



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 4 MARCH 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Carolyn Buff
Ms Doreen Kiggundu

For the Registry:

Ms Rosette Muzigo-Morrison
Ms Rachel Irura

For the Prosecution:

Ms Shyamala Alagendra
Mr Mohamed A Bangura
Ms Julia Baly
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah
Mr Andrew Cayley

1 Tuesday, 4 March 2008

2 [Closed session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

5

6 [At this point in the proceedings, a portion of
7 the transcript, pages 5154 to 5209, was
8 extracted and sealed under separate cover, as
9 the proceeding was heard in closed session.]

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1 [Open session]

2 MS IRURA: Your Honour, we're in open session.

3 PRESIDING JUDGE: Thank you, Madam Court Attendant. For
4 purposes of record and the public forum, even though it's
12:10:45 5 deserted, we will have that on record, please, Ms Alagendra.

6 MS ALAGENDRA: Your Honour, the next witness is TF1-337.
7 This witness was previously subject to protective measures
8 granted by another Trial Chamber in July of 2004 and for this
9 trial the witness has opted to testify openly.

12:11:14 10 JUDGE SEBUTINDE: Ms Alagendra, the protective measures to
11 which this witness was subject were in open session, were they
12 not?

13 MS ALAGENDRA: I don't understand that, your Honour.

14 JUDGE SEBUTINDE: You are applying for this witness to now
12:11:32 15 testify in open session, but I'm saying that he or she was in
16 fact going to testify in open session anyway, so what is your
17 application actually?

18 MS ALAGENDRA: No, your Honour, this witness was subject
19 to --

12:11:46 20 JUDGE SEBUTINDE: What measures?

21 MS ALAGENDRA: -- an order by the other Trial Chamber which
22 included a pseudonym and a screen.

23 JUDGE SEBUTINDE: Yes, but that's still in open session.

24 MS ALAGENDRA: But for this trial he's going to go
12:11:59 25 completely open with no protective measures, your Honour.

26 JUDGE SEBUTINDE: That is what you should ask for; to
27 rescind the existing protective measures.

28 MS ALAGENDRA: I stand guided, your Honour, thank you.

29 PRESIDING JUDGE: Very well. The witness has sought to

1 rescind or vary the previous protective measures and in the light
2 of his or her application the Court hearing will proceed in open
3 session without the protective measures previously granted.

4 MR MUNYARD: Madam President, the Defence have no
12:12:37 5 observations to make on this. It was obvious to the Court I'm
6 sure that we would have no observations, but I just thought it
7 appropriate to confirm that. No offence at all was taken.

8 WITNESS: TF1-337 [Sworn]

9 PRESIDING JUDGE: Ms Alagendra, I didn't ask the language
12:14:16 10 which the witness will speak.

11 MS ALAGENDRA: The witness will testify in the Krio
12 language, your Honour.

13 PRESIDING JUDGE: Is there an interpreter for Krio in
14 place?

12:14:26 15 THE INTERPRETER: Yes, your Honours.

16 PRESIDING JUDGE: Very good. Please proceed.

17 EXAMINATION-IN-CHIEF BY MS ALAGENDRA:

18 Q. Witness, can you check that you can hear me through your
19 earphones?

12:14:47 20 A. I'm getting you clearly.

21 Q. Witness, can you state your name for the Court?

22 A. Yes. My name is Mustapha Marvin Mansaray.

23 Q. Witness, are you able to spell Mustapha Marvin Mansaray for
24 the Court, please?

12:15:15 25 A. Yes.

26 Q. Please proceed.

27 A. M-U-S-T-A-P-H-A Mustapha, Marvin M-A-R-V-I-N, Mansaray
28 M-A-N-S-A-R-A-Y. Mustapha Marvin Mansaray.

29 Q. When were you born?

- 1 A. I was born June 1971.
- 2 Q. Where were you born, witness?
- 3 A. The name of my village is Foni ma.
- 4 Q. Can you spell that for the Court, please?
- 12:16:15 5 A. Yes.
- 6 Q. Please proceed.
- 7 A. F-O-N-I-M-A, Foni ma.
- 8 Q. In which country is Foni ma?
- 9 A. It is in Pujehun District, Sierra Leone.
- 12:16:40 10 Q. Witness, what is your nationality?
- 11 A. I am a Sierra Leonean.
- 12 Q. What tribe do you belong to?
- 13 A. I am a Mende.
- 14 Q. What languages do you speak, witness?
- 12:17:09 15 A. I do speak my language which is Mende, I can speak Krio and
16 I can speak some English.
- 17 Q. What level of education have you attained?
- 18 A. I attained the fifth level, Form 5.
- 19 Q. Witness, do you remember the year 1991?
- 12:17:41 20 A. Yes.
- 21 Q. Where were you living in 1991?
- 22 A. I was in Pujehun Town in 1991.
- 23 Q. In which district is Pujehun Town?
- 24 A. It is Pujehun District.
- 12:18:01 25 Q. Did anything happen in Pujehun Town in 1991?
- 26 A. Yes.
- 27 Q. What happened, witness?
- 28 A. Well, in 1991, 3 April, the Revolutionary United Front of
29 Sierra Leone and the National Patriotic Front of Liberia, NPFL

1 fighters, crossed the border at the Mano River border bridge and
2 entered Pujehun District. From 3 April 1991 in a week's time
3 they entered the Pujehun District headquarter town. The RUF
4 fighters and the NPFL fighters entered the Pujehun District
12:19:00 5 headquarter town carrying guns in their hands, light guns and
6 heavy guns. They entered and captured us in Pujehun District
7 headquarter town.

8 Q. Witness, when you say captured us who do you mean?

9 A. We, the civilians that were in the Pujehun District
12:19:25 10 headquarter town, the outskirts, we were all captured.

11 Q. What happened after you and the other civilians were
12 captured?

13 A. Well, after some time I left Pujehun District headquarter
14 town and went to my village which is Fonima.

12:19:52 15 Q. And what happened?

16 A. On 20 April 1991 RUF/SL and NPFL fighters were travelling
17 to go - to go towards Zimmi Makpele area. They met me in my
18 village and captured me. I was taken to a training base.

19 Q. Where was the training base you were taken to located?

12:20:32 20 A. It was in a town called Gisiwolo. There I was taken
21 together with some other civilians that I met in Zimmi. We were
22 all taken to Gisiwolo. They said it was a training base for the
23 RUF movement.

24 Q. Witness, you have named an area Zimmi Makpele. Could you
12:20:56 25 spell that for the Court, please?

26 A. Yes.

27 Q. Please do so, witness.

28 A. Zimmi, Z-I-M-M-I. Makpele, M-A-K-P-E-L-E.

29 Q. And you said you were taken to a training base called

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

2 A. Yeah. G-I-S-I-W-O-L-O, Gisiwolo.

3 Q. What happened when you were taken to Gisiwolo training
4 base?

12:22:07 5 A. Well, I met several other civilians there, they said they
6 were recruits. They said I should be trained. I met a training
7 commandant there. I met some other people, they said they were
8 training instructors. They said we should be trained, two types
9 of training, a guerilla training and a commando training.

12:22:25 10 Q. How many civilians did you see on the training base?

11 A. Well, at that training base we were more than 500.

12 Q. And when you described the civilians as recruits what do
13 you mean by that?

14 A. They said we were to be trained, we should be transformed
12:22:56 15 from the civilian and become fighters, how to shoot a gun, how to
16 set up an ambush and how to attack the soldiers who were in the
17 country that they came to fight against.

18 Q. Witness, what was the age group of the civilians that you
19 saw in Gisiwolo training base?

12:23:26 20 A. Well, I saw some - some of them I saw their ages, some
21 could be 14 years of age, 15, 16, up to 45 years of age.

22 Q. Now you've said that you went through two types of
23 training, guerilla training and commando training. Did all the
24 civilians undergo the same training?

12:23:55 25 PRESIDING JUDGE: Mr Witness, are you feeling all right?

26 Mr Witness? Mr Interpreter, can you ask --

27 THE WITNESS: I am all right.

28 PRESIDING JUDGE: If you're not feeling all right you must
29 tell us. Continue, Ms Alagendra.

1 MS ALAGENDRA:

12:24:33 2 Q. Witness, I'll repeat my question to you. My question was
3 you've said you went through two types of training, guerilla
4 training and commando training. Did all the civilians undergo
5 the same training?

6 A. Yes.

7 Q. Could you describe the details of your training to the
8 Court, please?

12:24:49 9 A. Yes. Those of us who were taken there as civilians
10 underwent the training.

11 Q. What kind of training was guerilla training?

12 A. The guerilla training is the physical training that we
13 received.

14 Q. What did it entail?

12:25:16 15 A. Well, the first training we were taught how to shoot a gun
16 against the fighters, the soldiers that they were fighting
17 against. We were taught how to shoot a gun using light weapons
18 like the AK, the Beretta, G3, hand grenade. Then heavy weapons
19 like RPG, GPMG.

12:25:53 20 In the same guerilla training we received something at the
21 training base which was like a round circle which was called
22 halaka. When you undergo the weapon training you would go there,
23 it is like a final training. You will enter the halaka. There
24 are some obstacles in that halaka. When you enter there you will
12:26:24 25 go round it running. You will be given commands. If they ask
26 you to drop down then you will fall down. You will be commanded
27 to crawl on your stomach using your arms, using your toes as
28 well. It will come a time you will have to run, but during all
29 this the training instructors would be standing around flogging

1 you. They will hold long sticks, beating people during the
2 obstacle.

3 Then after that we will be asked to stand up. The training
4 instructors would tell us, "What we are doing to you, when you go
12:27:16 5 to town if a soldier shoot against you you should not stand, you
6 should fall on the ground like you are doing in this halaka so
7 that you'll be able to escape from the bullet, so that you will
8 not be caught by bullet and you will not die".

9 Sometimes in that halaka we were tested to know that if we
12:27:46 10 go to the front line we can be confident enough to fight with the
11 soldiers. Sometimes they will shoot live bullets in the halaka.
12 So when they tell you to drop down, if you refuse you have to lie
13 down flat on the ground. Then your heel, your heel too should be
14 flat. So they will tell you as long as you stay still, even if
12:28:21 15 the gun is shot continuously nothing will happen to you, but if
16 you stand up you'll have to die. So we were tested that way in
17 that halaka.

18 Some days in the morning we go jogging around, they call it
19 PT. They would take us to the bush, set up ambush. We can be -
12:28:51 20 we are usually divided, there would be fighters and then there
21 would be enemies to organise ourselves so in a situation of that
22 we can face it. We were usually divided, some will be taken
23 somewhere else and then some taken some other place and then we
24 start searching for ourselves. Those of us who would be taken as
12:29:15 25 soldiers would attack those that would be taken as enemy.

26 So after the training when they realised that you've got
27 the training properly they will take you and take you to the
28 front line. So those are some of the physical trainings we
29 received.

1 MS ALAGENDRA: Your Honours, for the record halaka is spelt
2 H-A-L-A-K-A:

3 Q. Witness, when you say you were taught how to attack those
4 taken as enemies can you explain what you were taught?

12:30:02 5 A. Yes, when the revolution started at the time the government
6 troops that were in this country under the regime of JS Momoh, it
7 was they that the revolution targeted as enemies. They were the
8 people we used to go and fight against.

9 Q. What were you taught about how to attack?

12:30:36 10 A. Well, to attack the enemy we were taught sometimes we will
11 attack them surprisingly when they were not expecting us,
12 sometimes we attack them through ambush, at the commando end it
13 was tactics that we apply. If there are soldiers in the town we
14 go very close to the town. If we had to capture a civilian we
12:31:10 15 would capture a civilian and ask him or her the way the soldiers
16 are placed in the town. If we are unable to get a civilian two
17 or three fighters would go into the town on an [indiscernible]
18 mission to know the location of the soldiers. So the areas we
19 would note that they were, we would use a bypass through the bush
12:31:36 20 path and then start shooting at them.

