



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 26 SEPTEMBER 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 Simon Meisenberg
Ms Doreen Kiggundu

For the Registry:

Ms Advera Kamuzora

For the Prosecution:

Ms Brenda J Hollis
Mr Alain Werner
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

1 Friday, 26 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:22:20 5 PRESIDING JUDGE: Good morning. Mr Santora, I see some
6 change of appearances on your Bar.

7 MR SANTORA: Good morning, Madam President. Good morning,
8 your Honours. Good morning, counsel. Your Honours, for the
9 Prosecution this morning is Brenda Hollis, Alain Werner, myself
09:31:46 10 Christopher Santora and joining us this morning is an intern in
11 our office, Nathan Quick.

12 PRESIDING JUDGE: Thank you, Mr Santora. We welcome
13 Mr Quick to the Court.

14 MR SANTORA: I just realised I forgot my case manager Maja
09:32:03 15 Dimitrova. I apologise.

16 PRESIDING JUDGE: Indeed, I can see Ms Dimitrova there now.
17 Mr Griffiths?

18 MR GRIFFITHS: Good morning, Madam President, your Honours,
19 counsel opposite. For the Defence today, myself Courtenay
09:32:14 20 Griffiths and my learned friend Mr Morris Anyah.

21 PRESIDING JUDGE: Thank you, Mr Griffiths. If there is no
22 other matters I will remind the witness of his solemn
23 declaration. Mr Witness, good morning.

24 THE WITNESS: Good morning, ma'am.

09:32:28 25 PRESIDING JUDGE: I want to remind you that yesterday you
26 took the solemn declaration to tell the truth. That continues to
27 be binding on you and you must answer questions truthfully. Do
28 you understand?

29 THE WITNESS: Yes.

1 WITNESS: EMMANUEL BULL [On former affirmation]

2 MR SANTORA: Madam President, there is one small
3 preliminary matter. That is just to inform counsel opposite that
4 there was an issue related to the disclosure for TF1-065. There
09:33:03 5 was an issue related to the disclosure and the Prosecution did
6 search both our office and another search in Freetown and we have
7 disclosed all materials related to this witness. This is just to
8 inform the Court and counsel opposite that a full search was
9 made. This was in relation to TF1-065.

09:33:24 10 PRESIDING JUDGE: Thank you. Mr Anyah, that was a matter
11 that you raised in the course of - if I recall correctly in fact
12 it was in the course of examination-in-chief with that witness.

13 MR ANYAH: Yes, that is correct, Madam President. Good
14 morning, your Honours. Good morning, Madam President. Good
09:33:40 15 morning, counsel opposite. We appreciate the feedback and I
16 think the matter is resolved at this point.

17 PRESIDING JUDGE: Thank you. That is noted. Please
18 proceed.

19 MR SANTORA: Thank you.

09:33:51 20 EXAMINATION-IN-CHIEF BY MR SANTORA: [Cont.]

21 Q. Good morning, Mr Witness.

22 A. Good morning.

23 Q. Before I start asking you some questions, Mr Witness, again
24 I am going to remind you of two things. First, try to speak
09:34:02 25 slowly.

26 A. Okay.

27 Q. And also to try to avoid using - as much as possible avoid
28 using references like "they" and "them" and try to call out who
29 you mean. Do you understand?

1 A. I understand.

2 Q. Okay. And there are a few points from yesterday transcript
3 and, counsel, I will just give the page reference before I ask
4 the question. The first relates to the transcript from yesterday

09:34:29 5 at 17305, line 13. Mr Witness, yesterday I was asking you about
6 certain commanders that accompanied your group from Njaiama
7 Nimi koro, when you left Njaiama Nimi koro. Do you remember that?

8 A. When I left Njaiama Nimi koro, yes, I remember that.

9 Q. One of those commanders that you referred to and you
09:34:56 10 referred to repeatedly was a person named Jah Spirit.

11 A. Jah Spirit, yes.

12 Q. And you said later that you recalled his name is Massaquoi?

13 A. Massaquoi, yes.

14 Q. Do you know his full name?

09:35:07 15 A. Well, I don't know his full name. I think I just know that
16 his name is called Massaquoi, because I heard some people calling
17 him Massaquoi.

18 Q. Okay. You also said in referring to Jah Spirit, you
19 referred to him as - I am sorry, the reference here is 17306,

09:35:38 20 lines 8 and 9. You said yesterday - when you were discussing Jah
21 Spirit you said that, "He was part of the group of men I saw that
22 were wicked." Do you remember saying that?

23 A. Yes, I remember saying that.

24 Q. What did you mean by that?

09:35:57 25 A. The attitude of some of these rebels, referring to the
26 AFRC/RUF men, of course predict what kind of person that they
27 are. They are, I mean the AFRC/RUF, right? But the period I was
28 with them in observations, in whatever they may do and whatever
29 attitude they may put up one way or the other, I personally was

1 able to determine whether this person is somehow violent, or is
2 somebody who is very easy to deal with. That's why I actually
3 concluded that I think I have to put these people into
4 categories, right.

09:36:58 5 To my observation I knew very well that there are some
6 people, some among them, who were very easy, I can say. For
7 example, I think I mentioned earlier that Kallay Amara was not so
8 wicked with civilians. Kallay Amara was not - there is not an
9 instance that I saw Kallay Amara victimising people, right, but
09:37:28 10 he was involved in the war, he was fighting and he had a weapon.

11 And if I am to say that Jah Spirit is a wicked man and is
12 part or one of the men who were wicked, it's like I observed it
13 and I noticed it, right, that Jah Spirit is wicked by some of his
14 dealings with the ordinary people. Even myself, I mentioned
09:37:57 15 yesterday something that happened between the two of us. During
16 the training process when he asked me to do something and I tend
17 to refuse not to do it, he threw the magazine on my face or at my
18 face, right?

19 These are some of the things that happened. I just give an
09:38:23 20 example. There were a lot of things that were happening. Like I
21 gave also an instance where during the training process, when
22 probably you were doing a push-up and you are not doing it
23 properly, he was a man who would take the machete - you know, the
24 back of the machete - and then hit you on the back so hard for
09:38:46 25 you to push-up properly, you know? So, these are some of the
26 instances that proved to me that Jah Spirit is one of the men who
27 were wicked.

28 Q. Who were some of the other men you would classify in this
29 group that you remember?

1 A. Yes. Of course I remembered, as I said, this fellow - this
2 fellow called Cobra.

3 Q. Did you know his real name?

09:39:15

4 A. I don't know Cobra's real name, but the point of identity
5 is that Cobra was a Liberian man.

6 Q. How do you know that?

7 A. He speak Liberian English so much so well.

8 Q. Anybody else that you recall that you would classify in
9 this group?

09:39:30

10 PRESIDING JUDGE: Which group are you talking about? The
11 wicked, or the easy?

12 MR SANTORA: The group that he referred to as the wicked
13 group; people that were wicked.

14 THE WITNESS: Yes.

09:39:44

15 MR SANTORA:

16 Q. Who else? Do you remember who else?

17 A. Who else? Yes, there were people like a man called - I
18 think I mentioned him in my statement, a man called One-Meh-One.
19 One-Meh-One also I can classify him as one of the people who were
20 wicked.

09:40:01

21 Q. Did you say - can you say that name slowly again?

22 A. One-Meh-One.

23 Q. How do you spell "may"?

09:40:17

24 A. M-E-H. I can break it down a bit for you to understand. To
25 my understanding, that name came out of the word one man for one
26 bullet. One man for one bullet, right? And the Liberian people
27 call man Meh. It's like to just break it down One-Meh-One for
28 short. The Liberian people called man - they call man Meh.

29 Q. Who was One-Meh-One?

1 A. I don't know his real name, but he himself speak Liberian
2 English very well.

3 Q. Where was he - I don't recall if you mentioned him
4 yesterday, but where was he in the context of the events you
09:41:01 5 described?

6 A. He was part of the group that went to Mamboma. Very tall -
7 I think he was the tallest guy among all of them. He is very
8 tall - very tall - and he was part of the group that went to
9 Mamboma and he was with us. By us I mean the AFRC/RUF group.

09:41:21 10 And in Njaiama Nimi koro also One-Meh-One was with us - us I mean
11 the AFRC/RUF, sorry - that went down to Woama and also he was
12 with us in the camp, the base between Woama and Baima.

13 Q. Why do you classify him into this group of wicked?

14 A. Yes, as I said my point here the fact is that like
09:41:54 15 One-Meh-One I've never seen him like amputating or killing
16 somebody, right, but he was not - his approach, or his
17 approaches, to mankind in the camp was not good, not favourable I
18 can say, because it's like a simple judgment to my own self. You
19 know, I was actually observing these guys - these guys I mean the
09:42:24 20 AFRC/RUF who captured me. I was actually trying to differentiate
21 them or distinguish some of them who are good. I can tell you
22 for sure Kallay Amara was not a wicked man, you know?

23 Q. Okay.

24 A. He is sort of a conventional fighter, I can say, because
09:42:45 25 all of his dealings was to fight and fight the enemy, but he was
26 not so wicked with civilian. That I can assure you.

27 MR SANTORA: Now, the next reference for counsel's benefit
28 is 17307 and moving on to 17308:

29 Q. Now, Mr Witness, yesterday you were talking about a

1 meeting. As you left Njaiama Nimi koro, you said there was a
2 meeting and it occurred with the top AFRC/RUF guys from Koidu. I
3 am referring to lines 8 and 9 on 17307. Do you remember saying
4 that?

09:43:39 5 A. I remember saying that.

6 Q. Then you were asked who were the names of the top AFRC/RUF
7 guys from Koidu and your response was, "Kallay Amara, Foday
8 Bangura and Jah Spirit, they were the big men among the group I
9 was with". My question to you is who were the top guys from
10 Koidu, if you remember any of them, at this meeting?

09:44:01

11 A. I do not remember. I was not there at the meeting, of
12 course.

13 Q. Okay.

14 A. I can confirm that I was not in the meeting and all that I
15 heard was from that lady that was with me, Esther Koroma. She
16 was actually giving me all these top information, right? She
17 disclosed to me that there is a meeting going on. Of course,
18 when we arrived in Woama it was observable that the top guys like
19 Kallay Amara I used to see him around in most cases. Kallay
20 Amara, Jah Spirit and Foday Bangura so on and so forth, I would
21 see them frequently around.

09:44:14

09:44:47

22 Q. Okay.

23 A. But for that moment I mean they disappeared, right, so it
24 is kind of proof to me at that time that what Esther told me that
25 they are on a meeting with some of the other officers, commanders
26 from Koidu, you know? But I can say that one of the fellows I
27 used to help, this other Major Amara - there used to be another
28 Major Amara and also Bai Bureh.

09:45:04

29 Q. Do you know Major Amara's full name?

1 A. Who?

2 Q. Do you know Major --

3 A. No, I was only hearing the name Major Amara.

09:45:39 4 Q. Now, after this meeting occurred - and this is 17308 lines
5 ten and 11 - you said that, "Jah Spirit was in charge of that
6 instruction. He came with instruction. He made an announcement
7 and said 'Some of you have to go down to Baima end. We are going
8 to have a base there' ". Do you remember saying that?

9 A. Yes, I remembered saying that.

09:46:02 10 Q. You said, "Jah Spirit ... he came with instruction". If
11 you know, who did he come with instruction from? Who was the
12 instruction from?

13 A. Well, I don't know. I can't say he came with the
14 information and the information was from a particular person, but
09:46:20 15 all I can say is that the information came from the meeting. It
16 was an order from what they decided in the meeting, right? That
17 was exactly what he was saying that we have to deploy, we have to
18 make another deployment down Baima, and everything was clear to
19 us that they were about to be deployed themselves because of they
09:46:51 20 are afraid of the security situation around.

21 Q. You said all you can say is that the information came from
22 the meeting. How do you know that that information came from the
23 meeting?

24 A. He came and made the announcement, right? He said, "We are
09:47:04 25 going to redeploy our men", and everything was like a history
26 thing. He said, "We are going to redeploy our men". And, of
27 course, I combined this information that came from Esther that
28 indeed this announcement this man is going to make, or is making
29 now, is from what they have decided from the meeting.

1 Q. Okay. Now, the next reference is 1731 --

2 PRESIDING JUDGE: Before you go on to that, Mr Santora, who
3 is the "he" that came and made the announcement? It's the answer
4 on my page 9, line 17, which starts, "He came and made the
09:47:55 5 announcement".

6 MR SANTORA:

7 Q. Who made that announcement, Mr Witness?

8 A. Jah Spirit.

9 MR SANTORA: Now the next reference, sorry, is 17310 and
09:48:11 10 it's lines 21 and 22:

11 Q. Mr Witness, you said something yesterday that I want to ask
12 you to explain. You were referring to the children of the group
13 and you said, "What happens in most cases is that these children
14 are attached to each of the men, referring to the AFRC/RUF men".

09:48:34 15 What do you mean when you say, "These children are attached to
16 each of the men"?

17 A. As I said earlier on, right, when we were in - when we were
18 taken to Njaiama Nimikoro and from Mamboma after the second
19 capture, right, then this Bai Bureh guy came and made some
09:49:06 20 statements, sort of address to us, after which I mentioned the
21 AFRC/RUF guys were making a selection among the civilians, right?

22 It's like an interest. If you have an interest on somebody you
23 say, "Okay, I like this person". For myself, I can give an
24 example of myself. Somebody came and said - he asked me a
09:49:35 25 question. There was one guy also I can remember, whose name was
26 called Emmanuel. I think I mentioned that name on the statement,
27 you know some of these names - well, I gave the statement three
28 years back when I was in second year university and so it's now
29 that I'm actually recalling some of the names again.

1 Now I mentioned in my statement I think there was another
2 Emmanuel in the group, one guy called Emmanuel. He came to me
3 and asked me a question. He say, "Man, what can you do?" I
4 think I said something like, "I'm a technical man. I can do a
09:50:13 5 lot of technical things". He was admonishing me saying that he -
6 I am talking of Emmanuel saying, "Well, you come and help us.
7 You will assist us in all our technical problems here". He was
8 actually saying that. It was as if he was really interested in
9 me.

09:50:34 10 And in my statement also I remembered saying that there was
11 a bit of confusion between Esther's group, because Esther's group
12 Daddy Lumba, they selected me to be in the house where their
13 boss, Foday Bangura, in my grandfather's house. They selected me
14 to be there. There was another instance that Jah Spirit came for
09:51:00 15 me. Jah Spirit grew some interest in me and said, "Give me this
16 guy. I want this guy to be with me". I think I went there for a
17 day, I remembered. Jah Spirit succeeded in taking me away from
18 Esther's group, right. And I stayed with Jah Spirit for a day.
19 And Esther's group - of course Esther was a bitter disappointed.
09:51:26 20 He then mobilised another sort of - I mean a meeting with the
21 guys and said, "Please, this guy should come back to me".

