

21 MS THOMPSON: No, Your Honour.

22 PRESIDING JUDGE: All right. Well, thank you again, Madam
23 Witness. Just sit there and --

24 THE WITNESS: Okay.

14:38:40 25 PRESIDING JUDGE: -- we will arrange for the curtains to be
26 pulled and then you can leave.

27 THE WITNESS: Okay. Thank you.

28 [The witness withdrew]

29 MS THOMPSON: Your Honours, save for the cross-examinations

1 for Monday, that is the case for the Brima Defence.

2 PRESIDING JUDGE: Thank you, Ms Thompson. Mr Graham, how
3 are you placed now? I take it -- I beg your pardon, Mr Daniels,
4 I am sorry, but I take it you will be presenting your case next;
14:39:28 5 is that right?

6 MR DANIELS: We believe we would like to start on Tuesday,
7 because on Monday we have two cross-examinations and a common
8 witness. So that, with the Court's indulgence, if we could start
9 on Tuesday?

14:39:50 10 PRESIDING JUDGE: You don't have any witnesses to call
11 today?

12 MR DANIELS: Not today.

13 PRESIDING JUDGE: Right. Who is the common witness,
14 Mr Daniels?

14:40:04 15 MR DANIELS: The common witness is DAB-147, who arrived
16 today.

17 PRESIDING JUDGE: Madam Court Attendant, those curtains
18 should be pulled now. We are in open Court. I am sorry,
19 Mr Daniels. DAB --

14:40:25 20 MR DANIELS: 147.

21 PRESIDING JUDGE: All right. I don't know if the
22 Prosecution want to add something or not?

23 MR AGHA: Just to say, Your Honours, as a matter of
24 completeness, as DAB-147 is actually a common witness, he can
14:41:11 25 give his evidence firstly after the cross-examinations, before
26 the first Kamara witness.

27 PRESIDING JUDGE: Yes. That would probably be a preferable
28 way to proceed, Mr Daniels; is that going to be possible?

29 MR DANIELS: Do I understand the Prosecution to say that

1 DAB-147 starts before the cross-examination?

2 PRESIDING JUDGE: No, no, that is not what they say.

3 MR DANIELS: The other way around?

4 PRESIDING JUDGE: They are saying complete the

14:41:40 5 cross-examination, then that concludes the first accused's case

6 and then the common witness will conclude the common witnesses

7 and then you commence your case.

8 MR DANIELS: That was our intention.

9 PRESIDING JUDGE: That was the intention anyway.

14:41:54 10 MR DANIELS: Yes.

11 PRESIDING JUDGE: All right. Well, I presume there are no

12 more witnesses to call today, so --

13 MR DANIELS: See, what happened was, the witness originally

14 slated for this morning -- for this afternoon, was dropped at the

14:42:10 15 very last minute and so that explains the reason why we don't

16 have one right now.

17 PRESIDING JUDGE: I understand. Yes. We were given notice

18 of that, Mr Daniels. All right. Well, in that case, we will

19 adjourn the Court until 9.15 on Monday morning, and that will be

14:42:26 20 for the cross-examination of DAB-033 and DAB -- I beg your

21 pardon. DAB-059 and DAB-033. All right. We will adjourn the

22 Court. Thank you.

23 [Whereupon the hearing adjourned at 2.42 p.m.,

24 to be reconvened on Monday, the 2nd day of

25 October 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DAB- 100	3
CROSS- EXAMINATION BY MR HARDAWAY	3
RE- EXAMINED BY MS THOMPSON	33
QUESTIONED BY THE COURT	36
WITNESS: DAB- 156	36
EXAMINED BY MS THOMPSON	36
CROSS- EXAMINED BY MR DANIELS	70
CROSS- EXAMINED BY MR MANLY- SPAIN	71
CROSS- EXAMINED BY MR HARDAWAY	72
QUESTIONED BY THE COURT	88