21 THE INTERPRETER: Your Honours, the witness is going too
22 fast for the interpreter.

23 PRESIDING JUDGE: Mr Witness, just pause. The interpreter
24 is interpreting everything you say. You're going to a bit fast
12:31:56 25 for him. If you can speak a little slower, please. Do you
26 understand?

27 THE WITNESS: Yes. So when we attacked the town and had
28 dislodged the soldiers from the town we would bring all the
29 civilians together, we entered the houses, gathered them together

1 at the centre of the town or if there is a court barri there we
2 would bring them all to the court barri. Houses where soldiers
3 had been resident, we would go in there and search for guns,
4 ammunition or bombs or their combat. Those civilians that we
12:33:05 5 would bring together, we would search amongst them, if there is
6 any soldier amongst them. If there were no soldiers whatever we
7 capture in the town, items that are looted like clothing, food,
8 whatever was a property that we needed, we forced the civilians
9 to carry them for us.

12:33:47 10 MR MUNYARD: Madam President, I wonder if for the benefit
11 of the wider world the witness could explain the meaning of the
12 expression court barri which appears twice in his last answer.

13 PRESIDING JUDGE: Yes, we'll have that clarified,
14 Ms Alagenda, in due course.

12:34:03 15 MS ALAGENDRA: I'll do that, your Honour:

16 Q. Witness, just to take you back a little bit could you
17 explain what you mean by court barri, please?

18 A. Yes. In some - some towns that we captured during fighting
19 there would be a very big house where normally local courts are
12:34:32 20 held. So such houses, we called it a court barri. Sometimes
21 there we gathered the civilians together that we captured to
22 search among them. So when you ask me about the court barri,
23 that is the reason why that big house is being called a court
24 barri, because a court is being held there.

12:35:16 25 Q. Thank you, witness. Witness, now you were explaining that
26 after you captured a town if there were no soldiers whatever you
27 captured in the town, items, looted items, you would use the
28 civilians and force them to carry these items for you. Is there
29 anything else you were taught about what would happen during an

1 attack on a town?

2 A. Well, sometimes when we captured those towns before we
3 start searching amongst the civilians if there are roads leading
4 to the town the leader of the mission, the commander that is
12:36:11 5 leading the mission, could appoint fighters to stand by the roads
6 so that if there are soldiers that escape they could not come
7 back to attack us surprisingly to us. So those are some of the
8 tactics we apply when we capture a town.

9 Q. Was there any other purpose that fighters were put to guard
12:36:55 10 the towns besides fleeing soldiers?

11 A. Well, those are the reasons. We defend the roads, we fight
12 against the soldiers, they too fight against us. Sometimes when
13 we dislodged them from the town they too will go back, regroup
14 and then attack us again.

12:37:41 15 Q. Was there anything else you were taught about civilians
16 once you captured a town, as to what to do with them?

17 A. Well, except when we give them the looted items, when they
18 follow us to carry, they walk with us, we would bring some of
19 them to the area where we were, there are some like women,
12:38:30 20 commanders would take them and would not release them to go back,
21 they take them to be their wives.

22 Q. Were you taught about what would happen if civilians tried
23 to escape after you captured a town?

24 A. Yes.

12:38:59 25 Q. What were you taught about that?

26 A. At the time in 1991 when RUF/SL and NPFL fighters, whatever
27 town we captured, when we captured civilians any civilian that is
28 afraid of the gun or the shooting and had wanted to run, we
29 killed them and say they are suspected soldiers. So these things

1 happened. We killed civilians that had wanted to run.

2 Q. Witness, who were your instructors at the Gisiwolo training
3 base?

4 A. I knew one Bockarie who was one of the training
12:40:09 5 instructors. Then he introduced himself to us at the training
6 base as an NPFL fighter. I also knew one CO, Yagbawolo.

7 Q. Can I just stop you there and ask you to spell these names
8 for the Court, please. The first one is Bockarie?

9 A. Bockarie, B-O-C-K-A-R-I-E, but in short we called him AB.
12:41:03 10 Then Yagbawolo, Y-A-G-B-A-W-O-L-O.

11 Q. Witness, you've said Bockarie belonged to the NPFL. Which
12 group did Yagbawolo belong to?

13 A. Well, Yagbawolo himself introduced himself to us. He said
14 he's a Liberian but he is a member of the RUF, he is a vanguard
12:41:56 15 for the RUF movement.

16 Q. Was there a training commander at Gisiwolo training base?

17 A. Yes.

18 Q. Can you remember the name of this training commander?

19 A. Yes.

12:42:20 20 Q. Can you tell the Court the name, please?

21 A. The training commander at the base was called Chico Mayar.

22 Q. Witness, can I ask you to spell that name for the Court,
23 please?

24 A. C-H-I-C-O, Chico, Mayar, M-A-Y-A-R.

12:42:56 25 Q. Witness, when you were in Gisiwolo training base do you
26 remember if any RUF commanders visited the training?

27 A. RUF commander, yes, they used to visit the training base.

28 Q. Do you remember the name of the commanders that visited the
29 base?

1 A. Yes.

2 Q. Please tell the Court?

3 A. Well, even the commander-in-chief for RUF organisation
4 visited the training base.

12:43:46 5 Q. What was his name?

6 A. The first time I saw him in person he called himself
7 Corporal CIC Foday Saybana Sankoh.

8 Q. Witness, what does CIC stand for?

9 A. CIC means commander-in-chief.

12:44:22 10 Q. Were you there when Foday Saybana Sankoh visited the
11 Gisiwolo training base?

12 A. Yes. In fact it was my very first time I saw him.

13 Q. What happened when Foday Sankoh visited the base?

14 A. Well, the day he visited the base, those of us who were at
12:44:58 15 the training base who were present at the moment, they called a
16 general muster parade. We came back from the forest for the
17 muster parade. I was in the muster parade when Foday Sankoh
18 spoke to us.

19 Q. What did Foday Sankoh say to you all?

12:45:34 20 A. Foday Sankoh, at first he introduced himself the way I have
21 said, then he told us that he is the leader for the RUF/SL
22 movement. He said but all of us fighting the war, we are
23 fighting it for ourselves, he is just there as the leader. Then
24 he is a man who is a poor photographer. He said he is not having
12:46:27 25 money to fight the war to go and buy arms and ammunition to fight
26 the war in Sierra Leone. He said but he has a friend, he said he
27 is prepared to assist him to fight the war in Sierra Leone. He
28 said the name of his friend is Charles Dankpannah Ghankay Taylor.
29 He said he is in Liberia. He said he is prepared to give him

1 fighters, then he is also prepared to give him arms and
2 ammunition to fight the war in Sierra Leone. So he said that to
3 us. We were all happy. We clapped for him.

12:47:49

4 MS ALAGENDRA: If I can just ask the Court to check if the
5 witness is all right.

6 PRESIDING JUDGE: Mr Witness, are you having a problem?

7 THE WITNESS: I am not having a problem, but when I look
8 with my eyes continuously tears run my eyes.

12:48:15

9 PRESIDING JUDGE: I understand. If it's interfering please
10 tell us and in the meantime we will ask the witness support unit
11 to check you at lunchtime. Do you feel able to continue?

12 THE WITNESS: Yes.

13 MS ALAGENDRA:

12:48:47

14 Q. Witness, were you told who was Charles Dankpannah Ghankay
15 Taylor?

16 A. Yes. Foday Sankoh told us, he said he is his friend. He
17 said he was the leader for the fighters that came to Sierra Leone
18 that we called the NPFL fighters. He said he was the leader for
19 those fighters.

12:49:31

20 Q. Witness, when Foday Sankoh came to Gisiwolo training base
21 who did he come with?

22 A. At the time he came along with people who were bodyguards
23 to him.

24 Q. Do you recall any of their names?

12:50:00

25 A. I remember one called Rocky CO, he was one of the
26 bodyguards. Then I saw a woman who was called Sombo, she too was
27 a bodyguard.

28 Q. Witness, are you able to spell Sombo?

29 A. Yes.

1 Q. Can you please spell that for us, witness?

2 A. S-O-M-B-O, Sombo.

3 Q. Witness, how long did you train at Gisiwolo training base?

4 A. I trained there for between three and four months. Then I

12:51:01 5 completed the training and I was sent to the front line.

6 Q. Are you able to say from which month to which month in the
7 year, please?

8 A. Yes. April 1991, May to June 1991.

9 Q. Witness, after your training did you join any group?

12:51:41 10 A. After the training the senior fighters for us came and took
11 us to the front line.

12 Q. Witness, my question to you was whether you joined any
13 group after your training?

14 A. Yes.

12:52:12 15 Q. Which group did you join?

16 A. It was the fighting group that I joined.

17 Q. What was the name of the group that you joined?

18 A. It was an RUF group.

19 Q. How long did you remain as a member of the RUF group?

12:52:51 20 A. From 20 April 1991 when I joined the RUF or the training
21 base until 2001 July when I was disarmed, I was with the RUF
22 throughout.

23 Q. Witness, between April 1991 and July 2001 did you receive
24 any appointments with the RUF?

12:53:20 25 A. Yes.

26 Q. Witness, I want to take you through your appointments with
27 the RUF so if you would just state the year of the appointment,
28 the location and your assignment for the Court, please. Witness,
29 after you were trained which ended in June 1991 what was your

1 first assignment with the RUF?

2 A. I was at the Kenema Highway as a fighter, 1991.

3 Q. This is from June 1991?

4 A. Yes, June 1991.

12:54:15 5 Q. Witness, where is Kenema Highway located?

6 A. Kenema Highway, the area where I was, was towards the
7 Gorahun Tunkia and around Pujehun District and Kenema District.

8 Q. Could you repeat the area again, towards which place?

9 A. Gorahun Tunkia Highway.

12:54:58 10 Q. Could you spell that for the Court, please?

11 A. Yes. G-O-R-A-H-U-N, Gorahun, T-O-N-K-A-I, Tunkia.

12 Q. Witness, how long did you remain in Kenema Highway as a
13 fighter?

14 A. I spent about two months at the Kenema Highway, June to
12:55:33 15 August 1991.

16 Q. Did you receive any assignment in August 1991?

17 A. Yes.

18 Q. What was your assignment?

19 A. I was assigned again at Bumpeh Perri, August 1991.

12:56:04 20 Q. Could you spell Bumpeh Perri for the Court?

21 A. Yes.

22 Q. Please do so, witness.

23 A. B-U-M-P-E-H, Bumpeh, Perri P-E-R-R-I. Bumpeh Perri.

24 Q. Where is Bumpeh Perri located?

12:56:44 25 A. Bumpeh Perri is in the Gallinas Perri chiefdom, Pujehun
26 District.

27 Q. Witness, can you spell Gallinas Perri, please, for the
28 Court?

29 A. G-A-L-L-I-N-E-S-S [sic], Gallinas, Perri, P-E-R-R-I.

- 1 Q. Witness, what was your assignment in Bumpeh Perri?
- 2 A. I was there as a fighter for RUF.
- 3 Q. How long were you assigned to Bumpeh Perri as a fighter?
- 4 A. I was there for three months, same 1991.
- 12:58:02 5 Q. Are you able to say to which month?
- 6 A. From August, the mid August to early November.
- 7 Q. Did you receive any appointment after this?
- 8 A. Yes.
- 9 Q. What was your next appointment.
- 12:58:45 10 A. I went to Gofor Makpele again.
- 11 Q. Can you spell that for the Court, witness?
- 12 A. Yes.
- 13 Q. Please do?
- 14 A. G-O-F-O-R, Gofor, Makpele, M-A-K-P-E-L-E.
- 12:59:12 15 Q. Witness, which is Gofor Makpele located?
- 16 A. It's in the Pujehun District.
- 17 Q. Which was your assignment in Gofor Makpele?
- 18 A. I was a fighter at that time.
- 19 Q. How long did you remain in Gofor Makpele from early 1991
- 12:59:44 20 November - early November '91, sorry?
- 21 A. I spent between one and two weeks in Gofor Makpele.
- 22 Q. Where did you go after that?
- 23 A. I left Gofor and we came, passed the night in a village
- 24 called --
- 13:00:26 25 THE INTERPRETER: Your Honour, can the witness repeat the
- 26 name of the village.
- 27 PRESIDING JUDGE: Mr Witness, can you please give us the
- 28 name of the village again.
- 29 THE WITNESS: Yes, Kenema Soro.