22 Q. I don't mean to intervene, but what I was asking you about
23 was these children?

24 A. Yes. What I'm trying to say, I'm trying to make clear that
09:51:44 25 they were making selections based on what they were interested
26 on, right. What they interested in. If they are interested in
27 taking somebody - looking on somebody and said, "I like this
28 person to be with me" and so the children were attached, what I
29 meant, to each of these commanders or the AFRC/RUF guys. They

1 were attached there, based on their sort of initial interest that
2 they had.

3 Q. Whose initial interest?

4 A. The AFRC/RUF. It's like an initial interest that they had
09:52:23 5 from the - "they had" referring to the AFRC/RUF. That they had
6 for the children, you know, when they were captured, when the
7 children were captured.

8 Q. Do you know interest for what reason?

9 A. Well, I can't give a comprehensive response to that.

09:52:42 10 Q. Okay. That's fine. Now, the next reference, counsel, is
11 17329. Yesterday you were referring to this incident with this
12 individual called Hosana and you talked about the letter you
13 wrote, that he requested that you write, and then you were
14 referring to a conversation and something he said to you in your
09:53:23 15 presence and this is at lines 14 through 17. And you said as
16 part of what he said was this, you said:

17 "That was the statement he was saying. He was saying that
18 categorically, 'The civilians will suffer. We will suffer the
19 civilians and then they will finally call us to the table'. That
09:53:55 20 was what he categorically said I can remember."

21 What did you mean by that? What did you understand that to
22 mean?

23 A. Okay. It's not a matter of I understand what he means,
24 right. I was actually saying what this guy was saying. It's
09:54:13 25 like quoting exactly. Well, I can say I can't quote exactly what
26 they were saying at that time because of the memory, it's a long
27 time, you know, but the sense, I can remember the sense that was
28 coming out of their statements, right. And he said that one. I
29 can remember he was saying that, "We are going to suffer the

1 civilians".

2 Q. What do you mean "we will suffer the civilians"?

3 A. The AFRC/RUF men, he was referring to themselves, the
4 AFRC/RUF group fighting against ECOMOG, and Tejan Kabbah's
09:54:55 5 government.

6 Q. I guess --

7 A. Okay. If I can break it down for you, let me just take an
8 effort to do it. To my own understanding, I can say he was
9 actually - they were like - they saw themselves being defeated by

09:55:12 10 the ECOMOG and the AFRC guys, the Tejan Kabbah's government,

11 right. "They" referring to the AFRC/RUF men. They saw

12 themselves being defeated. So they were making - all the

13 AFRC/RUF men were making all effort to present a case to the

14 outside world that there should be a kind of - I mean a one to

09:55:44 15 one settlement. One to one settlement, I mean they must come to

16 the table and settle everything, instead of fighting or sending

17 the ECOMOG troops to fight them, to fight the AFRC/RUF men.

18 My understanding to - because that will actually predict

19 what sort of statement he was saying. My understanding was they

09:56:06 20 were really preaching out or saying out the message - sending out

21 the message to ECOMOG and the Tejan Kabbah's government for them

22 to know that if you want everything to come to an end - if the

23 Tejan Kabbah's government and ECOMOG want everything to come to

24 an end then the fighting is not the solution. In fact that was

09:56:31 25 the reason why they decided to - he decided - he asked me to

26 write the letter, if you can remember the content of the letter,

27 that was why he, Hosana, asked me to write the letter and that's

28 the reason why they amputated that man's arms. That amputated

29 that man's and the letter was put in his pocket.

1 Q. I want to just make sure I understand. Forgetting what -
2 and I apologise for my question earlier because I think I may
3 have confused you. Forgetting what you understood this mean, I
4 want to make sure I understand what Hosana said exactly. Because
09:57:15 5 I said you - quoting yesterday, you said that he said, "The
6 civilians will suffer. We will suffer the civilians". Now what
7 does that phrase mean "we will suffer the civilians"? What does
8 that mean, "we will suffer the civilians"?

9 A. It's like for example what happened, right. They were just
09:57:38 10 victimising people. Like, they amputated somebody. "They"
11 referring to the AFRC/RUF. Hosana at that time amputated
12 somebody.

13 Q. Did Hosana explain this or are you - just exactly what he
14 said again - what did he say?

09:57:53 15 A. That was exactly. He never went into detail. I could not
16 remember.

17 Q. Okay.

18 A. My memory will not take me back there, but he was for brief
19 - in brief he was saying that, "We are going to suffer" - "The
09:58:07 20 civilians will suffer". If I can say it in Krio, "Di sivilyan
21 dem go sofa." That was what he was saying in Krio, "The civilian
22 them go suffer." "If dem se dem go fet wi na di sivilyan dem go
23 sofa." That was what exactly he said.

24 Q. Okay. The next reference is 17331.

09:58:32 25 JUDGE SEBUTINDE: Mr Santora, I don't know what we are
26 going to do about the utterances in Krio. Are they relevant in
27 your view?

28 MR SANTORA: I think based on the assertion that the
29 witness can speak Krio, I think it would be appropriate for the

1 witness to translate what he just said in Krio to English.

2 JUDGE SEBUTINDE: Because you didn't ask him to do that.

3 MR SANTORA: I will do that:

09:59:01

4 Q. The phrase you just said in Krio, Mr Witness, what was it
5 again?

6 A. The meaning in English is - the Krio word is the "civilians
7 then go suffer".

8 Q. "Then go suffer"?

09:59:10

9 A. Yes, "then go suffer". And the meaning is the civilians
10 will suffer.

11 MR SANTORA: Thank you, Justice Sebutinde:

12 Q. Did you also say another sentence?

09:59:31

13 A. Yes, yes. The first one is, "If they say in the fight we"
14 - "If they say in the fight we", in English is if they, the
15 ECOMOG and Tejan Kabbah's government, say they will fight us then
16 the civilians will suffer.

17 Q. Okay.

18 A. That's the complete interpretation of what he was saying.

09:59:51

19 Q. Thank you, Mr Witness. Yesterday, and this is 17331, lines
20 25 to 28. Yesterday, Mr Witness, you were referring to what you
21 heard of Operation No Living Thing. Do you remember speaking
22 about this?

23 A. I remember.

24 Q. And you said:

10:00:02

25 "The Operation No Living Thing was actually launched by
26 this AFRC/RUF group. But, as I said, it's a combination of few
27 men from our side, few men from the other side."

28 What did you mean when you said "the other side"? Where
29 are you referring to?

1 A. Come again. Come again, please. I did not get you
2 clearly.

3 Q. Yesterday in referring to this Operation No Living Thing,
4 you said:

10:00:26 5 "The Operation No Living Thing was actually launched by
6 this AFRC/RUF group. But, as I said, it's a combination of few
7 men from our side, few men from the other side."

8 Do you remember saying that?

9 A. Yes, I remembered. What exactly happened, as I was saying
10:00:46 10 yesterday, there were different AFRC/RUF groups, in different
11 location. The group that I was with, the AFRC/RUF group that I
12 was with, was not the only group in the whole Kono District.

13 Q. So in this statement when you said "our side", who were you
14 referring to exactly?

10:01:09 15 A. Referring to - "other side" is referring to the other AFRC
16 group, RUF group that were located in some other places.

17 Q. Okay. And do you know some of those other locations?

18 A. Woama. There were some men who were in Woama. We left
19 some guy there, some AFRC/RUF men there. And on the way between
10:01:30 20 Woama and Koidu there were some other deployments. And far
21 behind Njaiama Sewafe there - well, to what I heard, I knew that
22 Colonel Issa was there, Colonel Issa and his men.

23 Q. Where were they? Where was that?

24 A. They were around the Njaiama Sewafe area. And also I
10:02:06 25 understood there were also some other men at a town called -
26 there is another town called Gandorhun. I think I mentioned that
27 in my statement

28 Q. Where is Gandorhun?

29 A. Gandorhun is after Woama, going down. It's like - I can't

1 remember the direction, but it's behind Woama.

2 Q. Now yesterday you spoke about, after your training, some
3 operations. I just want to clarify the sequence of those
4 operations. First, you spoke about an operation that you
10:02:44 5 participated in towards the Kenema end. Do you remember that?

6 A. Yeah, I remember that.

7 Q. And then you spoke about an operation in reference to a BBC
8 journalist that you did not participate in. Do you remember
9 that?

10:02:56 10 A. I remember that.

11 Q. Which of those came first?

12 A. The one with the BBC.

13 Q. Okay. You also yesterday said that just after this
14 operation - I'm sorry, counsel, it's 17340, and that's lines 19
10:03:22 15 through 24. And you said that after this BBC journalist
16 operation, you said: "Well, I want you to know that after the
17 operation they brought some diamonds, right. I didn't see the
18 diamonds but they asked me to write something on the report book.
19 They had something called a report book. They asked me to write
10:03:47 20 a report on that book as an evidence."

21 First of all, you said that, "After the operation they
22 brought some diamonds, right". How do you know that?

23 A. They said it to me. In fact that was written on the
24 statement, on the report book.

10:04:03 25 Q. Who said that to you?

26 A. The book was brought to me by Amara. Amara brought the
27 book to me. It was a ledger, right. And the operation was
28 carried out around the Njaiama Sewafe end. Of course I mentioned
29 it yesterday that I was put in charge of the guard detail, right.

1 So I was really detailing people, the AFRC/RUF group, on guard.
2 That I can remember.

3 In fact the day the men returned, the AFRC/RUF men who were
4 sent for this operation, the day they returned, I was on duty.

10:04:48 5 They fired three shots and then we exchanged the password. Of
6 course I mentioned in my statement that there were passwords,
7 sort of codes, in the form of codes been given to us, right.

8 And --

9 Q. It's with regards to this - to what Amara told you.

10:05:14 10 JUDGE SEBUTINDE: And, Mr Santora, which of the two Amara's
11 are we talking about here?

12 THE WITNESS: Kallay Amara. Kallay Amara.

13 MR SANTORA: Thank you, Justice Sebutinde.

14 Q. What exactly did Kallay Amara tell you?

10:05:27 15 A. Kallay Amara I am told - of course, I got the story before
16 Kallay Amara brought the book for report. It usually happens
17 whenever there is an operation I will have one story from one
18 person, I will hear another story from another person and so on
19 and so on and so forth. So I got the information from the men
10:05:49 20 who went for the operation before Kallay Amara and the next
21 morning he came with a book. He said, "My friend, come and write
22 something for me", and then he asked me to write that they had an
23 operation along the Njaiama Sewafe highway and he said a lot of
24 ECOMOG officers were killed, I wrote that, and six pieces of
10:06:12 25 diamonds - six pieces of diamonds - were found in the possession
26 of these ECOMOG officers and that was the closing off.

27 Q. And what kind of book was this?

28 A. It's a ledger. It's a ledger. I can remember it's a
29 ledger. A kind of a big ledger.

1 MR SANTORA: Just for the record, the witness indicated the
2 size of the ledger as being approximately:

3 Q. Can you just quickly do that again?

4 A. This big ledger.

10:06:38 5 Q. Okay.

6 A. The length about 40 or 60 pages. 40 or 60 pages.

7 MR SANTORA: That was I would estimate 30 centimetres by 15
8 centimetres, if counsel would stipulate to that.

9 PRESIDING JUDGE: Mr Griffiths, do you agree both the
10:07:02 10 demonstration and assessment?

11 MR GRIFFITHS: I agree.

12 MR SANTORA:

13 Q. Finally, Mr Witness, yesterday, before the end of the day,
14 you were referring to an operation in which prior to that
10:07:25 15 operation there was - I am sorry, counsel. It is 17341 and 42.

16 Prior to that operation 61 of you were selected and you referred
17 to this operation as "Clear the way". Do you remember that?

18 A. Yes, I remember that.

19 Q. And you said that prior to this operation there was an
10:07:52 20 instruction from Kallay Amara saying that, "He said cut 100
21 hands. He said cut the 100 hands and then I want you to put
22 these arms in a bag and bring them to me"?

23 A. Not Kallay Amara that said that.

24 Q. I apologise.

10:08:11 25 A. I think I made it very clear that it was Major Amara. But
26 that was the time I remembered that there was another man called
27 Major Amara.

28 Q. You are correct and I apologise for that. Do you remember
29 speaking about that yesterday?

1 A. Yes, I remember that.

2 Q. Now, you said - where was this operation to take place?

3 A. It was a place called Tefeya. It was a place called
4 Tefeya. I don't know it. I have never been there. That was my
10:08:36 5 first time for me to go there - that would have been my first
6 time for me to go there, but unfortunately we did not arrive
7 there.

8 Q. Do you know why the operation was called "Clear the way"?

9 A. I categorically described the reason why they called for
10:08:49 10 that operation, because I said we went on a meeting and they
11 explained. Kallay Amara and Major Amara explained to us the
12 reason for the operation, right? I think I mentioned that
13 yesterday that the guy was saying - Major Amara was saying - that
14 the ECOMOG - I can go over that again, can I?

10:09:15 15 Q. You can go over it, yes.

16 A. The ECOMOG troops were advancing. They advanced towards
17 Koidu and, of course, they were in charge or they were in control
18 of Koidu Town, right? And from Koidu Town no deployment of
19 ECOMOG troops was found except between - it's like the location
10:09:38 20 of ECOMOG troop was between Makeni and Koidu Town. They realised
21 that, or they said that. And Major Amara was saying that, "Now,
22 we want to draw attention of the ECOMOG troop that is in Koidu to
23 somewhere else so that we will have other people, other men" -
24 referring to the AFRC/RUF group - "to attack the ECOMOG troops
10:10:07 25 who were - or to engage the ECOMOG troops who were in Koidu". So
26 he was describing everything like, "We have to go to Tefeya and
27 there are a lot of civilians". They got the information, the
28 information came to them from where I don't know, but he said,
29 "We got the information that there are a lot of civilians in

1 Tefeya and businesses are going on there. People are coming in
2 there with food stuffs and a lot of things".

3 Q. Who was saying this?

10:10:46

4 A. Major Amara. "People are there. A lot of business is
5 going on there and food stuffs - food items - are there and so
6 let's go and attack the place". And he said that, I remember,
7 that he said, "Cut the hands of 100 people and put it in a bag".
8 I mentioned I really remembered him saying that. He said, "Put
9 it in a bag and bring it to me as an evidence that you did it".

10:11:14

10 And he said - in fact, I said it was a combination. It is like
11 they were calling the operation - the AFRC/RUF group was calling
12 or Major Amara was calling the operation - as Operation Clear the
13 Way and Operation No Living Thing. I said that yesterday.

14 Q. So, then, do you know where the other group or other men
15 were supposed to come from to engage ECOMOG in Koidu Town?

