



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 14 OCTOBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Richard Lussick
Justice Julia Sebutinde
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Ms Ruth Hackler
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Ms Emily Mitchell

1 Tuesday, 14 October 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:34 5 JUDGE LUSSICK: Good morning. We will take appearances
6 first, please, Mr Werner.

7 MR WERNER: Good morning, your Honours. Good morning,
8 counsel opposite. For the Prosecution this morning, Brenda
9 Hollis, Nicholas H Koumjian, Maja Dimitrova, Ruth Mary Hackler
09:30:58 10 and myself Alain Werner.

11 MR GRIFFITHS: Good morning, Mr President, your Honours,
12 counsel opposite. For the Defence today, myself Courtenay
13 Griffiths, my learned friend Mr Terry Munyard and Ms Emily
14 Mitchell.

09:31:13 15 JUDGE LUSSICK: Thank you. On the subject of appearances,
16 I would be grateful if appearances do change during the day that
17 the parties announce that. It is something that I wouldn't like
18 to overlook. So if you change the composition of your Bar during
19 the day, please announce it. Yes, Mr Werner.

09:31:34 20 MR WERNER: Your Honour, the next witness is TF1-077 and
21 this witness is covered by a decision by your Honours dated 8
22 October 2008, decision on Prosecution notice under Rule 92 bis
23 for the admission of evidence related inter alia Kono District.
24 So the evidence of this witness, according to your decision,
09:32:07 25 shall be admitted pursuant to Rule 92 bis provided that we make
26 this witness available.

27 Can I proceed?

28 JUDGE LUSSICK: By all means.

29 MR WERNER: The witness is Christian and he will testify in

1 Kono language.

2 WITNESS: TAMBA YOMBA NGEKIA [Sworn]

3 EXAMINATION-IN-CHIEF BY MR WERNER:

4 Q. Good morning, Mr Witness.

09:33:12 5 A. Yes, good morning.

6 Q. Mr Witness, could you tell your name to this Court?

7 A. My name is Mr Tamba Yomba Ngeki a.

8 MR WERNER: Your Honour, Tamba would be T-A-M-B-A, Yomba

9 Y-O-M-B-A and Ngeki a N-G-E-K-I -A:

09:34:06 10 Q. Mr Witness, do you know your date of birth?

11 A. I was born in 1949.

12 Q. Do you know the place you were born?

13 A. I was born in Kamara, Tombodu, Kono District.

14 Q. Do you belong to any tribe, Mr Witness?

09:34:44 15 A. I speak in Kono.

16 Q. And do you belong to any tribe?

17 A. I speak Kono.

18 Q. And, Mr Witness, what is your tribe, if any?

19 A. I speak Kono and I speak some Krio and I understand some

09:35:16 20 Krio.

21 JUDGE LUSSICK: Mr Interpreter, are you asking him what
22 tribe he belongs to? The witness keeps answering the languages
23 he is speaking.

24 THE INTERPRETER: Your Honours, we on this side would not
09:35:36 25 know exactly what the Kono interpreter is asking the witness
26 because we are not getting the Kono interpreter from the other
27 side and we are the only persons who can get through to you on
28 the floor

29 JUDGE LUSSICK: I understand. I think you had better try

1 again, Mr Werner.

2 JUDGE SEBUTINDE: Mr Witness, the lawyer is not asking you
3 not what languages you speak, but what tribe you belong to,
4 please.

09:36:04 5 THE WITNESS: I speak - I am a Kono man.

6 MR WERNER:

7 Q. So is your tribe Kono, Mr Witness?

8 A. Yes.

9 Q. And have you ever been to school, Mr Witness?

09:36:24 10 A. I did not go to school.

11 Q. Now, Mr Witness, do you remember testifying in the case
12 Prosecutor v Sesay, Kallon and Gbao, the RUF case, in Freetown,
13 on 20 --

14 A. Yes.

09:36:46 15 Q. Mr Witness, just let me finish. On 20 and 21 July 2004 for
16 two days?

17 A. Yes.

18 MR WERNER: And I will ask a transcript first to be shown
19 to my learned friend. Your Honour, this is a transcript of the
09:37:12 20 case Prosecutor v Sesay, Kallon and Gbao, 20 and 21 July 2004,
21 and the CMS page numbers are 18627 to 18678, 52 pages. I believe
22 some may be missing and so we have double checked and there are
23 52 pages:

24 Q. Mr Witness, have you reviewed this transcript recently in a
09:38:08 25 language that you can understand?

26 A. I speak in Kono.

27 Q. And, Mr Witness, let me ask you again. There is a
28 transcript in front of you of your testimony in the RUF trial and
29 my question is have you recently reviewed this transcript in a

1 language that you can understand?

2 A. Yes.

3 Q. And, Mr Witness, do you adopt this transcript as your prior
4 testimony?

09:39:01 5 A. Yes.

6 MR WERNER: Your Honour, we would request this transcript
7 to be marked for identification. Now there is something, but I
8 believe it will not be controversial. On the second day of this
9 witness's testimony there was a portion in closed session, about
09:39:26 10 six pages, and for that reason when we filed the 92 bis we filed
11 it confidential, although like yesterday what we would propose is
12 to have MIF-1A with the entire transcript except these few pages,
13 which would become MIF-1B, and the pages in question where it was
14 ordered closed session are 18645 to 18650.

09:40:19 15 JUDGE LUSSICK: All right. Thank you, Mr Werner, we will
16 mark those transcripts for identification. The parts of the
17 witness's evidence given in the case of Prosecutor v Sesay,
18 Kallon and Gbao, on 20 and 21 July 2004, contained in transcript
19 pages 18627 to 18678 with the exception of the closed session
09:40:57 20 pages 18645 to 18650, will be marked for identification 1A. The
21 closed session pages 18645 to 18650 will be marked for
22 identification 1B.

23 MR WERNER: We have nothing further, your Honours.

24 JUDGE LUSSICK: Yes, Mr Griffiths.

09:41:25 25 CROSS-EXAMINATION BY MR GRIFFITHS:

26 Q. Good morning, sir. Mr Witness, good morning.

27 A. Yes, good morning.

28 Q. Bearing in mind your year of birth of 1949 --

29 A. Yes.

1 Q. -- on the date you have told a previous court that you had
2 been captured you would have been 50 at that time, wouldn't you?

3 A. Yes.

4 Q. And were you married at that time?

09:42:00 5 A. Yes.

6 Q. And did you have any children?

7 A. Yes, I have children.

8 Q. How many?

9 A. Six children. I have six children.

09:42:14 10 Q. Now you were born in Tombodu, is that right?

11 A. Yes.

12 Q. And up until the time that you were captured in December
13 1999, did you always live in Tombodu?

14 A. Yes, we were driven and I went to the boundary - the
09:42:36 15 border.

16 Q. Because there was a stage, wasn't there, when ECOMOG
17 occupied Tombodu?

18 A. At the time we were at Tombodu when we were driven, we went
19 to the border and then we returned, we heard that ECOMOG has come
09:43:02 20 and we went to them. We stayed with the ECOMOG in Koidu. We
21 were there at one night. We heard gunshots. The shooting went
22 on for a long time and so we were confused, sitting in the house.
23 We never knew what to do. Whilst we were there, they killed
24 people. Myself - three of my children were killed that night.

09:43:26 25 So, I went out and hid myself under the banana tree and I
26 was standing there when I saw a soldier who came from my back.
27 He said to me, "Come here. Come here". When I went there I saw
28 my two children lying dead, so he captured me and he asked me to
29 go along with him. So, I went there and he asked me to sit down.

1 Some people were brought - about 50 people - and so they took the
2 property out of the house. Radi os, many, many things were
3 brought out and they packed everything outside, so we saw dead
4 bodies ly ing all about.

09:44:06 5 So they told us to take the luggage and to carry them, so
6 they started beating us. They said to us, "Yes, we are the RUFs.
7 You are no longer under the ECOMOG. You are now under our
8 control; we the RUFs. Let us go, so you are now under our
9 authority". So, they carried us. The 50 of us, we had load upon
09:44:30 10 our heads. We arrived at Tombodu.

11 So, when I arrived at Tombodu all the place was burnt and
12 so there was no place so they asked us to sit outside. We were
13 sitting down outside for a long time - for a short time. There
14 was a thatched hut and so they asked us to sit under that hut, so
09:44:51 15 we were surrounded naked. We were there for a long time without
16 anything to eat except potato and banana, which they used to give
17 us.

18 We were there at one time Officer Med, Colonel Jibo,
19 Tactical, they came and assembled us. They brought mining
09:45:17 20 implements. They said, "Issa sent us to you, you the civilians.
21 Let us go down there to Tombodu at that bridge. Let us open
22 mining there. There we are going to work". We were naked. They
23 carried us there and we started working. Whilst we were doing
24 the work some of those boys, some 11 year old boys, some of them
09:45:42 25 were ten years, some of them were six years, some of them when
26 they had under guns - they carried guns.

27 THE INTERPRETER: Your Honours, can the witness slow down.

28 JUDGE LUSSICK: Mr Witness, you are talking a little too
29 fast for the interpreter and please also remember that what you

1 are saying is being written down as well as interpreted. So, can
2 you please slow up your speech a little bit and carry on from the
3 last thing you said which was, "Some of them, when they had under
4 guns - they carried gun." Can you please continue from there.

09:46:35 5 THE WITNESS: The boys - we were surrounded by the boys
6 with guns in their hands. We started the work. So each time we
7 went in the morning hours, when we go down there in the morning
8 hours in the evening we were released and then another set of
9 workers would come. Sometimes they used to give us some bananas,
09:46:56 10 so we were there for some time. Each time we got diamonds it was
11 carried - taken to town. When we got some diamonds, Officer Med
12 would take it to town. Issa himself used to visit us there, but
13 to say someone was not - it was at one time when he came, he came
14 in a very big vehicle. A large number of people were in the
09:47:20 15 vehicle. We thought initially that we were going to be freed by
16 those people from doing that work. So, we just saw them. They
17 alighted. They were having guns.

18 So we were sitting down and Tactical said - he said, "This
19 is our boss". He said, "This is the general. He told us to do
09:47:39 20 this work. He is the general". So we were standing there
21 looking at him, gazing at him. We were sitting down on the
22 floor. Then Officer Med came, he took a diamond and gave it to
23 him and so they on boarded the vehicle and went away.

24 So, the following day they came again. Officer Med himself
09:48:05 25 and Tactical and Jibo came back. We were still sitting under
26 them. Then he called those boys. He said, "Come here". He
27 said, "All the diamonds that we have taken away to our boss", he
28 said, "The total number of the carat is 130 carats. That is the
29 exact number of carats".

1 So we were sitting under them, listening to them, and so we
2 started looking at them. At that time they were very happy.
3 They were celebrating at that time. They started dancing at that
4 mining site. So still while we were still working, we were there
09:48:46 5 working, they used to bring other people again from Sandor area.
6 They were tied with ropes on their waists, about 70 people, and
7 so they were added on.

8 JUDGE SEBUTINDE: Mr Witness, you are rushing again.
9 Please slow down. We can see that the writers are having
09:49:08 10 problems keeping up with you. Please slow down as if you are
11 dictating to somebody who is writing what you are saying. You
12 stopped where you said, "They were tied with ropes at their
13 waist, about 70 people, so they were added on". Please continue
14 from there.

09:49:30 15 THE WITNESS: That's how I speak. Then they brought
16 people, 70 people with ropes tied around their waist. They
17 brought them and added them on to us at the mines.

18 One day we were there again, they brought a town chief.
19 They said he had refused to work. They called him SE Sogbeh.
09:50:02 20 They brought him. He had been well beaten and his face was
21 swollen. They brought him and they asked him to work. Then he
22 said, "These people have beaten me in such a way that I can't do
23 this work." Then one of our colleagues told him that, "If you
24 come here and refuse to work it will not be good for you. It
09:50:30 25 will not be good for you." Then Officer Med passed an order to
26 them that if anybody refuses to work that person should be shot.

27 Then one of the guys called his colleague, "Samuel, Samuel
28 come here." Then Samuel came. Then he asked Mr Sogbeh, "Are you
29 the one who said you are not going to work? Are you the one who

1 said you are not going to work?" And he shot him three times.
2 Then he fell down. We were sitting down there wanting to cry,
3 but how could we? How could we have? And they took him and
4 threw his corpse into the river. Then we started working again.

09:51:26 5 We were there again when the time came when we heard that
6 the UN had come. We heard that the UN had come. When they came
7 they said they had come to disarm them. Then they released us.
8 When they released us I left. But when we were working there
9 there were no medicines and the only things we ate then were
09:52:04 10 plantains and bananas. We had nowhere to go. Wherever we went
11 they had guns, they had checkpoints all over the place.

12 So when these people came they started disarming them, that
13 was the time we were released. When we were released we started
14 going in search of our people out there. When I met one of my
09:52:34 15 colleagues who was standing when he said, "Look, there is Issa
16 Sesay. He was the one who used to go to us at the mines." He
17 was the one who used to go to us at the mines. At that time he
18 was in a jeep going. Then I said, "Look, let's get out of here.
19 Let's go in search of our people." Then we went right out
09:52:57 20 looking for our people towards Guinea. We went and did not find
21 some. We did not see them. Whether they are alive or not, we
22 wouldn't know. Then later we came back.

23 JUDGE LUSSICK: During that piece of testimony, there were
24 two names that I would like if possible to get some spelling on.
09:53:24 25 One was town chief Sogbeh.

26 THE WITNESS: Sogbeh. SE Sogbeh.

27 JUDGE LUSSICK: Mr Witness, would you know how to spell the
28 name?

29 THE WITNESS: I did not go to school. How can I spell

1 that?

2 JUDGE LUSSICK: A no would have been fine, thank you.

3 Mr Interpreter, can you help with the spelling of the name?

4 THE INTERPRETER: Yes, your Honour. It's S-O-G-B-E-H.

09:54:12 5 JUDGE LUSSICK: Thank you. The other name is Officer Met
6 or Med.

7 THE WITNESS: Officer Med.

8 JUDGE LUSSICK: Yes, but you can't spell it, Mr Witness, so
9 I am not addressing you.

09:54:28 10 THE WITNESS: No, I said I did not go to school.

11 JUDGE LUSSICK: Mr Interpreter, are you able to help us
12 with the spelling of Officer Med?

13 THE INTERPRETER: Yes, your Honour. O-F-F-I-C-E-R M-E-D.

14 JUDGE LUSSICK: Thank you, Mr Interpreter.

09:55:25 15 MR GRIFFITHS:

16 Q. Mr Witness, can you give us a date when it was you were
17 captured by these men?

18 A. It was at night when they attacked us. They came shooting.

19 Q. Can you give us a date when you were captured?

09:55:50 20 A. I can't tell the date. At that time I was worried about my
21 life. How could I have made out the date?

22 Q. Did you ever tell anyone a date? Did you hear my question?

23 A. The day the fighting happened?

24 Q. The date you were captured, what was it?

09:56:27 25 A. I said we were captured at night.

26 Q. Let me try again.

27 A. Close to daybreak.

28 Q. Are you able to tell us the day and the month and the year
29 when you were captured?

1 A. Well, I can't know the month but '98 towards '99, that was
2 when the attack took place. I don't actually know the date.

3 Q. Have you ever known the date on which you were captured?

09:57:23

4 A. I can't know the date because at that time we were worried.
5 Would you have looked at the date? You were worried about your
6 life.

7 Q. Have you ever told anyone a date on which you were
8 captured?

09:57:42

9 A. Well, I wouldn't know the date. We were under gunpoint and
10 we were worried about our lives.

11 Q. Mr Witness, I do want you to think very carefully about
12 your answers. Do you follow me?

13 A. I am listening.

09:58:13

14 Q. Do you remember in 2002 someone coming to speak to you
15 about your experiences at this time. Do you remember that?

09:58:42

16 A. Well, people came and met us. They said what had happened,
17 we should forget about it. And I said, "It has happened, but
18 even to death I will never forget about that. They've burnt my
19 house. They killed my three children and now you're telling me
20 to forget about that." I said, "No, I won't." Even as I am
21 explaining here I am going through some difficulties as I'm
22 explaining here.

09:59:02

23 Q. Mr Witness, I am not here to suggest that you should forget
24 those experiences. I am asking you very simple questions and I
25 would like a simple answer. Do you remember an investigator
26 attached to the Special Court for Sierra Leone coming to ask you
27 about your experiences? Do you remember that?

28 A. I can't tell the date, but I can remember.

29 Q. Do you remember that that person was writing down what you

1 were saying to her?

2 A. Well, I can't say, but I saw her writing down something.

3 Q. And do you remember when she had finished writing she asked
4 you to put your thumbprint on each page because you were unable

09:59:51 5 to write your own signature? Do you remember that?

6 A. Yes.

7 Q. And do you remember before you were asked to put your
8 thumbprint on each page she read back to you, through an
9 interpreter, what you had told her? Do you remember that?

10:00:14 10 A. Yes.

11 Q. And you were given an opportunity, weren't you, to change
12 or correct anything which she had got wrong? Do you remember
13 that?

14 A. What I explained here was what I explained.

10:00:33 15 Q. Let me try my question again. Do you remember that when
16 she was reading out what you had told her you were asked to
17 correct or change anything which she had got wrong? Do you
18 remember that?

19 A. What happened to me was what I explained to her.

10:00:56 20 Q. Let me try my question once more. After she had finished
21 asking you questions she read back to you what you had told her
22 and you were given an opportunity to change or correct anything,
23 weren't you?

24 A. What I explained to her, that was where I stopped. And
10:01:26 25 what explained, I know that that was the truth.

26 Q. Very well. It being the truth, I would like to show you,
27 please, a record of what you said to an investigator on 16
28 November. I appreciate you can't read, but we will be able to
29 see your thumbprint on this document and we will be able to see

1 what it was that you were saying on this date. Now, if we start
2 from the top of the document, we see that this is a record of a
3 conversation had with you on 16 November 2002 and can we go to
4 the bottom of the page now, please. We see your thumbprint, I
10:02:27 5 think it is, in the bottom right-hand corner?

6 A. Yes.

7 Q. Now, let's look at the very first line: "On 16 December
8 1999 I was captured by RUF rebels."

9 A. Yes.

10:02:49 10 Q. Now help us. You've told me earlier you couldn't remember
11 the date, just that it was at night that you were captured. So
12 help me. Where does that precise date come from?

13 A. Well, I told them the date, but it's a long time now. I
14 can't recall. Up until now I'm worried about my people. You

10:03:18 15 know, you can't just remember everything.

16 Q. No, all I'm asking is how was it that you were able to give
17 such a precise date in November 2002 and yet when I asked you
18 this morning you told me all you can remember was it was at
19 night. Why the difference?

10:03:50 20 A. It's quite a long time. It's quite a long time now, but at
21 the time that I showed this date I was able to recall. But now
22 it's been a long time now. That's why.

23 Q. All right. So do you now want to say, "I was captured on
24 16 December"? Do you now want to say that?

10:04:13 25 A. Yes.

26 Q. Thank you very much.

27 JUDGE LUSSICK: I am sorry to interrupt, Mr Griffiths, but,
28 Madam Court Manager, could you please move that document up so I
29 can see the top of it, please. I see.

1 I was just querying the thumbprint at the bottom,
2 Mr Griffiths. The last name at the bottom does not correspond
3 with that of the witness. If you go to the thumbprint - can you
4 move to the thumbprint - that last name is not the witness's last
10:04:58 5 name.

6 MR GRIFFITHS: No, it's not.

7 MR WERNER: Your Honour, we have a copy which may explain
8 and I am very happy for my learned friend to see the copy.

9 MR GRIFFITHS: Well, this copy is slightly clearer, but it
10:05:41 10 still doesn't help us as to the identity of the individual.

11 THE WITNESS: Maybe they forgot.

12 JUDGE LUSSICK: That's all right, Mr Witness. You don't
13 have to explain. The copy that's on the machine at the moment
14 has cut off the last two letters. It in fact resembles an
10:06:11 15 A-L-G-E-R. But this copy handed to us by Mr Werner does say the
16 witness's correct last name. I am happy, Mr Griffiths. It's in
17 the name of the witness.

18 JUDGE SEBUTINDE: Could we just see the ERN number, please.
19 We want to put it on the record. Yes, thank you.

10:07:07 20 MR GRIFFITHS: Very well:

21 Q. So can we now accept that you gave that date to the
22 investigator in November 2002?

23 A. Yes.

24 Q. So the precise date on which you were captured was 16
10:07:33 25 December 1999. Is that correct?

26 A. Yes.

27 Q. And for how long did you remain a captive?

28 A. It was quite a long time.

29 Q. It was for about six months, wasn't it?

1 A. It was more than that.

2 Q. I am looking at evidence you gave at a previous hearing and
3 you were asked the question how long you were involved in this
4 mining and your answer was, "Six months in the dry season". Do
10:08:23 5 you want to change that now?

6 A. Yes. No, it was in the dry season that we worked. I
7 wouldn't change that.

8 Q. Well, let's take things slowly so that we don't get anybody
9 confused. Can we put that document to one side, please, and can
10:08:45 10 we now put up on the screen the transcript of the evidence of
11 this witness given in the trial of Sesay and others on 20 July
12 2004 and I'm particularly interested in the page which bears the
13 number 81 at the bottom. Just so that we are clear what it was
14 you said on this previous occasion, this is a record of the

10:09:58 15 testimony you gave on 20 July 2004. Can we go, please, to line
16 20:

17 "That was what they did to us. We cannot forget what has
18 happened to us?"