- 1 MS ALAGENDRA:
- 2 Q. Witness, can you spell Kenema Soro?
- 3 A. Yes.
- 4 Q. Please do so, witness?
- 13:00:53 5 A. K-E-M-E-M-A, Kenema, Soro S-O-R-O.
- 6 Q. Where is Kenema Soro village located?
- 7 A. It's in the Makpelle chiefdom, Pujehun District.
- 8 Q. How long did you remain in Kenema Soro?
- 9 A. I passed the night there.
- 13:01:31 10 Q. Where did you go after the one night?
- 11 A. In the morning I travelled, crossed the Mano River, entered
- 12 into Liberia in a town called York Island.
- 13 Q. Can you spell that for the Court, witness?
- 14 A. Yes.
- 13:02:12 15 Q. Please proceed.
- 16 A. Y-O-R-K, York, Island, I-S-L-A-N-D. York Island.
- 17 Q. In which part of Liberia is York Island located?
- 18 A. Well, I understood that it was on the Grand Cape Mount
- 19 County.
- 13:02:58 20 Q. Witness, how long did you remain in Liberia?
- 21 A. I stayed there for three months.
- 22 Q. Are you able to say to which month and year?
- 23 A. Yes.
- 24 Q. Which month and year, witness?
- 13:03:20 25 A. First week in December to March, first to second week in
- 26 March 1992.
- 27 Q. Did you go anywhere in March 1992?
- 28 A. Yes.
- 29 Q. Where did you go to?

1 A. I returned to Sierra Leone.

2 Q. When you returned back to Sierra Leone did you have any
3 more assignments with the RUF?

4 A. Yes.

13:04:05 5 Q. What was your first assignment when you returned to Sierra
6 Leone in March 1992?

7 A. I was assigned at Gornohun combat camp.

8 Q. Can you spell Gornohun for the Court, please?

9 A. G-O-R-N-O-H-U-N, Gornohun.

13:04:38 10 Q. Where is Gornohun located?

11 A. It's in the Pujehun District.

12 Q. What was your assignment in Gornohun?

13 A. I was there as a fighter.

14 Q. Who gave you this assignment?

13:05:11 15 A. The commander at Gornohun was there. He was called --

16 THE INTERPRETER: Your Honour, can the witness repeat the
17 name of the commander.

18 PRESIDING JUDGE: Mr Witness, the interpreter requires you
19 to repeat the name of the commander, please.

13:05:32 20 THE WITNESS: The commander who was at Gornohun was called
21 Gbenda.

22 MS ALAGENDRA:

23 Q. Witness, are you able to spell Gbenda?

24 A. Yes.

13:05:44 25 Q. Please do so, witness.

26 A. G-B-E-N-D-A, Gbenda.

27 Q. For how long was your assignment in Gornohun as a fighter?

28 A. Between one and two months.

29 Q. Are you able to say which month?

- 1 A. That was March to April 1992.
- 2 Q. Did you have any assignment after this?
- 3 A. Yes.
- 4 Q. What was your next assignment?
- 13:06:41 5 A. I was assigned at Sulima.
- 6 Q. Can you spell Sulima for the Court, please?
- 7 A. Yes.
- 8 Q. Please do so, witness.
- 9 A. S-U-L-I-M-A, Sulima.
- 13:07:04 10 Q. Where is Sulima town located?
- 11 A. Sulima is in the Pujehun District. It is very close to the
- 12 sea.
- 13 Q. What was your assignment in Sulima?
- 14 A. I was at Sulima as a clerk for the RUF fighters who were
- 13:07:37 15 there.
- 16 Q. How long did you remain in Sulima?
- 17 A. I spent about one to two months at Sulima.
- 18 Q. Are you able to say to which month?
- 19 A. It was May to June 1992.
- 13:08:28 20 Q. Did you have any assignment after this?
- 21 A. Yes.
- 22 Q. What was your next assignment after Sulima?
- 23 A. I was assigned at Konia.
- 24 Q. Can you spell that for the Court, please, witness?
- 13:08:43 25 A. K-O-I-N-A, Konia.
- 26 Q. Where is Konia located?
- 27 A. It's the Kpaka chiefdom, Pujehun District.
- 28 Q. Can you spell the name of the chiefdom, please?
- 29 A. K-P-A-K-A, Kpaka.

1 Q. What was your assignment in Konia?

2 A. I was there as a fighter. I was a subgroup fighting
3 commander in Konia.

4 Q. Who were you reporting to when you were in Konia?

13:09:43 5 A. I reported to a commander called Gibri I Massaquoi.

6 Q. Did you receive any assignment after this?

7 A. Yes.

8 Q. When was your next assignment?

9 A. I was assigned in the Pujehun District. I was assigned to
13:10:29 10 the battalion which was there and later I was assigned to the
11 Kori bundu jungle.

12 Q. When were you assigned to Pujehun District?

13 A. Please repeat the question.

14 Q. When you were assigned to Pujehun District, this particular
13:10:50 15 assignment?

16 A. 28 February 1994.

17 Q. What was your assignment in Pujehun?

18 A. I was the deputy battalion commander for the IDU, Pujehun
19 District. Then later Kori bundu jungle.

13:11:31 20 Q. Witness, what do you mean by IDU, what does that stand for?

21 A. IDU means Internal Defence Unit.

22 Q. What was your assignment in Kori bundu?

23 A. I was there in the same position, IDU deputy battalion
24 commander.

13:12:06 25 Q. Where is Kori bundu located?

26 A. It's in the Bo District.

27 Q. Witness, were you the IDU deputy commander in both
28 Kori bundu and Pujehun at the same time?

29 A. Yes.

1 Q. For how long did you hold this position?

2 A. I was in this position up to July 1995.

3 Q. Did you receive any assignment in July 1995?

4 A. Yes.

13:12:57 5 Q. What was the assignment you received?

6 A. The RUF/SL Leader Foday Sankoh assigned me again to Peyama
7 as IDU agent. The battalion which was there, he said I should go
8 there to be an agent for the IDU.

9 Q. Witness, can you spell Peyama for the Court, please?

13:13:32 10 A. Yes.

11 Q. Please proceed, witness.

12 A. P-E-Y-A-M-A, Peyama.

13 Q. And where is Peyama located?

14 A. It's in the Kenema District.

13:13:57 15 Q. Witness, how long did you hold this assignment in Peyama
16 for?

17 A. I was there until November 1996.

18 Q. Did you receive any assignment in November '96?

19 A. Yes.

13:14:20 20 Q. What was the assignment?

21 A. I was assigned to Buedu as IDU area commander.

22 Q. For how long did you have this assignment?

23 A. I was assigned in 1996 December to April 1997, March to
24 April 1997.

13:15:08 25 Q. Did you receive any assignment in March to April 1997?

26 A. Yes.

27 Q. What was the assignment?

28 A. I was assigned in Kailahun Town as IDU commander.

29 Q. For how long did you remain at IDU commander in Kailahun

- 1 Town?
- 2 A. It was between one and two months.
- 3 Q. Are you able to say to which month?
- 4 A. Yes.
- 13:15:58 5 Q. Which month?
- 6 A. April to May 1997.
- 7 Q. Did you have any assignment after that?
- 8 A. Yes.
- 9 Q. What was your next assignment?
- 13:16:25 10 A. I was assigned at Zimmi Makpele June 1997 as IDU commander.
- 11 Q. For how long did you remain IDU commander of Zimmi Makpele?
- 12 A. I was there from June 1997 to February 1998?
- 13 Q. Where did you go to in February 1998?
- 14 A. I went to Daru barracks, in 1998 I was there.
- 13:17:09 15 Q. Why did you go to Daru barracks in 1998 in February?
- 16 A. Our overall acting commander at that time Sam Bockarie who
- 17 was Mosquito sent a message that we should leave Zimmi Makpele.
- 18 Q. Do you know why he sent that message?
- 19 A. Yes.
- 13:17:56 20 Q. Why?
- 21 A. He said Freetown which was the headquarters at that time
- 22 under RUF/AFRC had been captured by ECOMOG and so we should leave
- 23 Zimmi Makpele and go to Daru barracks and meet there.
- 24 Q. Witness, for how long did you remain in Daru barracks?
- 13:18:37 25 A. About two weeks.
- 26 Q. Where did you go after the two weeks?
- 27 A. I came to a town called Qui va.
- 28 Q. Can you spell Qui va for the Court?
- 29 A. Yes.

1 Q. Please do, witness.

2 A. K-U-V-I-A, Qui va.

3 Q. Where is Qui va located?

4 A. It's in the Kailahun District.

13:19:18 5 Q. Do you remember the month and the year that you went to
6 Qui va?

7 A. March 1998.

8 THE INTERPRETER: Your Honours, can the witness speak into
9 the mic.

13:19:33 10 PRESIDING JUDGE: Mr Witness, the interpreter requires you
11 to get a little bit closer to the microphone so he can hear you
12 more clearly.

13 JUDGE SEBUTINDE: Mr Witness, are you feeling cold?

14 THE WITNESS: No.

13:20:09 15 MS ALAGENDRA:

16 Q. Witness, what was your assignment in Qui va?

17 A. I was there as 2nd battalion IDU commander.

18 Q. How long did you remain a second battalion IDU commander in
19 Qui va?

13:20:36 20 A. I was there from March 1998 up till December 1998 when I
21 left Qui va.

22 Q. Did you receive any appointment when you left Qui va in
23 December 1998?

24 A. Yes.

13:20:57 25 Q. What was the assignment?

26 A. I was assigned to Segbwema, December 1998.

27 Q. Can you spell Segbwema?

28 A. Yes.

29 Q. Please do, witness.

- 1 A. S-E-G-B-E-M-A, Segbwema.
- 2 Q. Where is Segbwema located?
- 3 A. Segbwema is in the Kailahun District.
- 4 Q. What was your assignment in Segbwema?
- 13:21:54 5 A. My assignment there was IDU commander.
- 6 Q. How long did you remain in this assignment?
- 7 A. I was there for about three months.
- 8 Q. To which month and year?
- 9 A. From December 1998 to March/April 1999.
- 13:22:29 10 Q. Did you receive any assignment in March or April 1999?
- 11 A. Yes.
- 12 Q. What was the assignment?
- 13 A. I was in Makeni April 1999.
- 14 Q. What was your assignment in Makeni?
- 13:23:02 15 A. I was assigned as an IDU personnel with the overall IDU
16 commander.
- 17 Q. Who was the overall IDU commander at the time?
- 18 A. His name is Augustine Gbao.
- 19 Q. How long did you remain in Makeni?
- 13:23:36 20 A. I spent about two weeks with him in Makeni.
- 21 Q. Did you receive any assignment after this?
- 22 A. Yes.
- 23 Q. What was the assignment?
- 24 A. Between May and June I was assigned at Pendembu as IDU
13:24:13 25 chief clerk, 1st brigade IDU chief clerk.
- 26 Q. Witness, can you spell Pendembu?
- 27 A. Yes.
- 28 Q. Please do, witness.
- 29 A. P-E-N-D-E-M-B-U, Pendembu.