10:11:39

16 A. I don't know, but of course I knew that there were men who
17 were around. I mentioned that yesterday that there were men who
18 were constantly around the perimeters of Koidu Town. And then,
19 of course, Bai Bureh was there. Bai Bureh was really engaging
20 these men in Koidu Town. I mentioned that earlier on.

10:12:02

21 JUDGE SEBUTINDE: Mr Santora, these two operations were
22 they one and the same operation, Clear the Way and Operation No
23 Living Thing?

24 MR SANTORA: I will clarify:

10:12:14

25 Q. Did you understand the question?

26 A. Yes, I understand the question. It is one and the same.
27 It is both of them as one operation. It is like one group, one
28 AFRC/RUF group, carrying out these two operations. It's like the
29 ideology. Like the ideology they wanted to make it clear that

1 you are going on Operation Clear the Way, as I described what
2 they meant Clear the Way, and No Living Thing. He made it clear
3 that, "You are the mission". He was actually emphasising on the
4 key point of the mission. Major Amara was emphasising on the key
10:12:53 5 point of the operation is that you are going to --

6 JUDGE SEBUTINDE: The question I asked was whether the two
7 names of the operations actually referred to one operation
8 practically?

9 THE WITNESS: One operation.

10:13:03 10 JUDGE SEBUTINDE: Is that correct?

11 THE WITNESS: Yes, yes.

12 JUDGE SEBUTINDE: Thank you.

13 MR SANTORA:

14 Q. Now did you yourself actually participate in this last
10:13:32 15 operation you've been describing, Clear the Way?

16 A. Operation Clear the Way, I did not participate in the
17 operation. I went with them. I was selected.

18 Q. Where did you go?

19 A. I was selected by Foday Bangura.

10:13:46 20 Q. And what happened?

21 A. What happened? We were on the way and we were heading for
22 Tefeya, but the route was to be that we were to pass through
23 Njaiama Nimi koro. Of course we knew of ECOMOG being in Koidu
24 Town and so the AFRC/RUF guys were actually avoiding using the
10:14:08 25 main road - the main highway - between Njaiama Sewafe highway,
26 Bumpe, Motema and Koidu. They avoided using these routes, so we
27 used a bypass, the same route that we used when we were coming
28 from - when we were coming, I'm talking of myself and the
29 AFRC/RUF group - Njaiama Nimi koro to Baima and Woama. We used

- 1 the same route and we were approaching - well, we, referring to
2 the AFRC/RUF group approaching - Njaiama Nimi koro and the route
3 was to be Njaiama Nimi koro, Bumpe and across a small river and
4 then we got to Tefeya according to what they, the AFRC/RUF guys,
10:15:10 5 were describing. We reached one town or village to Njaiama
6 Nimi koro and we had three or four men who were in front of us.
7 Like they go - three or four AFRC/RUF men who were in front of us
8 they go ahead of us and check there is no problem or everything
9 is okay.
- 10:15:36 10 Q. How many of them are you by the way?
- 11 A. 61 of us.
- 12 Q. 61 at this point. And who is leading this group that is
13 moving?
- 14 A. Foday Bangura was in charge of the - he was put in charge.
10:15:47 15 He was actually commissioned by Major Amara that this is the
16 commander for the operation.
- 17 Q. Since you are speaking of this, let me ask you for a
18 timeframe for this. When was this happening?
- 19 A. This happened about 8/9 May.
- 10:16:06 20 Q. Of what year?
- 21 A. If I remember, the day I surrendered or gave myself up to
22 ECOMOG was on the 10th.
- 23 Q. Okay, so this was approximately 8 or 9 May?
- 24 A. Yes, 8th or 9th.
- 10:16:20 25 Q. Of what year?
- 26 A. Of 1998.
- 27 Q. So, what happened then?
- 28 A. So we had a small confusion - we I am referring to myself
29 and the AFRC/RUF group - of where to pass and where to go through

1 and where not to go through. Eventually the place was dark in
2 the evening and we eventually was able to reach very close - I am
3 referring to myself and the AFRC/RUF group - to Njaiama Nimi koro,
4 but before you reach Njaiama Nimi koro there is a small hill.
10:16:56 5 There is a bridge. After you pass the bridge, if you are coming
6 from a place called Njala - there is one Njala. Around the
7 Njaiama Nimi koro Chiefdom there is a town called Njala. If you
8 are coming from Njala and you are going to pass through another
9 town called Canaan, and then there is a bridge. After you pass a
10:17:18 10 bridge there is a small hill that you climb and then there you
11 are in Njaiama Nimi koro. So, what happened, the ECOMOG troops
12 that were - in fact, let me just explain what happened. A few
13 days before this operation a few men were sent on a food-finding
14 mission to this Njaiama Nimi koro area, a few men referring to --
10:17:44 15 Q. Before I let you get too far I just want to make sure we
16 don't get too far away from two spellings of towns that were
17 mentioned that are not spelt on the record at this point.
18 Canaan, do you know how to spell that?
19 A. Canaan. C-A-N-A-A-N.
10:18:00 20 Q. What was the next place you said, Njala?
21 A. Njala, the same spelling as that Njala in the Bo area.
22 It's N-J-A-L-A.
23 Q. Okay. So go ahead, continue.
24 A. Yeah. Few men were sent on a food-finding mission. They
10:18:23 25 went to Njaiama Nimi koro Town. A few days, about three days
26 before that happened, they went there.
27 Q. Who were these men; who were the men?
28 A. Some of the AFRC/RUF men were sent on a food-finding
29 mission. They went to Njaiama Nimi koro, the AFRC/RUF men went to

1 Njaiama Nimikoro, and there was nobody there. It was a ghost
2 town so they came up with the report that nobody is living in
3 Njaiama Nimikoro, the place is a ghost town. I am talking "they"
4 the AFRC/RUF men. So we were going with the intention that we
10:19:02 5 would find nobody in Njaiama Nimikoro. We, myself, referring
6 to myself, and the AFRC/RUF men. We were going with the
7 intention that we would find nobody in Njaiama Nimikoro, not
8 knowing that a day ago or so, there had been a deployment of the
9 number 5 battalion of the Nigerian army, NAMBATT-5, and they were
10:19:26 10 in charge of that Njaiama Nimikoro and the highway between
11 Njaiama Nimikoro to Kenema. So whether they got the information,
12 "they" I am referring to whether the ECOMOG troop that was
13 deployed in Njaiama Nimikoro got the information that we were
14 coming or not, but exactly what happened, we were about to climb
10:19:53 15 after the bridge, immediately after the bridge we, referring to
16 myself and the AFRC/RUF men that captured me, we were about to
17 climb the hill and then immediately we heard somebody saying,
18 "Halt", loud shout "halt" and every one of us, every one of us,
19 referring to myself and the AFRC/RUF group that I was moving with
10:20:14 20 at that time, 61 of us, we felt shock. We were not expecting
21 that kind of thing. And it was a tolerance, according to what
22 the ECOMOG troops informed me later, that they gave a tolerance.
23 Q. A what, I am sorry?
24 A. Tolerance. Tolerance. For us to surrender.
10:20:40 25 Q. Explain the word you just used.
26 A. Tolerance is like - it was like an allowance, they created
27 an allowance. Otherwise they would have just - the ECOMOG troops
28 would have just started open fire on us, right. Firing on us.
29 But they tried to halt us and see whether we will respond by -

1 whether "we" referring to myself and the ECOMOG and the AFRC/RUF
2 group would somehow present a case to surrender. But after a
3 while, this fellow, Foday Bangura said, "Mek wi fet di man dem",
4 pan Krio, "Let us fight the men". That we are referring to the
10:21:23 5 AFRC/RUF group that I was with at that time, to fight the ECOMOG
6 troops or whatever person or - because we never knew whether it
7 was ECOMOG or Kamajors, right. But it exactly happened as that,
8 as I said.

9 So they started - Foday Bangura started firing his weapon
10:21:48 10 and then few other men - they were not actually firing towards a
11 particular direction, they were just firing like that. You know,
12 like Foday was very close to me because he asked me to be his
13 bodyguard, so he was just firing up the hill, the air.

14 MR SANTORA: Just for the record the witness is --

10:22:07 15 THE WITNESS: He was firing up the air, so I really
16 realised that they were like this and immediately in a while the
17 ECOMOG troops then noticed that something is about to happen, we
18 have to flush these guys off. Referring "guys" the AFRC/RUF. So
19 they themselves started responding. Where I was at that time I
10:22:29 20 really - it was a dream.

21 MR SANTORA:

22 Q. Okay. I am going to interrupt for a moment. Just for the
23 record when the witness was describing Foday Bangura shooting up
24 in the air he was holding his left arm up in the air and his
10:22:42 25 right arm at his side. So what happened then after this?

26 A. Yes. So the ECOMOG troops then started responding. They
27 themselves started firing their weapons which was very different
28 to my hearing, you know, because they were firing RPGs. I saw --

29 Q. Where were they situated? Where were they firing from?

1 A. They were firing from Njaiama Nimi koro end towards the
2 Njala end we came from, right. They were at the entrance of
3 Njaiama Nimi koro. The ECOMOG troops were at the entrance of
4 Njaiama Nimi koro, pointing their weapons away from Njaiama
10:23:26 5 Nimi koro towards the Njala end that we were coming from. "We"
6 referring to myself and the AFRC group that I was with.

7 And all of a sudden I fell on the ground, right. Because I
8 had nothing to do. I was carrying the G3 weapon and I dropped
9 it. I never fired my own weapon. I dropped it because it was a
10:23:50 10 shock for everybody. It's like we have to run away, because this
11 firing power is - "we" I am referring to myself and the AFRC
12 group that I was with. So I had no options, not to resist or not
13 to do anything. Rather, to flee.

14 So I dropped the weapon on the ground. I fell on the
10:24:10 15 ground. In fact the shirt I was wearing was like a bright
16 colour. So I thought this shirt is somehow visible in the dark.
17 So I have to remove it. So I removed the shirt and started
18 crawling, right. I started crawling on the floor, on the ground.
19 And then I went off the road, I went in the bushes and the firing
10:24:40 20 was so heavy by the ECOMOG guys. They actually fired all sorts
21 of weapons. Even cannon bombs were fired on us that night. Can
22 you imagine?

23 And then I found my way going down a particular swamp. The
24 swamp - I even wanted to go down deep into the swamp, but I
10:24:59 25 struggled myself. In fact I was putting on a boot and one of the
26 boot left in the swamp, got left in the swamp, so I was walking
27 one boot on and a bare foot. And I struggled myself out of the
28 swamp and then going - I don't know - I didn't know where I was
29 going.

1 Q. Where were the rest of the men you were with?

2 A. In fact none of us - I could not even recognise at that
3 time any one of them near me. But the firing was going on, I
4 heard screaming, I heard a lot of screaming, and really they were
10:25:38 5 being injured greatly.

6 Q. Who was being injured?

7 A. The AFRC/RUF men.

8 Q. So you said then before that this was about a day before
9 you surrendered. Is that correct?

10:25:50 10 A. Yes, it's the day I surrendered.

11 Q. Who did you surrender to?

12 A. To ECOMOG. What happened was after the fighting - it was a
13 whole night fact. This happened about 8 o'clock in the evening.
14 And the fight went for the rest of the night until about 4

10:26:07 15 o'clock in the morning, right. There were heavy rainfall - the
16 fighting start and then about one hour then the rain began to
17 come. We had a heavy rainfall.

18 So all my experience in the forest was under the rain, you
19 know. So I started going but I didn't know - I was actually
10:26:27 20 listening to where the guns were coming from and whatever

21 resistance, so I was going away from the gun firing, right. And
22 I experienced myself being somewhere. I really got confused
23 where to go. I don't know where to go, because there were bombs
24 being thrown everywhere. Every here and there, you know. I

10:26:50 25 could not even imagine if there is a bomb to be thrown on my head
26 or whatever. So I was moving, just moving like that and I asked
27 God. I said an area - I asked God - I pray, I said, "God, show
28 me where to go" and I saw a white - okay, if I can go into
29 detail.

1 I saw a white butterfly with a colour like this light ahead
2 of me, so bright. It came around me and it was going around my
3 body and then I saw it later going somewhere. It was going and
4 rest on one leaf and then I would follow it and then it would get
10:27:30 5 up again, go to another and I would follow. That was the way I
6 go and go and go. Finally I arrived at a clear place, a very
7 clear place, and I realised myself being away from where the
8 firing was taking place.

9 So it was about 4 o'clock, 5 o'clock in the morning, so I
10:27:51 10 just - because all of my body - all over my body wounds and
11 wounds. Everywhere pains. I was actually feeling the whole -
12 you know. So I was really exhausted. Exhausted. So I decided
13 to just lay down. It was like my knees, I could not lie on my
14 body because everywhere are wounds, so I just placed my knee on
10:28:18 15 the floor and I make my arms like this and I rested for a while,
16 you know.

17 So in the morning, when the place was getting clear, I
18 stood up and I started walking. I saw a footpath and I started
19 walking. So I started approaching. I heard the vehicles going
10:28:37 20 up and down in the time forest. They were going up and down in
21 the forest. So I heard the sound coming from afar. I started
22 approaching this sound. Then I saw the roofs. I began to see
23 some roofs, right, the zinc of the houses. Then I realised that
24 I'm approaching the town.

10:29:02 25 So approaching the town I heard these men saying something,
26 you know, somebody talking, and I could realise this language is
27 one of the Nigerian language, right. And I then said to myself,
28 "Ah, these are the ECOMOG people and I have to go and surrender
29 myself". Then I came closer to them, just about a distance -

1 it's twice or thrice the distance between these two walls, right.
2 Very close. I was in hiding and --

3 Q. Just for the record you were pointing to the two walls at
4 either end of the courtroom. In terms of at the length of the
10:29:42 5 courtroom.

6 A. And then one man was telling me, "Go and surrender
7 yourself" and the other one saying, "Hey, if you go there they
8 will kill you. Just find a way. Go back in the bush and find a
9 way".

10:29:57 10 Q. Who said that to you?

11 A. Somebody - you know it's like an inner man; conviction.
12 Conviction was coming to me, "Go and give yourself up" and the
13 inner man - somebody was telling me, my inner man, "No, go. Just
14 find a way. Go to the bush".

10:30:10 15 So eventually I got the urge to move and I came out of the
16 bush and said, "Good morning, sirs". Exactly that was what. In
17 fact my voice was so hoarse that I could not even speak properly,
18 everything gone. So I said, "Good morning, sirs. I'm a
19 civilian, sir. I want to come and be with you". That was
10:30:28 20 exactly what I said, I could remember - I can remember. "I am a
21 civilian, sir" and the guys, you know, they themselves were
22 afraid. They held on to their weapons and said, "Who are you?"
23 And they said, "Sit on the floor" and I sat on the floor. Then
24 they approached me with their weapons. They were coming towards
10:30:47 25 me like this.