19 Q. Now, you said you mined. Can you tell us roughly how
10:10:20 20 long you were involved in this mining?

21 A. During the dry season. During the dry season.

22 Q. For how long? Do you know how many months, how many
23 years?

24 A. Six months in the dry season."

10:10:41 25 Do you want to change that account now? Mr Witness, do you
26 want to change that account now?

27 A. I am not changing it. What I said then is what I said a
28 while ago. What happened is what I explained.

29 Q. My question then, is it right that you were held captive

1 and forced to mine for six months?

2 A. Yes.

3 Q. Thank you. We can put that transcript to one side. Thank
4 you very much, Madam Court Manager. I now want to ask you about
10:11:40 5 what was happening in Tombodu before you were captured on 16
6 December 1999. Do you understand that?

7 A. I have.

8 Q. Now when the war first started in Sierra Leone, were you
9 living in Tombodu at that time?

10:12:09 10 A. Yes.

11 Q. And what was the first thing you heard about the war having
12 started in Sierra Leone?

13 A. We were there. Our colleague civilians came running, some
14 with their arms chopped off. They said people were coming. They
10:12:35 15 said, "Operation No Living Thing". Then I assembled my people
16 and told them that we should go, that I was not leaving anybody
17 behind, and then we went.

18 Q. Help me, please. I'm sure it's my fault and so let me ask
19 a different question. When - in which year - did you first see
10:13:02 20 rebels in Tombodu?

21 A. I was - I have said 1988. That was the first time I saw
22 rebels in Tombodu and then we ran away.

23 Q. Well, that would be - do you mean 1988, or are you meaning
24 to say 1998?

10:13:31 25 A. 1988. It was '88. That was when we escaped and went.
26 Then they came and burnt down houses and then, together with my
27 people, we went towards the Guinea border.

28 Q. Well, it can't be 1988. Was it not the year before you
29 were captured that you first heard of rebels in Tombodu, which

1 would be 1998? Wouldn't that be right?

2 A. That was the time we saw them.

3 Q. So, am I right that you first saw rebels in Tombodu in
4 1998?

10:14:33 5 A. That was the first time we saw them. Then we ran away
6 towards the north.

7 Q. Maybe it's my fault. What I want you to concentrate on is
8 the year. Now we know that you were captured, you tell us, on 16
9 December 1999. What I'm asking is the first time you saw rebels,
10:15:00 10 was it about a year before that?

11 A. Yes, it was one year before I was captured.

12 Q. Right. And when those rebels came about a year before, who
13 was their commander?

14 A. Well, I can't tell because at the time that we saw them
10:15:35 15 they were chasing us. You can't stand by to start asking that
16 who was your leader, no.

17 Q. Let me ask a different question then. When those rebels
18 came about a year before they pushed ECOMOG out of Tombodu,
19 didn't they?

10:15:56 20 A. Yes.

21 Q. Now ECOMOG had been in Tombodu for a little while before
22 that, hadn't they?

23 A. Yes.

24 Q. And the ECOMOG soldiers, who were mainly Nigerians - and
10:16:17 25 they were mainly Nigerians, weren't they?

26 A. Yes.

27 Q. They were involved in mining in Kono District until they
28 were pushed out, weren't they?

29 A. No, they were just protecting us. I did not see them do

1 that.

2 Q. You did not see them do any mining whatsoever?

3 A. No, I did not see them mining where we were.

4 Q. I'm not talking about them forcing people to mine. I'm
10:16:55 5 talking about people voluntarily mining for them. That was going
6 on, wasn't it?

7 A. I can't say, but I did not see that with my own eyes. At
8 that time I was worried about my life.

9 Q. In any event, you fled from Tombodu at that time with your
10:17:21 10 family and went towards the Guinea border, didn't you?

11 A. Yes.

12 Q. Then you learned that ECOMOG had retaken Tombodu and so you
13 returned, is that right?

14 A. Yes, we returned to Tombodu.

10:17:45 15 Q. And can you help us with when in 1998 was it? Well, let me
16 start again. In which year was it that you returned to Tombodu,
17 having fled to the Guinea border?

18 A. Don't turn me backwards. When we left the Guinea border -
19 when they chased us from Tombodu I went to the Guinea border.

10:18:19 20 When I left the Guinea border we came to Koidu to ECOMOG. That
21 was where we were. We were between - I was staying between Koidu
22 and Kokui ma.

23 Q. Can you give me a date for that?

24 A. From Guinea border? I wouldn't - I can't tell the date.

10:18:41 25 Q. How many months before 16 December was it that you returned
26 to Koidu from the Guinea border?

27 A. We were there in the rainy season - the entire rainy season
28 - when we heard about the coming of ECOMOG and we walked up to
29 ECOMOG. By the time we got to ECOMOG it was in the dry season -

1 the rainy season going to the dry season. That was when we
2 reached there.

3 Q. Now, do you know of an area called Little Lebanon?

4 A. It's close to Kokui ma. I know there.

10:19:32 5 Q. Was it called Little Lebanon because many Lebanese diamond
6 merchants lived there?

7 A. That is the name I know. I can't say anything about it.
8 That's the name I know.

9 Q. Did you during the six months or so that you were mining
10:20:00 10 see any Lebanese merchants?

11 A. I only saw soldiers, the RUF with guns, and the civilians.
12 I did not see any Lebanese people there.

13 Q. Did you ever encounter a former SLA soldier called Savage
14 in Tombodu?

10:20:39 15 A. I did not see Savage. I heard his name. The persons whom
16 I saw are those I have named, because there were many. Those
17 whom I saw I have already named.

18 Q. But you heard the name Savage, did you?

19 A. Yes, I heard.

10:20:58 20 Q. From whom?

21 A. I heard that name from his colleague soldiers.

22 Q. Now the rebel officer who was in charge of you when you
23 were mining was Officer Med, if I understand your evidence. Is
24 that right?

10:21:31 25 A. That's true.

26 Q. Did you during that period come across a mining commander
27 called Kennedy?

28 A. They were wearing uniforms. I only knew Officer Med, who
29 was supervising us. Everybody was in his own place.

1 Q. Was Officer Med a member of the Sierra Leonean army, or was
2 he a rebel?

3 A. He was a rebel.

4 Q. How was he dressed?

10:22:18 5 A. He was wearing a uniform with a gun.

6 Q. Was it the uniform of the Sierra Leonean army?

7 A. Yes.

8 Q. And he was the man in charge of mining where you worked,
9 was he?

10:22:44 10 A. Yes.

11 Q. And the diamonds that you found, when given to Officer Med,
12 he would personally give them directly to Issa Sesay. Is that
13 right?

14 A. Yes.

10:23:03 15 Q. Those diamonds were not first taken somewhere else and then
16 given to Issa Sesay. Hello? Were those diamonds taken somewhere
17 else before they were given to Issa Sesay?

18 A. When they took the diamonds they would take them to Issa
19 Sesay. Where he took it, we wouldn't know. We would be staying
10:23:44 20 there.

21 Q. Very well. Let me ask you very simply then. When you, as
22 a miner, found a diamond what did you do with it?

23 A. We wouldn't touch it. They put it together. They said
24 it's government property. You wouldn't touch it. They would
10:24:06 25 take it along, because you would be under gunpoint. They would
26 be carrying it. We would be stripped naked. They would be
27 holding guns and they would take the diamonds along. We only did
28 the work.

29 Q. Now when they picked up the diamond would it be given to

1 Officer Med?

2 A. Yes, he would take the diamonds along.

3 Q. And did he keep the diamonds in his pocket, or did he have
4 an office where he would take them?

10:24:37 5 A. When it is gathered he would put it in a white paper and
6 take them along. He hadn't any office there. He wouldn't stay
7 the day there. After the gravels had been washed he would put
8 the diamonds together, tie them up and go with them. Then he
9 would return.

10:25:00 10 Q. Did you, with your own eyes, see Officer Med give diamonds
11 to Issa Sesay?

12 A. I saw it with my own eyes. It was not a long distance. I
13 was standing like here and I saw him give it to him in a piece of
14 paper. Our eyes were quite open.

10:25:25 15 Q. On how many occasions did you see Officer Med give diamonds
16 directly to Issa Sesay?

17 A. That day that we came, we picked up a large diamond. It
18 was only one day. At that time he came there together with his
19 bodyguards and he went and gave him this diamond. We were
10:25:49 20 standing there with eyes wide open.

21 Q. How many times did you see Officer Med give diamonds to
22 Issa Sesay?

23 A. Don't take me aback. I said only once; the day we got that
24 large diamond. It was on that day that he went and gave it to
10:26:18 25 him in our presence, in broad daylight.

26 Q. Let me just remind you, please, of what you said to that
27 woman investigator on 16 November 2002. Bottom of that second
28 page, please, just above his thumbprint. What this record says
29 is this: "I witnessed Issa Sesay come to Tombodu many times to

1 pick up diamonds from Officer Med". So which account is right:
2 That it was once, as you told me minutes ago, or that it was many
3 times, as you said in November 2002? Which of those two accounts
4 do you want us to accept?

10:28:09 5 A. He used to go to Tombodu. There was not only one miner
6 there. They had so many mines there. He used to collect
7 diamonds. But on our own pit it was on that day that I saw him.
8 The diamond that we picked up, we gave it to him. It was on that
9 day that I saw him when he went to pick up that diamond. He used
10:28:31 10 to go there. There were other mines there. He used to go there.
11 I heard his name. But on that day that he went to our own pit,
12 that was the day I saw him.

13 Q. But look at what it says. It doesn't say, "I heard that
14 Issa Sesay went many times". It says, "I witnessed Issa Sesay
10:28:52 15 come to Tombodu many times to pick up diamonds" --

16 A. Yes, that's so.

17 Q. Hold on, please.

18 A. Yes, that's what happened, yes.

19 Q. May I finish my question? "... to pick up diamonds from
10:29:02 20 Officer Med". Not other pits. The pit where you were working,
21 supervised, you've told us, by Officer Med. That's what you told
22 the investigator in 2002. So I want you to help us, please.
23 Which of those two accounts do you want us to accept?

24 A. He used to go there many times to pick up diamonds.

10:29:30 25 Q. So are you now saying that Officer Med gave diamonds many
26 times to Issa Sesay and you saw it?

27 A. Yes. Yes.

28 Q. So what you told us a couple of minutes ago that it was
29 only once, we should reject that now, should we?

1 A. Yes. I saw him many times picking up diamonds to go, but
2 you know at that time we were worried because they were carrying
3 guns. Sometimes we just look at them, peep at them, and turn
4 away.

10:30:10 5 Q. But you do appreciate that there is a big difference
6 between once and many times. Do you appreciate that?

7 A. Yes.

8 Q. So now you want to tell us that when you said once minutes
9 ago you got that completely wrong. That's what you are telling
10 us now, is it?

11 A. Yes.

12 Q. How did you forget?

13 A. These people used to have guns and when they carry guns you
14 would be confused. When they are carrying guns you couldn't even
10:30:59 15 look at them. You would be worried. You would be worried about
16 your life, thinking that you will die the next moment.

17 Q. So help us, please. Did you see Officer Med give more than
18 one package of diamonds to Issa Sesay?

19 A. Yes.

10:31:33 20 Q. So help us, please. Assist us with this. On how many
21 occasions do you now say Issa Sesay picked up diamonds from
22 Officer Med?

23 A. I said he went there many times. When diamonds were picked
24 up they would give them to him. What do you want me to say
10:31:58 25 again?

26 Q. Well, it would help us if you could give us a rough
27 estimate of how many times that occurred.

28 A. I can't tell the dates. I can't tell the date, but he used
29 to go there many times. When we were working, when we finished

1 washing the gravel we would see them go there and give the
2 diamonds to him.

3 Q. I'm not interested in dates. We've already established a
4 precise date upon which you were captured and we now know that
10:32:30 5 you remained in their custody for some six months. All I'm
6 asking you now is this: Did Issa come once a week, once every
7 two weeks, or what, just roughly?

8 A. When the gravel business is going on he would go there
9 every evening. If there was no gravel business he went there
10:32:54 10 once in a while. But when there is gravel business in the
11 evening we would see him. When we work all day washing gravel he
12 would come in the evening and they would give him the diamonds
13 that we pick up.

14 Q. So Issa Sesay would come virtually every evening, would he?

10:33:18 15 A. Yes, when it's gravel time he would come every evening to
16 take along diamonds. If not, he comes once in a while just to
17 supervise the mining.

18 Q. So if we are talking about something as regular as that,
19 how did you ever come to be so confused as to say it was only
10:33:38 20 once? How?

21 A. I was not confused. What happened in my presence, when I
22 explain I cannot be confused about that. We were doing the work.
23 We were doing the work naked. How can I be confused? In the
24 evening when we were going off duty he would come with his group
10:34:00 25 and they would give him.

26 Q. Does the name Sam Bockarie mean anything to you?

27 A. I heard his name, but I did not know him.

28 Q. Did you also know him by the name Mosquito?

29 A. I heard the Mosquito name, but I did not know him.

1 Q. So do I understand from that answer that you never saw
2 Mosquito during the time that you were mining in Tombodu?

3 A. No, I did not see him. It was only Issa that I saw there
4 at the time. I did not see him.

10:34:54 5 Q. Did you ever see a man called Superman in Tombodu when you
6 were there mining?

7 A. I did not - I never saw him.

8 Q. Did you ever see someone called SAJ Musa in Tombodu whilst
9 you were mining?

10:35:18 10 A. I did not see him there.

11 Q. Have you heard both of those names, Superman and SAJ Musa?

12 A. I heard those names, but I did not see them with my own
13 eyes.

14 Q. When did you first hear those names?

10:35:41 15 A. It was quite a long time. During the war. It was quite a
16 long time.

17 Q. Is it during the time that you were mining?

18 A. No.

19 Q. Did you ever become aware of a system of mining called the
10:36:06 20 two pile system?

21 A. I can't remember that. I did not see that.

22 Q. That was a system whereby there were two piles of gravel:
23 one for the miner and the other classified as government
24 property. Do you remember such a system being operated?

10:36:42 25 A. I can't remember that. We met RUF there and we were
26 working for them.

27 Q. Did you ever come across an RUF commander called Peleto?

28 A. Peleto? I heard the name, but I did not see him in the
29 Tombodu mines.

1 Q. So at the end of that six month period, which would take us
2 given the date of your capture into the year 2000, United Nations
3 troops came to Tombodu and you were freed, is that right?

4 A. Yes.

10:37:45 5 Q. And thereafter were you able to find work to support
6 yourself?

7 A. We did not work. We went to Guinea in search of our
8 people.

9 Q. But since the end of the war have you managed to find work?

10:38:07 10 A. I am a farmer. I am not a diamond miner. I am a farmer.

11 Q. And you work for yourself, do you?

12 A. I do my farming and I do it for myself to feed my children.

13 MR GRIFFITHS: That's all I ask.

14 JUDGE LUSSICK: Thank you, Mr Griffiths. Any

10:38:34 15 re-examination?

16 MR WERNER: Just two quick points, your Honours.

17 RE-EXAMINATION BY MR WERNER:

18 Q. Mr Witness, you were asked questions about when certain
19 things happened to you, including your capture. Now, Mr Witness,
10:39:00 20 have you heard about something called the Lomé Peace Accord?

21 A. Yes, I heard that. I heard that.

22 Q. How did you hear about the Lomé Peace Accord?

23 A. I heard it from the radio.

24 Q. And where were you when you heard about the Lomé Peace
10:39:30 25 Accord?

26 A. We were at the border when we heard that peace had been
27 signed. It was at that time we became happy. We became happy
28 that the war was over and we started coming in bits.

29 Q. And when you heard about the Lomé Peace Accord, was it

1 before or after you were captured?

2 A. They had not captured me.

3 Q. Now, Mr Witness, I want to ask you a question about before
4 the time you were captured. You said - and I'm referring to page
10:40:15 5 10, line 12 to 14, on the LiveNote transcript. You said - and
6 you were talking about the time before you were captured. You
7 said, "We had nowhere go. Wherever we went they had guns. They
8 had checkpoints all over the place". When you said "They had
9 guns" and "They had checkpoints", who are you talking about?

10:40:44 10 A. I was talking about the RUF, at the time we were in the
11 mines working for them. It was the RUF that I was talking about.
12 They had guns. We were stripped naked and they were manning the
13 checkpoints.

14 MR WERNER: Thank you, Mr Witness, I have nothing further.

10:41:09 15 JUDGE LUSSICK: Thank you, Mr Werner. Incidentally I note
16 that the LiveNote is not working, Madam Court Manager, if you
17 would just see what you can do about it.

18 MS IRURA: Your Honour, I can broadcast mine while they try
19 and check what could be the problem.

10:41:31 20 JUDGE LUSSICK: Thank you.

21 MS IRURA: Please press PC1 on the panel next to your
22 monitors in order to view the LiveNote.

23 JUDGE LUSSICK: Yes, I have that. Mr Werner?

24 MR WERNER: Yes, your Honour. We would like - we have two
10:42:02 25 MFI, 1A and 1B, and we would request them to become the next
26 exhibit. MFI-1B would be confidential.

27 JUDGE LUSSICK: Any objections to that, Mr Griffiths?

28 MR GRIFFITHS: No, none whatsoever.

29 JUDGE LUSSICK: Thank you. The documents formerly marked

1 MFI-1A and described earlier, the pages 18627 to 18678 of the
2 transcript of 20 July 2004 in the trial of Prosecutor v Sesay and
3 others with the exception of closed session pages 18645 to 18650
4 will be admitted into evidence as Prosecution exhibit P-196.

10:43:17 5 [Exhibit P-196 admitted]

6 The closed session transcript referred to, that is pages
7 18645 to 18650, will be admitted as Prosecution exhibit P-197.

8 [Exhibit P-197 admitted]

9 Mr Witness, that completes your testimony. Thank you for
10:43:53 10 coming to court, we appreciate it, and Madam Court Manager will
11 now escort you out.

12 THE WITNESS: Okay.

13 MR WERNER: Your Honour, Nicholas Koumjian will be in
14 charge of the next witness.

10:44:32 15 JUDGE LUSSICK: Thank you, Mr Werner

16 MR WERNER: Can I request for us to move out?

17 JUDGE LUSSICK: Yes, certainly. Yes, Mr Koumjian?

18 MR KOUMJIAN: Your Honours, the next witness is TF1-215.
19 This witness will testify in open without protective measures.

10:45:15 20 This was notified to the Trial Chamber recently that the witness
21 has expressed that preference - that willingness.

22 JUDGE LUSSICK: We did get that advice, Mr Koumjian. This
23 was one of the witnesses that the Prosecution claim were covered
24 by that 5 July 2004 decision. Is that correct?

10:45:40 25 MR KOUMJIAN: This is I believe the first one that raised
26 the issue, yes.

27 JUDGE LUSSICK: Yes. And I think in respect of this one,
28 because of instructions received from the witness the Trial
29 Chamber decision in this particular case of Witness TF1-215 has

1 not been pursued by way of leave to appeal. Is that correct?

2 MR KOUMJIAN: I believe we did receive leave to appeal, but
3 given the witness's position we have notified the Appeal Chamber
4 that we will not pursue the appeal.

10:46:19 5 JUDGE LUSSICK: All right, thank you. Well, we will note
6 that this witness will be testifying openly and was the recipient
7 of protective measures in another proceeding, or was allegedly
8 the recipient of protective measures in another proceeding, but
9 the Trial Chamber's position as described many times yesterday is
10:46:47 10 that we hold that the witness was not covered by the decision of
11 Trial Chamber I of 5 July 2004.

12 Thank you. Madam Court Manager, if you could bring the
13 witness in.

14 MR KOUMJIAN: Your Honours, the witness will testify in the
10:47:18 15 Krio language.

16 WITNESS: SIEH MANSARAY [Sworn]

17 MR KOUMJIAN: May I proceed, your Honour?

18 JUDGE LUSSICK: Yes, please.

19 EXAMINATION-IN-CHIEF BY MR KOUMJIAN:

10:50:16 20 Q. Sir, would you please tell the Court your name?

21 A. My name is Sieh Mansaray.

22 Q. Mr Mansaray, could you spell your first name? Are you able
23 to do that?

24 A. To spell it in English? To spell my name? S-I-E-H.

10:50:40 25 Q. Thank you. Can you spell your family name?

26 A. Mansaray, M-A-N-S-A-R-A-Y.

27 Q. Thank you, sir. Sir, do you know when you were born?

28 A. Well, I was told because I wouldn't know. I was told that.

29 Q. Well, what were you told? I don't think any of us remember

1 our births. What were you told about when you were born, sir?

2 A. I was told that it was '51.

3 Q. Is that your age, or is that the year you were born?

4 A. Well, that was what I was told, because at that time in our
10:51:39 5 area there was nothing like birth registration or birth
6 certificates. Not like now.

7 Q. Thank you, sir. Where was it that you were born, sir?

8 A. I was born in the northern part of Sierra Leone, that is
9 the Koinadugu District, Wara Wara Bafodia, Sakutar village.

10:52:09 10 JUDGE SEBUTINDE: Mr Koumjian, was that he was born in 1951
11 or that he is 51 years old?