- 1 Q. Where is Pendembu located?
- 2 A. Pendembu is in the Kailahun District.
- 3 Q. How long did you remain in Pendembu?
- 4 A. I was in Pendembu from May 1999 to July 2000.
- 13:25:10 5 Q. Did you receive any appointment in July 2000?
- 6 A. Yes.
- 7 Q. What was your assignment?
- 8 A. I was assigned as secretary to Komba Gbundema.
- 9 Q. Who is Komba Gbundema?
- 13:25:39 10 A. At that time he was the operational commander for RUF/SL.
- 11 Q. How long did you remain as secretary to Komba Gbundema?
- 12 A. Between three and four months.
- 13 Q. Are you able to say to which month and year?
- 14 A. Let me say it was four to five months, that was July 2000
- 13:26:33 15 to November 2000.
- 16 Q. Did you receive any appointment in November 2000?
- 17 A. Yes.
- 18 Q. What was the appointment you received?
- 19 A. Komba Gbundema assigned me to Kono as transportation
- 13:26:58 20 officer secretary.
- 21 Q. For how long did you remain in this position?
- 22 A. From November 2000 to the end of December 2000.
- 23 Q. Did you receive any appointment after that?
- 24 A. Yes.
- 13:27:26 25 Q. What was your appointment?
- 26 A. I was appointed as a mining commander.
- 27 THE INTERPRETER: Your Honours, the witness called the name
- 28 of a place that the interpreter did not get.
- 29 PRESIDING JUDGE: Mr Witness, can you please repeat the

1 name of the place as the interpreter didn't hear it.

2 THE WITNESS: Ngai ya.

3 MS ALAGENDRA:

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

13:28:01 5 A. Yes.

6 Q. Please do.

7 A. N-Y-A-I-G-A, Ngai ya.

8 Q. Where is Ngai ya located?

9 A. It's in the Kono District.

13:28:33 10 Q. When did you receive this appointment, witness?

11 A. 14 January 2001.

12 Q. For how long did you remain in this appointment?

13 A. From January 2001 to June 2001.

14 Q. Did you receive any appointment after that?

13:29:12 15 A. I went through NCDDR.

16 Q. What does that mean, witness?

17 PRESIDING JUDGE: Ms Alagenda, I'm watching the time and
18 this will have to be the last question before the lunchtime
19 adjournment.

13:29:28 20 THE WITNESS: NCDDR means National Commission For
21 Disarmament, Demobilisation and Reintegration.

22 MS ALAGENDRA: Thank you, witness.

23 PRESIDING JUDGE: Mr Witness, we are now going to take the
24 lunchtime adjournment. We will resume the Court at 2.30. Please
13:29:56 25 adjourn court.

26 [Lunch break taken at 1.30 p.m.]

27 [Upon resuming at 2.30 p.m.]

28 PRESIDING JUDGE: Ms Alagenda, please proceed.

29 MS ALAGENDRA: Thank you, your Honour:

1 Q. Witness, just before we broke for lunch you were telling
2 the Court your various positions and assignments with the RUF.
3 You told the Court that you held various positions within the IDU
4 which you said was the Internal Defence Unit.

14:29:22 5 A. Yes.

6 Q. Witness, what was the function of the Internal Defence
7 Unit?

8 A. Well, we worked as Internal Defence Unit, IDU, for the
9 Revolutionary United Front of Sierra Leone movement. We were the
14:29:51 10 people who any time a commander would do anything that was
11 against the revolution, it was our duty to write a report against
12 that person and forward that report.

13 Q. Witness, what do you mean by anything that was against the
14 revolution?

14:30:21 15 A. Any bad thing, like, for example, an RUF fighter, or a
16 commander, who would kill a civilian innocently, or rape a
17 civilian woman who was with the revolution. When you were a
18 fighter, or a commander, doing unlawful destruction and you were
19 aware that it was a law within the RUF that you could not take in
14:31:17 20 your hands and if you do that, if you took the law into your
21 hands, it was our place to investigate, take a statement from
22 you. If you are found guilty, after we pass our judgment the
23 movement would take an action against you. Those were some of
24 the duties we did as IDU.

14:31:58 25 Q. Witness, who would do the investigations?

26 A. Well, in the RUF SL movement we had a Joint Security Board
27 of Investigation panel. If any fighter, or commander, violated a
28 law of the RUF, we would come together as one body and
29 investigate the violator.

1 Q. This body, is this what you are referring to as the Joint
2 Security Board of Investigations?

3 A. Yes.

14:33:09 4 Q. Witness, what was the composition of this Joint Security
5 Board of Investigations?

6 A. The IDU representative would be on that investigation
7 panel, the IO intelligence officer would be there, the G5 would
8 be there and the MP, the military police, would also be there on
9 the panel, and some other representatives from other units would
14:33:37 10 also be present.

11 Q. Witness, what is the G5?

12 A. The G5 were there purposefully for the civilians.

13 Q. What were they doing for the civilians?

14 A. They were there with the civilians just maybe in case that
14:34:17 15 a fighter would want to do something bad to the civilians. They
16 will be there to protect the civilians and they would communicate
17 the problems of the civilians to the Joint Security, or the
18 commanders, who would be in charge of any area.

19 Q. Witness, the IDU, who did the IDU report to?

14:34:43 20 A. IDU, we had different commanders. As how the commanders
21 were set up, so we passed on the reports.

22 Q. Who were the commanders that the IDU unit reported to?

23 A. Well, we had IDU personnel.

24 Q. I am just going to stop you there for a minute. My
14:35:23 25 question was who did the IDU report to?

26 A. Well, IDU, we reported to our commander who was the overall
27 IDU commander. He was in the movement.

28 Q. What was the name of the overall IDU commander?

29 A. His name is Augustine Gbao.

1 Q. Can you tell the Court the time period during which
2 Augustine Gbao was the overall IDU commander?

3 A. Yes.

4 Q. Please do, witness.

14:36:13 5 A. Augustine Gbao became the IDU commander since 1996, March.
6 Right up to the time of the disarmament, he was still the overall
7 IDU commander.

8 Q. Witness, apart from being the overall IDU commander, did
9 Augustine Gbao have any other position between 1996, March, and
14:36:41 10 disarmament?

11 A. Yes.

12 Q. What other position did he have?

13 A. Augustine Gbao was the chief security officer for the RUF
14 SL movement from 1996 to the time of the disarmament in Sierra
14:37:12 15 Leone.

16 Q. Witness, before Augustine Gbao became the overall IDU
17 commander and the chief security officer for the RUF, who was the
18 IDU unit reporting to?

19 A. First when I joined the IDU in 1994 our overall commander
14:37:37 20 was PS Baida.

21 THE INTERPRETER: Your Honours, can the witness repeat the
22 initials of the commander.

23 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
24 repeat the initials of the person you have named.

14:37:57 25 THE WITNESS: Mr PS Baida.

26 MS ALAGENDRA:

27 Q. Witness, can you spell that for the Court, please.

28 A. B-A-I-D-A, Baida.

29 Q. You have said that the IDU unit reported to Augustine Gbao

1 between 1996 and disarmament, and you explained that you reported
2 to PS Baida before Augustine Gbao took this position. Can you
3 tell the Court who the Intelligence Office reported to?

4 A. They had their own commander to whom they reported.

14:38:52 5 Q. As a structure, who did the IO unit report to?

6 A. What year are you talking about?

7 PRESIDING JUDGE: What is IO?

8 MS ALAGENDRA: The witness explained IO as investigation --

9 THE WITNESS: The meaning of IO is Intelligence Office.

14:39:21 10 That is the meaning.

11 MS ALAGENDRA:

12 Q. Thank you, witness. My question was who did the IO report
13 to?

14 A. What year are you talking about?

14:39:38 15 Q. Between 1996 and disarmament who did the IO report to?

16 A. Well, IO reported to the chief security officer, who was
17 Augustine Gbao.

18 Q. Before 1996 who did the IO report to?

19 A. They had their own command structure.

14:40:17 20 Q. So who did they report to?

21 A. They reported to the revolutionary leader.

22 Q. Who was that?

23 A. It was Foday Sankoh.

24 Q. Between 1996 and the disarmament period who did the G5
14:40:43 25 report to?

26 A. Well, G5 too had their own structure, but Augustine Gbao
27 was the overall Joint Security commander, the chief security
28 commander, in the RUF.

29 Q. Who did the military police, the MP, report to?

1 A. They reported to their commander and their commander in
2 turn would report to the chief security officer.

3 Q. Is that Augustine Gbao you are talking about?

4 A. Yes, he was the chief security officer.

14:41:47 5 Q. Who did the Joint Security Board of Investigations report
6 to?

7 A. We reported directly to Augustine Gbao. He was the
8 commander. He was the chief security officer.

9 Q. Witness, do you know who Augustine Gbao reported to?

14:42:17 10 A. Yes.

11 Q. Who?

12 A. Augustine Gbao reported directly to the acting field
13 commander, who was Sam Bockarie.

14 Q. Did you know who PS Baida reported to?

14:42:44 15 A. Well, at this point I didn't know the position PS Baida had
16 in the RUF.

17 Q. When PS Baida was the overall IDU commander for the RUF, do
18 you know who he reported to?

19 A. Yes, at the time I was working with him in 1994 PS Baida
14:43:15 20 reported directly to Foday Sankoh.

21 Q. Witness, you told the Court earlier that after the
22 investigation a report is submitted. Who is this report
23 submitted to?

24 A. We would submit the report to the chief security officer,
14:43:39 25 who was Augustine Gbao.

26 Q. What would that report contain?

27 A. Well, if any violator had been brought before the
28 investigation panel, the investigation board of panel, if we
29 found him guilty we would recommend whether the officer should

1 undergo - or should be demoted. That would be written in the
2 report. The person who committed the crime would make the report
3 and make a recommendation for that as well. If he was to be put
4 into a guard room, that recommendation too would be made by us.

14:44:55 5 If he was to go to the front line, it would be in the
6 investigation report. Those were some of the recommendations we
7 made as Joint Security Board of Investigation panel, that we
8 submitted when a soldier, a junior officer, or a commander, would
9 commit a crime. We would submit it to the chief security
14:45:27 10 officer.

11 Q. Witness, what did Augustine Gbao do with the report you
12 submitted to him - sorry, that the Joint Security board submitted
13 to him?

14 A. Well, it was his duty to submit it to the field commander.

14:45:49 15 Q. You told the Court earlier that was Sam Bockarie; is that
16 correct?

17 A. Yes, Sam Bockarie was the field commander from November
18 1996 to December 1999.

19 Q. And what was Sam Bockarie's role once he receives this
14:46:13 20 report from Augustine Gbao?

21 A. Well, according to the rules and regulations, it was his
22 role to approve the recommendations.

23 Q. Between 1996 to the end of 1999, do you know how many such
24 reports did Sam Bockarie approve that came from the Joint
14:47:04 25 Security Board of Investigations?

26 A. Well, many of the reports that were sent to him, he did not
27 approve them.

28 Q. What would happen if Sam Bockarie did not approve the
29 reports sent to him?

1 A. The fighter, the junior officer, or the commander who would
2 have committed the crime would be set free.

3 Q. Witness, before the Joint Security board starts its
4 investigations, who would bring the complaint to the board?

14:47:56 5 A. At times if a soldier, or a fighter, or a commander had
6 committed a crime, the MPs would bring the report to the
7 investigation board.

8 Q. Apart from the MPs, did anybody else bring complaints to
9 the investigation board?

14:48:25 10 A. Yes.

11 Q. Who, witness?

12 A. Well, that is why we called it Joint Security, including
13 IDU, MP, IO. We are all to report anything done to civilians.

14 THE INTERPRETER: Your Honours, can the witness repeat this
14:48:58 15 bit of his testimony.

16 PRESIDING JUDGE: Please pause, Mr Witness. The
17 interpreter is trying to catch up with you. Would you please
18 repeat the last part of your answer.

19 THE WITNESS: I said that is why we refer to ourselves as
14:49:22 20 Joint Security: The IDU, the IO, the MP, the G5. Wherever we
21 were, any violator we came across, be it an RUF fighter, or a
22 commander, or a civilian, who would have gone against the rules
23 and regulations of RUF, it was our duty to bring that person to
24 the investigation board, so we were all responsible for sending
14:50:34 25 reports about any violator within the RUF.