26 MR SANTORA: Just for the record the witness, in explaining
27 when he approached these individuals, put both hands up in the
28 air, from ECOMOG. And then also for the record, in describing
29 ECOMOG asking who he was, put his left hand out and his right

1 hand to himself:

2 Q. Go ahead.

3 A. And they approached me and - they approached me and then
4 they were pointing their weapon at me. Then I said, "I'm a
10:31:18 5 civilian". But, fortunately, if I could refer again, I think I
6 mentioned an area where in Mamboma I left my ID card, my
7 technical institute ID card. I was doing a telecom engineering
8 course in the Freetown Technical Institute. I had the ID in my
9 possession and also my secondary school ID card. I used to keep
10:31:46 10 all these cards in my wallet. I had my secondary school - I
11 attended the Albert Academy secondary school. I had my technical
12 institute ID card and my secondary school ID card. I had them
13 with me in Mamboma.

14 By the time I was about to go and take my shower I left all
10:32:06 15 my - you remember I said I left all my belongings in the bag and
16 the bags were taken away. I mean I did not recover them any
17 longer, not until when I was with the rebels, referring to the
18 AFRC/RUF guys, after the training, you know. So after the
19 training we got used to each other. We were, I mean, having good
10:32:24 20 company, good conversation with each other. You know, kind of a
21 friendship exist between all of us, right.

22 So there was one day somebody came to me. One young
23 RUF/AFRC boy came to me said, "Emmanuel, I saw your picture
24 somewhere". I said, "What?" You know I just dreamed - you know,
10:32:46 25 I saw it impossible. I said, "How can you see my picture?
26 Where? We don't have a camera here or whatever. How can you see
27 my picture?" I said, "It's not me. It's somebody else". He
28 said, "I am telling you the truth. I saw your picture
29 somewhere". Then I said, "Okay, now go and show me where you saw

1 my picture". He said, "I will not because I saw the picture
2 somewhere else, in one of our colleague's bag", referring to the
3 AFRC/RUF men. "I saw it in one of our colleague's bag". And I
4 convinced him and said, "Please, please, please". You know, it
10:33:22 5 becomes something very interesting to me. I said, "Please go and
6 show me where you saw my picture". And then he decided to go and
7 take - not even show me, he decided to go and take this picture.

8 Q. And what was it?

9 A. And what he brought to me was the ID cards. Both of my
10:33:42 10 technical institute ID card and my secondary school ID card,
11 right. He brought these and you know I was really happy to see
12 my ID cards then. So since then I was having these ID cards with
13 me. Even to that time the ECOMOG guys were threatening me, "Who
14 are you? Identify yourself". So I took off these ID cards and
10:34:07 15 said, "Look at my ID cards. I am civilian. I was in the bush".

16 Q. By the way, just to clarify, where is this happening, this
17 ECOMOG --

18 A. It happens in Njaiama Nimikoro. Another end of Njaiama
19 Nimikoro. It's the end approaching to Bumpe.

10:34:21 20 Q. Okay.

21 A. Right. It's the other part of Njaiama Nimikoro, the end
22 approaching to Bumpe.

23 Q. Okay.

24 A. So I didn't even know in fact that that was Njaiama
10:34:33 25 Nimikoro by then, because that particular end I have never been
26 there. It was later when I was brought to the centre of Njaiama
27 Nimikoro I realised that it's Njaiama Nimikoro.

28 Q. Okay.

29 A. So I took off this ID card and then showed the guys. They

1 were observing it. "Okay. Well, come up, come up, come up". So
2 one guy was in front and the other was behind me. They
3 accompanied me. They said, "Okay, let's take you to our top
4 officers". They took me to a nearby house and there was a
10:35:05 5 waiting vehicle. Then they placed me at the back of the vehicle
6 and there was a dead body. One guy that was with us, he also was
7 a trainee. He also was a trainee and he was dead. He was at the
8 back of that vehicle, right. So I was the second, but I was
9 alive. In fact he was fired at this side.

10:35:32 10 MR SANTORA: Just for the record the witness pointing is
11 his left eye.

12 THE WITNESS: He was fired this side and he was put at the
13 back of the vehicle.

14 MR SANTORA:

10:35:41 15 Q. What do you mean by "he was fired at this side"?

16 A. I saw the wound.

17 Q. Okay.

18 A. I saw the wound and the blood coming out, but not much
19 blood, but I saw the deep wound and of course the state of the
10:35:54 20 condition of the guy was - I mean he was dead.

21 JUDGE LUSSICK: Just correcting the record, you mentioned
22 the witness indicating his left eye. It was in fact his right
23 eye that he was indicating.

24 MR SANTORA: I apologise. That's correct.

10:36:10 25 JUDGE SEBUTINDE: Mr Santora, do we have the time frame for
26 this fighting between the ECOMOG and the troops that the witness
27 was with.

28 MR SANTORA: I believe he did say it, but I can ask him
29 again:

1 Q. Just again in terms of sequence, this fighting you
2 described between the ECOMOG and your group, do you remember the
3 time when this happened?

4 A. It happened the 9th night to the 10th morning.

10:36:35 5 Q. Of what month?

6 A. Of May 1998.

7 Q. And then the description of these events you are describing
8 now, the surrender to ECOMOG, when is this happening?

9 A. It's on the 10th. It is on that same day, I can continue.

10:36:50 10 Q. Go ahead.

11 A. Okay. It was on that same day I was brought to - I mean,
12 to the centre of Njaiama Nimikoro. I then realised - in fact I
13 saw a lot of civilians in one field. There is a big field, you
14 know. A lot of civilians with their sticks, you know, raising

10:37:08 15 their hands up. They were shouting up and down and then
16 eventually the guys took me off the vehicle and then they dropped
17 down the body of this dead guy. As I referred to he was part of
18 the trainees, people trained by the AFRC/RUF men. So it was
19 very, very, very - it was a bad experience anyway, because the
10:37:32 20 civilians were approaching me, "Give us this guy. Give us this
21 guy. We want to kill him alive. We want to bury him alive".

22 Q. Who was --

23 A. The civilians in Njaiama Nimikoro. All of them, their
24 sticks were up. All of them. Everybody shouting, holding - I
10:37:49 25 could not even imagine some of the things that they held, but
26 they were holding objects. "Give us this guy. Give us this guy.
27 We want to bury him alive".

28 Q. Who were they referring to?

29 A. They were referring to me. They were referring to me.

1 They took me to a white building.

2 Q. Who took you to a white building?

3 A. The ECOMOG officers that brought me in the vehicle, they
4 took me to a white building on foot. After coming down from the
10:38:19 5 vehicle it's just a few yards to a white building and I could see
6 that they were top officers. To what I realised their uniforms
7 and their appearances, these are the top officers of the ECOMOG
8 troop. Then they asked me to sit on the floor.

9 There also there was this fellow, this Kamajor guys. They
10 themselves was - they were pressing and pressing. "Man, you
10:38:40 11 don't need to ask a lot of questions. Just hand over this guy to
12 us".

13 Q. Who was saying that?

14 A. The Kamajors people. The Kamajor and the hunter militia in
10:38:53 15 general.

16 Q. To who? Who was saying --

17 A. They were saying referring to the - they were saying that -
18 they were convincing the ECOMOG. The ECOMOG guys were a bit -
19 they were exercising some conventional principles. Like they
10:39:04 20 want to interrogate - properly interview me to know whether I am
21 really, I mean, somebody who needs to be, I mean, punished or
22 whatever. But these guys don't want to hear. At that time they
23 don't want to hear anything except to kill me.

24 Q. Who are these guys?

10:39:20 25 A. "They" referring to the Kamajors and the civilians
26 themselves. They wanted to kill me at that time. I mean, I
27 prayed somebody else would have said something - experienced, I
28 mean, or saw what was actually happening. I was at the point of
29 death. I was really at the point. In fact without the civilians

1 even laying hands on me, my appearance, you know - my physical -
2 it's like I was dying. No health, no energy. I was really bony.

3 Q. Okay. So what eventually happened then?

4 A. So --

10:40:17 5 PRESIDING JUDGE: Mr Witness, are you all right?

6 Mr Witness, do you want to have a break?

7 We will adjourn temporarily to allow the witness to recover
8 his composure. I've asked for someone from WVS to intervene. As
9 soon as he is ready to come back if we can be notified. I will
10:41:29 10 adjourn the Court temporarily.

11 [Break taken at 10.42 a.m.]

12 [Upon resuming at 11.30 a.m.]

13 PRESIDING JUDGE: I did indicate we would reconvene at this
14 time to try and update ourselves on how the witness is. I am
11:29:27 15 sure the Prosecution has not had any contact so I will therefore
16 ask if - sorry, is the accused - he isn't here. I apologise.

17 MR ANYAH: Madam President, during the break we received
18 some information from the Court Management office and Mr Taylor
19 was taken back --

11:29:43 20 PRESIDING JUDGE: I see.

21 MR ANYAH: -- and now he is being brought out and
22 Mr Griffiths was consulting with him.

23 MR GRIFFITHS: I apologise for not being in court.

24 PRESIDING JUDGE: That is quite all right. I
11:29:54 25 unfortunately, because of the layout of the court, I don't always
26 see Mr Taylor and didn't appreciate he wasn't there. I will
27 restate that I did indicate we would reconvene at this time to
28 find out how the witness is. As I am taking it that the
29 Prosecution would not have had a contact with him, I will ask if

1 Court Management has any information, as I note the witness is
2 not on the stand. Could you assist, please?

3 MS KAMUZORA: Your Honours, we have just received an email
4 from the counsellor and she has informed us that the witness is
11:30:26 5 still distressed and she is requesting maybe to start at noon, 12
6 noon.

7 PRESIDING JUDGE: Thank you.

8 [The Trial Chamber conferred]

9 Mr Santora, the witness is your witness and have you - do
11:31:14 10 you wish to express a view in the light of the report received?

11 MR SANTORA: Madam President, the Prosecution is in your
12 hands at this point in terms of how you want to proceed. We just
13 received this news as well and so deferring to the Bench as to
14 what they think - what you think is the appropriate course at
11:31:32 15 this point, given the time right now.

16 PRESIDING JUDGE: Mr Griffiths, do you wish to say
17 anything?

18 MR GRIFFITHS: Madam President, we adopt the same view. Of
19 course it would have been good to have concluded this witness's
11:31:46 20 testimony today, because I anticipate I will be no more than an
21 hour or so in cross-examination and, hopefully, if we resume at
22 12, depending on how long my learned friend has in-chief we may
23 still be able to conclude the witness today which would, I am
24 sure everybody would agree, would be desirable.

11:32:06 25 PRESIDING JUDGE: Yes, I can see your point, Mr Griffiths.

26 MR SANTORA: And just for your information too and for
27 counsel's information I literally have two or three questions
28 left and anticipate no more than five to ten minutes left in the
29 direct examination.

1 PRESIDING JUDGE: Thank you for that helpful advice,
2 counsel.

3 JUDGE SEBUTINDE: Madam Court Officer, is there a guarantee
4 that by 12 noon the witness will be composed enough to return, or
11:32:35 5 is this merely a wish on the part of WVS?

6 MS KAMUZORA: Your Honours, it is just a wish on the part
7 of WVS.

8 [Trial Chamber conferred]

9 PRESIDING JUDGE: We accept the indications of counsel and
11:33:42 10 of Court Management. We will review the situation at 12 noon.
11 We are obviously conscious of the welfare of the witness and the
12 duty of the Court to the welfare of the witness and we will make
13 a decision in the light of his situation at that time. So we
14 will again adjourn until 12 noon. Please adjourn court.

11:34:10 15 [Break taken at 11.35 a.m.]

16 [Upon resuming at 12.00 p.m.]

17 PRESIDING JUDGE: Now, Mr Santora, please proceed.

18 MR SANTORA: Thank you, Madam President:

19 Q. Mr Witness, are you feeling okay now?

11:58:50 20 A. I am okay.

21 Q. Okay. I will just ask you a few more questions. You were
22 describing when you brought yourself to the ECOMOG. Did you
23 eventually surrender to ECOMOG?

24 A. Yes, I surrendered.

11:59:07 25 Q. Okay. Now at this point I would like again the map to be
26 shown to the witness that was shown before. Okay, Mr Witness, do
27 you see the map in front of you?

28 A. Yes, I can see it very clearly.

29 Q. Now, earlier you talked about several operations and I just

1 want to have you mark on the map two of those operations in terms
2 of the direction you headed and in which direction those
3 operations occurred. The first operation you referred to was an
4 operation towards the Kenema end. Do you recall that?

12:00:09 5 A. Yes.

6 Q. Can you take a - and I am going to actually ask, take a
7 highlighter and just from where you left at the base between
8 Baima and Woama indicate the direction you left towards for this
9 operation?

12:00:29 10 A. This operation like the first operation --

11 Q. This is the --

12 A. The first operation, I can show you the direction we took
13 for the first operation that I got involved in. You remember I
14 told you about the first operation that Foday Bangura asked me to
15 be a bodyguard for him.

12:00:47 16 Q. The operation which you described to the Court, yes, that
17 you said towards the Kenema end.

18 A. We took - from this point, from this point which is the
19 camp between Woama and Baima and we came down to Baima and there
20 is another route that led us to somewhere else, so this was the
21 direction that we took.

12:01:07 22 JUDGE SEBUTINDE: Can the witness be given a pen that
23 actually works and preferably of a different colour than what is
24 already on the map.

12:01:29 25 THE WITNESS: I think there is a green one here.

26 JUDGE SEBUTINDE: Is there a blue one?

27 THE WITNESS: Okay, there is a green already here.

28 MR SANTORA:

29 Q. And if you could just indicate the direction you left up to

1 the point where it exists on the map?

2 A. We came down this direction to Baima and then we moved just
3 like this direction.

4 Q. Okay, that's fine. Just for the record the witness has
12:01:55 5 indicated a line moving from what has previously been marked as
6 number 9 to a southwest direction and then turning southeast
7 towards at the marking at number 10. Can you please put a number
8 11 at the end of that arrow. Okay.

9 Now the next operation you - another operation you
12:02:26 10 testified about was an operation related to when the 61 of you
11 were going towards - were supposed to go towards Tefeya which was
12 between Bumpé and Njaiama Sewafe. Is that correct?

13 A. Yes, sir.

14 Q. And you said that you however encountered ECOMOG at Njaiama
12:02:46 15 Nimi koro. Is that correct?

16 A. Yes, sir.

17 Q. So can you just point an arrow as to the direction you went
18 for that operation?

19 A. We came from the location 9 and then we can came down to
12:03:00 20 Baima also, we came down to Baima, and we moved through the
21 direction we took for the first movement from Njaiama Nimi koro to
22 Woama, so I am going to follow this direction. I am going to
23 follow this direction and we came down to Njala - I informed you
24 of that Njala - and then we approached Njaiama Nimi koro.