12 MR KOUMJIAN: I asked that and the witness gave an
13 ambivalent answer and I dropped it.

14 JUDGE SEBUTINDE: That is why I am asking again.

10:52:25 15 MR KOUMJIAN: Yes:

16 Q. Mr Witness, do you know - you said you were told when you
17 were born.

18 A. I was told that I was born in 1951. 1951.

19 Q. Thank you, sir, for clarifying that for us. Sir, you said
10:52:41 20 you were born in a chiefdom. Can you just repeat that so we are
21 sure that we got it clearly. What was the chiefdom you were born
22 in?

23 A. Wara Wara Bafodia, Sakutar village.

24 MR KOUMJIAN: Your Honours, Sakutar is S-A-K-U-T-A-R.

10:53:06 25 THE WITNESS: S-A-K, fine. S-A-K-U-T-A-R.

26 MR KOUMJIAN: Bafodia the chiefdom is B-A-F-O-D-I-A.

27 THE WITNESS: B-A-F-O-D-I-A, Bafodia.

28 MR KOUMJIAN:

29 Q. Thank you, sir. What district is that in?

1 A. Koinadugu District.

2 Q. Sir, did you remain in Sakutar village or did you move to
3 somewhere else?

4 A. I moved out of there, sir.

10:53:51 5 Q. Where did you go to?

6 A. I want to Diang Chiefdom, Kondembai a.

7 JUDGE SEBUTINDE: Mr Koumjian, what was this Wara Wara?
8 What is Wara Wara?

9 THE WITNESS: Wara Wara is the name of the chiefdom. The
10:54:14 10 district has 11 chiefdoms and the chiefdom has its name. There
11 are two different Wara Waras. There is Wara Wara Bafodia, Wara
12 Wara Sengbe, Wara Wara Yagala. There are different Wara Waras.

13 MR KOUMJIAN:

14 Q. So just so we're clear, when you said Wara Wara were you
10:54:39 15 speaking of something inside a particular chiefdom?

16 A. Yes. Like where I was, Diang Chiefdom where I lived,
17 that's what I know about. I know much about that place.

18 MR KOUMJIAN: Let me just give a spelling. Diang Chiefdom
19 is D-I-A-N-G. The witness gave the name of the village
10:55:14 20 Kondembai a, K-O-N-D-E-M-B-A-I -A:

21 Q. Sir, do you know approximately when you moved to
22 Kondembai a?

23 A. The time I went to Kondembai a was in 1976.

24 Q. Thank you. What district is Kondembai a in?

10:55:45 25 A. Koinadugu District.

26 Q. Sir, are you married?

27 A. Yes.

28 Q. Do you have any children?

29 A. I have eight.

1 Q. Sir, have you ever been to any formal school?

2 A. No. It is only now that I am doing some adult education
3 under SLADEA.

4 Q. Okay, thank you. Prior to the war did you have any
10:56:15 5 education?

6 A. No. I was practising the trade that I had learnt before,
7 not formal education.

8 Q. Do you know how to read?

9 A. No.

10:56:35 10 Q. Thank you. Sir, can you tell us what languages you speak?

11 A. Yes.

12 Q. Please do.

13 A. The first one, that is my native language, that is Limba,
14 because I am a Limba by tribe. And I can speak Krio, I can speak
10:56:58 15 Mandingo and Koranko. I can speak some broken English because
16 that one is - and I can speak some Fullah as well.

17 Q. Thank you, sir. I appreciate you speaking clearly like you
18 have been. If you can continue to do that and just remember,
19 sir, to speak slowly because everything you say is being

10:57:24 20 interpreted and also will be written down and we want to make
21 sure that we understand everything you say. Sir, were you ever
22 involved with any military or receive any military training?

23 A. I never went anywhere - anywhere that has to do with
24 uniform wearing. Nothing like that.

10:57:55 25 Q. Prior to the war, sir, what was your occupation or
26 occupations?

27 A. The first thing was I used to bake bread and I used to
28 cultivate farms and I used to saw timber. That was what I used
29 to do before the war.

1 Q. What would you do with the timber you used to sawed?

2 A. I would be hired by people to saw the timber, because those
3 people who want to build houses would contract me and I would do
4 the job for them and they would pay me.

10:58:47 5 Q. Sir, thank you. I now want to move and ask you about some
6 things that happened during the war, if you can recall. Sir, did
7 you ever hear the name Johnny Paul Koroma?

8 A. Yes, we heard about it.

9 Q. Did you ever hear anything about Johnny Paul Koroma having
10:59:13 10 to leave Freetown?

11 A. Yes.

12 Q. When was that, if you recall?

13 A. Well, we do not document things so we can only remember the
14 events, not dates or - I think it was February or something.

10:59:36 15 Q. Okay. Thank you.

16 A. 1998.

17 Q. Thank you, sir. How did you hear about that?

18 A. Sir?

19 Q. Sorry. My question was how did you hear about Johnny Paul
10:59:55 20 Koroma having to leave Freetown?

21 A. Well, people used to say it over the radio. We heard that
22 over the radio in the village and people used to walk all about
23 the place, so they knew.

24 Q. After you heard that did you notice any changes in the
11:00:21 25 village where you lived?

26 A. Yes.

27 Q. And just so we are clear, at this time, what village or
28 place were you living at?

29 A. It was Kondembai a. I was in Kondembai a for 26 good years.

1 I was the Limba tribal head in that town.

2 Q. Thank you, sir. So explain to us how things changed after
3 you heard this news.

11:01:07

4 A. The things that changed was that we saw different people
5 coming from Freetown, coming upcountry and they were called the
6 People's Army.

7 Q. Okay. Thank you. Can you describe these people at all?

11:01:33

8 A. Yes. These people, who used to come upcountry, they
9 brought with them ammunition. Some brought RPGs. Some brought
10 mattresses and they brought variety of things. Women, children,
11 adults, they came and they passed through our village. Some of
12 them would stay in our village two or three days or one week and
13 they would pass to go elsewhere.

14 Q. Did these people ever tell you where they were going?

11:01:56

15 A. They used to say that they were going to Kono, but when
16 they came they mounted a checkpoint at my house.

17 Q. Did they say who they were?

11:02:27

18 A. They said they were People's Army and that they were going
19 to search everybody's luggage and that they would take anything
20 they wanted from people, because government had not paid them so
21 that they were going to pay themselves.

22 Q. Okay. Thank you, sir. Can you tell us a little bit more
23 about the village that you lived in, Kondembai a. About how many
24 houses were in that village?

11:02:50

25 A. That village, that is the chiefdom headquarter town. There
26 were more than 200 houses because that was where the paramount
27 chief lived.

28 Q. Is Kondembai a on a road or not on a road? Is it in a bush?
29 Can you describe its location?

1 A. Kondembai a is not actually on the main road that people
2 used to Kono. It's another road. Actually you can use that road
3 to Kono, but it is not the main road that is used to go to Kono.

11:03:39

4 THE INTERPRETER: Your Honour, can the witness repeat this
5 enumeration of towns.

6 JUDGE SEBUTINDE: Mr Witness, the interpreter didn't get
7 what you said because you spoke a little fast. Can you repeat
8 when you said it's on another road actually going to Kono and
9 then you said some towns. Can you repeat that evidence, please.

11:03:58

10 THE WITNESS: What I meant, it's a bypass road to go to
11 Kono. It is not the highway that is normally used. It is not
12 the Makeni Highway to go to Kono. This is another road that one
13 can use to go to Kono. You start from Makakura, Kondembai a, you
14 go to Badela and you go to Fodia, Alikalia, Yifin, you go to
15 Sumbaria and you go to Kono. That is the bypass route.

11:04:24

16 MR KOUMJIAN: Your Honour, I will try to get the spellings
17 of the names that I caught with the help of my colleague. I
18 believe the witness said Makakura:

19 Q. Is that correct, sir? Did you say Makakura?

11:04:41

20 A. That is the junction, five miles to Kabala.

21 Q. Thank you.

22 A. The branch off.

23 MR KOUMJIAN: Makakura is M-A-K-A-K-U-R-A. The witness said
24 Yifin and that is Y-I-F-I-N. The witness mentioned Badela,
25 B-A-D-E-L-A:

11:05:14

26 Q. Thank you, sir. Now, can you describe - you said there was
27 a checkpoint set up in front of your house. Can you describe
28 what happened at that checkpoint?

29 A. At that checkpoint in fact the first thing they did was

1 they took two of my coops where I had my chickens.

2 Q. Please continue and please remember to speak slowly and
3 pause every now and then so the interpreter can catch up. We
4 want to understand everything. So please continue to tell us

11:05:58 5 what you saw happened --

6 A. Yes, sir.

7 Q. -- at the checkpoint, sir.

8 A. When they came, at that house of mine, they went at the
9 back of the house and they took two of - they took my coops where

11:06:23 10 I had my chicken and when they came they mounted their checkpoint

11 right in front of my house. And so anybody who came, they will

12 put down his or her bag or luggage and they will take out of that

13 luggage whatever they wanted to take from that person. If it was

14 a vehicle, they would stop that vehicle and whatever they thought

11:06:53 15 they wanted to take they would just take from that vehicle. They

16 said because they were paying themselves because the government

17 had not paid them, so they called it Operation Pay Yourself.

18 They were right at my house.

19 Q. Sir, what about if the person that came through the

11:07:17 20 checkpoint did not have any luggage or vehicle, but just was

21 dressed in normal clothes?

22 A. If the clothes was a beautiful one, they would just take it

23 off from you. If you had a wristwatch, they would take off the

24 wristwatch from you. If you had a good pair of shoes, they will

11:07:38 25 take that off from you. Whatever people had that they saw and

26 they liked, that one would belong to them automatically because

27 they would just take it from you. They said, "No, this one is

28 not good for a civilian. It's good for us. Civilians should not

29 wear this".

1 Q. Thank you, sir.

2 A. "It's official property".

3 Q. Sir, these people that came through Kondembai a, calling
4 themselves the People's Army, can you describe the ages of these
11:08:17 5 people?

6 A. They were from different age groups. Some were about 40,
7 some were about 30, some about 12 years and some were about eight
8 years. That was just it. They were not within the same age
9 bracket. They were within different age brackets.

11:08:43 10 Q. Were these people armed, or unarmed?

11 A. They had guns. They had RPG. They had small guns. They
12 had pistols and different types of ammunition.

13 Q. Thank you. Sir, of the people that you saw with weapons -
14 and you just described the weapons - can you describe the ages of
11:09:12 15 those you saw with weapons? My question is a little different
16 than it was before. Those persons you saw with weapons, what
17 ages were they?

18 A. That is what I've just explained. I said some of them were
19 12 years of age, you will see them, and some were like ten years.
11:09:31 20 They had weapons. Some of them were about 15 years, and even
21 those who were 20 or 30 they all had guns. They had different
22 types of uniforms. Some hadn't. They would capture people and
23 use those people to carry loads for them. That was just it.

24 Q. You indicated that they would use some people to carry
11:09:52 25 loads. Can you tell us any specific examples that you recall
26 that you actually witnessed of that occurring.

27 A. Yes, they went to my house and said they wanted to drink
28 water. They went to the house. They saw my daughter, Agnes, so
29 they wanted to capture her. So I told Agnes, in my language I

1 said, "Don't go close to this man. This man wants to capture you
2 to go with you. Leave this place. Run away", and Agnes left and
3 ran. She went to the back of the house, went towards - and went
4 behind the house and he wanted to capture me and so I pretended
11:10:39 5 to be sick. I pretended to be disabled, I had a problem with my
6 legs, so he did not capture me. He went and captured Yirah Marah
7 and he put some load on his head to carry and some other people
8 that I didn't know, because they were a little far off from me
9 where I was.

11:11:03 10 Q. Okay, thank you. Sir, I am going to go over that and
11 clarify a few things. I will just remind you again to speak
12 slower than you normally would because it's being translated.

13 A. Okay.

14 MR KOUMJIAN: First, I would like to give the Court a
11:11:14 15 spelling. Yirah Marah is two words. Yirah is Y-I-R-A-H and
16 Marah is M-A-R-A-H:

17 Q. Sir, you began your answer by saying "They went to my
18 house", and, "They said they wanted to drink water". When you
19 say "they", who do you mean?

11:11:31 20 A. These People's Army who were engaged in that Operation Pay
21 Yourself.

22 Q. Thank you. Now you also told us that your daughter, Agnes,
23 that they saw her. How old was Agnes at that time, do you think?

24 A. Well, around 12/13 years.

11:12:02 25 Q. And, sir, why do you say that they wanted to capture her?
26 What made you think that these People's Army people wanted to
27 capture your daughter?

28 A. He told me to give him my daughter so that my daughter will
29 carry loads for him. He said I should loan my daughter to him.

1 How could I loan my daughter to somebody whom I had not known
2 before? It was strange for me to loan my daughter to him.

3 Q. Okay, then you said you spoke to your daughter in your
4 language. Is that correct?

11:12:48 5 A. Yes, I said she should not go near that man.

6 Q. Which language did you use to speak to Agnes?

7 A. You want me to repeat the exact same words that I said, or
8 just the language? Which one.

9 Q. Just the language, sir. Just tell us which language you
11:13:12 10 used.

11 A. I spoke to her in Limba, not in Krio. I spoke to her in
12 Limba. I said, "Don't go close to that man", and the man said I
13 was telling my daughter to run away. I said, "No, I am having
14 pain in my leg".

11:13:31 15 Q. What did your daughter do after you spoke to her?

16 A. She too ran away. She used the back door and she went into
17 the bush and she hid.

18 Q. Then you said that after you said that you were not well,
19 or you said you had a problem with your foot, they captured Yirah
11:13:58 20 Marah and some others. Can you explain what you mean by that?
21 What actually happened to Yirah Marah and the others?

22 A. Yirah Marah was captured and they gave him load to carry to
23 go to Yifin. The others who were captured they went to Yifin,
24 but they returned the following day to Kondembai a. I don't know
11:14:31 25 whether they escaped, or they were released, but they returned
26 the following day.

27 Q. These men that you are talking about from the People's Army
28 that came to your house that day, were these men armed or
29 unarmed?

1 A. They had guns, they had mats, mattresses, whatever people
2 would have at home. They had all of those. They took rice from
3 people, took people's sheep and other things. Whatever they
4 wanted they would just take from people.

11:15:08 5 Q. What language, or languages, were these people from the
6 People's Army speaking?

7 A. It was Krio.

8 Q. How old was Yirah Marah?

9 A. Yirah Marah was about 18 years because he was already
11:15:33 10 married.

11 Q. Now, you said that they --

12 JUDGE SEBUTINDE: Is that a she, or a he?

13 MR KOUMJIAN: Thank you:

14 Q. Is Yirah Marah --

11:15:41 15 A. It's a he.

16 Q. Thank you, sir. Can you describe what it was - well, first
17 of all you said Yirah Marah and others were forced to carry
18 loads. About how many other people?

19 A. Those whom I knew were taken along, there are two people
11:16:09 20 added to Yirah, those that I knew. No, but I don't know them. I
21 don't actually know them. I believe there were two people added
22 to Yirah, but I don't know them because we were not in the same
23 town.

24 Q. Okay, thank you. What was it that they were forced to
11:16:28 25 carry?

26 A. I wouldn't tell, because if you see somebody carrying a
27 bag, or something in it, I don't know. It could be ammunition,
28 or their food. I wouldn't want to tell a lie. I don't know.

29 Q. Okay, thank you, that is exactly what you should do. If

1 you don't know, just tell us. Now, sir, did you yourself ever
2 have to carry any load?

3 A. Yes, sir. There was a time when I came from my farm, while
4 coming to town, just when I got to the street about one mile to
11:17:12 5 the town I met - I saw three rebels. All of them had guns and
6 they had a deflated tyre and they asked me to go to them and they
7 asked me to take the tyre. In fact, it had a rim on it. They
8 asked me to carry that.

9 THE INTERPRETER: Your Honours, can the witness repeat
11:17:47 10 this.

11 JUDGE LUSSICK: Just a minute please, Mr Witness. I think
12 you are speaking a little too fast for the interpreter and he
13 missed the last bit of what you said, so the last thing you have
14 on record as saying is, "In fact, it had a rim on it. They asked
11:18:07 15 me to carry that". Now can you continue from there, please, and
16 talk a little bit more slowly.

17 THE WITNESS: Okay. They gave me the tyre to go with and I
18 carried it and I walked for one mile to come to town with the
19 tyre. When I got to town they took it from me, but initially I
11:18:35 20 told them that I was tired and they said, "Your name is Tyre and
21 so you can carry this tyre".

22 MR KOUMJIAN:

23 Q. Sir, for how long approximately did you continue to see
24 these People's Army - people from the People's Army - passing
11:18:55 25 through your village?

26 A. Just like I said, from February to mid-March, towards the
27 end of March, they had stopped the movement.

28 Q. Thank you very much. Now after this had stopped, did
29 anything else happen that affected life in the Koinadugu District

1 in the area where you lived?

2 A. Yes. I would say around mid-April, or early April, I
3 wouldn't tell now because I hadn't a document with me, we heard
4 that they had burnt down Yifin and they had amputated Kabbah

11:20:05 5 Jalloh's hands, both hands.

6 MR KOUJIAN: Okay, thank you, Mr Witness. Yifin I believe
7 I have spelt before and it's spelt correctly on the transcript:

8 Q. Can you tell us what district is Yifin in?

9 A. Yifin is in Koinadugu.

11:20:30 10 Q. About how far away from your village - from Kondembaia - is
11 Yifin?

12 A. It's a far distance.

13 Q. Can you tell us in miles, or give us an estimate of how
14 long it would take to walk, just so we have an idea of the

11:20:55 15 distance?

16 A. Some would walk that distance for two days.

17 JUDGE SEBUTINDE: Mr Koumjian, the surname of this amputee
18 Kabbah somebody.

19 THE WITNESS: Kabbah Jalloh. Kabbah Jalloh.

11:21:12 20 MR KOUJIAN: The spelling that we have, your Honour, is
21 K-A-B-B-A-H. It's spelt correctly on the transcript.

22 JUDGE SEBUTINDE: It's the surname I was asking for.

23 MR KOUJIAN: Yes, Jalloh is spelt correctly on the
24 transcript.

11:21:29 25 THE WITNESS: Jalloh. Kabbah Jalloh.

26 MR KOUJIAN: J-A-L-L-O-H:

27 Q. Who was Kabbah Jalloh, did you know him?

28 A. Well, it was after both of his hands had been amputated was
29 when I knew him. The two of us slept together.

1 Q. Well, tell us how is it that you learned about this attack
2 on Yifin?

3 A. People used to run to come but it was actually Kabbah
4 Jalloh whom I sympathised with because I told him to be
11:22:18 5 courageous and he told me about how he used to give food to them;
6 how he used to give a lot of things to them and the day he told
7 them that he hadn't anything any more to give to them was when
8 both of his hands were cut off and his brother's shoulder was
9 chopped and even his head was chopped, his brother. It was
11:22:43 10 Kabbah Jalloh who told us that. He slept at our place. But even
11 the burning of Yifin, he was the one who told us.

12 Q. Thank you. Let me just ask you a few questions about this
13 to make sure that we understand. When you talked to Kabbah
14 Jalloh about what happened in Yifin, where was it that you spoke
11:23:07 15 to Kabbah Jalloh?

16 A. Where I was when I asked him the question? Where we were,
17 it was in Kondembai a, he met me in Kondembai a. It was there I -
18 we used to ask him those questions. It was there he told me
19 about Yifin.

11:23:25 20 Q. Thank you. Now, did Kabbah Jalloh arrive with other people
21 to Kondembai a, or did he arrive - come by himself?

22 A. A lot of people ran coming to the district headquarters.
23 That is Kabala, but one that I knew was Kabbah Jalloh and his
24 wife and his brother, whose shoulder was chopped, the other
11:23:51 25 people I saw them passing by, but I didn't know them. They were
26 hiding, they were running away from the problem.

27 Q. Thank you. Now, you've told us that you sympathised with
28 Kabbah Jalloh and then you said, "He told me about how he used to
29 give food to them." Can you explain again clearly, who was it

1 that was giving food to who?

2 A. Kabbah Jalloh was a farmer. He was the one who used to
3 give food to these rebels. Those who referred to themselves as
4 People's Army and when they were about to pull out they turned
11:24:31 5 against him.

6 Q. Did Kabbah Jalloh explain to you why they turned against
7 him?

8 A. Yes. According to what he told me, he said after he had
9 said he had nothing else to offer to them, that there was no more
11:24:46 10 food, that was where he got this problem.

11 Q. Thank you. Now, so you said that the brother of someone
12 was chopped; who was - whose brother was chopped?

13 A. He, the same Kabbah, whose both arms were cut off, his
14 brother, his brother's shoulder was chopped and even his head was
11:25:18 15 chopped.

16 Q. Did the brother survive?

17 A. He came up to Freetown but after six months he died.

18 Q. You said that something was burnt; what was burnt?

19 A. It is the Yifin Town, I'm not saying thing - I said Yifin
11:25:50 20 Town.

21 Q. Can you give us some idea of how big a town Yifin was?

22 A. I didn't go there except what I was told.

23 Q. Can you tell us - thank you for making that clear. That is
24 exactly what we need. Can you tell us what it is that you were
11:26:16 25 told?

26 A. About Yifin, that the town had been burnt down completely.
27 That people were put into houses and the houses were set on fire
28 and burnt down.

29 MR KOUMJIAN: Thank you. Your Honour, I am moving to

1 another village.