26 Q. Witness, were civilians able to make complaints to the
27 Joint Security board?

28 A. Yes. The time I joined the Joint Security, 1994 to 1996,
29 when Foday Sankoh was there civilians made reports.

1 Q. What about after 1996?

2 A. After 1996, when Sam Bockarie was in power, civilians did
3 not make reports as it was in the case of Sankoh's regime.

4 Q. Do you know the reason for that, witness?

14:51:39 5 A. Well, from the experience I had from the revolution, Sam
6 Bockarie was a man who had no respect for the law, so when he was
7 in command all he was interested in was to fight the war, but
8 most of the crimes were committed by himself and his bodyguards
9 too. So, even if he heard about a report that civilians - that
14:52:43 10 this and that crime had been committed against a civilian, he had
11 no interest to bring these soldiers, or commanders, who might
12 have done that, to justice. So, from the time he took over,
13 right up to the time he left, the Joint Security operation was
14 not really focused on crimes committed by soldiers, or

14:53:21 15 commanders, committed against civilians. Even commanders were
16 committing crimes against junior officers. Sam Bockarie was
17 never interested in that, to bring those people to justice.

18 Q. So, witness, what was the reason then that the civilians
19 did not make reports against crimes committed against them during
14:53:52 20 Sam Bockarie's time?

21 MR MUNYARD: I am sorry, I don't know how this witness can
22 possibly speak on behalf of the civilian population of a country,
23 certainly not on the basis of the question as it has currently
24 been asked.

14:54:07 25 PRESIDING JUDGE: I think that is a very valid observation,
26 Ms Alagenda.

27 MS ALAGENDRA: Your Honours, I was going to ask the witness
28 to answer that question based on what he observed and heard.

29 PRESIDING JUDGE: If you rephrase it in that way.

1 MS ALAGENDRA:

2 Q. Witness, do you know why civilians did not bring complaints
3 to the Joint Security board during Sam Bockarie's time?

14:54:33

4 PRESIDING JUDGE: That does not include his observations,
5 or his hearing.

6 MS ALAGENDRA: Your Honours, I just wanted the witness to
7 first establish that he knew why and after that I will ask him
8 why.

14:54:45

9 JUDGE LUSSICK: Was there a reason, Ms Alagendra, that
10 applied to all civilians? Was there only one reason that all
11 civilians did not bring these complaints?

12 MS ALAGENDRA: That is something I want to clarify with the
13 witness, your Honour.

14:55:02

14 JUDGE LUSSICK: I think that is the basis of the objection:
15 That he can't speak for every civilian.

14:55:23

16 MR MUNYARD: With respect, your Honour, Justice Lussick, it
17 goes beyond that. For any other person, for him to speak for any
18 other person a proper foundation has to be laid and the form of
19 the question, as it has been put twice by my learned friend, does
20 not establish the foundation for him giving any answer.

21 MS ALAGENDRA: Your Honours, if I try to rephrase the
22 question again.

23 PRESIDING JUDGE: Well, try and rephrase it.

24 MS ALAGENDRA:

14:55:43

25 Q. Witness, from what you observed during your time with the
26 IDU unit, do you know why the civilians did not make complaints
27 to the Joint Security Board?

28 MR MUNYARD: We are still talking in what I will call mass
29 terms, "the civilians". I think the question has got to be far

1 more specific about this individual and his knowledge and I am
2 not going to ask the question for my learned friend. It is for
3 her, if she is going to try and bring in evidence, to formulate
4 it in the proper way. It is not for the Defence to assist the
14:56:19 5 Prosecution in making a case when they can't do so at the moment.

6 PRESIDING JUDGE: That is correct, Ms Alagendra.

7 MS ALAGENDRA: Your Honours, this witness is testifying
8 generally about the working of the IDU unit, generally. We have
9 not gone into the specific areas where he served, which is what
14:56:39 10 we are going to do later.

11 PRESIDING JUDGE: You have asked him a very general
12 question about what was in the mind of several thousand people.
13 If he has specific knowledge, specific reports, then you must lay
14 a foundation for that specific - how he came about to have that
14:56:56 15 specific knowledge.

16 MS ALAGENDRA: Yes, your Honours. I was going to say that
17 I will hold on asking this question when we move to the specific
18 areas where this witness was located:

19 Q. Witness, you testified earlier that you were based in
14:57:16 20 Bumpeh Perri between August and early November 1991 and you were
21 based there as a fighter for the RUF. Was there an overall
22 commander who was based in Bumpeh Perri at this time?

23 A. Yes, we had an overall commander in that place, Bumpeh
24 Perri.

14:57:42 25 Q. Who was the overall commander at the time?

26 A. At that time the commander was called Dixon Wolo.

27 Q. Witness, are you able to spell Dixon Wolo for the Court?

28 A. Yes.

29 Q. Please do, witness.

1 A. D-I-X-O-N, Dixon. W-O-L-O, Wolo.

2 Q. What were your duties as a fighter when you were based in
3 Bumpeh Perri?

4 A. My duty at that time was to go and set an ambush ahead of
14:58:47 5 the soldiers against who we were fighting and to also man
6 checkpoints.

7 Q. What precisely were you doing when you were manning
8 checkpoints?

9 A. Our duty at that checkpoint - when I was there the
14:59:12 10 commanders instructed me that any group of people who would come,
11 we should halt them and they should come to the checkpoint and we
12 searched them.

13 JUDGE SEBUTINDE: Ms Alagenda, the record has "hurt", but
14 I think the witness said "halt".

14:59:44 15 THE INTERPRETER: "Halt", "halt", your Honour.

16 JUDGE SEBUTINDE: Did the witness say "halt", as in stop?

17 THE INTERPRETER: "Halt", your Honour, H-A-L-T.

18 MS ALAGENDRA: Thank you, your Honour:

19 Q. Witness, what do you mean by any group of people who would
14:59:58 20 come?

21 A. Well, like civilian groups who would come to us. Also we
22 knew that they had civilian dress on, they were not armed. We
23 would wait until they get close to us and we shout and tell them
24 to stop, but in the guerilla terminology we would say "halt" and
15:00:33 25 later we tell them, "Advance to be recognised", so we would know
26 who they were. We would call them. They would come very close
27 to the checkpoint and we will search them. After the searching
28 we would allow them to go to the territory where we were, the
29 areas where we occupied.

1 Q. What were you searching the civilians for?

2 A. We searched civilians at that time, 1991, when the war had
3 just started. We searched them for their property, like
4 clothing, food and money, if we saw money with them.

15:01:46 5 Q. What did you do when you found clothing, food, or money on
6 civilians?

7 A. We will take it from them.

8 Q. How did you take it from them?

9 A. We took it forcefully. We use power, we use force, using
15:02:16 10 the guns that we had so that we can take it from them.

11 Q. During the time that you were at the checkpoints in Bumpah
12 Perri, did civilians ever refuse to give their property up to
13 you?

14 A. Yes, some civilians did that, they would refuse. If we
15:02:48 15 found money on them, or food, or even their clothing, they will
16 refuse to hand it over to us.

17 Q. Did anything happen to civilians who refused to hand these
18 items to you?

19 A. Yes.

15:03:08 20 Q. What happened?

21 A. At that time our senior commanders were armed. At that
22 time any civilian who would refuse, they would kill that person.

23 Q. Witness, which group did the senior commanders belong to in
24 Bumpah Perri?

15:03:39 25 A. Well, really the senior commanders were all Liberians.
26 They were the senior commanders. When the war started in April
27 1991, the senior commanders were the Liberians.

28 Q. Which group did they belong to?

29 A. The majority of them were members of the - they were

1 National Patriotic Front of Liberia fighters, NPFL. Some were
2 RUF SL fighters.

3 Q. Witness, during your assignment at the checkpoints in
4 Bumpeh Perri, do you recall approximately how many civilians were
15:04:38 5 killed for not giving up their property?

6 A. If I can recall approximately, because I cannot recall the
7 exact figure now, but those who were killed that way would be
8 around 25, or more than that, but I cannot give you now an exact
9 number because there were other checkpoints where I did not
15:05:21 10 visit, but where I was, I was assigned to be there. People who
11 were killed there would be up to 25, or even beyond.

12 Q. During the time you were based in Bumpeh Perri did anything
13 else happen besides what you told us happened at checkpoints?

14 A. Yes.

15:05:48 15 Q. Please tell us, witness.

16 A. The commander who was at Bumpeh, Dixon Wolo, every morning
17 and evening.

18 Q. Sorry to stop you. Just to correct something, when you say
19 "Bumpeh", what do you mean?

15:06:15 20 A. Bumpeh Perri was a town.

21 Q. Thank you, witness. You can continue.

22 A. The commander, Dixon Wolo, used some Liberian fighters as
23 bodyguards in the morning and the evening. In the evening he
24 will take civilians. He will give an order for civilians to be
15:06:43 25 encamped at Bumpeh. He will take them and take them to a
26 particular bridge and kill them, and the name of the river there
27 was called Masawei.

28 Q. Witness, can you spell Masawei for the Court?

29 A. Yes, M-A-S-A-W-E-I.

1 Q. Witness, when you say he would give an order for civilians
2 to be encamped at Bumpeh, are you talking about Bumpeh Perri?

3 A. Yes, Bumpeh Perri town.

15:07:43

4 Q. Witness, why was Dixon Wolo taking civilians to the bridge
5 and killing them? Do you know?

6 A. I don't know. He did not give any reason. He just killed
7 them.

8 Q. Do you know how many civilians were killed at this bridge?

9 A. He killed civilians at that bridge, more than 100 of them.

15:08:18

10 Q. Did anything else happen in Bumpeh Perri during the time
11 you were based there?

12 A. The other thing that happened was every night when he would
13 come he will take the Liberian fighters and some Sierra Leonean
14 fighters, who were senior people came to Sierra Leone with the
15 war, they will use - they will have guns with them and they will
16 use women forcefully.

15:08:55

17 MS ALAGENDRA: Your Honours, can I just check that the
18 witness is all right?

19 THE WITNESS: Yes.

15:09:13

20 MS ALAGENDRA: Thank you:

21 Q. Witness, when you say they would use the women, what do you
22 mean?

23 A. At night they would take the women from their husbands and
24 have an intercourse with them.

15:09:46

25 Q. Witness, when you say "he would come", "he will take the
26 Liberian fighters", who do you mean by "he"?

27 A. The commander who was there, Dixon Wolo. He took his
28 colleague Liberian fighters. He would line up the people to go
29 and kill them at that bridge.

1 Q. When you were talking about the women being used you
2 referred to "he would come", "he will take the Liberian
3 fighters", who is the "he" you are referring to in that instance?

4 A. That was the commander, Dixon Wolo. He would do that and
15:10:41 5 even the brothers, the Sierra Leoneans, all of them used to do
6 that: The Liberian NPFL fighters and the RUF fighters who were
7 senior officers who brought the war to the country. We called
8 them "CO". They used to do that every night, forcing women to
9 have sexual intercourse with them.

15:11:09 10 Q. Witness, how do you know this?

11 A. I was with them as a junior fighter. I lived in Bumpeh
12 Perri. I used to work on shift - we used to run shifts at the
13 checkpoints and even during the year when we set ambushes, so
14 I will be there when they did these things.

15:11:46 15 Q. Witness, are you able to say about how many women were used
16 in this way?

17 A. For the three months we spent in Bumpeh Perri, the NPFL and
18 RUF fighters, the women who were used in that way were over 200.

19 Q. Now, witness, you told the Court earlier that you spent one
15:12:22 20 night in Kenema Soro?

21 A. Yes.

22 Q. Did anything happen during the one night in Kenema Soro?

23 A. Yes.

24 Q. What happened, witness?

15:12:40 25 A. It was one night when I saw the NPFL and the RUF fighters,
26 senior fighters, who raped many women because we passed the night
27 in the village.