12:03:33 25 Q. Okay.

26 A. Around here we encountered --

27 Q. Put a number 12 at where the encounter occurred. And this
28 is the encounter that you referred to with ECOMOG at Njaiama
29 Nimi koro, is that correct?

1 A. That is correct.

12:04:01 2 MR SANTORA: Just for the record the witness has marked
3 with a blue pen the route taken for the operation he previously
4 described encountering ECOMOG at Njaiama Nimikoro, drawing a line
5 from again number 9 in a southwesterly direction up to
6 approximately Fakoyia and then turning northwest up to what is
7 seen on the map as Tongbodu and then taking again a southwest
8 direction along the line of towards Njaiama Nimikoro and stopping
9 at Njaiama Nimikoro and then marking a number 12 at the location
10 where he had testified to was an encounter with ECOMOG.

11 JUDGE SEBUTINDE: I am just wondering part of that line is
12 illegible, I think because the pen is not very good.

13 MR SANTORA: I am sorry. Is it the number - okay:

14 Q. Mr Witness, can you go ahead and sign this map - put your
12:05:09 15 name on this map on the bottom right corner. And today's date
16 can you put, which is 26 September 2008, and please put the
17 letters TF1-459. That's fine. I ask that this map now be marked
18 for identification as MFI-2.

19 PRESIDING JUDGE: This is a one page document, a map
12:06:01 20 showing an extract of an area of Kono province as marked by the
21 witness and it becomes MFI-2.

22 MR SANTORA: And the map can be taken away now. I have no
23 more questions for this witness.

24 PRESIDING JUDGE: Thank you, Mr Santora. Mr Griffiths, I
12:06:45 25 understand you have carriage of the witness.

26 MR GRIFFITHS: Yes, I do, Madam President.

27 CROSS-EXAMINATION BY MR GRIFFITHS:

28 Q. Mr Bull, you're here in the Hague with your older brother,
29 aren't you?

1 A. Come again.

2 Q. You are present here in The Hague with your older brother,
3 aren't you?

4 A. Yes.

12:07:05 5 Q. And you both travelled to Holland on the same flight last
6 weekend?

7 A. Yes, we travelled to Holland.

8 Q. Yes?

9 A. Yes, yes, yes.

12:07:14 10 Q. And no doubt, being your brother, you shared with him, both
11 at the time and since, the experiences that you had during the
12 period you have described to us?

13 A. Your question is I shared with him while travelling on the
14 plane?

12:07:34 15 Q. No, no, no, let us take it in stages. It is my fault. At
16 the time when you were finally freed from the clutches of the RUF
17 by ECOMOG, did you tell your family about your experience?

18 A. Yes, I told my family about my experience.

19 Q. And they shared their experience with you. It is natural,
12:07:58 20 wouldn't you agree?

21 A. Of course; every one of us shared each other's experiences.

22 Q. So at the time you discussed with your family members
23 naturally the horrendous experience you had had?

24 A. Naturally I did.

12:08:13 25 Q. And during the course of sharing those experiences, do you
26 think that perhaps your account might have become corrupted or
27 influenced by things you were told by others?

28 A. You are asking me whether my account may have been
29 corrupted --

1 Q. By things told to you by other family members?

2 A. I don't think that would have occurred in any case. It is
3 of no good for me anyway for me to accept that situation that I
4 have to say my account was corrupted by - no, I don't have --

12:09:02 5 Q. Now we know, or at least from the information provided to
6 me, we know that you first spoke to investigators attached to the
7 Prosecution in late November 2002. Do you recall that?

8 A. Come again, please.

9 Q. You first spoke to the Prosecution on 30 November 2002. Is
12:09:36 10 that correct?

11 A. Yes, yes, I first spoke to them, yes.

12 Q. Help us, please; how did they come to your attention?

13 A. How did they come to my attention?

14 Q. Yes.

12:09:48 15 A. When this happened to me and my experience of my ordeal
16 during the war, of course people know me very well in Freetown.
17 I am more or less popular in Freetown because of my music - I
18 mean my experience with music, you know, my dealings with music,
19 people know me. So the news went around - all around, Emmanuel
12:10:18 20 was captured, Emmanuel was captured, Emmanuel was with the rebels
21 and so on and so forth. In fact, people were saying that I was

22 dead, right, especially the time when I was alone with the
23 AFRC/RUF men people were saying that man is dead. In fact, we
24 are not hearing about him for the past days, months, weeks and so
12:10:38 25 on and so forth. So, when I arrived in Freetown, everywhere
26 people started saying, "Oh, that man has come and it has a very
27 good story of his experience during the war." In fact, one day I
28 was taken by one man of God to his church, you know, one popular
29 church in Freetown, to give a testimony, like, saying thanks to

1 God of what happened to me, right, so everywhere people know very
2 well what happened to me. So in the incident somebody got the
3 information, who were a particular person came to me in my
4 residence at the university, by the name of Louise Taylor, right.

12:11:25 5 She came to me in the university and then, well, she was asking
6 me questions and there she first of all presented a case that
7 there is a court, you know, which is going to be for the war
8 criminals, right, and we - I have to be part of it to be a
9 witness. She asked me. She said, "Are you willing to be a
12:11:53 10 witness?" I said, "Yes, I am willing to be, because I think it
11 is really necessary for me to be a part of putting an end to all
12 of this war in Africa, you know." And I admitted myself, you
13 know, volunteered myself, to be a witness, so we started off with
14 the case then.

12:12:17 15 Q. Thank you. And of course being a devout Christian, I take
16 it, you appreciated when you spoke to them that you needed to
17 tell the truth?

18 A. Yes, yes, yes.

19 Q. And of course everything you told them was indeed the
12:12:39 20 truth?

21 A. It was the truth. I can confer - I can say that like, for
22 example, most of my statements referring to figures, I am really
23 say - I said things which are like approximation. I was
24 approximating figures, not exact figures, so with that, I mean
12:13:02 25 one cannot say because I said about 100 it is exactly 100 or
26 probably I can be a little bit above 100, 130 is about 100 or so,
27 so I can't remember exact figures and I was not there to count
28 men or exactly. That was not my assignment. It was a war and it
29 was an experience and apart from that I have got my experience

1 for the past years, right? And all my involvement in the
2 university, my calls, a lot of things, I have a lot of things to
3 remember. I may have forgotten numbers. So that I can admit
4 that I was approximating figures, not exactly, so that - I let
12:13:45 5 you know that, please.

6 Q. We fully appreciate that, Mr Bull, that dates and figures
7 might well be imprecise, but in terms of the main events you
8 described --

9 A. The main event, that is the truth.

12:13:58 10 Q. All of that is true?

11 A. All of them are true.

12 Q. Thank you very much. Now you would have been about 12
13 years old when the war started, wouldn't you?

14 A. When I was, when the war started I was in Freetown.

12:14:09 15 Q. Yes, but you would have been about 12 years old?

16 A. I was about 12 years old?

17 Q. When the war started?

18 A. Ah, yes, about then. About then.

19 Q. And you were living in Freetown at the time that the RUF
12:14:24 20 invaded Sierra Leone?

21 A. Yes, I was in Freetown.

22 Q. And were you attending school?

23 A. Yes, I was attending school.

24 Q. Now, between 1992 and 1997 when the AFRC coup took place,
12:14:41 25 you were living throughout in Freetown, weren't you?

26 A. Yes, I was in Freetown.

27 Q. And, no, please, I know it is natural to look at me because
28 I am asking you the questions, but if you could look at the
29 judges, please?

1 A. Okay, no problem.

2 Q. Okay?

3 A. Yes.

4 Q. Now during that five-year period up until the AFRC coup,
12:15:05 5 how was your life affected by the war whilst you were growing up
6 in Freetown?

7 A. Well, naturally speaking, when the war started in Freetown
8 or in Sierra Leone as a whole my experience is like I was a small
9 boy. Firstly, I was a small boy. We used to hear of the war
12:15:32 10 here and there. In the provinces people are suffering, people
11 are dead, you know, and eventually that affected our psychology,
12 I can say, right, thinking that something is happening within
13 your locality and people are dying, right? That is the first
14 thing that affected me, right? And again, when the war reached
12:16:00 15 Kono, I was affected by the war because my father was doing a lot
16 of businesses in Kono. My father had a mining company, not even
17 the small, small type of mining activity. He had a very big
18 mining company. He was using plants, washing plants, you know
19 those people who know what mining is. The small, small group
12:16:28 20 they will use something like they call it shaker, right? Small
21 thing shaker, to wash the gravels to get the diamonds, but if
22 somebody is using a washing plant he must have become a rich man,
23 right? For you to buy washing plant you must have become a rich
24 man, so my father was actually doing a big-time mining business.
12:16:48 25 He had money, right. And then he was also doing timber work,
26 right. So, when that happened my father - I mean lost everything
27 and then it reflected on us. By that I mean the Bull family,
28 because by then no better - I mean food to eat and we were going
29 to school, no better lunch, nothing. You know, everything became

1 degraded.

12:17:36 2 Q. Would it be fair to put it this way: That up until the
3 AFRC coup in May 1997, in terms of its physical impact on your
4 life, the war was pretty remote for you and others living in
5 Freetown, wasn't it?

6 A. I was in Freetown, yes.

7 Q. Yes. I am saying it was - the war was pretty remote in
8 physical terms for you and people living in Freetown, would you
9 agree?

12:17:54 10 A. I don't - I don't - please, please. Come again. Come
11 again, please.

12 Q. Between 1992 and 1997 you were living in Freetown?

13 A. Yes.

14 Q. And of course you hear on the news of the war affecting
12:18:07 15 other parts of the country, but physically in Freetown you were
16 pretty remote from it, weren't you?

17 A. Yes, of course.

18 Q. And in fact the first event that took place which kind of
19 affected you was that coup in May 1997, don't you agree?

12:18:25 20 A. That was - yes, of course.

21 Q. And for about five months after that coup you lived in
22 Freetown under the junta, didn't you?

23 A. I lived in Freetown, yes.

24 Q. And what was that experience like for those five months or
12:18:41 25 so that you lived there?

26 A. Social degradation. We had a lot of problems. For
27 example, there were a lot of arms activity going on, like
28 looting, right? I could remember, there was a time, I can
29 remember there was a time there were some gunmen, soldiers,

1 soldiers, right, who came to my father's house. They came to my
2 father's house and they took away some of our belongings, right,
3 forcefully.

4 Q. This is in Freetown?

12:19:17 5 A. In Freetown it happened. A lot of other things happened
6 like armed robbery was going on and no proper schooling. We
7 would go to school today and then we - suddenly we heard the
8 Alpha Jet moving up and down and then the teachers and principals
9 or whatever they will say, "Okay, please just go home. Everybody
12:19:35 10 go home." So, in terms of security we had a problem.

11 Q. I understand that. And that is why eventually you decided
12 to leave and go to Motema?

13 A. Yes.

14 Q. And when you arrived in Motema --

12:19:57 15 A. That is not the only reason why I mentioned it in my
16 statement that the reason why I left for Motema was my father was
17 doing these businesses, right, and then - and he was actually
18 counting on one of his sons to be a help mate, right, and so my
19 mother was living in Freetown and the other members of the family
12:20:25 20 were there. We had a big compound house. We have houses in
21 Freetown. So, my mother was in charge of all of these things in
22 Freetown. So, my father saw it - in fact that was one of his
23 communications. He said it in Krio. He said, "Bo yu no go kam
24 mek yu kam ep mi. Can't you come and help me in Kono? If you
12:20:43 25 are not going to school sitting down idly", in fact idleness is
26 number 1 in Freetown by then. We will be in the house in the
27 morning just playing and then the mother will prepare the food,
28 we eat, just like that. Idleness, complete idleness. So my
29 father said, "Okay, for you to sit down, I mean, idling around,

1 just come and help me. Come and let's involve in some
2 activities." That was one of the reasons why I left for Motema.

3 Q. But in any event, when you got there to Kono, the situation
4 there was quite calm, wasn't it?

12:21:16 5 A. The situation there was quite calm. I can't say it was
6 perfectly calm as normality involved, right, and I mentioned it
7 in my statement also that there were a lot of other dubious
8 activities going on in Kono when I arrived in Kono. For example,
9 I mentioned an area where me and my father were about to go to
12:21:45 10 the mining site. We were about to go to the mining site and on
11 the way we met some few gunmen, you know, who I profess they are
12 the RUF/AFRC group, okay? So, they threatened us and they took
13 our shovel away from us, so these are some of the acts. So one
14 will be there at that time but of course you - the security
12:22:12 15 situation somehow was a bit abnormal.

16 Q. I was merely basing my question on something you told us
17 yesterday, and for the assistance of those opposite page 17196.
18 This is an answer you gave beginning at line 7:

19 "I eventually arrived in Motema. I just arrived in Motema.
12:22:38 20 My father took me up to the house. And what was going on, I
21 think the presence of the AFRC and RUF guys were there. They
22 were doing all the mining, but the situation was calm as I could
23 say, you know."

24 Do you remember telling us that yesterday?

12:22:52 25 A. I remember I said that, yes.

26 Q. I'm grateful. Now, I wonder if the witness could be shown,
27 please - and my learned friend has a copy of this - a bundle of
28 statements, typed statements - well, not statements, interview
29 notes recording what you said to the investigators on previous

1 occasions. Do you follow me?

2 A. Yes.

3 Q. And I would like us, please, first of all to go behind
4 divider 1 and I think this can be put on the screen and I am just
12:23:31 5 interested in the top of that page, please. So it's behind
6 divider 1, the second page, and what I would like, please, is
7 could that page be brought down so that we just see the top. I
8 have good reason for that, because there are certain names on
9 that page which I don't want to be broadcast, okay.

12:24:03 10 PRESIDING JUDGE: Perhaps then out of abundance of caution
11 maybe we should give a direction that the page not be broadcast,
12 but be circulated only within the Court. Mr Witness, could you
13 please just take that page off that machine for a moment.

14 THE WITNESS: Pardon? Pardon?

12:24:27 15 PRESIDING JUDGE: Could you please take that bundle of
16 papers off the machine for a moment.

17 THE WITNESS: Okay.

18 MR GRIFFITHS: No, can we put that page back on the
19 machine, please, Madam Court Manager, because the judges don't
12:24:50 20 have that document.

21 JUDGE SEBUTINDE: Madam Court Officer, could we ascertain
22 that the Presiding Judge's order has been implemented?

23 MS KAMUZORA: Your Honours, the order has been taken and
24 the AV booth are not going to broadcast a copy.

12:25:22 25 MR GRIFFITHS:

26 Q. What I am interested in, Mr Bull, is what you told the
27 investigators on this occasion, 30 November 2002, about mining.
28 Second line from the top of that page, please:

29 "The rebels had certain areas where they allowed civilians

1 to mine and other areas where only rebels were allowed to mine.
2 They had a two pile system, with one pile for the rebel and one
3 for the labour or digger. The rebel would take all the big
4 diamonds."