2 JUDGE LUSSICK: It might be appropriate to take a break
3 now. Thank you. Mr Witness, we are going to have a break for
4 half an hour and we will resume Court at 12 o'clock. Please
11:26:51 5 adjourn the Court.

6 [Break taken at 11.30 a.m.]

7 [Upon resuming at 12.00 p.m.]

8 JUDGE LUSSICK: Go ahead, Mr Koumjian.

9 MR KOUMJIAN:

11:58:58 10 Q. Sir, before we leave Yifin, I just want to clarify a few
11 areas from what you've told us about what you learned regarding
12 Yifin. Did the people that you spoke to tell you who had burned
13 the houses in Yifin?

14 A. Yes. It was the rebels, those who chopped off Kabbah's
11:59:28 15 hands. They were the ones who burned down the town.

16 Q. You also said that Kabbah Jalloh's brother was chopped.
17 First, what do you mean by "chopped"?

18 A. They used machetes to hack him. They hacked him on his
19 shoulder and on his head with a machete.

11:59:49 20 Q. And, sir, just so we're clear, who was it that hacked
21 Kabbah Jalloh's brother?

22 A. The rebels who chopped off Kabbah's hands were the ones who
23 did the same thing to his brother. They hacked his brother on
24 his shoulder and his head.

12:00:13 25 Q. Thank you, sir. After you learned of this attack on Yifin
26 what was the next news that you heard about?

27 A. The next news was that I heard that they attacked a
28 village. We were not very close to there, but they said Kalmaro,
29 they said they attacked the village. They hacked one man with

1 machete. I did not actually know the man, but one evening they
2 passed him through our place, and one afternoon I later
3 understood from somebody that he was called Moseray Koroma and
4 that he was hacked at Kalmaro.

12:01:05 5 Q. Okay, thank you. Sir, I see you've rested during the break
6 but you're speaking a little fast. If you could just slow down a
7 little bit in your answer. Can you say again the name of this
8 village that you heard was attacked?

9 A. Kamara.

12:01:32 10 MR KOUMJIAN: Your Honours, we're looking for a spelling.
11 I had something a little different.

12 THE WITNESS: It is because some of those villages were not
13 close to ours and they were different villages. I only heard
14 their names. It might be either Kamalo or Kalmaro. I don't
12:01:53 15 know, but I saw the man with my own eyes and he even died last
16 year.

17 MR KOUMJIAN: Kalmaro from the map, the spelling we have is
18 K-A-L-M-A-R-O:

19 Q. Sir, do you know where this village is, what district or
12:02:11 20 chiefdom it's in?

21 A. That chiefdom is in the Diang Chiefdom and that is the
22 road, that is the highway leading to Yifin.

23 Q. Okay. So is this village between your village and Yifin or
24 not?

12:02:38 25 A. It is between my village and Yifin. That is going towards
26 there. That is, they had moved from Yifin and they were coming
27 towards our own place.

28 Q. Okay, thank you. Now you said that one evening they passed
29 the man - "they passed him through our place". Can you just go

1 over that slowly and tell us what you actually saw regarding this
2 man passing through?

3 A. That man - the man was passed through our place by his
4 family members in the evening and the man was hacked and he was
12:03:29 5 mounted on a hammock. The man was hacked and they passed with
6 him through our place and they did say that the rebels had hacked
7 him in their village and they said they were taking him to
8 Kabala, that is the headquarter town, for treatment.

9 Q. Can you repeat the name of this man?

12:03:51 10 A. Moseray Koroma. Moseray Koroma.

11 MR KOUMJIAN: Your Honours, the spelling we have for
12 Moseray is M-O-S-E-R-A-Y:

13 Q. Now, sir, did you yourself ever have a chance to speak to
14 Moseray Koroma?

12:04:15 15 A. When I met him at Connaught, because the day they passed
16 with him I did not go close to them. I did not even know him at
17 that time.

18 Q. And when you say Connaught, what is Connaught?

19 A. That is the big government hospital in Sierra Leone, the
12:04:36 20 place where they took all of us, the amputees to, those of us
21 whose hands were chopped off. They brought us there in Freetown.

22 Q. Thank you. Do you know what the eventual fate was of
23 Moseray Koroma?

24 A. Yes.

12:04:57 25 Q. Can you tell us, please.

26 A. He said they hacked him on his hands in that village. He
27 said when the rebels attacked the village he was the only person
28 whom they met in the town so he was seriously hacked and I saw
29 him with the wounds and we were all admitted in that same

1 hospital.

2 Q. Did Moseray Koroma survive his stay - did he survive?

3 A. He died two years ago.

12:05:35

4 Q. Okay, thank you for clarifying that. After the attack on
5 this village you've just told us about, and Moseray Koroma, what
6 was the next news you received?

7 A. The next news was the attack on Badela.

8 Q. What is Badela?

12:06:01

9 A. It's on the same highway. That is the same road going to
10 Yifin and it was a trade fair place.

11 Q. Okay. Your Honours, the spelling on the transcript is
12 correct. When you say that Badela was a trade fair place, can
13 you just explain what you mean by that?

12:06:28

14 A. Yes. When I say a business centre, we have something that
15 we call upcountry a marketing day; that is to say, all the people
16 around those areas go there to sell on that particular day and
17 after that day people will go about their businesses and they
18 will go to their various places, but on that particular day
19 people would take their businesses there to sell. That is what I
20 mean by a marketing centre.

12:06:49

21 Q. How far away from your village was Badela or is Badela?
22 How far?

23 A. Six miles. Six miles from where I was living to Badela.

24 Q. What was it you heard had happened at Badela?

12:07:16

25 A. Well, I was in the bush producing my palm fruit, and then
26 somebody by the name of Demba Sesay told me that, "Oh, you are
27 sitting down; the rebels have attacked Badela." So I ran to the
28 town. I realised that my family had dispersed to the bush, so I
29 too went to the bush, and I was walking all around searching for

1 my family and I was able to see them.

2 Q. Okay. Let me just clarify a few things. First of all,
3 sir, can you estimate the approximate month and year when this
4 happened, when you heard this news about Badela?

12:08:15 5 A. I cannot tell you the actual date, but it was in April. It
6 was around the end of April.

7 Q. Of which year, sir?

8 A. What?

9 Q. April of which year, sir?

12:08:34 10 A. 1998.

11 Q. Thank you.

12 A. 1998.

13 Q. Thank you, sir. Now, on that day, before you received this
14 news, I just want to be clear, where was it that you and your
15 family were living at that time?

16 A. Well, before we heard the news we were in town, but it was
17 as a result of the Badela news that met us that we finally
18 decided to leave the town.

19 Q. And when you say you were in the town and decided to leave
12:09:10 20 the town, which town are you speaking of, sir?

21 A. I was in Kondembai a Town. Kondembai a Town. That was where
22 I was for 27 good years.

23 Q. What is it that you learned happened in Badela? You told
24 us that you were in the bush producing palm fruit and then Demba
12:09:35 25 Sesay told you something; what else did you learn about the
26 Badela?

27 A. Well, they were passing by with the man. They chopped off
28 Issa Bangura's two arms and they burnt down the town, the whole
29 of Badela.

1 Q. Thank you. Sir, who was it that was passing by? You said
2 "they" were passing by with the man. Who was passing by?

3 A. There were some Christian people there who felt sorry for
4 him. They took him on a motorbike and took him to Kabala. But
12:10:24 5 they were passing by, and because my house was close to the road
6 they were explaining to us, the people who were passing, and they
7 told me that they burned down the place and even the Issa Bangura
8 himself, I saw him with my own eyes.

9 Q. About how old was Issa Bangura at this time?

12:10:49 10 A. Issa Bangura was a businessman. He would have been around
11 - I think above 50 years.

12 Q. Was he a soldier?

13 A. Issa Bangura was an ordinary trader; he used to trade in
14 junks, used clothing.

12:11:10 15 JUDGE SEBUTINDE: Mr Koumjian, could we clarify who exactly
16 burnt down Badela and who committed the other atrocities that the
17 witness has alluded to.

18 MR KOUMJIAN:

19 Q. Sir, did you learn who had burnt Badela?

12:11:32 20 A. The same rebels who had moved from Yifin. As they went
21 along they were causing - wreaking havoc on people.

22 Q. Who was it that told you that it was rebels who had burnt
23 the houses at Badela?

24 A. Those who ran away from Badela, and who were with Issa, and
12:11:58 25 we saw that Issa Bangura's arms had been chopped off and we saw
26 them, they explained to us.

27 Q. When you say his arms, Issa Bangura's arms were chopped
28 off, can you describe what it was exactly that you saw?

29 A. I saw that Issa Bangura's two arms were chopped off. He

1 said it was the rebels who did that to him. I saw it with my own
2 eyes.

3 Q. Thank you, sir. Okay, what was the next news - well,
4 excuse me. After you received this news from Badela did you
12:12:43 5 remain in your home?

6 A. Me?

7 Q. Yes, sir, you.

8 A. On that particular day I became frightened because it was
9 just six miles between Badela to my village, so that particular

12:13:01 10 day we left our own town and we all ran into the bush, because we
11 had now realised that maybe after Badela they were coming to our
12 own place, so we also decided to go to the bush.

13 Q. Okay, thank you. When you say "we all decided to go to the
14 bush", who was it besides yourself that went to the bush?

12:13:19 15 A. Myself, my family and some other families who were living
16 in Kondembaia Town. Most of us left the town because we were
17 frightened, we were afraid, so we ran into the bush.

18 Q. Okay. Thank you very much. Now, when you were in the bush
19 were you living in a house or how were you sleeping at night?

12:13:45 20 A. Well, we were living in a farm thatch hut. Sometimes we
21 would cut the palm fronds and then we would build a hut and we
22 would be there and sometimes we would make attempts to go to the
23 town to check how things were happening there.

24 Q. After you moved to the bush after the attack on Badela,
12:14:14 25 what was the next news you heard?

26 A. The next news that I heard was that I met people assembled
27 at the paramount chief's place and he was explaining the way the
28 rebels went and attacked him in the bush at his farm.

29 Q. Okay, thank you. When you say you met people at the

1 paramount chief's place, can you explain where was this paramount
2 chief's place?

3 A. That was in Kondembai a Town.

12:14:57

4 Q. And, sir, what person or persons were explaining what
5 happened to the paramount chief, or explaining what happened?

6 A. It was Magba who came and was explaining to the paramount
7 chief what happened to him in the bush, what he saw.

8 MR KOUMJIAN: Your Honours, Magba is M-A-G-B-A:

9 Q. Sir, do you Magba's family name?

12:15:31

10 A. Magba Sesay.

11 Q. What was it that Magba Sesay told the paramount chief?

12 A. He told the paramount chief that the rebels attacked him

13 yesterday at the place. He said they captured him and they

14 attempted to give him loads to carry, but he said they gave him

12:15:58

15 Sorie's blood to drink and he said he drank Sorie's blood and he

16 said the rebels had killed him yesterday. He said they put a

17 load on his head and he said he carried it up to Sandia village

18 and he said when they got there with the load they said they

19 would release me, he said, but they would have to mark his

12:16:33

20 forehead and they wrote on his forehead "RUF". So he said they

21 released Magba --

22 THE INTERPRETER: Your Honours, the second name referred to

23 by the witness did not come out clear to the interpreter.

24 JUDGE LUSSICK: Just pause there, please, Mr Witness. The

12:16:52

25 interpreter did not get that name, the second name that you just

26 mentioned. Could you repeat that, please?

27 THE WITNESS: Leni ba. Leni ba.

28 MR KOUMJIAN: Your Honours, the spelling for Leni ba is

29 L-E-N-I-B-A:

1 Q. Mr Witness, perhaps it would be helpful if I go back before
2 you complete your account and clarify a few things about this.

3 A. Okay. Let them just tell me where I stopped and where I
4 should start, where the confusion was.

12:17:35 5 Q. Okay. Well, I think we'll go backwards and then come
6 forward to it. Sir, can you first tell us, did Magba Sesay, when
7 he was speaking to the paramount chief, explain where he was when
8 you said the rebels attacked him?

9 A. Yes. Yes, I had said that. I said they met him in his
12:18:02 10 farm, that was where they captured him, in his farm. It was a
11 bush path.

12 Q. Where was Magba Sesay's farm? Was it near any town or
13 village?

14 A. It was in between three villages. It was in between
12:18:24 15 Badela, Sandia and Kondembai a. It was in between there. That
16 was where Magba Sesay's farm was.

17 Q. Okay, thank you. When the rebels came was Magba Sesay with
18 anyone else?

19 A. He was with Leniba and some other person whose name I don't
12:18:49 20 know now.

21 Q. What were these three people, Magba, Leniba and the
22 stranger, doing when the rebels came?

23 A. They had just come from tapping their palm wine.

24 Q. And what did the rebels do when they first encountered
12:19:09 25 Magba Sesay, Leniba and the stranger?

26 A. They captured them. They were all sitting down drinking
27 the palm wine.

28 Q. What did Magba Sesay say happened after the rebels sat down
29 drinking the palm wine?

1 A. That was where Sorie met them.

2 Q. Okay. Does Sorie - do you know the family name of Sorie?

3 A. Well, it is Sorie Kamara.

4 Q. Thank you. I see the name is spelt correctly on the

12:19:53 5 transcript. Sir, by the way, how about Leniba, do you know his
6 family name?

7 A. Leniba, it should be Sesay, because Magba was --

8 THE INTERPRETER: Your Honours, the gender of Leniba, is it
9 a male or a female?

12:20:18 10 MR KOUMJIAN: I think the interpreter is indicating the
11 witness used a word like sibling. Let me ask:

12 Q. Sir, these three persons you've named, or the four persons,
13 you said Magba Sesay, Leniba and a stranger and Sorie Kamara,
14 were these men or women or mixed?

12:20:41 15 A. All the ones I have referred to I have not got any woman
16 amongst them. They were all men.

17 Q. So can you just repeat the relationship between Magba and
18 Leniba?

19 A. That was his younger brother; Magba was the elder.

12:21:03 20 Q. Okay. What happened when Sorie Kamara came by?

21 A. They called him to join them to drink the palm wine.

22 Q. And what happened then?

23 A. Sorie refused and they also called him to offer him
24 cigarettes. He also refused.

12:21:24 25 Q. What happened after Sorie refused to drink the wine or the
26 cigarette?

27 A. He pretended returning to where he had come from; that was
28 when they shot him with the gun.

29 Q. When you say he pretended to return, what do you mean?

1 A. He attempted to return to where he had come from; he did
2 not want to go close to them.

3 Q. Thank you. Just so the record is clear, sir, when you say
4 "they" shot him with the gun, who shot who?

12:22:05 5 A. The rebels who had captured Magba, they were the ones who
6 shot Sorie.

7 Q. What happened to Sorie when he was shot?

8 A. He died on the spot.

9 THE INTERPRETER: Your Honours, the last bit of the
12:22:26 10 witness's testimony was not clear to the --

11 JUDGE LUSSICK: Mr Witness, the interpreter missed the last
12 bit of your answer. Could you repeat that last answer.

13 THE WITNESS: They shot Sorie and he died.

14 MR KOUMJIAN:

12:22:47 15 Q. After Sorie was shot, what happened with Magba and Leniba
16 and the stranger?

17 A. I said they gave Magba Sorie's blood for him to drink. So
18 they gave Magba a load to carry to Sandia and the rebels moved
19 with him to go to Sandia.

12:23:14 20 Q. Okay. Sir, I would just ask you to be patient with me but
21 in court we need to be very precise for the record. When you
22 said "they gave Magba Sorie's blood for him to drink" who gave --

23 A. The rebels who captured Magba, and after they had shot
24 Sorie and he was dead, they took his blood and gave it to Magba
12:23:46 25 to drink. It was Magba who explained this to the paramount chief
26 Foday Kallon.

27 Q. What did Magba say happened when the rebels gave him the
28 blood to drink?

29 A. He said they later gave him a load to be carried to Sandia.

1 Q. Did Magba say whether or not he did drink the blood of
2 Sorie?

3 A. He drank it. He drank it. He was under gunpoint. If he
4 had refused to drink it they were going to kill him himself.

12:24:27 5 Q. Thank you for making that clear. Sir, then you said
6 something about "they" gave Magba a load to carry to Sandia.
7 Just so we're clear, who gave Magba a load?

8 A. The same rebels who had captured him, who killed Sorie and
9 gave him the blood to drink, they were the ones who gave him
12:24:57 10 loads to be carried to Sandia.

11 Q. Then, sir, you had begun to tell us earlier in your answer
12 something about RUF. Can you repeat that slowly, please, so we
13 understand?

14 A. Yes. Whilst they were in Sandia, they told Magba that they
12:25:20 15 were going to release him, but that they were going to mark
16 something on his head, and Magba sat down and they wrote
17 something on his head, and later when he came to town and
18 explained people observed it, and those who went to school were
19 the ones who read it out to us and Magba came to the paramount
12:25:54 20 chief and showed him the mark. They read it and they said it was
21 "RUF" that they had marked on Magba's head. So that was when we
22 knew that the faction that was around that area disturbing us was
23 the RUF.

24 Q. Sir, did you yourself see these marks on Magba's head?

12:26:24 25 A. Yes, because all of us went there to listen to what Magba
26 was explaining to the paramount chief. I went there and I saw it
27 with my naked eyes.

28 Q. Can you explain to us how it was they wrote on the head?
29 How were the marks made?

1 A. Anyway, they did not actually pierce through his skin.
2 They only scraped on his head and they wrote the mark "RUF".

3 Q. Did Magba Sesay have hair on his head?

4 A. Yes.

12:27:13 5 Q. Can you describe how his hair looked after these marks were
6 made?

7 A. Well, he had some lines on his head, and we saw what they
8 had shaved there and the areas where they had shaved it there
9 wasn't hair there, but the areas where the shaving did not go to
10 there was hair.

12:27:46

11 Q. Thank you, sir. Sir, after you heard about what happened
12 to Magba Sesay and Sorie Kamara, what was the next news that you
13 heard?

14 A. Well, by then we were now in the bush. I had returned to
15 the bush to meet my family. That was where we were and midnight
16 we heard serious bombardments around Lengekoro, for the whole
17 night.

12:28:09

18 MR KOUMJIAN: Your Honours, the spelling of Lengekoro,
19 L-E-N-E-K-O-R-O. One moment.

12:28:39

20 THE WITNESS: Lengekoro.

21 MR KOUMJIAN: I am Conferring with my colleague.

22 L-E-N-G-E-K-O-R-O. Lengekoro.

23 Q. Did I pronounce it correctly this time sir, Lengekoro?

24 A. Yes, that is the correct spelling. Lengekoro.

12:29:14

25 Q. Thank you, sir. You said you heard bombardments around
26 Lengekoro. Where is Lengekoro?

27 A. Lengekoro is on the highway leading from Kabala to
28 Freetown; on the highway.

29 Q. Which district is it in?

1 A. That is still Diang Chiefdom that I had made reference to,
2 but the Diang Chiefdom extends up to the highway. That is the
3 main line.

12:30:00 4 Q. Sir, can you help us at all with an approximate time when
5 you heard this bombardment at Lengekoro? Can you give us an
6 approximate month when this happened and year?

7 A. That should have been around the end of April going towards
8 May. Around that. But you know by then we were in the bush and
9 we did not actually take note of the dates and the actual months
12:30:31 10 because all what we used to look at was the moon, but I think it
11 should be around that time, at the end of April going to May.

12 Q. Thank you. And which year are we speaking of?

13 A. You mean the year we were speaking about? That was in 1998
14 we were talking about.

12:30:56 15 Q. Thank you, sir. After you heard this bombardment, what
16 happened?

17 A. The following morning there was a man, a petty trader who
18 used to pass by the bushes selling petty items. He told us that
19 we should move out of the bush because he said the place was not
12:31:25 20 safe for us. He said the rebels who had been based at Sandia had
21 gone and attacked Lengekoro and he said he understood that they
22 had returned back to Sandia and he was telling us that where we
23 were was not safe.

24 Q. Thank you. Did you learn anything else about what happened
12:31:45 25 in Lengekoro?

26 A. Yes. It was later that I understood that they damaged
27 people there and Dansa Turay was hacked seriously and he later
28 died at the Connaught Hospital.

29 Q. Okay, thank you. Sir, when we talk about what happened at

1 Lengekoro, where were you when you learned what happened at
2 Lengekoro?

3 A. It was on that particular night when that man went and told
4 me that we should leave that particular place that I understood
12:32:37 5 that they attacked Lengekoro. But after the attack people who
6 came from there, they told us that Dansa Turay has been hacked
7 seriously and he had died. But late at night I got my own
8 problem, but it was when we were at Connaught that people who had
9 come from Lengekoro told us that.

12:33:06 10 Q. So you are saying when you were at Connaught. Is that
11 during the time that you were in the hospital?

12 A. Yes, at the time I was at Connaught Hospital. That was the
13 time I saw those other people who had come from Lengekoro.

14 Q. Can you tell us about some of the people who had come from
12:33:30 15 Lengekoro who you met at Connaught and what they told you about
16 what happened to them?

17 A. Yes. There was a Pa Donkeh Marah, whose hands were chopped
18 off and they hacked his leg, and there was Fatmata Marah whose
19 two arms were chopped off. She was very young, about 14 years of
12:34:10 20 age at that time. Her two hands were chopped, but they were not
21 totally chopped off.

22 THE INTERPRETER: Your Honours, this last name referred to
23 by the witness did not come out clearly to the interpreter.