28 Q. Can you describe what took place in Kenema Soro village?

29 A. Yes.

1 Q. Please do, witness.

2 A. That night when those senior fighters would go to have
3 sexual intercourse with the women, they will take them from their
4 husbands forcefully and the women would be crying and some would
15:13:49 5 say, "I am pregnant", some others were saying, "I am
6 menstruating", and the other senior fighters would say, "We don't
7 care about that."

8 Q. Witness, you testified that you went to Grand Cape Mount
9 County in Liberia. Can you tell the Court why you went there?

15:14:17 10 A. Yes. The soldiers and the ULIMOs were chasing us, so we
11 crossed over to Liberia. We crossed together with the Liberian
12 and RUF senior fighters with whom they came. We all crossed
13 over.

14 Q. Where did you go to when you crossed over to Liberia?

15:14:46 15 A. In November, when I crossed over for the first time, we
16 were at Tiene in November.

17 Q. Did anything happen in Tiene?

18 A. Yes.

19 Q. What happened?

15:15:18 20 A. November 1991, between the third and fourth week, the
21 Sierra Leone and ULIMO soldiers kept on fighting until they
22 crossed the border and attacked us at Tiene. In the afternoon
23 they attacked us and we dispersed. We were dislodged and we
24 started running. We followed a route that was leading to Bomi
15:15:56 25 Hills. The commander for that day --

26 THE INTERPRETER: Your Honours, the witness has called the
27 name of a commander that the interpreter needs to --

28 PRESIDING JUDGE: Mr Witness, please pause. The
29 interpreter asks that you repeat the name of the commander.

1 THE WITNESS: The commander who was at Tiene, they called
2 hi m BZT Nya.

3 MS ALAGENDRA:

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

15:16:40 5 A. T-I-E-N-E.

6 Q. Can you repeat the name of the commander again?

7 A. BZT Nya.

8 Q. Witness, what happened when you went to Bomi Hills?

9 A. The very evening when we were in that car, when we arrived,
15:17:32 10 we met a muster parade on and we met with some RUF junior
11 fighters whom I knew and some senior ones too whom I knew. They
12 said the two leaders had to come to talk to us. Foday Sankoh and
13 Charles Taylor were to come and address us. But when we arrived
14 in the evening, it was not too long when Foday Sankoh arrived.

15:18:31 15 I already knew him. Then I saw another vehicle which was a
16 Nissan patrol car. It was like a grey colour. But we were many.
17 Somebody came from out of the vehicle and said his name was
18 Charles Ghankay Taylor. He said he had come to address all of
19 us. He said the NPFL fighters should stop treating us badly, we
15:19:34 20 the RUF. He said the NPFL fighters should not treat us badly.

21 He said that they should know that we were all fighting for the
22 same freedom. We clapped for him and he left us there and
23 returned. We were there together with Sankoh and others. Our
24 leader, Foday Sankoh, said we too were men. We should not be
15:20:23 25 allowing the Liberians to be killing us, or mistreating us all
26 the time, so he asked us to exercise some patience and fight the
27 war. He said his friend would help him to continue the war. He
28 would help him with arms and ammunition to continue fighting the
29 war. He said his friend, Charles Taylor, would help him.

1 That very evening I saw CO BZT Nya, the same vehicle which
2 we had come with. There were RPG bombs and ammunition in it.
3 There were two other vehicles which had heavy weapons, which were
4 anti-aircraft guns. They were in the vehicles. So, we boarded
15:21:52 5 the vehicle and we returned. When we got to a place that was
6 five miles to Tiene, we were asked to alight the vehicle and go
7 as ground forces so we started walking. Three miles to Tiene we
8 set an ambush. Around 6.00 to 6.30 a.m. we got to Tiene and they
9 told us the strategy we were to use was to be C formation and the
15:22:44 10 soldiers who were to come, they were Momoh soldiers and ULIMO.
11 We should open fire on them.

12 THE INTERPRETER: Your Honours, can the witness repeat that
13 bit?

14 PRESIDING JUDGE: Mr Witness, again the interpreter asks
15:23:04 15 that you repeat the last answer. He didn't hear you properly.

16 JUDGE LUSSICK: From "We should open fire on them." What
17 did you say after that?

18 THE WITNESS: When we had made the C formation, that was
19 the formation we gave to - we planned for the enemies in Tiene
15:23:35 20 and at that time it was Momoh soldiers and the ULIMOs who were in
21 Tiene. So, we called them enemies and we opened fire on them
22 after the commanders had ordered us to open fire on them and we
23 did. We captured Tiene. That very day we advanced and we
24 crossed the Mano River bridge, entered Gendema that is in Sierra
15:24:20 25 Leone. We advanced with those weapons at first Fairo. Two of
26 the artillery weapons stopped there and one of the others
27 advanced with us --

28 THE INTERPRETER: Your Honours, "stayed there" instead of
29 "stopped". Interpreter's mistake.

1 THE WITNESS: -- and we advanced as far as Gofor.

2 MS ALAGENDRA:

3 Q. Witness can you spell Fairo for the Court?

4 A. F-A-I-R-O, Fairo.

15:25:07 5 Q. Where is Fairo located?

6 A. Fairo is a chiefdom headquarter town. It is in the Pujehun
7 District.

8 Q. Witness, when you say Momoh soldiers, what do you mean by
9 that?

15:25:31 10 A. Those were the soldiers, the Sierra Leonean soldiers, but
11 at that time it was during the Momoh regime when we were fighting
12 them. That was why we referred to them as Momoh soldiers, but
13 those were Sierra Leonean soldiers. They were fighting for the
14 Sierra Leone Government.

15:25:54 15 Q. Witness, when you say BZT Nya was a commander, which group
16 was he a commander of?

17 A. He commanded us, the mission that we had. He was the
18 artillery commander that very day.

19 Q. Witness, you told the Court that around May/June 1992 you
15:26:25 20 were based in Sulima as RUF clerk. Who were you reporting to in
21 Sulima?

22 MR MUNYARD: It was IDU clerk rather than RUF clerk.

23 MS ALAGENDRA: Your Honour, could I take a minute to check
24 the record, please?

15:27:01 25 MR MUNYARD: I think they are synonymous, in effect,
26 because the clerkship of the IDU is within the RUF, but he
27 described himself this morning as having gone through various
28 positions in the IDU, ending up as IDU clerk.

29 PRESIDING JUDGE: I do recall that also, Ms Alagendra.

1 MS ALAGENDRA: Your Honour, I seem to recall that he said
2 he was just a clerk. If your Honours can just permit me one
3 minute.

15:27:35

4 PRESIDING JUDGE: I have in my note here, "I was a first
5 brigade IDU chief clerk at Pendembu."

6 MS ALAGENDRA: That is Pendembu. I am asking him about
7 Sulima. Your Honours, if I can just read from the record. The
8 question was, "What was your assignment in Sulima?" He says,
9 "I was at Sulima as clerk for the RUF fighters."

15:28:01

10 PRESIDING JUDGE: I see.

11 MS ALAGENDRA: I am reading from page 90, your Honour, line
12 2 to 4.

13 MR MUNYARD: I am quite content. I think either way he is
14 still within the RUF.

15:28:14

15 PRESIDING JUDGE: He is.

16 MS ALAGENDRA:

17 Q. Witness, when you were based in Sulima as RUF clerk, who
18 were you reporting to?

19 A. I reported to the commander who was at Sulima.

15:28:43

20 Q. What was his name?

21 A. His name was Momodu Kascoco.

22 Q. Are you able to spell that name for the Court?

23 A. Yes.

24 Q. Please do, witness?

15:29:00

25 A. M-O-M-O-D-U, Momodu. Kascoco, K-A-S-C-O-C-O.

26 MR MUNYARD: Your Honours, if there is a distinction
27 between an IDU clerk and an RUF clerk I wonder, before we leave
28 this subject, if we can find out what that difference is and what
29 an RUF clerk is. I think it would help us all to deal with it

1 now. I know it is something I could cross-examine on, but I just
2 want clarification that is all.

3 PRESIDING JUDGE: Ms Alagendra, have you any objection to
4 seeking that clarification?

15:29:46 5 MS ALAGENDRA: Your Honours, in my next question I was
6 going to ask the witness to tell the Court what his duties were
7 as an RUF clerk.

8 PRESIDING JUDGE: Very well.

9 MS ALAGENDRA:

15:29:56 10 Q. Witness, can you tell the Court what was your duties as an
11 RUF clerk in Sulima?

12 A. Yes.

13 Q. Please do, witness.

14 A. The time when I said I was a clerk, my duties were to issue
15:30:23 15 out travelling pass to fighters who would want to visit their
16 family members. It was my duty too to take record of arms and
17 ammunition which were under our control at that particular ground
18 where I was assigned. It was also my duty to take record - to
19 have the number of the civilians whom we had captured from the
15:30:58 20 bushes. It was my duty to take record of that. Even we who were
21 fighters on the ground, it was my duty to know the total number
22 of fighters on that ground.

23 MS ALAGENDRA: Your Honours, if I can clarify something.
24 The record says "to take regard", but I heard "to take record."

15:31:28 25 PRESIDING JUDGE: My understanding was "record", but please
26 clarify for the purposes to ensure the record is correct.

27 MS ALAGENDRA:

28 Q. Witness, can you restate what were your duties in relation
29 to arms and ammunition as a clerk in Sulima?

1 A. Please repeat the question.

2 Q. You said you had some duties to do with arms and ammunition
3 in Sulima. What was that, witness?

15:32:12

4 A. To know how many arms were with us as fighters and to know
5 the quantity of ammunition that was with us. That is what
6 I mean. If we had 20 arms, I would list that down, that we had
7 20 arms in Sulima. If we had boxes of AK rounds, or G3, or
8 bombs, I will know the amounts. Those were the duties.

15:32:36

9 Q. Witness, at the time you were based in Sulima did you have
10 arms and ammunition there?

11 A. Yes.

12 Q. Do you know where these arms and ammunition came from?

13 A. Yes.

14 Q. Please tell the Court, witness.

15:32:56

15 A. Well, the arms and ammunition which we got at Sulima, we
16 got it from Liberia, from Tiene.

17 Q. How do you know that?

15:33:46

18 A. Well, I, as a clerk at that time - the commander himself
19 who was at Sulima, the MP commander too who was at Sulima, any
20 time we were short of arms and ammunition we will go directly to
21 the overall commander, RUF commander, who was in Pujehun District
22 at that time.

23 Q. Who was that, witness?

15:34:09

24 A. That was Rashid Alimany Mansaray. He introduced himself to
25 us as one of the Special Forces for the RUF movement.

26 Q. Who was the MP commander that you are talking about?

27 A. The MP commander was an RUF member.

28 Q. What was his name?

29 A. His name was Sheku Fallay, but he had another name. We

1 called him Trouble.

2 Q. Can you spell Fallay for the Court, please.

3 A. F-A-L-L-A-Y, Fallay.

15:34:56

4 Q. You were explaining that any time you were short of arms
5 and ammunition he would go directly to the overall commander, who
6 was Rashid Mansaray. Can you please continue your answer from
7 there, witness.

15:35:28

8 A. Yes. When we would meet the overall commander, Rashid
9 Mansaray, he will give us a document and we go, we pass through
10 Mano River bridge. We went to Tiene and we will give the
11 document to General One Man One. After he would have read the
12 document, he would take us to the ammunition store. Then he
13 would give us ammunition and RPG bombs. Upon receipt, we would
14 return.

15:36:06

15 Q. Who is General One Man One?

15:36:54

16 A. General One Man One was an NPFL fighter, but when they
17 entered into Sierra Leone in 1991 he was the overall commander
18 for the RUF movement in the Pujehun District, but he was based at
19 Zimmi Makpele at that time. So, when we lost Zimmi Makpele he
20 went and based in Tiene.