12:25:56 5 Is that true?

6 A. Exactly, that's true.

7 Q. Now, if we could now please go behind divider 4 and behind
8 that divider you should see a record of an interview conducted
9 with you on 24 and 25 July this year. On that same topic of
10 diamonds in July of this year you told the investigators this at
11 paragraph 6:

12 "The witness stated that his father's house, which was the
13 biggest in Motema, was near the police station. There was a
14 kimberlite line, which is a rich belt of diamonds where the
15 rebels were using civilians to mine. Civilians were still
16 allowed to mine other areas on their own, but the rebels would
17 monitor the pits and would take over the mines if they noticed
18 that you were at the stage of washing stones. Once the stones
19 were being washed they created the two pile system. Civilians
20 were also allowed to mine in non-mineral rich areas, but they
21 were still harassed if they found anything."

22 And then this:

23 "There were a lot of young men who mined for the rebels
24 because they thought it would be a chance to earn money. They
25 did not realise that it was all futile effort until they joined
26 in. The witness knew guys that would go with the rebels to mine
27 but not join them to fight. People were trying any ways to have
28 something to eat or some money because it was a state of
29 emergency. The witness stated he did not see anyone but forced

1 to mine."

2 Is that true?

3 A. That's true, yes.

4 Q. So you never saw anyone forced to mine?

12:28:09 5 A. No-one.

6 Q. "The rebels would sometimes give the diggers stuff from the
7 looted shops as a motivation to dig. There was no shortage of
8 workers to make the rebels have to force people to stay if they
9 wanted to leave the mines."

12:28:26 10 Is that true?

11 A. Yes.

12 Q. Now, in addition to that, there were also businessmen in
13 Mamboma who were trading with the rebels in diamonds, do you
14 remember that?

12:28:48 15 A. Come again.

16 Q. Were there businessmen there in Motema purchasing diamonds
17 from the RUF and the AFRC?

18 A. Yes.

19 Q. Were those Lebanese businessmen?

12:29:03 20 A. I have never seen a Lebanese man doing that business.

21 Q. So who were they, these diamond merchants who were --

22 A. I never saw an incident wherein this business actually took
23 place, right. Just like I have never been in that event,
24 witnessing that event, right. I never witnessed that event. But

12:29:25 25 it was a news going on around. If the rebels had diamonds they
26 have to sell it because they don't have money. They don't have
27 money. Some of them want to use money, especially these middle
28 rated diamonds, right. They don't have money, they want to use
29 money, so they will sell it to somebody who has money and then

1 use the money.

2 Q. So there was a trade going on --

3 A. A trade going on.

4 Q. -- with the rebels selling diamonds to businessmen in the
12:29:59 5 area?

6 A. That was what was going on. That was what was going on.

7 Q. And was this quite a busy trade, the selling of diamonds to
8 businessmen in the Kono area?

9 A. Well, I can't say it was a busy trade. I don't know.

12:30:13 10 Q. I ask, you see, because your father was engaged in the
11 mining business, wasn't he, in a big way?

12 A. Yes, my father, for he - he was selling the diamond to one
13 Maraka man.

14 Q. To an American man?

12:30:28 15 A. Yes, not American man. There is one type of people we
16 called Maraka man. It's the people from Senegal. A group of
17 people from Senegal.

18 Q. And your father had been selling diamonds to these people -
19 to that person for a long time, had he?

12:30:45 20 A. Yes, he had been selling diamonds to these people.

21 Q. And even after the coup he was still selling diamonds to
22 these people?

23 A. Selling diamonds to these people. Yes, selling diamonds.

24 Q. And where were those people based?

12:30:55 25 A. They were based in Koidu Town.

26 Q. In Koidu?

27 A. Yes.

28 Q. Yes, I see. So it was a regular business going on just as
29 before the war?

1 A. Yes, there was regular business going on just as before the
2 war.

3 Q. Now, that calm situation in Kono changed once the
4 intervention took place by ECOMOG. And that's what caused the
12:31:16 5 change, the ECOMOG intervention?

6 A. Yes.

7 Q. And that calm situation in Kono changed as a result of
8 that, yes?

9 A. Yes.

12:31:26 10 Q. And the change came about when the Kamajors and the Donsos
11 came on to the scene?

12 A. Yes.

13 Q. And so far as the Kamajors are concerned, although many
14 people welcomed them, they did some bad things, didn't they? Did
12:31:49 15 they?

16 A. Come again, please.

17 Q. The Kamajors, although they were welcomed by some people in
18 Kono, they were also responsible for doing some bad things,
19 weren't they?

12:32:04 20 A. Yeah, of course. I said that in my statement.

21 Q. Exactly. And just to remind you what you said, let's go
22 back again, please, behind divider 1. Let's go back behind
23 divider 1, the first page --

24 THE INTERPRETER: Your Honours, please remind counsel to
12:32:34 25 read slowly so we can interpret.

26 PRESIDING JUDGE: Mr Griffiths, sorry to interrupt but the
27 interpreters have asked that you read slowly in order to allow
28 them to interpret for the broadcast.

29 MR GRIFFITHS: I apologise to the interpreters for going

1 too quickly:

2 Q. The penultimate paragraph on that page, please:

3 "We heard the Kamajors were coming to Motema from Tongo
4 Fields. Some villagers went to fetch them with their cars as
12:33:01 5 they were happy the Kamajors were coming."

6 PRESIDING JUDGE: Excuse me, could you move it up so that
7 we can see it. Counsel said the penultimate paragraph. Bring it
8 up so we can see it further. Please proceed, Mr Griffiths.

9 JUDGE SEBUTINDE: I don't think we are on the same page,
10 Mr Griffiths. Could you please help us.

11 MR GRIFFITHS: Page 1. It's the first page. Yes, it is
12 the penultimate - that's right. It's this paragraph here:

13 Q. It is the paragraph which begins:

14 "The youths in Koidu mobilised to kick out the AFRC/RUF.

12:33:49 15 They killed some AFRC/RUF. The youth also mobilised in Motema,
16 but the rebels went into hiding. We heard the Kamajors were
17 coming to Motema from Tongo Fields. Some villagers went to fetch
18 them with their cars as they were happy the Kamajors were coming.
19 By then the reputation of the Kamajors was not so good in my
12:34:17 20 opinion. I felt that the Kamajors looted people's cars. I saw
21 this happen in Motema. The Kamajors set up a checkpoint in front
22 of my house. They extorted money and food at the checkpoint. I
23 saw them take a bag from a villager."

24 Is that true?

12:34:35 25 A. Yes, I saw them. I saw them, yes.

26 Q. Because basically the Kamajors acted like the rebels,
27 didn't they, looting and killing indiscriminately? That's right,
28 isn't it?

29 A. That's right. That's right.

1 JUDGE SEBUTINDE: Mr Witness, I don't know if you
2 appreciate the question. As I understand, this is a question as
3 to whether the Kamajors routinely acted in this way. Do you
4 agree?

12:35:13 5 THE WITNESS: Okay, can I just say something further. My
6 statement was that I saw the Kamajors taking property from
7 people, right. I saw them taking property. The checkpoint was
8 placed in front of my house, so I can't just generally say they
9 were doing - behaving like the rebels or RUF, but what I saw is
12:35:34 10 what I am saying, that they were doing some of the things that
11 the rebels were doing. Some of the things, yes.

12 MR GRIFFITHS:

13 Q. Well, just so that we appreciate the basis for my question,
14 let's go behind divider 3, shall we. Behind divider 3 you will
12:35:55 15 find notes of an interview conducted with you on 22 January 2003
16 and could we please turn to the second page of that statement -
17 of that interview, the last paragraph: "I would like to add that
18 the Kamajors acted like the rebels, looting and killing
19 indiscriminately." Do you see that?

12:36:27 20 A. "I would like to" - yes, yes, I saw that.

21 Q. Thank you. Could we close that document now, please. Tell
22 me, Mr Bull, did you have relatives who were Kamajors?

23 A. I do not have a relative that was a Kamajor.

24 Q. Your family were in no way related to the Kamajors?

12:36:46 25 A. No, none of them.

26 JUDGE SEBUTINDE: Mr Witness, perhaps you could address the
27 Bench, rather than counsel.

28 THE WITNESS: Okay, okay.

29 MR GRIFFITHS:

1 Q. Tell me, Mr Bull, did you not have a relative with the
2 nickname Turntome who was a member of the Kamajors?

3 A. Call the name again.

12:37:35

4 Q. Turntome. I don't want you to turn to me, I would like you
5 to look at the judges, but that was the name of the individual.

6 A. I never heard of - I never knew somebody whose name is like
7 that.

8 Q. You do appreciate, don't you, that your elder brother gave
9 evidence to this Court earlier this week?

12:37:51

10 A. Yes.

11 Q. You do appreciate that, don't you?

12 A. If I do appreciate?

13 Q. That your older brother gave evidence to this Court earlier
14 this week?

12:38:03

15 A. That I have not - well, I do appreciate that, but for me I
16 don't know - I don't know anybody and I have never heard that
17 name.

18 Q. You have never heard of that name, a relative of yours who
19 had the name Turntome?

12:38:18

20 A. I have never heard that name.

21 Q. Who was a member of the Kamajors?

22 A. Who was a member of the Kamajors precisely?

23 Q. Your relative who went by the name Turntome?

24 A. I never know that name before.

12:38:33

25 Q. Very well. I want to move on now, please, and deal with
26 another matter. Yes. During the course of your evidence
27 yesterday you told us about the harrowing experience you had in
28 relation to "A" and "B". Do you remember that?

29 A. Yes, I remember that.

1 Q. You told us this, page 12715, line 19:

2 "They got hold of 'A' and 'B' and also somebody who was
3 with us and they raped them, right? They raped them and
4 then they were taken along and then 'B' was released, but
5 'A' was taken along.

12:39:28

6 Q. How do you know this?

7 A. 'B' said it, right? 'B' explained and she was crying
8 bitterly, right? She was crying and then it was very
9 deplorable anyway. She was so pale and I mean I could not
10 imagine how she was feeling by then."

12:39:45

11 JUDGE SEBUTINDE: Mr Griffiths, please do slow down.

12 MR GRIFFITHS: I am sorry, your Honour:

13 Q. "How she was feeling by then. She was crying bitterly
14 when we went there and she was crying that 'A' had been
15 taken along. She was never been allowed to be released but
16 they had released her, that being 'B'."

12:40:02

17 Do you remember telling us that?

18 A. Yes, I remember that.

19 Q. And do you remember further telling us that having
20 persuaded that rebel Pikin to allow you to {Redacted} --

12:40:17

21 PRESIDING JUDGE: That will be redacted from the record,
22 that relationship.

23 MR GRIFFITHS: I am sorry.

24 PRESIDING JUDGE: And for any members of the public or
25 monitors that have heard that relationship mentioned, it is not
26 to be repeated outside of the precincts of the Court.

12:40:32

27 MR GRIFFITHS:

28 Q. You said that you saw "A" coming.

29 "She was actually pale, right? She was pale. I never

1 knew. I can't even imagine how I felt that moment especially
2 that I understand that these guys, the AFRC/RUF guy would not
3 allow me to take her along. For her, she never knew that I am,
4 probably she was thinking that I am there to take her along.

12:41:08 5 Some are anxious to see me or to come to me, then she came and I
6 hugged her."

7 And you remember telling us how you had a Bible in your
8 pocket and you sat and you prayed, yes?

9 A. Yes. Yes.

12:41:21 10 Q. Now, all of that must have been an awfully harrowing
11 experience for you, mustn't it?

12 A. Come again with your last question.

13 Q. That must have been a terrible experience for you?

14 A. A terrible, a terrible experience.

12:41:41 15 Q. It is not the kind of thing one could forget, is it?

16 A. Of course.

17 Q. And you knew that this had happened to "A" and "B" at the
18 time, didn't you?

19 A. Mm-hmm. Yes, yes.

12:41:56 20 Q. And it no doubt had a very, very deep effect upon you?

21 A. Yes, yes.

22 GRIFFITHS: Now could the witness please be shown MFI-1:

23 Q. Now you see that you have written down on that piece of
24 paper two names, yes?

12:42:35 25 A. Mm-hmm.

26 Q. They are the names of A and B who were abducted and raped,
27 is that right?

28 A. Yes.

29 Q. And those names are correct, are they?

1 A. Correct. Perfectly correct.

2 Q. I want you to please think very carefully about this. Are
3 they correct?

12:42:58

4 A. They are perfectly correct. The names are perfectly
5 correct.

6 Q. Very well. Please have a look behind divider 1?

7 PRESIDING JUDGE: The witness needs the Defence bundle
8 again.

12:43:16

9 MR GRIFFITHS: And, your Honours, again I hope that the
10 screen has been switched off.

11 PRESIDING JUDGE: Please ensure it is not broadcast, Madam
12 Court Officer. Has that been implemented?

13 MS KAMUZORA: I beg your pardon, your Honour, it has been
14 implemented.

12:44:01

15 MR GRIFFITHS:

16 Q. So, yes, let's look please behind divider 1 and can we
17 look, please, at the second page behind that divider. Now, in
18 the middle paragraph on that page - and I don't want you to read
19 it out - do you see the rebels had abducted someone and someone.
20 Do you see those two names?

12:44:35

21 A. Uh-huh.

22 Q. One of those names is the same as you wrote on that piece
23 of paper, but the other one is quite different, isn't it?

24 A. Mm-hmm.

12:44:45

25 Q. Why?

26 A. Now, let me tell you something. You remember I made a
27 comment that the other name that is on the paper, I made a
28 comment that "A" and "B" and somebody who was with us was also
29 abducted, right? And of course I can tell you that the other

1 name on the paper was not very too close to me. I can admit to
2 that. You understand? So, more or less for me I can say it was
3 not sort of something I will be allowed of saying, but I mention
4 it here. And I also mentioned, I think there is a place where I
12:45:33 5 categorically mentioned the relationship between "A" and "B" when
6 I made a comment that so-and-so person were actually abducted.
7 That is I am talking of "B". There is a place here where I
8 mention that. But then the second name on the paper as you are
9 mentioning in the paragraph is definitely not too close to me,
12:45:59 10 but I think I said, I remembered I said "A" and "B" were taken
11 along with somebody - with somebody - who was with my family.
12 Q. So, really what that paragraph should have read is that
13 "A", "B" and "C" were abducted, so why doesn't it?
14 A. Come again, please. Come again, please.
12:46:31 15 Q. It should have read, shouldn't it, that "A", "B" and "C"
16 were abducted?
17 A. Yes, yes.
18 Q. Because that other name that you have written down on the
19 piece of paper, do you see that that name appears a line down?
12:46:54 20 The rebels initially also forced, yes, and, yes, another name?
21 A. Mm-hmm.
22 Q. Now, that other name is the name that you have written down
23 on that piece of paper, is that right?
24 A. Mm-hmm.
12:47:10 25 Q. But look what you say. "But they released them after one
26 or two miles"?
27 A. Mm-hmm.
28 Q. So, help me please. Why have you written that other name
29 on that piece of paper as someone who was abducted and raped when

1 here you are telling the investigators that that person was
2 actually released? Why?