24 JUDGE LUSSICK: Mr Witness --

12:34:27 25 THE INTERPRETER: It was something Marah.

26 JUDGE LUSSICK: -- what was that last name you mentioned,
27 please.

28 THE WITNESS: Ferenki Marah. I said about nine years to
29 ten.

1 MR KOUMJIAN: Sir, just allow me for a moment to interrupt
2 you to spell that name. Ferenki is F-E-R-E-N-K-I and Marah our
3 spelling is with one "R", M-A-R-A-H, for all of these names:

12:35:03 4 Q. Going back just a minute, sir, you said that when the man
5 came in the bush he told you about Mr Turay. Can you repeat
6 Mr Turay's first name?

7 A. Dansa Turay. He died. After the attack they took him to
8 hospital, but after three days he died. Dansa Turay.

12:35:27 9 MR KOUMJIAN: Thank you. Your Honours, the spelling we
10 have for Dansa Turay is Dansa D-A-N-S-A and T-U-R-A-Y:

11 Q. Okay, sir, you've told us about what happened to Donkeh
12 Marah and Fatmata Marah. Let me give those spellings. Donkeh is
13 D-O-N-K-E-H and Fatmata is F-A-T-M-A-T-A. What was it that
14 happened to Ferenki Marah?

12:36:05 15 A. They chopped her on her arms. She is right now in Freetown
16 going to school. I have not completed that area yet. There are
17 two more people.

18 Q. Okay, sir, thank you. Let me just ask you first how old
19 was Ferenki Marah when this attack took place on Lengekoro,
12:36:33 20 approximately?

21 A. Well, I saw him at Connaught. I did not - I was not his
22 father to know his exact age, but he should be around nine to ten
23 by then.

24 JUDGE SEBUTINDE: Is this Ferenki a boy, or a girl?

12:36:55 25 THE WITNESS: He is a boy.

26 MR KOUMJIAN: Thank you:

27 Q. Now, sir, I think when we interrupted you you had mentioned
28 another name after - well, first let me just finish with Ferenki.
29 Were Ferenki's hands completely amputated, or what happened to

1 Ferenki ?

2 A. They mutilated her two arms. They did not actually chop it
3 off.

12:37:28

4 JUDGE SEBUTINDE: Mr Interpreter, you keep saying "her",
5 but the witness said Ferenki was a boy.

6 THE INTERPRETER: Sorry, your Honours.

7 MR KOUMJIAN:

12:37:50

8 Q. Okay, Mr Witness, you've now told us about Dansa Turay and
9 then in the hospital you have told us about Donkeh Marah, Fatmata
10 Marah and Ferenki Marah. Did you hear about anything that
11 happened to anyone else during this attack on Lengekoro?

12 A. Yes, we have now Mohamed Marah and a girl.

13 Q. Let us first deal with Mohamed Marah. What happened to
14 Mohamed Marah?

12:38:22

15 A. He was hacked with machetes on his back and they pierced
16 his body on his back and the lady was Manty Marah. Manty Marah.

17 Q. Okay. What happened to Manty Marah?

18 A. The thing they did to Fatmata Marah was the same thing they
19 did to Ferenki and the same thing they did to Manty Marah. They
20 were hacked.

12:38:51

21 MR KOUMJIAN: Manty, our spelling is M-A-N-T-Y:

22 Q. First, was Manty a boy or a girl? A man, or woman?

23 A. A girl. A girl.

24 Q. How old was Manty at this time?

12:39:09

25 A. At that time Manty should have been maybe eight years, or
26 nine, because by then - now she is in Form 5.

27 Q. Did you meet anyone else from Lengekoro at the hospital?

28 A. No, unless maybe I must have forgotten. Okay, and again
29 there was Titi Mansaray, a small girl who was thrown into a fire.

1 She burned partially, but she did not die actually. By then she
2 was just three years of age. Her body was partially burnt by the
3 side.

4 Q. Did you see Titi Mansaray?

12:40:13 5 A. Yes, I saw her and presently she is with me in Kabala. She
6 is now in Class 5.

7 MR KOUMJIAN: Your Honours, the record appears to have
8 spelled the name correctly, T-I-T-I Mansaray:

9 Q. Did these people from Lengekoro tell you who it was that
12:40:41 10 committed these crimes against them?

11 A. They said it was the rebels who had come from Sandia. They
12 went and hit them there and then moved back. That is the RUF.

13 Q. Thank you, sir. After you had heard about this attack at
14 Lengekoro, can you tell us what next happened?

12:41:13 15 A. Yes, we heard shooting in Kondembai a Town. Where I was in
16 the village, we heard shooting in town. We went on top of the
17 hill and then we saw smoke billowing in the air.

18 Q. When you heard the shooting in Kondembai a Town, were you in
19 the town?

12:41:42 20 A. No, that particular day I was not there. I was in the bush
21 where we were hiding, because we had moved from the first place
22 where we were hiding and they said the place was not safe and so
23 we moved to another location where we were hiding. That was
24 where we were when I heard the shooting in town and then we went
12:42:01 25 on top of the hill and I saw smoke billowing.

26 Q. Could you see from where the smoke was coming?

27 A. It was from the direction of the town, because we knew the
28 direction where the town was and, if we were anywhere, we would
29 be able to locate the direction of the town. So, we saw that

1 there was fire on the houses.

2 Q. Did you get any other information about what had happened
3 in the town?

12:42:46

4 A. Around the evening hours we heard a vehicle coming from the
5 Kabala direction, going towards Kondembai a, and so we knew that
6 people were going to watch. And then I too moved and I went
7 there to see what had happened, because I had a house there. I
8 went there.

9 Q. What did you see when you went to Kondembai a?

12:43:03

10 A. I saw that they had burnt down so many houses and I saw
11 that --

12 THE INTERPRETER: Your Honours, the name was not clear to
13 the interpreter.

14 JUDGE LUSSICK: Just hold on again, please, Mr Witness.

12:43:22

15 You mentioned a name then that the interpreter could not make
16 out. Could you repeat that name, please.

17 THE WITNESS: Yanku Sesay. His two hands were chopped off.
18 I met him lying down and I sympathised with him. Yanku Sesay.

12:43:49

19 MR KOUMJIAN: Your Honours, the spelling we have for Yanku
20 is Y-A-N-K-U and Sesay the Sierra Leone spelling S-E-S-A-Y:

21 Q. Sir, when you saw Yanku Sesay where exactly was he?

22 A. In Kondembai a. That was where I met him lying down. His
23 two hands had been chopped off.

24 Q. Did Yanku Sesay survive?

12:44:20

25 A. Yes, he's presently there. Although the moment I was
26 coming here he was ill, but as I'm speaking now he is there.

27 Q. Did you learn if anything else happened to the residents of
28 Kondembai a on this occasion?

29 A. Well, yes, on that day they captured some girls and they

1 took them along with them. They captured Fanta, Madusu Sesay,
2 they took her along, Chernor they took her along and Yaba and
3 Seray Conteh, but Seray Conteh later returned, she and Yaba.

4 MR KOUMJIAN: Let me first give some spellings. Yaba
12:45:40 5 Y-A-B-A and Seray Conteh is S-E-R-A-Y C-O-N-T-E-H. The witness
6 had said Fanta, which is spelled correctly in the transcript as
7 in the orange drink. The witness said Madusu Sesay, M-A-D-U-S-A,
8 and Chernor - Madusu is M-A-D-U-S-U, I apologise, and Chernor is
9 C-H-E-R-N-O-R:

12:46:40 10 Q. Sir, first Yaba and Seray Conteh, what happened to them?

11 A. They captured them and took them along with them, but later
12 they returned.

13 Q. Were Yaba and Seray Conteh adult women?

14 A. Mammy Seray was an old woman and Yaba Conteh was a medium
12:47:13 15 sized lady - a medium aged lady and she was around 25 years.

16 Q. Now you mentioned three other persons: Fanta, Madusu and
17 Chernor. Were these men, women, or boys or girls?

18 A. They were women, but Fanta was - had just married and she
19 must have been around 18 by then. Madusu was not yet married,
12:47:46 20 but she was around 16 or so, and Chernor was around 14 to 15. I
21 don't actually know the actual ages because I am not their
22 father.

23 Q. Thank you, sir. We understand that, thank you. What
24 happened to these three young women, Fanta, Madusu and Chernor?

12:48:13 25 A. They were with them for up to six years and it was only
26 after disarmament that we saw them again. They did not release
27 them at all.

28 Q. When you say "they" did not release them, who was it that
29 captured the five females that you've mentioned?

1 A. The RUF who had chopped off Yanku's hands were the ones who
2 took those girls along, those ladies along. The RUFs who chopped
3 off Yanku's hand.

4 Q. Did Yanku tell you what happened to him?

12:48:54 5 A. Yes. He said it was the rebels who chopped off his hands
6 and he - by then I was - he said they did it on a very long bench
7 and I myself, I went there and I saw the long bench on which they
8 chopped off his hands.

9 Q. Sir, after you had come into Kondembai a after this attack,
12:49:21 10 what did you do then?

11 A. When I saw the attack I did not do anything. I only
12 sympathised with my colleague whose hands have been chopped off
13 and then I returned back to the bush, to the farm.

14 Q. Did the people from Kondembai a do anything after the attack
12:49:45 15 to try to be safer?

16 A. Yes, yes.

17 Q. What did they do?

18 A. They assembled and they said, "Oh, we heard that ECOMOG is
19 now in Kabala", so the best we could do for ourselves was to go
12:50:08 20 to Kabala so that we explain to the head of ECOMOG who is there
21 so that they will assist to bring some ECOMOG to our area.

22 Q. Sir, were these people from ECOMOG - were they people from
23 Sierra Leone or foreigners?

24 A. Well, we heard that they were a peacekeeping force. They
12:50:32 25 said they were a peacekeeping force. They said they were now
26 coming to keep the peace. So - and actually they were not Sierra
27 Leoneans; not at all.

28 Q. Why was it that the people from your town Kondembai a wanted
29 to ask for these ECOMOG to assist you to come to your area?

1 A. Well, those who were with us who were now passed - who were
2 passing around by then, and who had turned against us, they were
3 now saying that if anything happened to them, the officers,
4 civilians will suffer for that and we had seen the kind of
12:51:18 5 trouble that had overwhelmed us and we saw that they were
6 chopping hands off, limbs off and they were burning down houses
7 and if such people came and said anything to us we would not
8 believe them because they were speaking the same Krio to us that
9 they used to speak. So when they said that they were now coming
12:51:43 10 with a peacekeeping force and that was the reason why we believed
11 them.

12 Q. Thank you. Sir, when you say in your last answer, "They
13 were now saying that if anything happened to them the officers
14 civilians will suffer for that", who was saying that when you
12:52:03 15 said "they" were now saying that civilians will suffer for that
16 if anything happened to the officers?

17 A. Well, yes, at the time these people whom we did not know
18 were going to convert themselves into rebels, they called
19 themselves the People's Army, they were the ones who were passing
12:52:23 20 by, so if those same People's Army turned round and came to cause
21 - wreak havoc on us, then if we saw them at any time we would be
22 afraid of them. That is what I'm saying.

23 Q. Sir, did ECOMOG send any soldiers to Kondembai, your
24 village?

12:52:43 25 A. Yes, 15.

26 Q. Did that keep your village safe?

27 A. Well, during those few days we thought we were now free but
28 yet we were still not free.

29 Q. What happened then, sir?

1 A. Later on a particular day people were supposed to go and
2 work for me and on that day they sent five ECOMOG personnel to
3 Kabala to collect ammunition and on that particular day I too
4 came to town to buy some items because people were to work in my
12:53:38 5 farm on the next day. So I came to town and I met the ECOMOG at
6 my house, at the same point where those people had mounted their
7 checkpoint, that was the same place that the ECOMOG too mounted
8 their own checkpoint. So they bought meat and gave it to a woman
9 to cook for them. They did not want to allow me to enter, but
12:54:02 10 the youths who were with them explained to them that that was my
11 house, that the house belonged to me, so they allowed me to enter
12 house and I went there, so I took some money to go and buy the
13 items that I wanted to buy, salt and some other items, and on my
14 way going I got to a woman called Finah, I needed to do some work
12:54:30 15 for her and I asked her but she told me that I should wait, she
16 was cooking some sati [phon] for her kids, but when I moved a
17 little bit, as I turned round, I heard some shooting in the
18 banana plantation, but I thought that it was the kind of warning
19 shots that the ECOMOG would normally do in the town. I thought
12:54:54 20 it was a warning shot to alert people that there was security
21 around. But the firing continued, so I too ran.

22 I ran for safety towards the ECOMOG base at the school
23 compound and just when I got to the school compound I did not see
24 any ECOMOG there, I did not see anybody there, and I ran again to
12:55:21 25 go back to the bush. That was where I met with the rebels and
26 they captured me and they said, "We have come. We are the Foday
27 Sankoh rebels. You people are encouraging ECOMOG and you are
28 sidestepping us and today we are going to finish all of you."
29 And they commanded me to sit on the floor and I sat down on the

1 ground and then we went to the school compound. They entered
2 there, those who had uniforms on. Those who did not have
3 uniforms, they got some uniforms there. Those who did not have
4 boots, they got some boots there, and that was where they got
12:56:05 5 more ammunition and all the ammunition that the ECOMOG had with
6 them, they left everything behind, and the rebels collected the
7 ammunition and they gave us some loads on our heads.

8 We carried them to town and when we got to the town we put
9 everything together and from there we went to a house where they
12:56:28 10 collected a mattress and in that mattress they will have to blow
11 some air in there, and whilst I was blowing the air into it
12 another group came from the other side and they asked their
13 colleagues, saying that this man, this man, did you meet him
14 here, and they said yes, and they told them to ask me to go and
12:56:57 15 meet them.

16 Q. Thank you, sir. This is very important so when you're
17 telling us remember to speak slowly so that the interpreters
18 catch every word you said. I just want to clarify a few things.
19 You said you met Finah, that is F-I-N-A-H is the spelling we
12:57:21 20 have. Sir, when you said you encountered the rebels, how many
21 rebels were there that you say captured you?

22 A. It was not a small number; they were many. By then I did
23 not even think about counting because I was tormented because
24 shooting was going on, I thought I was going to die that moment,
12:57:50 25 so I did not focus on counting.

26 Q. How were they dressed, these rebels?

27 A. Some had civilian clothing, some had military trousers,
28 some had military beret on their heads. That was how they were
29 dressed.

1 Q. You said, "They said we have come. We are the Foday Sankoh
2 rebels." Who said that?

3 A. Those who were doing the shooting in town. Those were the
4 ones that we encountered and they were the ones who told us that
12:58:34 5 they were the Foday Sankoh rebels.

6 Q. Sir, what had happened, if you know, to the ECOMOG that
7 were in the town?

8 A. I did not get that.

9 Q. Sir, if you know what had happened to the ECOMOG troops
12:58:52 10 that were in Kondembai a when these rebels entered?

11 A. Well, they withdrew. They pulled out, because by then they
12 had just sent five people to Kabala in the morning to go and
13 collect some ammunition, so there was only 10 remaining to
14 safeguard the town. So when the rebels came they were many, so
12:59:21 15 they overran them, so they had to withdraw. But they killed two
16 amongst them. They killed two ECOMOG.

17 Q. Thank you. Now, sir, you had gotten to the point before I
18 stopped you where you said that they took an air mattress and you
19 were inflating it. What happened then?

12:59:40 20 A. Another group came from the other side and they asked me to
21 come down. They asked their colleagues whether they met me in
22 that town and they answered, they said yes, and then they ordered
23 them to tell me to go and meet them down there.

24 Q. When you say "meet them down there" what do you mean by
13:00:05 25 "down there"?

26 A. They called me, they said I should come down. Those who
27 had captured me, they ordered them to tell me to go and meet
28 them, so I went there.

29 Q. Where did you go?

1 A. I started pleading with those who had captured me. I said,
2 "Please, do not allow me to go and meet those people. Please let
3 me stay with you." But they said, "No, go there. Go. Go down."

4 Q. What happened then?

13:00:42 5 A. I went down to them and when I went there one of the rebels
6 told me that I should pass by. He said I shouldn't go close to
7 him and as I was passing by I was trying to see if he intended to
8 do something bad to me and his colleague told him, he said he
9 should shift from his side. He said he should shift not to be
13:01:12 10 caught by stray bullet. He said he should shift. And when I
11 turned round to look at them I saw that he was trying to trigger
12 off the pistol that he had with him.

13 Q. Who was that that you saw trying to trigger off the pistol?

14 A. The rebels who had attacked us in the town, it was one of
13:01:36 15 them who took the pistol and pointed it at me trying to shoot me.

16 Q. What happened after the rebel pointed the pistol at you?

17 A. Well, at that time I had prayed to my God because I didn't
18 know when I would die; I knew I was about to die. I was just
19 walking - I was almost like a walking ghost and I heard the sound
13:02:03 20 from my back. I just heard the - and then I realised there was
21 no bullets in the gun even.

22 Q. What happened then?

23 A. When they caught me they kicked me at my back. They said -
24 and they said, "Curtail the man", that was their language, that
13:02:32 25 was the slang they used, that meant to kick me on my back. They
26 said, "Curtail the man" and that's what they did, and they pushed
27 me under the mango tree.

28 Q. When you were pushed under the mango tree did you see any
29 other civilians from Kondembaia in the area?

1 A. No, cotton tree.

2 Q. Under the cotton tree?

3 A. I said cotton tree, a very big one, two of them even. I
4 met some, I saw some of my colleague civilians, women inclusive.

13:03:07 5 They were all lying there.

6 Q. Okay, thank you. Can we just clarify that on line 82 of my
7 font the witness actually said cotton tree and the interpreter -
8 if that's an interpreter's mistake - said mango tree.

9 A. It was a cotton tree. A big cotton tree.

13:03:28 10 Q. Okay. I'll just proceed, your Honours.

11 A. In fact there were two standing there.

12 Q. What happened after you were placed at the cotton tree?

13 A. While we were lying under the cotton tree, then the other
14 rebels came and they said they were to kill us straightaway to
15 finish us off. And their boss, whom we had met there, told them
16 that they should - he said, "You go and set fires. Go and set
17 this house ablaze. Burn down this whole town. These people are
18 the very last people we are going to kill, so go about and set
19 the houses on fire".

13:04:12 20 Q. You said the boss man. Did you ever learn this person's
21 name that you're calling the boss man?

22 A. Well, that was the first time I saw him. I had not known
23 him before. That was where we were taken. Anybody who was
24 arrested was taken to him. He did not say much. He was just
13:04:36 25 standing there. So, that was why I knew he was the boss in
26 command.

27 Q. You said that, "Their boss, whom we had met there, told
28 them that they should set fires". What happened after the boss
29 told them to set fires?

1 A. They went to set the houses on fire. Even the small - the
2 younger boys, they would take mortar and they would stand on the
3 mortar to give them some more height to set the houses on fire.

13:05:20 4 Q. These younger boys that you're talking about were they part
5 of the rebels, or were they civilians from Kondembai a?

6 A. These were the boys. They were - I don't know whether they
7 were - their boys, or their children, or they had captured them,
8 but they were commanding them to do these things. They had
9 brought them. I don't know whether they were captured or they
13:05:42 10 were their relatives, I don't know, but I saw them.

11 Q. How old were these boys?

12 A. I said some of them were about 10 years, some 13 and some
13 others 15 upwards, just like that.

14 Q. What exactly did these boys do?

13:06:03 15 A. Some of them had guns and some were setting the houses
16 ablaze.

17 Q. What happened after the houses were set on fire?

18 A. The one whom I had referred to as their boss, he entered -
19 he dipped his hand into his bag and took out a paper and pen and
13:06:32 20 he wrote. He said "Junta 2" and another man replied and said,
21 "Sir", and he held the paper in his hand and he read the paper to
22 me. He said these - he said, "The men, you should chop off their
23 right hands and for the women you should chop off their left
24 hands". We started pleading with them and they brought out Abass
13:07:02 25 and he was - and his hands were tied at his back and the same
26 thing was done to Lamin Kamara. Both of them were tied together.

27 THE INTERPRETER: Your Honours, can the witness repeat.

28 JUDGE LUSSICK: Just a minute please, Mr Witness. The
29 interpreter didn't get what you just said. The last thing you

1 said was, "Both of them were tied together". Could you continue
2 from there, please.

3 THE WITNESS: They were tied together and the boss asked
4 why those people had been tied together and the rebels replied to
13:07:50 5 their boss that the man had resisted them, that he had fought
6 them, the man was a fighter, so that's why they had been tied.
7 So when they said that the man was a fighter, their boss got
8 angry and he took out the pistol and pointed it at Abass's head
9 and he shot it. He said, "What about this other man?", and they
13:08:13 10 said, "No, this one was hiding under the mattress". He said,
11 "Cut off the rope", and the rope was cut off and he shot him
12 around where his heart is and he fell down. Then he said, "Well
13 let him fight again, because now he calls himself a fighter. If
14 he is, then let him continue to fight". Lamin Kamara said -

13:08:39 15 Lamin Kamara, who did not fight, he said his hands should be cut
16 off and given a letter to go with to Kabala.

17 MR KOUMJIAN:

18 Q. Okay, sir, let me just clarify a few things in what you
19 just told us. Do you know Abass's last name?

13:09:00 20 A. The boss?