21 Q. Witness, you told the Court that you also kept a record of
22 civilians captured from the bush. Do you remember about how many
23 civilians did you have when you were in Sulima Town? When I say
24 "you" I mean the RUF, witness.

15:37:16

25 A. Yes, I can recall.

26 Q. Please tell the Court.

27 A. The civilians were many.

28 Q. What were the civilians doing with the RUF in Sulima Town?

29 A. They were there working for us.

1 Q. What kind of work - before that, when you say "working for
2 us", working for who?

3 A. They were working for we, the RUF fighters.

15:38:07

4 Q. What kind of work were the civilians doing for the RUF
5 fighters?

6 A. They were there producing garri. They were uproot cassava
7 and then produce a garri for us. They pounded rice for us,
8 prepared sauce for us.

9 Q. Witness, what is garri?

15:38:39

10 A. Garri is produced out of cassava. They will produce that
11 from the cassava then put it over the fire and have it mashed and
12 then it becomes a garri. From fou-fou we can get garri. Also
13 when we discover rice we ask them to pound it for us.

14 MS ALAGENDRA: Your Honours, garri is spelt G-A-R-R-I.

15:39:17

15 MR MUNYARD: Your Honours, this may be another Maggi
16 moment, but I don't know what fou-fou is.

17 PRESIDING JUDGE: I am not going to give evidence from the
18 Bench again.

19 MS ALAGENDRA: I was coming to that, your Honour.

15:39:30

20 PRESIDING JUDGE: It is a food stuff.

21 MS ALAGENDRA:

22 Q. Witness can you explain what is fou-fou?

23 A. This food that comes from the cassava.

24 Q. Witness, were the civilians doing anything else?

15:40:04

25 A. Well, besides the food that was given to us, fighters had
26 used them as women.

27 Q. What do you mean by "used them as women"?

28 A. Well, they captured them. Those they needed, they took
29 them.

1 Q. What do you mean by that, witness, "Those they needed, they
2 took them"?

3 A. They took them to have sexual intercourse with them, to
4 stay with them.

15:41:21 5 Q. Witness, the civilians who were working for the RUF
6 fighters, did they do it voluntarily?

7 A. Well, those that didn't do it willingly, we knew them.
8 Some of them denied doing the job.

9 PRESIDING JUDGE: I didn't quite understand.

15:41:59 10 THE INTERPRETER: Sorry, your Honours. Some of them
11 refused doing the work.

12 MS ALAGENDRA:

13 Q. Did anything happen to civilians who refused to do the
14 work?

15:42:15 15 A. The time, yes.

16 Q. What happened?

17 A. If some - those who refused doing the work received
18 punishments. They were forced - some of them were forced to do
19 it.

15:42:40 20 Q. What kind of punishments did they receive?

21 A. They were flogged to work.

22 Q. The civilian women who were taken by the fighters for
23 sexual intercourse, was it with their consent?

24 A. Well, this time, the 1992, I wouldn't say whether they did
15:43:31 25 it willingly, but they had them.

26 Q. What do you mean by that, witness, that they had them?

27 A. They were there for them for sexual intercourse.

28 Q. Witness, if the women wanted to leave at any time, were
29 they free to do so?

1 A. Go where?

2 Q. To not have sexual intercourse with fighters.

3 A. No.

15:45:14

4 Q. Witness, you told the Court that on 28 February 1994 you
5 were appointed as IDU deputy battalion commander for Pujehun.
6 Who gave you this appointment?

7 A. The appointment was given to me by the revolutionary
8 leader, Foday Sankoh.

15:45:41

9 Q. You also said during the same time you also held the
10 position as IDU deputy battalion commander for Koribundu. Who
11 gave you that position?

12 A. That position came from the battalion IDU commander. He
13 gave that position to me.

14 Q. Who was that?

15:46:06

15 A. Hindolo Koroma.

16 Q. Can you spell Hindolo Koroma for the Court, please?

17 A. Yes.

18 Q. Please do, witness.

19 A. H-I-N-D-O-L-O, Hindolo. K-O-R-O-M-A, Koroma.

15:46:46

20 Q. Do you know who Hindolo Koroma was reporting to?

21 A. Yes.

22 Q. Who was he reporting to?

23 A. He reported to the leader at the time.

15:47:14

24 Q. Could you state the name, please? When you say the leader,
25 who do you mean?

26 A. Corporal CIC Foday Saybana Sankoh, RUF SL leader.

27 Q. What were your duties as deputy IDU commander - IDU deputy
28 battalion commander for Pujehun and Koribundu? What were your
29 duties?

1 A. My duties were to report about crimes, crimes that
2 fighters, or civilians, will commit against the RUF, to
3 investigate matters that were brought to me, also to screen
4 captured civilians that come from the battle front.

15:48:21 5 Q. Witness, explain what was involved in your duty to screen
6 captured civilians?

7 A. We would use the same Joint Security Panel. IDU would be
8 there, G5s, MP, IO. If civilians are captured we will write
9 down - you will give us your name, your age, your place of birth,
15:49:08 10 the work you are doing. They were also asked questions. We
11 tried to know whether - where he was, even if he was a fighter,
12 or a civilian. From there we send them to where we had our
13 civilians. That was the way the screening had gone on.

14 Q. In which area is this that the RUF had civilians?

15:49:58 15 A. Civilians were in Pujehun District, staying with us, since
16 1991 up to 1995 when I left that area for Koribundu jungle. They
17 were living in their villages.

18 Q. Witness, in 1995, you told the Court, you were assigned to
19 Peyama as an IDU agent. Who gave you this assignment?

15:50:40 20 A. It was the RUF SL leader, Foday Sankoh, who gave me that
21 appointment.

22 Q. Who were you reporting to as an IDU agent?

23 A. I reported to the battalion IDU commander that I met at
24 Peyama jungle.

15:51:11 25 Q. Witness, a battalion IDU commander, who does he report to?

26 A. At the time when I met them at Peyama, they too reported to
27 the overall IDU commander.

28 Q. Witness, who was the battalion IDU commander when you were
29 based in Peyama?

1 A. He was called Mohamed Bongo. He was the IDU battalion
2 commander.

3 Q. Could you spell Bongo for the Court, please?

4 A. B-O-N-G-O, Bongo.

15:52:21 5 Q. Was there an overall battalion commander that was based in
6 Peyama at this time? I beg your pardon, witness. I will
7 rephrase my question. Was there a battalion commander based at
8 Peyama?

9 A. Yes.

15:52:49 10 Q. Who was the battalion commander?

11 A. That was Sam Bockarie. The other name for him was
12 Mosquito.

13 MS ALAGENDRA: Your Honours, for the record Peyama is spelt
14 P-A-Y-A-M-A [sic]:

15:53:23 15 Q. During the time that you were based in Peyama, did anything
16 happen?

17 A. Yes.

18 Q. What happened?

19 A. Well, there was a time Sam Bockarie gave a mission to some
15:53:55 20 fighters to go in search of food around the Tongo Field area. On
21 their way coming back they brought some civilians. They carried
22 the food and brought them. We had a company in a place called
23 Number 9. He was sent for and was told that they had captured
24 plenty of food. Sam Bockarie went to the place where the food
15:54:54 25 stuff were gathered together, together with the civilians. He
26 went along with two of his bodyguards. The civilians numbered up
27 to ten. Sam Bockarie gave a command to his bodyguards and some
28 other fighters. The civilians' hands were tied up. He gave
29 orders to his bodyguards and the other fighters for the civilians

1 to be put in a pit.

2 MS ALAGENDRA: Your Honours, if I can clarify something
3 with the interpretation, your Honour. I think I heard the
4 witness saying "water well".

15:56:12 5 PRESIDING JUDGE: Please clarify that, Ms Alagendra.
6 Please clarify.

7 MS ALAGENDRA:

8 Q. Witness, where did you see the civilians being put into?

9 A. It was a deep water well.

15:56:36 10 Q. What happened after that, witness? Please continue.

11 A. The people were put into that water well. All of them died
12 there. I was there and present. I went back and gave the
13 information to the battalion IDU commander. He in turn told me
14 that he had received that information.

15:57:17 15 Q. I will just stop you there. What were your duties as an
16 IDU agent?

17 A. At the time I was there to pass on information about
18 whatever thing that was bad that was happening in the RUF
19 organisation.

15:57:44 20 Q. You stated that you reported this to the battalion IDU
21 commander. That is Mohamed Bongo, am I correct?

22 A. Yes.

23 Q. You testified earlier that one of the functions of the IDU
24 unit was to investigate complaints brought; is that correct?

15:58:06 25 A. Yes.

26 Q. When you gave this information to Mohamed Bongo, was there
27 any investigation into this incident of the killing of the ten
28 civilians?

29 A. Sam Bockarie was not investigated.

1 Q. Do you recall if there was any other incident that took
2 place when you were based in Peyama?

3 A. Yes.

4 Q. Can you tell the Court?

15:58:44 5 A. Another time he gave a mission to fighters to go in search
6 of food. They brought civilians again, together with two cows.
7 I saw him brought five civilians placed under gun point. He took
8 three of them and then shot at them.

9 Q. Who do you mean by "he"?

15:59:38 10 A. Sam Bockarie, Mosquito.

11 Q. Please continue, witness.

12 A. He killed the three civilians with a gun. Then the other
13 two civilians, Sam Bockarie gave orders to people in the
14 battalion, the two civilians were tied up and they dug their
16:00:14 15 grave. They were buried alive. They stayed there and died. So,
16 the three Joint Security officers who were at the Peyama
17 battalion, IO commander was there --

18 Q. What was his name?

19 A. Ben Kenneh.

16:00:49 20 Q. Can you spell that for the Court?

21 A. B-E-N, Ben. K-E-N-N-E-H, Kenneh. Ben Kenneh. The MP
22 commander, military police commander, Kaisuku.

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

24 A. K-A-I-S-U-K-U, Kaisuku. He was the military police
16:01:35 25 commander, MP. Mohamed Bongo, he was the IDU commander.

26 Q. Where were those three people at the time these killings
27 took place?

28 A. We were all together at the muster parade ground. We were
29 all present.

1 Q. What happened after that, witness?

2 A. Well we held a Joint Security meeting, we wrote a report
3 against Sam Bockarie and was sent to Zogoda. At the time Foday
4 Sankoh, the RUF leader, had left behind Mohamed Tarawalli as the
16:02:52 5 field commander. We gave the report to one of Mohamed
6 Tarawalli's security to take the report to him. He called Sam
7 Bockarie over the radio communication. As a security officer at
8 the time, I had the right to visit a radio station to know what
9 news was current within the RUF in the areas that we covered.

16:03:40 10 Q. When you say "He called Sam Bockarie over the radio", who
11 is "he"?

12 A. That was the field commander, Lieutenant Colonel Mohamed
13 Tarawalli, called Sam Bockarie to report at Zogoda after he
14 received the report.

16:04:04 15 Q. What happened after he called Sam Bockarie to report at
16 Zogoda? Please continue.

17 A. Sam Bockarie went to Zogoda. When he arrived at Zogoda the
18 field commander, Mohamed Tarawalli, asked him about the two
19 incidents, the killings, the civilians that he killed.

16:04:42 20 Q. How do you know that?

21 A. It was through a radio communication and even through the
22 man that took the report to Mohamed Tarawalli. It was from him
23 that we got the information that Mohamed Tarawalli did ask Sam
24 Bockarie about the report we made.

16:05:08 25 Q. Do you remember the name of the man who took the report to
26 Mohamed Tarawalli?

27 A. Yes.

28 Q. What was his name?

29 A. His name was Musa.

1 Q. Do you know his full name?

2 A. No, I don't know his full name.

3 Q. Did he have any position?

4 A. He was a bodyguard to Mohamed Tarawalli.

16:05:50 5 Q. Please continue, witness. What happened after Mohamed
6 Tarawalli asked Sam Bockarie about the killings?