3 A. Okay, fine. Now, I want to face reality.

4 Q. Please do.

12:47:42 5 A. The reality of the incident that occurred was that I went
6 to Kono, my Lord, with only somebody that I know, okay? I went
7 with "A" and "B" and the other boys to Kono, right? And the
8 other name mentioned here is somebody I had never knew before,
9 okay? I never knew the other name mentioned here, so when of
12:48:18 10 course giving this statement, as you can see somewhere where I
11 mentioned "B", the second paragraph, let us say the third to the
12 last line, yes? The whole incident is there that all of them
13 were being taken away, right, but they were released after one or
14 two miles.

12:48:42 15 Q. No, no, no. You wrote those two names "A" and "B" on that
16 piece of paper as two individuals abducted and raped. According
17 to this, the "B" you named as having been raped was not raped at
18 all. She was released. So, help us, please. Why did you write
19 that name on the piece of paper as someone who had been raped?

12:49:12 20 A. "B" was raped. As I informed you, "B" came and explained
21 to us when I returned back, you know I mentioned an area where we
22 come from getting the bush yams, right? And then we came hearing
23 the gunshot. So after "B" explained to us what had happened,
24 that "A" has been taken away and she went on to say further
12:49:35 25 things in detail, which I did not mention, and I wrote that name
26 there because after I went to Motema to get in contact with "A"
27 and prayed with her and gave her the Bible, upon me returning to
28 Bandafada I found my way, walk alone to Tongbodu where I
29 discovered the rest of my family, I got the information from then

1 that "B" has been recaptured again, right? And I wrote that name
2 there - I wrote that name there because after every experience,
3 about one year and four months as I said, after the experience,
4 "B" and "A" really told me what happened. That was the reason
12:50:26 5 why I wrote that statement there that "B" and "A" were raped.

6 Q. But also, you see, when you spoke to us yesterday about "A"
7 and "B", you told us that only "A" - and I use this word quite
8 deliberately - was connected to you. But have a look at the two
9 connections of "A" and the name which appears on the third line.

12:50:59 10 Both the names that you have written on that piece of paper,
11 according to this paragraph, were connected to you in a certain
12 way. That is right, isn't it?

13 A. Yes, the other name is connected to me.

14 Q. Both of them, yes? But you didn't tell us that yesterday.
12:51:20 15 Yesterday, you told us it was only "A" who was connected to you.
16 How did you forget that "B" was also connected to you?

17 A. I cannot forget that "B" is connected to me. I think I
18 mentioned that everywhere in my statement that "B" - in fact
19 there was a time I was saying that "B" is my - well, can I say?
12:51:44 20 But there is another incident that I said, I go further to
21 explain in detail the relationship between me and "B". I went
22 further to say that. It is in my statement.

23 JUDGE SEBUTINDE: Mr Griffiths, to be fair to the witness,
24 the MFI-1 that this witness wrote, he wrote not only the full
12:52:07 25 names of "A" and "B" but also the relationship with "A" and "B".
26 To be fair to the witness, he does state the relationship of "B"
27 to himself.

28 MR GRIFFITHS: Can I see that piece of paper, please. Can
29 I just remind myself. Yes, I wonder if we could put that up on

1 the screen, please. Could we put that piece of paper on the
2 screen, please.

3 PRESIDING JUDGE: Sorry, Mr Griffiths, I am not sure which
4 piece of paper you are referring to.

12:52:52 5 MR GRIFFITHS: MFI-1.

6 PRESIDING JUDGE: I see. Again, please ensure it is not
7 broadcast. Two things, Madam Court Officer. First of all, it
8 will not be broadcast, is that correct?

9 MS KAMUZORA: Yes, your Honour.

12:53:31 10 PRESIDING JUDGE: And when it is put on the screen I want
11 you to stand immediately in front of it so that you are between
12 the machine and the glass. Do you understand?

13 MS KAMUZORA: Yes, your Honour.

14 MR GRIFFITHS:

12:53:56 15 Q. Mr Bull, next to the name "B" that you have written down
16 you have put a connection, haven't you?

17 A. I put the connection there.

18 Q. Now, the connection you have put there - let's just move
19 that piece of paper to one side now. Move it to one side,

12:54:15 20 please, so we can see the other page, the other document. Now,
21 that connection is different to the connection we see third line
22 from that paragraph, isn't it?

23 A. Fine. Yes, yes, it's different. If I can go further? I
24 made a comment when I was doing some other statements some time.

12:54:43 25 It's usual that "B" has been called that name or that
26 relationship that I mentioned there. It is usual. Why? Why? I
27 explained - I think I explained to some of the lawyers who were
28 interviewing me, asking me questions some time ago, and somebody
29 can prove that to be worthy. And why that happened, "B" was

1 very, very, very small, I can say below the age of five, when my
2 mother took her, right? And we grew up with that kind of
3 impression that "B" is such a kind of - is related to me in that
4 way. That is normally what has been happening.

12:55:33 5 And after the war and during the war and everywhere people
6 were asking me, "What has happened? What has happened?" And I
7 was mentioning "B" to be that kind of person to me. Everywhere
8 people know. In fact only three people know that "B" is somewhat
9 of what I mentioned here, right. But many people around our
12:55:56 10 house, around our - I mean our area, people who know the family
11 thought that "B" is what is mentioned here. That is clear.

12 Q. Very well. Before I move on to another passage, let us
13 just for the last time remind ourselves of what that passage says
14 which is on the screen: "The rebels initially also forced two
12:56:27 15 boys and to carry their loads but they released them after one or
16 two miles." Were they released?

17 A. Yes, they were released.

18 Q. After one or two miles?

19 A. Yes.

12:56:44 20 Q. Now, note that one of those connected to you was released
21 after one or two miles, yes?

22 A. Yes.

23 Q. Now, help me with this then, please. Can we go behind
24 divider 3 and can we have a look at the second page behind

12:57:16 25 divider 3, please, and let's have a look at the second to last
26 sentence:

27 "My connections who were captured before me were not
28 released until after 6 January 1999. I do not know whether my
29 connections were raped. The rebels did not spare any women or

1 girls except the very young ones. The others were raped."

2 Why were you telling the investigators in January 2003 that
3 they were not raped when --

4 A. I think the question --

12:58:08 5 Q. -- yesterday you tell us that they were?

6 A. By then the question that the investigator asked me, I
7 think to be precise, this, the capture of "A" and "B", right, is
8 on two different occasions - between "B", sorry. "A" is one
9 occasion, right. I think what I understood the investigator was

12:58:33 10 asking me, that during the time "A" and "B" were with them, that
11 time when I came back to Freetown, when I was in Freetown, the
12 investigators were asking me if I know if they had been raped.

13 That was what she was asking me. I remember. That was why I
14 made that comment. I think the sentence is there that I do not

12:58:58 15 know whether my {Redacted} were raped during that time.

16 Q. But hold on, you had this harrowing experience where "B"
17 came to you and said, "Not only have I been raped, but 'A' has
18 been raped as well." And then you saw "A" yourself with your own
19 eyes. She looked pale and she told you, "I have been raped".

12:59:26 20 And yet here you are in 2003 saying, "I do not know whether my
21 connections were raped"?

22 A. It's a kind of question I believe. I thought - I prefer,
23 or I guess if this question may have been there - the question
24 that actually the investigator asked me I think is the reason why

12:59:48 25 I said so, but --

26 Q. But the question must have been, "Mr Bull, were your
27 {Redacted} raped?", and the answer should have been, "Yes, they
28 were and it was a really horrible experience for me"?

29 A. Fine.

1 Q. Why are you saying there, "I do not know". Why?

2 A. To say that I do not know, it doesn't mean that it - it's
3 like I was presenting myself as if - I was not there when that
4 happened and I was not in the scene when that happened, right?

13:00:23 5 Because I think I remember the investigator was asking me,
6 "Did you see them raped?" I said, "No, I do not know." But it's
7 like the comment I made that "B" said it, "A" said it, right?
8 "B" said it that they were raped and that was why I am
9 contemplating on the fact that "A" and "B" were raped. It was
13:00:47 10 not that I was there. The reason why I said this is because I
11 was not there. I do not know if that happened. It is just a
12 statement said by "A" and "B".

13 Q. But Mr Bull, look what you continue to say in the same
14 paragraph, "The others were raped". Now, I am sure you weren't
13:01:04 15 present when the others were raped, but you still told the
16 investigators that.

17 A. Because --

18 Q. Yet when it comes to your own {Redacted} you say you don't
19 know?

13:01:12 20 A. Because --

21 Q. Why?

22 A. Because when I was with them I witnessed so many other
23 occasions they raped women, right. I witnessed so many other
24 occasions where the AFRC/RUF guys raped women. That was why I
13:01:29 25 said others were raped, because for that I witness it, right? I
26 witness it. But for with "A" and "B" I was not there. It is
27 better that I was not there.

28 Q. Mr Bull, have you told us a lie about that horrendous
29 experience that you claim you were told about and which you

1 related to us yesterday? Have you lied to us about that?

2 A. The question again, please. Come again.

3 Q. Did you tell us a lie yesterday when you spoke of those
4 connected to you being raped?

13:02:12 5 A. It's not a lie.

6 Q. So help me, please. Why did you give a completely
7 different account to the investigators in January 2003?

8 A. I have already said why I said so. I think the question -
9 you know, I can say it would have been better if the question

13:02:30 10 that the investigator asked me was here, right, because the
11 investigator asked me, I can remember, "Were you there? Were you
12 there when 'A' and 'B' were raped?"

13 Q. Well, if you had been asked that question --

14 A. I was not there. It was just statement, right. So I
13:02:46 15 cannot say to the Court, or I can not say to anybody, or an
16 investigator, I can't say to you that --

17 PRESIDING JUDGE: Please pause, Mr Witness. Counsel for
18 the Prosecution wants to say something.

19 MR SANTORA: There is no objection. I just do note though
13:02:57 20 that I believe a redaction would be in order at page 74, line 7,
21 part of counsel's question. It's my page 74, line 7. I think a
22 redaction would be in order.

23 MR GRIFFITHS: I didn't use that word - are we talking
24 about at the end of line 9 --

13:03:21 25 MR SANTORA: I am not sure of the font. The word is
26 {Redacted}, but I mean --

27 PRESIDING JUDGE: I am sure I heard counsel say
28 "connection", but let us - let's make sure that this transcript
29 is in proper order. We will redact the word which is at the end

1 of the page 74, line 8, and word Mr Santora has just said which
2 is at --

3 MR SANTORA: I think there is another reference.

4 PRESIDING JUDGE: And Mr Griffiths's words at page 75, line
13:04:10 5 18.

6 MR SANTORA: There maybe another reference at page 70.

7 PRESIDING JUDGE: And at line 21, page 75.

8 MR SANTORA: I think there may be another reference at page
9 73, line 2.

13:04:42 10 PRESIDING JUDGE: Mr Griffiths, have you any comment on
11 that?

12 MR GRIFFITHS: I have no difficulty with those redactions
13 taking place.

14 PRESIDING JUDGE: I am sorry to interrupt you, Mr Witness.
13:04:56 15 Can you recall what you were saying and are you able to continue
16 answering that question?

17 MS KAMUZORA: Your Honours, may I seek for clarification of
18 the pages, please?

19 THE WITNESS: I was saying that - okay, sorry.

13:05:19 20 PRESIDING JUDGE: Do continue. Please continue,
21 Mr Witness.

22 MR GRIFFITHS: If I could remind the witness of what he was
23 saying:

24 Q. "I was not there. It was just a statement, right. So I
13:05:27 25 cannot say to the Court, or I cannot say to anybody, or an
26 investigator - I can't say to you that --" And then we had my
27 learned friend quite properly asking us for those redactions.
28 Now, what you were saying to us in effect was, "The investigator
29 said to me, 'Were you there, Mr Bull, when your connections were

1 raped?" Is that right?

2 A. Yes, yes.

3 Q. Well, surely the answer to that question would be, "I was
4 not there" as opposed to, "I don't know whether they were raped"?

13:06:10 5 A. Well, the sense there is because I do remember that was the
6 question when the investigator asked me.

7 Q. Yes.

8 A. That was a question.

9 Q. But your answer should have been, "I wasn't there, but I
13:06:21 10 was told". Your answer should not have been, "I don't know."
11 Don't you agree?

12 A. I agree to that definitely, but, as I am saying, I would
13 not - in fact there are many instances where I mention them being
14 raped. And of course you can see another phrase there that I
13:06:40 15 said the rebels did not spare any women or girls, right, except
16 for the very young ones. This is just - this will obviously
17 justify that it happened. But I just want to - I don't want to
18 say that it happened at that time because of a question that this
19 investigator asked me. He was - he was actually asking me - I
13:07:05 20 think - I remember she was actually asking me if I was there and
21 that was why I added the rebels did not spare any women or girl
22 except the very young ones. In fact that was the reason why I
23 added this, right.

24 Q. Do you agree, Mr Bull, that this - what is said here is
13:07:29 25 totally contrary to what you told this Court yesterday?

26 A. It is not contrary. I will not agree to that. I object to
27 that.

28 Q. So, you want us to accept, do you, that on the one hand "I
29 don't know if they were raped" but on the other hand you giving

1 us a graphic account of what happened to them. Both of those
2 can't be right, can they?

3 A. It is what - it is what - of course I will go over that
4 over and over. That --

13:07:56 5 Q. I hope you don't, because I would like to finish today.

6 A. Okay, go ahead.

7 Q. Now within that partnership between the RUF and the AFRC
8 there were many tensions, weren't there?

9 A. Pardon? I am sorry, please.

13:08:30 10 Q. There were many tensions between the RUF members and the
11 AFRC, the former SLA soldiers?

12 A. Yes, of course.

13 Q. They didn't like each other, did they?

14 A. Mm-hmm.

13:08:41 15 Q. Is that right? Nodding is no good to us. You need to say
16 yes or no?

17 A. Go ahead, go ahead again.

18 Q. The RUF soldiers and the former Sierra Leonean Army
19 soldiers, they didn't like each other, did they?

13:09:01 20 A. I can't give a conclusion that they did not like each
21 other, right? All I can say - I mean, I can't conclude because I
22 - it was just a part of them. I was not even going into what was
23 going on between them. I only made a mention of few activities
24 that actually took place while I was with them, so I cannot say
13:09:26 25 to you that they like each other, they do not like each other. I
26 can't say that.