21 Q. Abass?

22 A. Abass Sheriff.

23 MR KOUMJIAN: Your Honours, that is A-B-A-S-S, it's spelled
24 correctly in the transcript, S-H-E-R-I-F-F:

13:09:20 25 Q. Who was it that the rebels had said had been resisting?
26 Which of the two, Lamin Kamara or Abass Sheriff?

27 A. It was Abass Sheriff whom they said was fighting. That's
28 why they had killed him.

29 Q. Okay. What happened after Abass Sheriff was shot and

1 killed?

2 A. Well, we were pleading for us not to be killed and he said,
3 "Look out there, do you think you are more blessed than the
4 others who are there? You see." And we had seen that somebody
13:10:15 5 killed, we had seen Mohamed who was a baker as well, he was there
6 dead, and the man got angry. He said, "For you to believe that
7 no amount of pleading will let you go free let me give an
8 example. I'm going to start from the youngest." And he started
9 from Damba Koroma, who was a six year old girl, and her hand was
13:10:45 10 the first to cut off and it was put into John Bai's mouth. John
11 Bai, he was a Sierra Leone police, he had been killed. The hand
12 was put into his mouth and --

13 THE INTERPRETER: Your Honours, can the witness repeat.

14 JUDGE LUSSICK: Just a minute, please, Mr Witness. Once
13:11:08 15 again the interpreter didn't hear all of what you said. Can you
16 continue on, please, after your words and I'll quote, "The hand
17 was put into his mouth and" -- can you go on from there, please.

18 THE WITNESS: When the girl's hand was put into John Bai's
19 mouth, they went back to cut off the girl's mother hands, that
13:11:38 20 was Finah. In fact, when they put the hand into John Bai's mouth
21 they said that was going to be John Bai's last food and it was
22 done close to me. Just as I saw the mother, the mother's hand
23 chopped off, I said, well, I was not going to escape any more;
24 trouble was at my door. And if you can see my hand, they hit my
13:12:05 25 hand because the cutlass was not sharpened enough. They hit my
26 hand three times so - but it was hanging, it was not cut off
27 completely. It was hanging and they pushed the hand and the vein
28 got out and it was hanging like this, and we were there while
29 other women's hands were cut off, like Musu was eight months

1 pregnant, Finah Dabo, five of them were women. The men were
2 four.

3 THE INTERPRETER: Your Honours, can the witness repeat the
4 last person.

13:12:45 5 JUDGE LUSSICK: Just halt there, please, Mr Witness. The
6 interpreter has not heard what you last said. The last words
7 recorded were that you said, "The men were four." Now, can you
8 go on from there, please.

9 THE WITNESS: The men, we were four in number. The first
13:13:12 10 was Sergeant Major Ferewa, he was stabbed on his side with a
11 bayonet because he was an ex-serviceman. They said because he
12 was the town chief they were the ones encouraging the ECOMOG.
13 They asked us to sit down. We were sitting down for - I cannot
14 remember for how long we were sitting there, we were bleeding,
13:13:42 15 and they told us to go, to go to Kabala and tell them that they
16 were going to enter there, and the amputation occurred around
17 3.30 to 4, in May. So we walked, so when we were on our way
18 coming I saw Marka, he had been killed; I saw the gunshot on his
19 forehead.

13:14:20 20 Then - and I saw Aminata, she too had just delivered three
21 months back, she was dead too. And I saw fire in the house and I
22 passed through and we saw Sergeant Major Ferewa, he was there, he
23 could not get up. I couldn't go to Kabala at that time. I went
24 into the bush because it was there that I had left my family in
13:14:52 25 the morning. So I went for my family to actually see what had
26 occurred to me and when they saw me they started crying. So when
27 they started crying I told them to stop crying. So I passed the
28 night there. For the whole night I was sitting up and in the
29 morning I walked 14 miles and I came to Kabala and they said --

1 THE INTERPRETER: Your Honours, can the witness repeat
2 this.

3 JUDGE LUSSICK: Mr Witness, I'll have to stop you again.
4 The interpreter has missed what you last said. Just listen and
13:15:40 5 you'll be able to pick up from where I say. You said, "I walked
6 14 miles and I came to Kabala and they said" -- now can you go on
7 from there, please.

8 THE WITNESS: In coming to Kabala, when I got to Makakura
9 that was where the junction was from our village to Kabala. It
13:16:04 10 is at, it was at Makakura where the main road is to go to
11 Freetown. That was where I met soldiers whom they had said the
12 rebels who had attacked Kondembai a yesterday, they had also
13 attacked Kafogo and Fadugu and that no vehicle was going up the
14 country. One driver, whom they had returned, took me and my
13:16:29 15 children to enter Kabala.

16 I got to Kabala at 2 o'clock in the afternoon. They took
17 me to the hospital. There was no doctor there, there was no
18 medicine there, except iodine which we received there and they
19 placed my hand in the iodine, that was more than the injury
13:16:59 20 yesterday, but by God's grace. From there, one man called Peace
21 Maker, he went and sympathised with me. He said he had
22 communicated with Freetown with MSF and in God's grace they would
23 pick us up tomorrow to go to Freetown. They amputated my arm on
24 Thursday. On Friday I entered Kabala. On Saturday a helicopter
13:17:31 25 picked me up from Kabala, an MSF helicopter, and I was taken to
26 Connaught Hospital. So that was what happened.

27 MR KOUMJIAN:

28 Q. Sir, I have several questions to ask you about. First,
29 your Honour, may the record reflect that when the witness

1 indicated his injury he raised his right arm and the left - the
2 right hand is missing above the wrist. Sir, can you raise your
3 right arm, please? Thank you, sir. Is your wrist there, sir, or
4 is your wrist missing?

13:18:23 5 A. It had been severed. It was removed at the hospital when I
6 was being treated, that was when they removed it, because it was
7 giving me some trouble. It was aching.

8 JUDGE LUSSICK: We agree with your description,
9 Mr Koumjian. Would you agree with that? A right forearm severed
13:18:45 10 above the wrist, Mr Griffiths?

11 MR GRIFFITHS: I agree.

12 JUDGE LUSSICK: Thank you.

13 JUDGE SEBUTINDE: Mr Koumjian, there were a lot of
14 spellings.

13:18:56 15 MR KOUMJIAN: I think if your Honour doesn't mind, I'll go
16 through almost everything and as we get to each name I'll spell
17 it:

18 Q. First, sir, when this happened can you give us the month
19 and year that this happened?

13:19:11 20 A. 1998, in May, I think either 20 or 21, I don't know,
21 because I didn't have any way of noting it down, but it was in
22 May, around 20th, 21st, 1998, in the afternoon around 3.30. That
23 was the time that I lost my arm.

24 Q. Sir, I want to go back to when you said the boss man wrote
13:19:50 25 something on a paper. What happened after he wrote something on
26 a paper? Very slowly tell us and keep your answer short, please,
27 and then I'll ask you another question.

28 A. He wrote something. What he wrote in that letter, he said
29 without the junta there would be no Sierra Leone. That was what

1 he wrote on the letter so that it could be given to the big men
2 in Kabala, that without the junta there would be no Sierra Leone.
3 That was what was read.

13:20:40 4 Q. Sir, when you were at the cotton tree, or prior to that
5 time, had you seen any bodies in the town?

6 A. Yes. I said John Bai, whose arm was put in his mouth, he
7 was a Sierra Leone policeman. He was killed. When he chopped
8 off Damba's arm, he put it in his mouth and I said Mohamed was
9 lying down dead. He was a baker.

13:21:12 10 MR KOUJIAN: Thank you. Your Honours, Mohamed is the
11 normal spelling. John Bai is John B-A-I.

12 THE WITNESS: John Bai.

13 JUDGE SEBUTINDE: The woman who was pregnant who was
14 killed?

13:21:40 15 THE WITNESS: She did not die on the spot. Her arm was
16 chopped off and she bled, but she lived for two months, because
17 she was pregnant for eight months, but when she came to deliver
18 at the Cottage Hospital that was where she died, and she left the
19 infant baby to a nurse in Freetown.

13:22:08 20 JUDGE SEBUTINDE: What was her name, Mr Witness?

21 THE WITNESS: The woman's name was Musu.

22 MR KOUJIAN:

23 Q. Do you know her family name?

24 A. No, because it was only on that day that we met at the
13:22:35 25 cotton tree. We were not in the same place. When our arms were
26 chopped off, and we were all brought to Connaught, that was where
27 we saw one another, but we were not in the same place.

28 JUDGE SEBUTINDE: There were also names of two villages
29 that were attacked. Kafogo and Fadugu or something like that.

1 This is on page 88. We need spellings for those.

2 MR KOUJIAN:

3 Q. Sir, did you mention a village Fadugu?

4 A. Kamani? Kamande. Kamande, which was attacked, but we were
13:23:15 5 not close to them, but I discovered those people at Connaught
6 Hospital who had suffered during that attack. I can call their
7 names. One was Allusein Turay, Hassan Turay. Hassan and
8 Allusein were twin brothers. Kolley Sesay, Kerembe Sesay and Tai
9 Sesay, they suffered during that attack. Some had their fingers
13:23:56 10 chopped off. Kolley said --

11 THE INTERPRETER: Your Honours, the gender of Kolley is not
12 known.

13 JUDGE LUSSICK: Just one moment, please, Mr Witness. The
14 interpreter has advised us that you haven't said whether Kolley
13:24:16 15 was male or female.

16 THE WITNESS: Kolley - when we talk about Kolley it refers
17 to a male. All of them who suffered there, all of them that I
18 have named were all men.

19 JUDGE LUSSICK: All right. Well, you were saying Kolley
13:24:36 20 said.

21 THE WITNESS: Kolley Sesay. The name Kolley, his family
22 name is Sesay.

23 JUDGE LUSSICK: What I was suggesting is that you continue
24 your evidence from where you said these words, "Kolley said" and
13:24:55 25 that's where your evidence --

26 THE WITNESS: No, no, no. Okay. Kolley Sesay, I said the
27 people whose names I called, who suffered during that attack, I
28 said Allusein Turay - I'm going over that. Allusein Turay,
29 Hassan Turay, Kolley Sesay, Kerembe Sesay, Tai Sesay. I hope

1 you've got that. Sira Sesay, they suffered during that attack at
2 Kamande. But I met those people at Connaught Hospital and they
3 told me, because I was not present when the attack took place,
4 but when we were all admitted at the same Connaught Hospital,
13:25:52 5 they explained to me. I saw them with their injuries.

6 JUDGE SEBUTINDE: Can we have a spelling of that village
7 where these people came from?

8 MR KOUMJIAN: We're looking for this. This is out of
9 sequence so --

13:26:03 10 JUDGE SEBUTINDE: Yes, because we're going by the
11 indictment. You either give the names to us or we skip it.

12 MR KOUMJIAN: Your Honour, I understand that, but I'd like
13 to finish with the witness's own village and try to take it in a
14 chronological order because I think it's going to confuse us all
13:26:20 15 if we jump to the different locations at different times.

16 JUDGE SEBUTINDE: Mr Koumjian, we only ask for spellings of
17 names that are already on the record as evidence, and if we don't
18 take them at the time they're given we all forget what they were.
19 That's why we insist on spellings.

13:26:46 20 MR KOUMJIAN: Kamange is K-A-M-A-N-G-E:

21 Q. Sir, do you know how to spell Kamange?

22 A. No, no, no. I did not say Kamange, Kamande. Kamande. The
23 village is called Kamande. Maybe somebody may go there one day
24 and the person will find out that it's on the map, but if he goes
13:27:24 25 there and says Kamange, he will get lost. It is Kamande. It is
26 close to a big river.

27 Q. Sir, can you tell us which chiefdom it is in?

28 A. Kamande is between Diang and Kassunko, Fadugu.

29 MR KOUMJIAN: Could I ask if the Kono interpreters or the

1 interpreters have a spelling for Kamande?

2 THE INTERPRETER: Phonetically we could spell it as
3 K-A-M-A-N-D-E.

4 MR KOUMJIAN:

13:28:03 5 Q. Thank you, Mr Witness. Mr Witness, I want to go back so
6 that we understand everything that happened in Kondembaiia. Now,
7 you said that at some point - well, let me ask you: When did you
8 first realise that the rebels' plan was to amputate?

9 A. Well, the time that I saw an amputee, that was the time I
13:28:40 10 knew that amputation has arrived. That day that I saw Kabbah
11 Jalloh's arm amputated, that was the time I knew that, oh yes,
12 these people have started amputating.

13 JUDGE LUSSICK: Mr Koumjian, it looks as though you'll
14 probably be some time on this point so we'll adjourn now for
13:29:00 15 lunch.

16 Mr Witness, we're going to adjourn to have some lunch.
17 We'll return at 2.30. Madam Court Manager, if you'll adjourn the
18 Court, please.

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

14:22:25 20 [Upon resuming at 2.30 p.m.]

21 JUDGE LUSSICK: Yes, Mr Koumjian.

22 MR KOUMJIAN: Thank you, your Honour:

23 Q. Sir, I want to make sure that we have understood what you
24 have said and so I am going to ask you some questions and please
14:29:31 25 continue as you have been speaking clearly and slowly. Sir, when
26 you come to a name of a place or a person, if you can just pause
27 for a second so that I can try to spell that for the record. Do
28 you understand?

29 A. Yes, sir.

1 Q. Okay. I want to ask you about something that you said -
2 and your Honours, counsel, I have it on page 86, beginning at
3 line 2 - I believe you were talking about your journey to Kabala
4 after suffering your amputation. You said, "In coming to Kabala
14:30:21 5 when I got to Makakura that was where the junction was from our
6 village to Kabala. It was at Makakura where the main road is to
7 go to Freetown. That was where I met soldiers whom they said -
8 whom they had said the rebels who had attacked Kondembai
9 yesterday they had also attacked" and then you named some place
14:30:56 10 and I believe you said Fadugu, and that no vehicle was going
11 upcountry. Do you recall speaking to these soldiers at Makakura
12 and the soldiers telling you that some other places had been
13 attacked?

14 A. It concerns the way they saw me coming - in fact they were
14:31:29 15 afraid of me when they saw me coming with my hand.

16 Q. Let me just ask you, because we didn't get the names. What
17 places did the soldiers tell you had also been attacked?

18 A. The soldiers were at the junction. You know, they were at
19 the highway, the road to come to Freetown. On that day no
14:31:58 20 vehicle had come from Freetown. They said the bombardment that
21 they were hearing in Kafogo and Fadugu, those were the places
22 they attacked on that day. That was the main road from Kabala to
23 Freetown. The main road, Fadugu and Kafogo, they were on the -
24 they are on the main road to Freetown.

14:32:21 25 MR KOUMJIAN: Thank you. Your Honour, spellings, Fadugu
26 F-A-D-U-G-U, Kafogo K-A-F-O-G-O:

27 Q. Do you know, sir, which district Fadugu is in? If you
28 don't, just say so.

29 A. Kafogo, Fadugu, they are Kassunko Chiefdom. Kassunko

1 Chiefdom. It's down there. That is where we passed first before
2 going to Kabala, but it is in the Koinadugu.

3 Q. Thank you. And the spelling, your Honour, of Kassunko
4 Chiefdom, K-A-S-S-U-N-K-O. Now, Mr Witness, there was another
14:33:11 5 point where you talked about - I believe there was a little
6 misunderstanding between us, but in any event you talked about
7 something that happened at Kamande. You said, on page 91,
8 "Kamande, which was attacked but we were not close to them, but I
9 discovered those people at Connaught Hospital who had suffered
14:33:41 10 during that attack." So, sir, is it correct that you only
11 learned about the attack on Kamande when you were in the hospital
12 in Freetown? Is that true or not?

13 A. Yes, I can tell you that Allusein Turay, we were close
14 together at the Connaught Hospital. He was the one who actually
14:34:12 15 explained to me.

16 Q. Thank you. And, sir --

17 JUDGE LUSSICK: Pardon me a minute, Mr Koumjian. What was
18 that word you said, Mr Interpreter? You said, "Yes, I can tell
19 you that somebody was close together."

14:34:31 20 THE INTERPRETER: Allusein Sesay.

21 JUDGE LUSSICK: Allusein?

22 THE INTERPRETER: Turay, sorry. Allusein Turay who and
23 others suffered during that attack. Our beds were close at the
24 hospital. Allusein Turay, the brother of Hassan Turay.

14:34:49 25 MR KOUMJIAN: Your Honours, Allusein is A-L-L-U-S-E-I-N.
26 Turay is spelt correctly in the transcript, T-U-R-A-Y:

27 Q. Sir, do you know where this place Kamande is? Which
28 district that is in?

29 A. Kamande is in the Koinadugu District, but it is between the

1 two chiefdoms. It is between Kassunko and Diang. It is
2 bordering those two chiefdoms. If you check the map you will see
3 that they are close.

4 MR KOUMJIAN: Your Honour, the witness called some name -
14:35:31 5 stated some names on page 91 of the LiveNote. We now have
6 spellings for those. This is between lines 14 and 17. He said
7 Kolley Sesay, K-O-L-L-E-Y, Sesay, S-E-S-A-Y, Hassan Turay, first
8 name is H-A-S-S-A-N, Turay is spelled the same as Allusein, and
9 then Tai Sesay, T-A-I and Temby Sesay, T-E-M-B-Y:

14:36:12 10 Q. Is that correct? Are those the names of persons you called
11 who you had met at the hospital, sir?

12 A. Yes, sir.

13 Q. Were these five people Kolley, Allusein, Hassan, Tai Sesay
14 and Temby Sesay, are those men, women or mixed?

14:36:41 15 A. There is no woman among them. They were all men and they
16 were all in Fadugu.

17 Q. Thank you.

18 A. Yes, sir.

19 Q. Okay. When you say they were all in where? Can you repeat
14:37:03 20 that, please? They were all where?

21 A. Right now they are in Fadugu, all of them.

22 Q. And can you tell us, just so we are clear, where were they
23 when they suffered their injuries, if you know?

24 A. They were in Kamande. That was where they were born, but
14:37:29 25 after the war, after they had suffered during the war and they
26 had been discharged from the hospital, NGOs came and built houses
27 for the amputees. They built houses for the amputees. So they
28 benefited from those houses and they built a house for them in
29 Fadugu. All of them, as I am speaking now, are there, except for

1 one of them, Sorie, he hasn't got a house yet. He is in Grafton
2 at the moment, in Freetown.

3 Q. Sir, did the people that you met in the hospital in
4 Freetown, who were present in Kamande during the attack, tell you
14:38:20 5 who attacked Kamande and inflicted their injuries?

6 A. They said it was the rebels, because from Kamande to
7 Kungbania it is not a far distance; it is the same area. From
8 Kamande to Kungbania to Sandia where the rebels were based they
9 are the same area. It is not far distance.

14:38:52 10 Q. These five names that you have given us, Kolley Sesay,
11 Allusein and Hassan Turay, Tai Sesay and Temby Sesay, were all of
12 them - what injuries did they suffer?

13 A. Well, some had three fingers chopped off, like Allusein,
14 they chopped off his four fingers. They only left one, one left.
14:39:28 15 His brother, they had three fingers amputated and chopped off his
16 ear. Tai Sesay was chopped and they chopped off his ears - his
17 ear. Kolley Sesay, they chopped some fingers and cut off his
18 ear.

19 Q. Okay. Thank you, sir. Now, sir, I want to go back to what
14:39:51 20 you have told us about the amputations in your village. You said
21 that there were nine of you who I understood were amputated, four
22 men and five women. Is that correct?

23 A. Yes, sir.

24 Q. Sir, can you just tell us the names of the four men?

14:40:20 25 A. Yes, sir. I, Si eh Mansaray, let me start with myself, and
26 my colleagues - my colleague who was close to me, Nfajie Koroma,
27 Lamin Kamara, whose arm was first chopped off and Sergeant Major
28 Ferewa, whom they stabbed first before chopping off his hand.

29 MR KOUMJIAN: Your Honours, we have Mr Koroma, the first

1 name Nfajie, N-F-A-J-I-E. Then Lamin Kamara is spelt correctly
2 in the transcript. Sergeant Major Ferewa F-E-R-E-W-A:

3 Q. Sir, did all of these - all four of you men lose a hand?

14:41:44

4 A. All of us had our right arms chopped off just like - right
5 hands, just like mine here. All four of us.

6 Q. Thank you. Now, sir, you said - well, let me just ask one
7 question: Were all four of you adults?

8 A. All of us are married men. We were all adults.

9 Q. Were any of you soldiers?

14:42:09

10 A. Except Sergeant Major Ferewa, who had retired from the
11 military, but all of us, the rest of us were civilians, farmers,
12 just like I told you.

13 Q. You said Sergeant Major Ferewa had retired; was he a
14 soldier at the time that this happened?

14:42:32

15 A. He was a retired soldier. He had retired.

16 Q. Okay, thank you. Now, sir, you said there were five women.
17 Can you name the five women who suffered amputations?

18 A. Yes, sir. The first one whom they started with, six years
19 old, Damba Koroma. Her mother Fina Kamara and Mammy Sira Sesay,
20 Finah Dabo and Musu, who was eight months pregnant and who died
21 later at Cottage. Five of them.