7 A. He was released. Sam Bockarie came to Peyama.

8 Q. Did anything happen when Sam Bockarie returned to Peyama?

9 A. Yes.

16:06:23 10 Q. What happened?

11 A. When Sam Bockarie went back to Peyama, the following day he
12 called the muster parade. We went there. He arrested Ben
13 Kenneh, the IO commander for the Peyama battalion, arrested
14 Kaisuku who was the MP commander for the Peyama battalion, he

16:06:51 15 arrested Mohamed Bongo who was the IDU commander for Peyama
16 battalion and placed them in a jail. A guard room.

17 Q. Where was this jail, or guard room, located?

18 A. It was very close to the muster parade ground, where we met
19 to have the muster parade. There the jail was. We would stay
20 there and see them inside.

16:07:28

21 Q. Please continue, witness.

22 A. So, that morning Sam Bockarie made several threatening
23 remarks against the Joint Security members. He said all that had
24 happened he went to Zogoda and Mohamed Tarawalli had asked him
25 about it, that he had killed civilians, he had buried civilians,
26 so he will first arrest the three commanders and deal with them.
27 So, those of us who are their followers when he is ready he will
28 kill all of us. He made several threatening remarks.

16:07:51

29 Q. Witness, did he say why he had arrested these three people

1 and why did he say he was going to kill all of you?

2 A. Yes. He said - he said we had written a report against him
3 that he had killed people in Peyama and that he had buried two
4 people in Peyama, so those three commanders spent three days in
16:09:09 5 the jail.

6 Q. And what happened after that?

7 A. Later some elders [phon] that were in the jungle, the
8 Peyama jungle, met him personally and pleaded with Sam Bockarie.

9 JUDGE SEBUTINDE: Mr Interpreter, Sam who?

16:09:38 10 THE WITNESS: Sam Bockarie.

11 JUDGE SEBUTINDE: Later some people, what did you say?

12 THE WITNESS: Some elders in the Peyama. Some elders.

13 JUDGE SEBUTINDE: Did you say "elders"?

14 THE INTERPRETER: Elders, that is what the witness said.

16:09:55 15 THE WITNESS: Yes, they met him and pleaded with Sam
16 Bockarie to release the three commanders.

17 MS ALAGENDRA:

18 Q. Witness, do you know if any action was taken against Sam
19 Bockarie for these two incidents of killing?

16:10:17 20 MR MUNYARD: Well before we get onto that, we haven't
21 actually heard how this witness knows about what passed between
22 the elders and Sam Bockarie. I don't imagine he counts himself
23 amongst the elders.

24 PRESIDING JUDGE: And they said they were in the jungle and
16:10:35 25 so, Ms Alagenda, you had better have some foundation for this.

26 MS ALAGENDRA: Your Honours, I will first continue with
27 where the witness had stopped and then I will come back to this
28 question:

29 Q. Witness, you said that some elders met him personally and

1 pleaded with Sam Bockarie. Who did these elders meet in Peyama
2 jungle?

3 A. Well, the people were staying with us in the jungle. They
4 were civilians and some of them were commanders.

16:11:18 5 Q. Who are the elders that you are referring to?

6 A. Like Kaisuku's wife, who was an elder woman, was amongst
7 that group, then also Dr Pa Bai [phon] was among that group and
8 one Staff Captain Kennedy, who was a bodyguard to Foday Sankoh,
9 was part of that group. They pleaded with Sam Bockarie.

16:12:00 10 Q. What were they pleading with Sam Bockarie for?

11 A. For him to release the three commanders he had placed in
12 the jail.

13 Q. How do you know about this witness?

14 A. It happened in my presence. It was not a secret. After
16:12:27 15 the parade they came, they met him at his house. Sometimes after
16 the parade we will not go to our house earlier. We will stay
17 with him, talk to him, so that he will always be pleased with us.

18 Q. Witness, you testified that Sam Bockarie was called by
19 Mohamed Tarawalli when these incidents were reported and you said
16:12:57 20 you were told by Musa that Mohamed Tarawalli had asked Sam
21 Bockarie about these killings. Did Musa tell you anything else?

22 A. In fact when Musa came back to Peyama, Sam Bockarie
23 arrested Musa. His own threat was more than the three
24 commanders.

16:13:31 25 Q. Do you know why?

26 PRESIDING JUDGE: I don't understand that. "His own threat
27 was more than the three commanders", what does that mean?

28 MS ALAGENDRA:

29 Q. Witness, can you explain what you meant by, "His own threat

1 was more than the three commanders"?

2 A. He gave commands for him to be beaten before he was put in
3 the guard room. The three commanders were not beaten. He only
4 placed them in the guard room.

16:14:05 5 Q. Do you know why he took this action against Musa?

6 A. Well, when Musa was beaten and placed in the guard room, he
7 said it that it was Musa who took the letter along that the Joint
8 Security wrote against him.

9 Q. Witness, after Sam Bockarie returned from seeing Mohamed
16:14:36 10 Tarawalli, did he continue as battalion commander for Peyama?

11 A. The deputy was with him.

12 Q. But did he continue in that position as battalion commander
13 for Peyama?

14 A. When he was called by Mohamed to go to Zogoda - please
16:15:12 15 repeat your question.

16 Q. My question is when he returned after seeing Mohamed
17 Tarawalli, did he continue in his position?

18 A. Yes, yes.

19 Q. Witness, you told the Court that in 1996, December, you
16:15:33 20 were assigned to Buedu in Kailahun District as IDU commander.
21 Who were you reporting to?

22 A. I reported to Sheku Coomber.

23 Q. Can you spell Sheku Coomber for the Court, please?

24 A. Yes.

16:16:05 25 MS ALAGENDRA: Your Honour, I believe this word has been
26 spelt before for the Court and so I will move on.

27 PRESIDING JUDGE: Yes, it has.

28 JUDGE SEBUTINDE: But it is misspelt now in the record.

29 I hope it is corrected. It is C-0-0-M-B-E-R normally.

1 MS ALAGENDRA: That is right, your Honour:

2 Q. Witness, what was Sheku Coomber's position?

3 A. He was the Kailahun District deputy IDU commander.

4 Q. Do you know who he was reporting to?

16:16:48 5 A. Sheku Coomber reported to Francis Musa.

6 Q. Do you know what was Francis Musa's position?

7 A. Yes.

8 Q. What were your duties as area IDU commander in Buedu?

9 A. My duties were to report about crimes against civilians and
16:17:33 10 also I visited areas where RUF had business with the Guinean
11 people.

12 Q. What business did the RUF have with Guinean people?

13 A. RUF sold coffee, cocoa, kola nut, palm oil and bush pepper
14 to the Guinean people.

16:18:15 15 Q. Who in the RUF was doing this business?

16 A. The RUF fighters and the civilians were doing this business
17 with the Guineans.

18 Q. The civilians who were doing this business, where did they
19 get this produce from: coffee, cocoa, kola nut and palm oil and
16:18:54 20 bush pepper?

21 A. Please repeat your question.

22 Q. You told the Court that the fighters and civilians were
23 trading in coffee, cocoa, kola nut, palm oil and bush pepper.
24 Where did the civilians get this produce from?

16:19:10 25 A. It was from their plantation farms that were in the
26 Kailahun District; areas that were occupied.

27 Q. Where were the fighters getting this produce from?

28 A. We got them from the same plantation farms, the farms that
29 were cultivated by the civilians in Kailahun District.

1 Q. How did the RUF fighters get these things from the
2 civilians' farms?

3 A. We went into the farms and we harvested them. We just
4 harvested it without negotiating with the civilians so that we
16:20:17 5 too could survive on the proceeds. We used the proceeds for our
6 survival.

7 Q. What do you mean by, "We harvested it without negotiating
8 with the civilians"? What does that mean?

9 A. We did not ask them in any polite way. We just did it
16:20:47 10 forcefully.

11 Q. Witness, you said you used to go and visit these areas
12 where the business was taking place. Did you have any functions
13 to do there?

14 A. Yes.

16:21:07 15 Q. What were they, witness?

16 A. To go and observe how the soldiers and the civilians were
17 transacting the business.

18 Q. What was the purpose of you observing this?

19 A. It was to ensure that there was no problem that could
16:21:59 20 affect the movement.

21 Q. What do you mean by that, "... to ensure there was no
22 problem that could affect the movement"?

23 A. Well, these visits that I made to the place was an
24 instruction from my commander to ensure that the business that
16:22:42 25 was transacted between the civilians and the commanders was not
26 done at any other place except the recommended places, places
27 that were recommended by the RUF commanders, so on the market
28 days I and other personnel would go round at the business points
29 to ensure that the business was going on and that the fighters

1 and the civilians were transacting the business.

2 Q. Did civilians at times transact outside the recommended
3 places?

4 A. Yes, it used to happen. Some civilians and some RUF
16:23:39 5 fighters transacted business at some places where - which were
6 not the recommended places for business transactions.

7 Q. Were there any consequences if they did so?

8 A. Yes.

9 Q. What were they?

16:24:07 10 A. If you were caught transacting such a business, everything
11 would be impounded from you and some of the people were even
12 captured and brought and put - placed into a guard room.

13 Q. Now, witness, you have said that civilians and fighters
14 were trading in this produce. What did they get in return from
16:24:41 15 this business?

16 A. When I went to Buedu initially, when I was the area
17 commander, the first observation that I made at that time
18 civilians and RUF fighters were transacting business and paying
19 commission to the RUF to contractors and the contractors were
16:25:19 20 giving the senior commander, who was in charge of the business.

21 Q. Witness, how long did this go on for where civilians and
22 fighters were trading in their produce?

23 A. When I went to Buedu it was a short period when the
24 business was going on - the transaction.

16:26:07 25 Q. Why did it stop?

26 A. It got to a point when Sam Bockarie and Issa Sesay prepared
27 a document saying that coffee, cocoa, kola nuts that was
28 government properties. Whether you are a civilian, or a fighter,
29 you should not sell it and take the proceeds. That was for the

1 government. So, they used to sell those items to buy arms and
2 ammunition to continue fighting the RUF war.

3 Q. Witness, you said earlier that the RUF fighters and
4 civilians had to pay a commission to the RUF for the business
16:27:02 5 that they were doing. Do you know what the commission was for?

6 A. No, that I cannot tell you.

7 JUDGE SEBUTINDE: Ms Alagenda, when the witness says, "It
8 was for the government", what government is he referring to?

9 MS ALAGENDRA:

16:27:28 10 Q. Witness, when you testified that this produce was
11 considered government property, whether you were a civilian or a
12 fighter you should not sell it and take the proceeds and that was
13 for the government, what is this government you are talking
14 about?

16:27:48 15 A. Well, we referred to the RUF movement as RUF government.
16 We referred to ourselves as RUF government.

17 Q. And you say, "They used to sell those items to buy arms and
18 ammunition". Who is "they"?

19 A. It was Sam Bockarie and Issa Sesay. The two of them
16:28:26 20 brought that idea about that all those items, coffee, cocoa, kola
21 nut, were to be for the RUF government.

22 MS ALAGENDRA: Your Honours, I have my eye on the clock.
23 I was going to move into a new area.

24 PRESIDING JUDGE: Yes, then I think it would be appropriate
16:28:54 25 at this point to adjourn until tomorrow morning, Ms Alagenda.

26 MS ALAGENDRA: Thank you, your Honour.

27 PRESIDING JUDGE: Mr Witness, we are now going to adjourn
28 the Court until half-past-nine tomorrow. I must inform you that
29 now you have taken the oath to tell the truth you must not

1 discuss your evidence with anyone else until all your evidence is
2 finished. Do you understand this?

3 THE WITNESS: Yes.

4 PRESIDING JUDGE: Thank you. Please adjourn court until
5 tomorrow morning.

16:29:17

6 [Whereupon the hearing adjourned at 4.30 p.m.
7 to be reconvened on Wednesday, 5 March 2008 at
8 9.30 a.m.]

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