27 Q. Well, let's approach it differently. They looked
28 different, didn't they? They looked different, didn't they?

29 PRESIDING JUDGE: Mr Witness, you should answer the

1 question because your response has to be written down.

2 THE WITNESS: Okay.

3 PRESIDING JUDGE: So it is not sufficient to nod. Please
4 answer it verbally.

13:10:00 5 THE WITNESS: Okay.

6 MR GRIFFITHS:

7 Q. You could tell the difference between RUF members and SLA
8 members by their appearance, couldn't you?

9 A. Yes, I can tell.

13:10:08 10 Q. And you recall an occasion when there was almost a

11 shoot-out between the RUF and the SLA soldiers?

12 A. Mm-hmm.

13 Q. Over a broken spoon, yes?

14 A. Mm-hmm.

13:10:21 15 Q. And they were going to - they were ready to kill each
16 other?

17 A. Yes.

18 Q. And so there were those kinds of tensions between them,
19 weren't there?

13:10:29 20 A. Yes.

21 Q. And it was apparent to you, as a new recruit to the RUF,
22 that those tensions existed?

23 A. Yes, they existed.

24 Q. Now, you have told us about being captured and undergoing
13:10:50 25 training for a couple of weeks?

26 A. Yes.

27 Q. And thereafter you went out on missions with the RUF,
28 didn't you?

29 A. I went.

1 Q. Did you ever carry a gun?

2 A. I carried a gun at the last point when we were going to
3 Tefeya. I can say that. That was the only time I carried a gun.

4 Q. Did you ever fire it?

13:11:18 5 A. I never, never fired at somebody, but I fired a gun when we
6 were in the training, but I have never fired at somebody. I took
7 an oath that I am saying the truth and I will say the truth.

8 Q. And you know that group of SLA former RUF members, did they
9 have a radio operator with them?

13:11:45 10 A. A radio operator?

11 Q. A radio operator.

12 A. Radio you mean?

13 Q. Yes.

14 A. Radio?

13:11:52 15 Q. Yes. You know those things you listen to --

16 PRESIDING JUDGE: Mr Witness, I think counsel, and please
17 correct me if necessary, is not saying a radio. I think you are
18 talking about a means of communication.

19 MR GRIFFITHS: Yes.

13:12:05 20 MR SANTORA: I am going to object and it is probably just a
21 slip of the tongue to the question of a reference to SLA former
22 RUF members. I am not sure if that was the intention.

23 MR GRIFFITHS: My fault entirely:

24 Q. Let me clarify it, Mr Bull. This group of former Sierra
13:12:31 25 Leonean Army soldiers and RUF soldiers that had captured you and
26 trained you, did they have amongst their number a radio operator?

27 A. I cannot remember them having a radio operator. Not a
28 radio operator.

29 Q. I mean, was there someone with that group who would

1 occasionally get on the radio to other RUF or other groups and
2 say "Look, we are in such-and-such a place and we are going to
3 attack such-and-such a village"? Did you ever hear someone --

4 A. No, never, never. I don't remember such a thing happened.

13:13:20 5 Q. You don't remember that at all?

6 A. I don't remember that at all.

7 Q. So when, for example, your leader, was it Hosana, ordered
8 amputations to take place, that was his idea, was it?

9 A. That was what?

13:13:39 10 Q. That was his idea, was it?

11 A. That was his idea, yes.

12 Q. No-one instructed him to do it, as far as you are aware?

13 A. As far as I am aware, I don't know if somebody instructed
14 him at that point.

13:13:53 15 Q. But he gave you the order.

16 A. He gave me the order.

17 Q. And you don't recall there being a radio operator there.

18 A. No radio operator, of course.

19 Q. Thank you. So was there any means of communicating with
13:14:07 20 any other RUF group?

21 A. The - of course I spoke of a communication network, right,
22 and I mentioned really that there are different groups, AFRC/RUF
23 groups, all around Kono. There are RUF groups in Woama and we
24 were between Woama and Baima and there were other groups between
13:14:36 25 Woama and Koidu, and I mentioned that on a daily basis there will
26 be four or five men that will be moving from this point to this
27 point, and they will convey messages, right? And even the
28 commanders like Kallay Amara used to walk, used to go through
29 this point. He used to go from that Woama base, go to Woama and

1 go to Bai Bureh, as I mentioned, so that was their means of
2 communication when we were - when we moved from Njaiama Nimi koro
3 to Woama. That was their means of communication.

13:15:17 4 Q. You see, the reason why I am asking you in particular about
5 this, Mr Bull, is because you had been studying electronics and
6 communications, hadn't you?

7 A. I?

8 Q. Yes, you.

9 A. I said what?

13:15:25 10 Q. You had been studying communications, hadn't you?

11 A. Yes, I was studying communication.

12 Q. So you are the kind of person the RUF would have handed a
13 radio to and said "Please be our radio operator"?

14 A. Mm.

13:15:38 15 Q. But you were never asked to do that?

16 A. Of course never asked to do that.

17 Q. Now there is one other matter I want to ask you about and
18 it is this: Yes, I wonder please if the witness could be shown
19 behind divider 4. Could we please look at the fourth page. Now,
13:16:37 20 do you see a subheading on that page - I think it is the wrong
21 page. My fault. You see a subheading at the top of that page
22 "Operation No Living Thing".

23 "The witness heard of Operation No Living Thing even
24 before he was captured and it just continued on even when he was
13:17:12 25 captured. The objective was not to leave anyone alive in the
26 towns that they attacked. General Lamin was behind every
27 decision of the operation and Foday Bangura would execute the
28 operation orders. This was a very popular operation amongst the
29 rebels".

1 Who was General Lamin?

2 A. It is Hosana.

3 Q. Hosana?

4 A. Yes.

13:17:42 5 Q. And his surname was Lamin?

6 A. His name was Lamin, yes.

7 Q. What was his first name?

8 A. I don't know his first name.

9 Q. But he was a general, was he?

13:17:51 10 A. Of course they used to call themselves different posts.
11 They called themselves general, lieutenant, but I heard him,
12 somebody calling him General Lamin.

13 Q. So he was a pretty senior member of the RUF, was he?

14 A. He was part of the top senior members with the group I was
13:18:09 15 with.

16 Q. With the group you were with?

17 A. Yes.

18 Q. A general indeed, yes?

19 A. Yes.

13:18:13 20 Q. And his surname was Lamin, was it?

21 A. Lamin, yes. Lamin. I don't know if Lamin is his surname
22 or what, but his name is Lamin. One of his names.

23 Q. And it was that General Lamin who ordered Operation No
24 Living Thing, was it?

13:18:29 25 A. Well, yes. He was part of the groups that were, as I said
26 earlier on, that some of the decisions had been made by a group
27 of men, right? And of course I can confer that most of the ideas
28 were coming from Bai Bureh, I think I mentioned that in my
29 statement, that Bai Bureh will order something and then like

1 Lamin, Bangura - Foday Bangura and the others will execute some
2 of these orders.

3 Q. Can you help us with a first name for that General Lamin?

4 A. Pardon?

13:19:12 5 Q. Can you help us with a first name?

6 A. I don't know the first name of General Lamin. I don't know
7 the first name of that General Lamin.

8 JUDGE SEBUTINDE: Mr Griffiths, this excerpt you have just
9 read comes out of where?

13:19:25 10 MR GRIFFITHS: It comes out of a statement from this -

11 well, an interview conducted with this witness dated 24/25 July
12 of this year and it bears the ERN number 00048226:

13 Q. Now, does the name Mike Lamin mean anything to you?

14 A. I mentioned Mike Lamin?

13:19:57 15 Q. No, no, I asked you does the name Mike Lamin mean anything
16 to you?

17 A. Mike Lamin, no, no. Mike Lamin, no.

18 Q. But you served with an RUF general called Lamin, did you?

19 A. Yes, Lamin.

13:20:19 20 Q. And his nickname was what?

21 A. Hosana.

22 Q. Can you help us with a date when you were captured, the
23 second capture?

24 A. The second capture. The second capture. Well, I can't
13:20:41 25 remember the days. That I can't remember. I can't remember the
26 days. All my memory is approximate.

27 Q. Can you give us a month?

28 A. The second capture is in April.

29 Q. April?

1 A. April 1998.

2 Q. And when were you released?

3 A. I was released on May 10, 1998.

4 Q. May 10, 1998?

13:21:02 5 A. Yes.

6 Q. Okay. And thereafter did you remain in Kono?

7 A. No, no, no. After a few days I was taken down to Freetown.

8 Q. And you remained in Freetown until the end of the war?

9 A. Until the end of the war.

13:21:17 10 MR GRIFFITHS: Yes, I have no further questions.

11 PRESIDING JUDGE: Thank you, Mr Griffiths. Mr Santora,
12 have you re-examination of the witness?

13 MR SANTORA: Just give me one moment, Madam President:

14 RE-EXAMINATION BY MR SANTORA:

13:21:31 15 Q. Just one quick question, Mr Witness, and the during the
16 course of direct examination when I asked you questions on the
17 reference here is 17320 from yesterday's testimony --

18 PRESIDING JUDGE: Is this arising out of cross-examination,
19 Mr Santora?

13:21:51 20 MR SANTORA: Yes.

21 PRESIDING JUDGE: I see.

22 MR SANTORA: One moment:

23 Q. Just in sequencing, I should start out by saying:

24 Mr Witness, Defence counsel was just asking you questions about
13:22:08 25 an individual named Lamin, you remember that?

26 A. Lamin?

27 Q. Yes, the questions that Defence counsel was just asking
28 you. Do you recall that?

29 A. I know this Hosana to be Lamin, but I have never seen him

1 before, I mean after the war, and I don't know his other name.

2 Q. During the course of your direct examination --

3 MR GRIFFITHS: No, no, I am sorry, what my learned friend
4 is seeking to do is to put to this witness a passage which
13:22:36 5 contradicts what he just said to me and he can't impeach his own
6 witness.

7 MR SANTORA: I will rephrase the question so it will not be
8 impeaching the witness.

9 PRESIDING JUDGE: I see. I am relying on what counsel for
13:22:47 10 the Defence has said, but as you know you cannot contradict your
11 own witness.

12 MR SANTORA: I was seeking a clarification, but I will just
13 ask --

14 PRESIDING JUDGE: Let us hear the question and we can rule
13:22:58 15 on it.

16 MR SANTORA:

17 Q. This Lamin, do you know which group he was with?

18 A. Lamin was with our group of AFRC/RUF.

19 Q. In terms of being either an ex-SLA or an RUF, do you know
13:23:11 20 which one he was?

21 A. I think I remember I said that - I mentioned that Lamin is
22 an ex-SLA. He is an SLA soldier. I remembered that Lamin was in
23 Daru. I think I mentioned that, that Lamin was in Daru and he
24 used to be a soldier in Daru.

13:23:32 25 MR SANTORA: Thank you. I have no further questions in
26 re-direct.

27 PRESIDING JUDGE: Thank you. I have one question to ask
28 you, Mr Witness. You may recall when you were being asked some
29 questions by counsel for the Defence you agreed with counsel for

1 the Defence that you did not see anyone forced to mine. What
2 area were you talking about when you said you did not see anyone
3 forced to mine?

4 THE WITNESS: In Motema.

13:23:57 5 PRESIDING JUDGE: In Motema?

6 THE WITNESS: Yes.

7 PRESIDING JUDGE: Thank you, Mr Witness. Any questions
8 arising from the Court's question?

9 MR GRIFFITHS: Not for me, your Honour.

13:24:05 10 MR SANTORA: No, Madam President.

11 PRESIDING JUDGE: Thank you. That completes the witness's
12 evidence then.

13 MR SANTORA: Is it appropriate at this point to seek
14 admission of what has been marked for identification?

13:24:28 15 PRESIDING JUDGE: Yes, we will do that before we release
16 the witness.

17 MR SANTORA: Okay, so at this point the Prosecution would
18 apply to admit first MFI-1 as a confidential exhibit.

13:24:46 19 PRESIDING JUDGE: Mr Griffiths, you have heard the
20 application. Have you --

21 MR GRIFFITHS: I have no difficulty with that, Madam
22 President.

23 PRESIDING JUDGE: Well, that is a one page document that
24 has been written by the witness and signed and dated by the
13:24:56 25 witness. It becomes Prosecution exhibit I think P-181?

26 JUDGE LUSSICK: 182.

27 PRESIDING JUDGE: Or 182? 182.

28 MS KAMUZORA: Yes, your Honour, it is 182.

29 [Exhibit P-182 admitted]

1 PRESIDING JUDGE: Yes, Mr Santora, continue please.

2 MR SANTORA: The Prosecution would seek to have admitted as
3 an exhibit what has been previously marked as MFI-2 which was a
4 map that was marked by the witness during the course of his
13:25:27 5 examination.

6 PRESIDING JUDGE: Mr Griffiths?

7 MR GRIFFITHS: I don't have a problem with that.

8 MS KAMUZORA: Your Honour, I beg your pardon. MFI-1 is
9 exhibit 181. The map will be exhibit 182.

13:25:41 10 PRESIDING JUDGE: Please note that there has been a
11 correction to the number given to the one page handwritten
12 document. It has become 181. There is no objection.

13 There is some difference of opinion. Please check your
14 records again.

13:26:13 15 JUDGE LUSSICK: My records are that exhibit P-181 was
16 tendered in the evidence of TF1-065, so there can't be another
17 exhibit P-181.

18 MR SANTORA: That is what our records indicate as well.

19 PRESIDING JUDGE: I will therefore go back to the original
13:26:40 20 which I have recorded and we confirm it as P-182.

21 Then MFI-2 which is a one page document, a map, an extract
22 of an area of Kono province as marked by the witness, becomes
23 Prosecution exhibit P-183.

24 [Exhibit P-183 admitted]

13:27:03 25 For purposes of record we also note that 182 is
26 confidential. If there are no other matters I will release the
27 witness.

28 Mr Witness, that is the end of your evidence here in court
29 today. We thank you for coming and giving your evidence and we

1 wish you a safe journey home. Please adjourn court until Monday
2 morning at 9.30.

3 [Whereupon the hearing adjourned at 1.30 p.m.
4 to be reconvened on Monday, 29 September 2008
5 at 9.30 a.m.]

13:27:54

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I N D E X

WITNESSES FOR THE PROSECUTION:

EMMANUEL BULL	17348
EXAMINATION-IN-CHIEF BY MR SANTORA	17348
CROSS-EXAMINATION BY MR GRIFFITHS	17386
RE-EXAMINATION BY MR SANTORA	17423

EXHIBITS:

Exhibit P-182 admitted	17425
Exhibit P-183 admitted	17426