14:43:12

22 Q. Thank you, sir. Were any of the women soldiers?

23 A. All of them were farmers. Even that child had just started
24 going to school; she was in class 2.

14:43:50

25 JUDGE SEBUTINDE: What is Fina's other name? Fina who?

26 THE WITNESS: We had two Finas. We had Finah Dabo and Fina
27 Kamara.

28 MR KOUMJIAN: Dabo, your Honours, is D-A-B-O. Perhaps I
29 will go and spell all the names. Damba Koroma, D-A-M-B-A, Koroma

1 K-O-R-O-M-A. Fi na Kamara F-I-N-A K-A-M-A-R-A. Finah Dabo, last
2 name D-A-B-O. Musu Koroma M-U-S-U K-O-R-O-M-A. Si ra Sesay,
3 first name S-I-R-A:

14:44:52 4 Q. Now, sir, you told us, but I want to make sure we
5 understand and so I will ask you to repeat, what was done with
6 the hand of the six year old girl?

7 A. When they chopped it off, because that was where it
8 started, when they chopped that hand off they put it in John
9 Bai's mouth. They told him: This is your last food because when
14:45:17 10 he died his mouth remained opened, so when they chopped it off
11 they placed it in his mouth and said "Here is your last food".

12 Q. Who was John Bai?

13 A. John Bai was a Sierra Leone police. He had just been
14 transferred. He had not even worked there for up to two months
14:45:41 15 with us. He was a new -- he was a stranger. I was not familiar
16 with him even.

17 Q. Do you know, sir, if John Bai was the kind of police that
18 carried a gun or the kind that did not carry a gun, if you know?

19 A. Well, I can't decide on that now, because we were not
14:46:02 20 together. I met him with a uniform, a Sierra Leone police
21 uniform. Whether he carried a gun or not I can't say, because we
22 were not in the same place.

23 Q. Thank you very much for that, sir. Now, Mr Witness, did
24 you learn the names of any of the rebels who were there that day
14:46:23 25 in your village when the amputations occurred?

26 A. They did not call names. The only name that they had they
27 normally called themselves CO, CO ground commander, Sam, Sam,
28 that was all. They did not really call their actual names.

29 Q. Did you hear any name called?

1 A. No. In that area where our hands were chopped off I didn't
2 hear any other name except ground commander, CO and Sam and Junta
3 2. Only Junta 2, whom they called to give him a command to chop
4 off our hands, that was the only name I heard. Junta 2.

14:47:20 5 Q. This person that they called Junta 2, was this a - can you
6 describe him briefly, him or her?

7 A. Junta 2 was a man, a huge tall man. Junta 2 is fair in
8 complexion. He had a brown skin. He wore a traditional dress
9 called ronko and he had a hunter's cap. That was what Junta 2
10 was wearing. He was displaying with the cutlass. When they
11 passed the command to chop off hands he was the one who was doing
12 that.

13 Q. Sir, had you ever heard junta, that word junta, before?

14 A. Well, I used to hear junta. I heard about juntas, but I
14:48:17 15 was not able to understand anything about the difference between
16 juntas and rebels and who. I didn't know the difference. I just
17 heard junta.

18 Q. Sir, if you don't know just say so, do you know which
19 forces comprised the junta? If you don't know, just tell us.

14:48:40 20 A. I did not know what faction was called the junta. I don't
21 know because I was not with them. I was in the farm. I was all
22 the time in the bush working.

23 Q. So, sir, did you understand - did the name Junta 2 have any
24 meaning to you?

14:49:02 25 A. Well, because I can understand Krio, I heard 2 and that 2,
26 I do not know - I did not know what that meant to them, but I
27 heard Junta 2. Whether there is one or two or three to them, I
28 did not know. I just heard Junta 2. I can't answer that
29 question that this is the meaning of that name. I did not

1 understand that.

2 Q. Thank you. Now, sir, did you actually hear an order being
3 passed to amputate the right hand of the men and the left hand of
4 the women? Did you hear that yourself, or no?

14:49:44 5 A. It was he, Junta 2, who read the letter to us. After his
6 boss had written it and given it to him, when his boss wrote he
7 did not say anything, he just wrote, looked at the paper and
8 called him. Then he answered and he gave it to him. He looked
9 at it, he read and pronounced the word. He, Junta 2, he told us
14:50:06 10 the men should have their right hands chopped off and the women
11 their left hand. That was all. His boss did not say a thing and
12 nobody said it. He read it and he did the action.

13 Q. Sir, what did you and your neighbours say after you heard
14 that?

14:50:30 15 A. We started pleading with him. Then he asked us - he told
16 us. That was when we saw those other two people dead that we
17 started pleading with him. He said: "Look there, look over
18 there, do you think you are blessed than those who are lying down
19 there? Those who are dead. You are lucky. We are just going to
14:50:52 20 cut off your hands."

21 Q. Did anyone say anything else to him, that you recall?

22 A. Well, you see, where there is a problem you can remember
23 everything because everybody was worried and the worries were
24 intense and you blamed God. Oh God, why can't you just open a
14:51:23 25 hole so that I can go there? So we were not able to pay
26 attention to everything, really.

27 Q. Did Junta 2 say anything about God, that you recall?

28 A. He said, "There is no God here today". When we started
29 pleading with him he said, "There is no God here today". He

1 said, "There is no God here today". He said he was the God - he
2 was God that day. What he wanted was what should happen and that
3 was what happened that day.

14:52:02 4 Q. Now, sir, after the amputations were inflicted upon you,
5 what did the rebels say then?

6 A. They said, "Go, go to Kabala". Say these hands that have
7 been cut off, tell them these were the hands which we used to
8 vote for the civilian government. That is why we cut off their
9 hands. That was the boss who said that. The hands we used to
14:52:27 10 vote for the civilian government, those were the hands, and we
11 will never vote with them again. That was why they were chopping
12 off the hands. He said, "Go and tell them in Kabala that we are
13 coming there and we must enter Kabala".

14 Q. Who said, "We must enter Kabala"?

14:52:49 15 A. The one who wrote that letter. The one who wrote that
16 letter. The one who had the voice who said - who had the
17 authority, who said "do this" and it is done.

18 Q. Thank you, sir. Just so we are clear, was there one letter
19 written that day, or two letters? You spoke about one letter a
14:53:13 20 few moments ago that said the right hand of the men would be cut
21 off and the left hand of the women. Was there another letter?

22 A. The other letter was the letter that was given to Lamin
23 Kamara to take to Kabala. That was when they first chopped off
24 Lamin Kamara's hand they sent him ahead. That was the first
14:53:37 25 letter. This one was just a note. He just stood and wrote it on
26 his leg and he called Junta 2 and gave him an instruction, when
27 he read it in our presence and he pronounced it and he was the
28 one who did the action.

29 Q. Now, sir, after the amputations happened, where did you go?

1 A. That day they said we should go to Kabala and that Tejan
2 Kabbah had brought a container of hands for us.

3 Q. So, sir, where did you yourself go after being amputated by
4 that cotton tree?

14:54:24 5 A. I, Nfajie, Sergeant Major Ferewa, came together. We went
6 in a small bush just to rest a little because we had become
7 thirsty. We rested a little and we said - we concluded that
8 maybe they will come from Kabala, so we decided to leave. We
9 left Sergeant Major Ferewa there. We went by the Kabala road.

14:54:45 10 My colleague went to the Kabala road and I went back to the bush
11 to my family so that they can go and see exactly what had
12 happened to me, because they thought that I had died. I met them
13 in the bush. They wanted to cry, but I told them, "No, let's not
14 make noise. Maybe they will come here again", because I had left
14:55:03 15 them in the town when I was coming. So I slept in the bush.

16 Q. Okay, thank you. I just want to make sure that the record
17 contains the right names. You said you, Nfajie and Sergeant
18 Major Ferewa left together. Is that correct?

19 A. Yes, we left together.

14:55:25 20 Q. And Nfajie, is that Nfajie Koroma?

21 A. Yes, Nfajie Koroma.

22 Q. Sir, Sergeant Major Ferewa, about how old was he?

23 A. Ferewa, Ferewa, Sergeant Major Ferewa, he could be around
24 60 years. He had retired from the military. He had worked and
14:56:02 25 retired. He was not a youth. He was a big man. He was an
26 adult.

27 Q. What happened to him after you left together?

28 A. Well, he was first stabbed with a bayonet before they cut
29 off his hand. Later when they brought us to Freetown we were

1 Looking for him when we heard that where we rested he was unable
2 to move from there. He was discovered dead.

3 Q. Now, sir, you talked this morning about seeing some bodies
4 on your way to Kabala. Is that correct?

14:56:48 5 A. Yes.

6 Q. Can you tell us what bodies you saw?

7 A. I saw Marka. He was shot in the head. He was hiding in a
8 kitchen and as soon as he wanted to come out, that was when he
9 was shot. Those with whom they ran away explained to us. I just
10 saw him lying down. And I saw one ECOMOG man lying down dead. I
11 also saw Aminata Koroma who had just given birth three months, I
12 saw her dead as well.

13 MR KOUMJIAN: Marka, your Honours, our spelling is
14 M-A-R-K-A and Aminata A-M-I-N-A-T-A, Koroma K-O-R-O-M-A:

14:57:45 15 Q. Sir, do you know what was Marka's profession?

16 A. Marka was a gardener. He had planted - he had sold a lot
17 of palm kernel, mangoes. I saw myself the garden. He had
18 cultivated a lot of crops. He was a gardener. He left behind
19 his young wife with whom they had had a child - just had a child.

14:58:12 20 Q. Where did you see the body of Marka?

21 A. I can say it was after - the house where Marka was lying
22 down, you go to my house. It's in the same area in Kondembai a.

23 Q. And how about the body of Aminata? Was that inside
24 Kondembai a or outside the town?

14:58:37 25 A. In the town you will be at my own house in the veranda that
26 was on fire and looking across you will see Aminata lying down
27 there close to the road.

28 Q. Now, you just said, "You will be at my own house" and then
29 it seems that you said that was on fire. Was your house on fire

1 at that time?

2 A. When I was coming and my hand was chopped off, the fire was
3 on my house. It was burning. I had no way to take any property.
4 No way.

14:59:21 5 Q. Did you come across any --

6 JUDGE SEBUTINDE: Mr Koumjian, do we know who burnt the
7 house?

8 MR KOUMJIAN: Yes, thank you:

9 Q. Mr Witness, do you know who burned your house?

14:59:35 10 A. I was there. Before my hand was chopped off their boss man
11 said they should set the houses on fire. Those who chopped off
12 my hand were the ones who set fire to the houses. They said they
13 should burn that place down completely. So they chopped off my
14 hand and he had said in my presence that the houses should be set
14:59:53 15 on fire. The same rebels who chopped off my hand were the same
16 rebels who burnt down the houses.

17 Q. Thank you, sir. Now, sir, when you got to Kabala with your
18 arm in that condition, what was the reaction of the people you
19 met?

15:00:16 20 A. So many of them ran away. Whoever saw us became scared.
21 Whoever saw us coming with the hand chopped off ran away. So
22 many of them ran away. I was even scared to watch to look at my
23 own hand. Kabala was in chaos, really.

24 Q. Sir, you have lived with your hand amputated for the past
15:00:39 25 ten years. Did people stop becoming afraid of you?

26 A. Well, up until now some people are scared of me. Even if I
27 am playing with them the people will say, "Oh, I'm scared. I'm
28 scared", up until now. The sooner the person sees me they will
29 be afraid of me and move away. I am living with that stress now.

1 I know how I am feeling. I am not feeling good.

2 Q. You told us that you were eventually taken to the hospital
3 at Connaught in Freetown. Is that correct?

4 A. Yes.

15:01:18 5 Q. How long were you at the hospital, Connaught?

6 A. Well, I spent 13 days at Connaught and they brought me back
7 to the ADRA Hospital in Waterloo.

8 Q. And how long did you stay there?

9 A. Well, because we came there May, end of May - June. We
15:01:49 10 were in Waterloo June and July because September, October,
11 November, in December my hand was swollen so they went and did an
12 x-ray at Connaught and they discovered some broken bones that had
13 remained in and they said they should open it again to treat it.
14 They took me - the Red Cross took me to the Netlands Hospital.

15:02:15 15 They opened my hand again and they removed the bones and stitched
16 it. When I was discharged at the 12th then we heard the rebels
17 had burnt down Sumbuya village that morning. We ran away again
18 together with my family that I had taken to Freetown. We ran to
19 go to town again.

15:02:46 20 MR KOU MJIAN: Sumbuya village, S-U-M-B-U-Y-A:

21 Q. Now, sir, you said, "When I was discharged on the 12th then
22 we heard the rebels had burnt down Sumbuya village". The 12th of
23 what month and year, if you know?

24 A. 1998 and 12 December.

15:03:26 25 Q. Sir, have you ever --

26 A. That was when I was discharged.

27 Q. Sir, have you ever been back to your village, Kondembai a?

28 A. Well, I used to go there because I have a plantation there,
29 but each time I went there I did not feel good because I went to

1 see my hands, the grave of my hand, and the grave of my
2 colleagues. So each time I went there I recalled what happened
3 to me on that very day and I do not - did not feel good. So it
4 has taken two years without me going there.

15:04:06 5 Q. Sir, where exactly are these graves that you have just
6 mentioned?

7 A. In Kondembai a where our hands were cut off under the cotton
8 tree. That was where they dug and all the hands were buried in
9 the same place under the cotton tree. Those who were killed
10 there, they dug a hole close to the cotton tree and buried them
11 there. TRC went there and they placed a cement on those graves,
12 one on the hands and the people's graves under the cotton tree.

13 Q. Sir, how has your experience and your amputation affected
14 your life?

15:05:01 15 A. It took me off my position, it gave me stress and that will
16 be with me until I die. Since that day up to my death I will not
17 do anything. Even if I have a rash on this other hand how can I
18 even scratch it? There is no way I can do it. It embarrasses
19 me. Even if my child tells me goodbye I do not have money to
20 give to that child. I will feel bad. I used to work. I used to
21 earn money. Now I am a poor man in broad daylight, something I
22 had not planned. I am stressed from now until the day I will
23 die.

24 Even if I am joking with somebody the person will say,
15:05:45 25 "Hey, look at you". The person will become scared of me and I am
26 not feeling good at all until the day God will finally take my
27 life. God will take my life. And now I have been a laughing
28 stock for the whole world. I did not cause anything to anybody.
29 I did not commit any crime. I was not a soldier. I was not in

1 government. I was in my bush looking - finding my feeding and
2 look at what happened to me. I will never be happy.

3 Q. Has this affected your children?

15:06:25

4 A. It affected the entire family. All my children, they are
5 undergoing suffering. They are suffering. This single

6 amputation is causing my children to become drop-outs in their

7 education. This amputation is the cause of all of that. If I

8 was working they would not have become drop-outs but now they

9 have started attending higher education. Three of them are in

15:06:46

10 the secondary school, from six, from three, then the other one

11 will start going to college. How am I going to get that money to

12 pay for them? I am not feeling good, because they are my

13 representatives in future. I don't even feel like eating. Each

14 time the child cries of hunger, how can I feed that child? It's

15:07:10

15 difficult for me.

16 MR KOUMJIAN: Thank you. I have no further questions, your

17 Honour. Thank you, Mr Witness.

18 JUDGE LUSSICK: Thank you, Mr Koumjian. Mr Griffiths?

19 MR GRIFFITHS: Yes, your Honour.

15:07:24

20 CROSS-EXAMINATION BY MR GRIFFITHS:

21 Q. I take it that - and I am sure everyone understands - you

22 have been unable to work since this was done to you?

23 A. My right hand is the only hand that I used to work with.

24 This right hand, it is the only hand I work with. Now that I

15:07:50

25 have lost it even to eat causes me some trouble. Even to eat

26 with this hand is strenuous for me.

27 Q. So I take it that you have not worked ever since this

28 happened to you?

29 A. The only work that I do is to go begging so that I will not

1 be disgraced in the face of my children. That is not my work. I
2 was not used to doing that.

15:08:25 3 Q. So the only way you have managed to survive since this
4 terrible thing happened to you was through begging, is that
5 right?

6 A. Except I go begging, I have no work to do. I can't handle
7 a cutlass, I can't handle a hoe. Not that I am not used to it, I
8 was born in it, but I have no way of doing it now and each time I
9 go out begging I wouldn't feel fine begging somebody I don't
10 know.

11 Q. Now, understand this: I have been provided with written
12 copies of accounts you have given to investigators in the past.
13 Do you understand me?

14 A. No, I am not getting it clearly.

15:09:07 15 Q. Let me put it differently.

16 A. Uh-huh.

17 Q. Beginning or about 11 March 2003, you have spoken to
18 investigators attached to the Special Court, haven't you?

15:09:32 19 A. Yes, they asked me, and whoever asked me, who was not in
20 the Special Court, any NGO that went and enquired, we were ready
21 to talk to them.

22 Q. And you were aware when you spoke to those investigators
23 that they were writing down what you said to them?

24 A. Yes, they were writing.

15:09:51 25 Q. And after they had written down what you had said to them
26 they read it back to you to give you an opportunity to check and
27 correct it?

28 A. Yes, they used to do that.

29 Q. What I want you to understand is that every question I am

1 going to ask you is based upon what you said to those
2 investigators; do you follow me?

3 A. Yes, sir.

15:10:28

4 Q. Question number 1: After the AFRC coup, and before the
5 ECOMOG intervention, you did not have any problems with the
6 rebels, is that right?

7 A. Yes, I hadn't any problems. I was doing my work normally.

8 Q. So prior to the AFRC coup there were no problems in your
9 area with the rebels at all, is that right?

15:10:57

10 A. Before what? What? What?

11 Q. Before the ECOMOG intervention you had not experienced any
12 difficulties with rebels in your area, is that right?

13 A. Yes.

15:11:20

14 Q. So it was the ECOMOG intervention which caused a major
15 change in your life, is that right?

16 A. Yes, when - yes.

17 Q. Because it was only after ECOMOG intervened, and pushed the
18 junta out of Freetown, that burnings, killings, amputations
19 started. Is that your case?

15:11:52

20 A. Well, yes, that was the time they started. Yes.

21 Q. It was also the time when Operation Pay Yourself began?

22 A. Yes.

15:12:23

23 Q. And if I understand what you have told us correctly, the
24 situation was this: ECOMOG's mainly Nigerian troops pushed the
25 junta forces out of Freetown and they were all fleeing and many
26 of them came to your district, is that right?

27 A. Yes.

28 Q. Those who were fleeing were a mixed bunch; some were
29 soldiers, some were rebels, some carried their wives and children

1 with them and so on and so forth, is that right?

2 A. Yes, that was what I saw them doing.

3 Q. And for the most part, at that stage when they were fleeing
4 from Freetown, they were taking food and property but were not
15:13:08 5 killing or amputating people. Do you agree?

6 A. That was what they were doing. The checkpoint was in front
7 of my house and they were checking - they were screening
8 everything.

9 Q. But understand my question: I want you to be quite clear
15:13:27 10 what it is I am asking before you answer it. They may have been
11 taking food and other valuable items but initially at least there
12 was no killing and there was no burning and there was no
13 amputation. Am I right?

14 A. Yes, at the time they were passing through they were
15:13:50 15 looting and doing whatever they wanted to do. That was what they
16 were doing.

17 Q. But they were not burning and killing, am I right?

18 A. Yes.

19 Q. Thank you. As they were fleeing, they were being harassed
15:14:09 20 by Alpha Jets, is that right?

21 A. No, I did not talk about an Alpha Jet. At that time an
22 Alpha Jet did not go. At the time that they cut off my hand I
23 did not hear about Alpha Jet. I was going all through this and I
24 did not hear about an Alpha Jet.

15:14:26 25 Q. Have you ever - were you ever --

26 A. When they were going, when they were going, when they were
27 going, no.

28 Q. Have you ever heard of Alpha Jets attacking the rebels?

29 A. They were telling us to come out of the bush, that ECOMOG

1 has come and an Alpha Jet will come and attack, but at that time
2 it had not come.

3 Q. So you knew about Alpha Jets bombing --

15:15:04

4 THE INTERPRETER: Your Honours, can the witness kindly
5 repeat.

6 JUDGE LUSSICK: Just a minute, please, Mr Witness.

7 Mr Witness, firstly, allow counsel to finish his question before
8 you answer.

9 THE WITNESS: Yes, sir.

15:15:18

10 JUDGE LUSSICK: Secondly, none of what you said has been
11 recorded because the interpreter missed it. Now, Mr Griffiths,
12 do you want him to repeat that or would you prefer to ask another
13 question?

15:15:34

14 MR GRIFFITHS: What I will do is I will ask the question
15 again, your Honour:

16 Q. Did you know about Alpha Jets bombing the fleeing rebels?

17 A. I heard about an Alpha Jet. For me to hear about it the
18 time they told us was the time they told us to come to the town
19 that Alpha Jet was - an Alpha Jet was coming to spray the bushes.

15:15:59

20 It was at that time that I heard, but at that time that they were
21 passing through an Alpha Jet had not come yet upcountry. I
22 didn't even know it.

23 Q. Now there came a time however, did there not, when the
24 behaviour of the rebels was such that you decided to flee into
25 the bush. Is that right?

15:16:18

26 A. Yes.

27 Q. And you went and hid in the bush for some three months?

28 A. Yes.

29 Q. And whilst you were hidden in the bush word came that

1 ECOMOG had come to Kondembaia, is that right?

2 A. Yes.

3 Q. And that news was brought by a hunter called Foray?

4 THE INTERPRETER: Can learned counsel repeat the question.

15:17:14 5 MR GRIFFITHS:

6 Q. The news about ECOMOG coming to Kondembaia was brought to
7 you by a hunter called Foray?

8 A. Foray. Foray.

9 Q. My fault. Is that true?

15:17:32 10 A. Yes.

11 Q. Now, this hunter Foray, were there many such hunters with
12 you in the bush?

13 A. Yes, they were born there.

14 Q. And were those hunters not Kamajors?

15:18:01 15 A. No, all of them were running away together.

16 Q. Do you know what a Kamajor is?

17 A. Kamajor, they were those whom we heard - because we did not
18 have Kamajors in our district. Kamajors were downwards east end.
19 Ask anybody. You will never hear about Kamajors in the north.

15:18:26 20 Q. But you did know enough to know, didn't you, that the
21 Kamajors were formed of, in the main, traditional hunters?

22 A. Yes.

23 Q. You knew that, didn't you?

24 A. Yes, we heard about that.

15:18:44 25 Q. And it is right, is it not, that when you were in the bush
26 amongst your number were a number of traditional hunters. Is
27 that not right?

28 A. They organised that later when they said it had become
29 intense. At that time we were there, everybody was running

1 helter-skelter. Nobody stayed in the town because an RPG, when
2 it is shot, nobody will stand by.

3 Q. But you are telling us, are you, that when you were in the
4 bush that was not in the company of Kamajors?

15:19:29 5 A. I heard about Kamajors when I was in Freetown. That name
6 is not upcountry to us.

7 Q. Very well.

8 A. We don't have any Kamajor business in the northern region.
9 Kamajors is somewhere else.

15:19:47 10 Q. This northern region you are telling us about is an area
11 around Kabala, is that right?

12 A. Thank you, yes.

13 Q. In relation to Kabala, did you ever hear of an attack on
14 Kabala led by one SAJ Musa?

15:20:11 15 A. It was later that I heard at Connaught about SAJ Musa or
16 Superman. That was when I was in Connaught, but when I was there
17 I did not know any leader among them that was leading the group.

18 Q. So, just so that I am sure that I fully understand what you
19 have told us, later when you were receiving treatment in

15:20:34 20 Freetown, that was when for the first time you heard the name SAJ
21 Musa. Is that right?

22 A. Yes, that is fine.

23 Q. At or about that time you also heard the name Superman?

24 A. Fine.

15:20:53 25 Q. But when you were living in and about Kabala, prior to you
26 being amputated, you were not aware of either name?

27 A. No, no, because I was not in the - I was not normally in
28 the town, I was always in the bush.

29 Q. It follows therefore, doesn't it, that you are unable to

1 assist us as to the identity of the commander of the rebels who
2 did that terrible thing to you?

3 A. Those who did the bad things to me, I did not know them,
4 but where they identified themselves was when they went and wrote
15:21:37 5 that name on Magba's head. That was when we knew which faction
6 was causing us this trouble, because we did not know any faction.
7 We did not know whether they were Kamajors, rebels or AFRC, we
8 did not know. But on that day that they wrote on Magba's head it
9 was on that day that we knew that it was the RUF that was causing
15:22:00 10 us this trouble here.

11 Q. Yes, my question is slightly different and so let me ask it
12 again.

13 JUDGE SEBUTINDE: And, Mr Witness, do slow down in your
14 answers. Please don't forget that people are recording what you
15:22:11 15 are saying.

16 MR GRIFFITHS:

17 Q. Your account is you knew that those responsible for
18 amputating you were rebels?

19 A. Yes.

15:22:25 20 Q. Have I understood you correctly?

21 A. Yes.

22 Q. Now, my next question is, "However, I do not know who was
23 in charge of those rebels". Is that right?

24 A. Yes.

15:22:43 25 Q. "I cannot say it was Superman". Is that right?

26 A. At that time I wouldn't know that.

27 Q. "I cannot say it was SAJ Musa". Is that also right?

28 A. I did not know them. I don't know them. I did not know
29 them at that time.

1 Q. Well, help me, please. The man who wrote those terrible
2 orders on that piece of paper, you have told us repeatedly you
3 cannot remember that man's name. Can I ask you this: Did you
4 hear anyone say that man is so and so?

15:23:24 5 A. No. For me to know that that man who was in control, it
6 was at Connaught that they had divided themselves upcountry into
7 two groups. SAJ Musa, they said he went by Bafodia and went to
8 Kamakwie. That was when I was at Connaught. That was when I
9 heard that. But I was in pain, I did not really understand who
10 was saying that. They said Superman had come from Farawa,
11 Serduya and to Kondembai a up to Fadugu. That was they said it
12 was Superman's group which went there. But on that day I did not
13 actually know that this was Superman, Foday, Kamara. I did not
14 know at that time, because I was - I was not close to him.

15:24:15 15 Q. Well, I need to press you on this because it's important.
16 The man who wrote on that piece of paper, do you know who that
17 man is, or was?

18 A. That man, I knew that that man was the boss because he gave
19 the order for them to burn, to set fire. It was that man. It
15:24:49 20 was that man who wrote a letter and gave it to that man and he
21 read it that they should cut hands. I was that man whom I saw
22 take out a pistol and shoot Abass because he asked why they had
23 tied him up. So if I had known that man's name I would have said
24 it. Each time you ask me I would have told you, because he was
15:25:14 25 the cause of all these problems.

26 Q. Okay. Let me try a different tack then. How was that man
27 dressed?

28 A. That man, his trousers was a combat, he had on a white
29 T-shirt and a cap, a baseball cap, and he had a pistol on his

1 side.

2 Q. How tall was he, roughly?

3 A. That man, he was not up to six feet. He could be above
4 five feet some inches maybe.

15:25:48 5 Q. Was he big in build, or was he a slim man?

6 A. Medium. Medium size just like me. He was medium. He was
7 not big that much.

8 Q. From his appearance could you tell, for example, what tribe
9 he belonged to?

15:26:10 10 A. Well, that is a difficult - that is my difficulty because
11 they were always speaking Krio. You cannot see someone and
12 decide that this is his tribe, except if you want me to tell
13 lies. I can't do that. I don't know.

14 Q. So they were all speaking Krio, were they?

15:26:28 15 A. Yes.

16 Q. Did you hear anyone, for example, speaking in Liberian
17 English?

18 A. Well, they were talking all sorts of languages, but the
19 ones who were close to me, I did not hear them speak that.

15:26:52 20 Q. The boss man who wrote on the paper, did he speak in Krio?

21 A. That one did not talk to us. He was just passing commands.

22 MR GRIFFITHS: That's all I ask.

23 JUDGE LUSSICK: Thank you, Mr Griffiths. Is there any
24 re-examination, Mr Koumjian?

15:27:21 25 MR KOUMJIAN: No, thank you, your Honour.

26 JUDGE LUSSICK: Well, Mr Witness, that is the end of your
27 testimony now. Thank you for coming to court. We appreciate it.
28 The Court Manager will now escort you out of the courtroom.

29 Yes, are you handling the next witness, or is it

1 Mr Koumjian?

2 MS HOLLIS: Mr President, the next group of witnesses that
3 we have here and available, we are awaiting a decision from your
4 Honours in regard to those witnesses.

15:28:51 5 JUDGE LUSSICK: Well, tell me this: What is the TF1 number
6 of the next witness, Ms Hollis?

7 MS HOLLIS: 218, Mr President.

8 JUDGE LUSSICK: All right. Well, thank you. We actually
9 have decided that motion. The reason we haven't delivered it is
10 we are waiting for Judge Doherty to come back, but the motion has
11 been decided. What I will do is simply read out the order at the
12 end of it and as soon as Judge Doherty returns to The Hague it
13 will be signed and we will hand out the written decision.

14 The Trial Chamber has decided that we grant the Prosecution
15 application in part and we order that the prior trial transcripts
16 and related exhibit relating to the testimony of witnesses
17 TF1-281 and TF1-304 shall be admitted into evidence pursuant to
18 Rule 92 bis provided that the Prosecution shall make the said
19 witnesses available for cross-examination by the Defence. I hope
15:30:21 20 that clears the way for at least the next witness, Ms Hollis.

21 MS HOLLIS: It certainly does and in fact for the next two
22 and my colleague, Mr Werner, will handle TF1-218 and that witness
23 is available, as we understand it.

24 JUDGE LUSSICK: Thank you very much. Just to make things
15:30:41 25 perfectly clear for the record, the order that I have just read
26 out which is a decision entitled "Decision on Prosecution notice
27 under Rule 92 bis for the admission of evidence related to inter
28 alia Kono District - TF1-218 and TF1-304".

29 MR WERNER: Your Honour, good afternoon.

1 JUDGE LUSSICK: Good afternoon, Mr Werner.

2 MR WERNER: Your Honour, before we call this witness we
3 need to make an application concerning the protective measures of
4 this witness. Can I proceed?

15:31:25 5 JUDGE LUSSICK: Yes, go ahead.

6 MR WERNER: Your Honour, we are in exactly the same
7 position as TF1-076 who I believe testified yesterday in the
8 sense that this witness, TF1-218 is a Category A witness pursuant
9 to the decision of 5 July 2004. She is a victim of sexual
10 violence and therefore benefited from a screen, a pseudonym and a
11 voice distortion and again she, TF1-218, has expressed a wish to
12 testify openly and therefore the Prosecution apply to rescind
13 those measures. And, to be clear, that was a witness which was
14 in one of the annexes and we have the document available if you
15 wish.

16 JUDGE LUSSICK: Well, thank you, Mr Werner. If you
17 remember you referred to witness TF1-076. I think in that case
18 the Prosecution application was to retain some of the protective
19 measures.

15:32:37 20 MR WERNER: Exactly and I have the exact wording here.

21 JUDGE LUSSICK: If you could give us the specific
22 application.

23 MR WERNER: Of course, your Honour. So on pages 15 and 16
24 then it will be (a), (e), (f), (g) and then (b) and (c) save for
15:33:04 25 the address neither being made public or if it becomes public
26 being expunged and then (d) would remain. That is exactly the
27 wording of the application of yesterday and it would be the same
28 application today.

29 JUDGE LUSSICK: Well, you say on pages 15 and 16 it will be

1 (a), (e), (f), (g) and then (b) and (c) save for the address.
2 Are you saying that those are the ones that you want to remain or
3 are they --

4 MR WERNER: Yes. Your Honour --

15:33:45 5 JUDGE LUSSICK: Just tell me what exactly do you want to
6 rescind and what exactly do you want to retain?

7 MR WERNER: Yes, your Honour. Let me read you the order
8 yesterday and I hope that will make it clear. So it will be to
9 rescind (a), (e), (f) and (g) and then to retain (b) and (c) save
10 for the address and then (d) would remain.

11 JUDGE LUSSICK: Just a minute. Pardon me, Mr Werner. I am
12 sorry to interrupt. When you say "save for the address" you mean
13 that any reference to the address --

14 MR WERNER: Sorry, I have just been confusing matters. The
15:34:36 15 protective measure we do not want to rescind would be (d) and
16 then (b) and (c) as far as they relate to the address.

17 JUDGE LUSSICK: Yes, I am with you now.

18 MR WERNER: Sorry for the confusion.

19 [Trial Chamber conferred]

15:35:44 20 JUDGE LUSSICK: Mr Munyard.

21 MR MUNYARD: Good afternoon, Mr President, your Honours. I
22 will be dealing with this witness on behalf of the Defence. I do
23 understand now what the Prosecution are asking for; a removal of
24 all the previous protective measures save for mention of the
15:36:02 25 witness's address. If I have understood my learned friend
26 correctly I think that's what it boils down to and if I am right
27 - sorry, if I am wrong I expect my learned friend opposite to
28 point that out.

29 JUDGE LUSSICK: Thank you, Mr Munyard. Does that sum it

1 up, Mr Werner?

2 MR WERNER: With paragraph (d) as well, as I said.

3 JUDGE LUSSICK: I see.

15:36:46

4 MR MUNYARD: As I understood it, it was (b) and (c) as far
5 as the address is concerned; everything else would be open.

6 JUDGE LUSSICK: No, I did make a note that Mr Werner also
7 asked for paragraph (d) to remain.

8 MR WERNER: Yes, I did, your Honour.

15:37:04

9 JUDGE LUSSICK: And that in fact is the same application
10 that was made in respect of that other witness he referred to,
11 TF1-076.

12 MR WERNER: Yes, your Honour.

15:37:20

13 MR MUNYARD: Yes, I accept that. I had only read part of
14 the note I had written down. (d) I have understood is to remain
15 in its entirety. Everything else to go except the address
16 referred to in (b) and (c).

15:37:41

17 JUDGE SEBUTINDE: Mr Werner, I am just trying to understand
18 between yourself and Mr Munyard what in fact is going to happen.
19 In order (d) where it says, "Documents of the Special Court
20 identifying this witness shall not be disclosed to the public or
21 media" and you want to retain that as a protective measure?

22 MR WERNER: Yes, your Honour.

23 JUDGE SEBUTINDE: Does that make sense when the witness is
24 testifying openly, really, in this trial?

15:38:02

25 MR MUNYARD: Can I help? Does that not just refer to the
26 documents containing the witness's address?

27 MR WERNER: It does.

28 MR MUNYARD: Is that all that the Prosecution are seeking?

29 JUDGE SEBUTINDE: I don't think so. I don't understand (d)

1 to be restricted to that.

2 MR WERNER: According to our submission, that will concern
3 the prior testimony of this witness and the witness statements.

4 JUDGE SEBUTINDE: Yes, exactly. That is exactly what I am
15:38:24 5 asking, because the point of (d) is to conceal the identity of
6 the witness. That is the point of the order in (d). Now that
7 your witness is coming here openly, with his or her name stated
8 for the public and he or she appearing on the video link, really,
9 what is the point of retaining (d)? I just need to understand.

15:38:54 10 I am not saying you shouldn't apply, but I need to understand --

11 MR WERNER: My understanding --

12 JUDGE SEBUTINDE: -- why you would order the media who are
13 sitting out in the gallery --

14 MR WERNER: It would not be for the witness, the statement,
15:39:07 15 the prior statement of that witness to be only the statement of
16 that witness prior to her appearing in court today to go
17 anywhere. That will be our application. Your Honours, just one
18 more point. She testified before and she was protected and our
19 view is that this protection cannot be rescinded.

15:39:50 20 JUDGE SEBUTINDE: Of course whatever measures we order in
21 this trial apply only to this trial and the question I was asking
22 was for this trial what is the point? Because this (d) includes
23 our transcripts here in this trial, doesn't it?

24 MR WERNER: Your Honour, the short answer is that we do not
15:40:13 25 want to include those. I cannot assist further.

26 MR MUNYARD: Mr President, it may just be me, but I am
27 afraid I am confused by Mr Werner's penultimate submission, and
28 it reads on the transcript, page 127 at line 19, "It would not be
29 for the witness, the prior statement of that witness to be the

1 only statement of that witness prior to her appearing in court
2 today to go anywhere. That will be our application." Now, by
3 that I assume that my learned friend, Mr Werner, is referring to
4 a witness statement disclosed to the Defence and it appears to
15:41:11 5 have been taken on 5 November 2002. It doesn't have any ERN
6 numbers and, therefore, I am assuming that it is not part of the
7 92 bis submission. In other words, that you the Court - the
8 Trial Chamber - will not have that statement.

9 If I am right on that, then can I assume that the
15:41:37 10 Prosecution are asking that if any parts of that statement are
11 referred to in cross-examination that that is what they don't
12 want disclosed to the media and the public under paragraph little
13 (d)?

14 JUDGE LUSSICK: Look, Mr Munyard, and Mr Werner, I must
15:41:59 15 confess I am confused with this. You have to bear in mind that
16 the protective measures ordered in the 5 July 2004 decision were
17 made, I presume, before any evidence was ever given in court and
18 now we have that broad paragraph (d) "Documents of the Special
19 Court identifying witnesses shall not be disclosed to the public
15:42:26 20 or media." I am not sure exactly what documents that is going to
21 encompass.

22 MS HOLLIS: If I could perhaps assist your Honours. The
23 original wording for that would have included a statements or
24 interview notes of this witness, and it would include the prior
15:42:51 25 testimony which was given with protective measures in place. In
26 our view, the witness has now said that the witness will testify
27 openly, so that what would remain in paragraph (d) to be
28 protected would be the transcripts, or at least the non-public
29 transcripts of the prior testimony.

1 Of course in terms of today's proceedings the witness is
2 testifying openly and so of course they would be public, in our
3 view, and also through her agreement to testify openly the prior
4 statements would also no longer be covered by that (d). So that
15:43:32 5 very broad language, in our view today, would protect only the
6 prior testimony, the non-public transcripts of that prior
7 testimony.

8 JUDGE LUSSICK: Thank you, Ms Hollis.

9 [Trial Chamber conferred]

15:44:10 10 Does that clear up the issue for you? It seems to me, I
11 could be wrong, but even if paragraph (d) was not retained the
12 prior testimony that was of a non-public nature, non-public
13 transcripts, would still be protected.

14 MR MUNYARD: Yes. Your Honour, Ms Hollis's clarification
15:44:37 15 is helpful but it raises another question for me. The only
16 transcript that I have got every page is marked "Open session"
17 and so does it mean - and I am going to have to be assisted
18 here - is it possible that you can have an open session that was
19 nevertheless somehow private or protected in some way?

15:45:10 20 It is not clear from the transcript that I have got if the
21 witness's voice was distorted or anything of that sort. If it
22 was open session but with all the distortions et cetera, then
23 where are we as far as references to non-public testimony are
24 concerned that Ms Hollis has just been referring to?

15:45:35 25 JUDGE LUSSICK: Well, I note that Mr Werner based his
26 application on the same terms as the application made in TF1-076
27 and in that case there was some closed session testimony, but as
28 you say that doesn't pertain in the present case, Mr Munyard.

29 MR MUNYARD: Well, your Honour, I just want to check that

1 we are all singing from the same hymn sheet, because it may be
2 that there is some material that I haven't been supplied with. I
3 am not pointing any fingers of blame, but I wonder if my learned
4 friends could confirm. I have got testimony from 1 February 2005
15:46:17 5 that runs on the numbered pages from page 78 to page 95 and they
6 are all headed "Open session" as far as I can see. I wonder if
7 that could be confirmed that that is all we have got, or have I
8 somehow managed to not be supplied with something?

9 JUDGE LUSSICK: Well, I am not sure who can answer this,
15:46:45 10 Ms Hollis, or Mr Werner, but is there some closed session
11 testimony included amongst the subject matter?

12 MS HOLLIS: It is my understanding, Mr President, that
13 unlike some of the other witnesses there is no closed session
14 testimony here, nor any private session, to my knowledge, so that
15:47:13 15 what you had is what we have here where you have the screen and
16 the voice distortion and the pseudonym, but the public is hearing
17 what is going on, albeit not in the voice of the witness.

18 JUDGE SEBUTINDE: In any event --

19 MS HOLLIS: It would not be that, that protected
15:47:30 20 information in the prior transcript.

21 JUDGE SEBUTINDE: But in any event that witness was - the
22 identity of that witness was protected even though she testified
23 openly because of all these measures in place; the voice
24 distortion, the screen and the pseudonym?

15:47:47 25 MS HOLLIS: That is correct.

26 JUDGE SEBUTINDE: And that is what you want to retain with
27 regard to those past statements and transcripts?

28 MS HOLLIS: That is correct.

29 JUDGE SEBUTINDE: And we are saying that our order lifting

1 the measures only affects these proceedings and not those past
2 proceedings and that therefore, even if you didn't retain (d),
3 you would still have the same effect.

4 MS HOLLIS: Thank you for that clarification.

15:48:14 5 JUDGE LUSSICK: Well, would it, just for the purposes of
6 this case, simplify matters if (d) was one of the provisions that
7 was rescinded, because that would stop any future confusion with
8 documents, if any, that may become part of the evidence? What do
9 you say, Ms Hollis? I am referring just for this particular
10 witness.

11 MS HOLLIS: Mr President, that appears to make the most
12 logical sense, especially in light of Justice Sebutinde's
13 comments.

14 JUDGE LUSSICK: Thank you, Ms Hollis.

15:49:04 15 Well, I will expect the Prosecution to correct me if the
16 order I am going to make does not mirror the application they
17 have made in respect of the protective measures, but this
18 witness, TF1-218, is the subject of protective measures granted
19 in a decision of Trial Chamber I dated 5 July 2004. The
15:49:43 20 application now in respect of this witness, by the Prosecution,
21 is to rescind all of those protective measures except the
22 protective measures mentioned in paragraphs (b) and (c) on page
23 16 of the decision I have just referred to and those protective
24 measures (b) and (c) shall remain solely to protect the details
15:50:21 25 of the address of the witness. Otherwise, the other protective
26 measures are all rescinded. Is that the application? Yes, all
27 right. And needless to say, this order applies only to these
28 proceedings.

29 MR WERNER: So, your Honour, we would call the next

1 witness, Ruko Turay. Ruko, R-U-K-O. Family name Turay,
2 T-U-R-A-Y. She will testify in the Limba language.

3 WITNESS: RUKO TURAY [Sworn]

4 JUDGE LUSSICK: Mr Werner, I am not sure whether you told
15:53:50 5 us or not, what language will the witness give evidence in?

6 MR WERNER: Yes, your Honour, Limba.

7 JUDGE LUSSICK: Thank you. Go ahead, Mr Werner.

8 MR WERNER: Thank you, your Honour.

9 EXAMINATION-IN-CHIEF BY MR WERNER:

15:54:13 10 Q. Good afternoon, Madam Witness.

11 A. Good afternoon.

12 Q. Madam Witness, what is your name?

13 A. I am called Ruko Turay.

14 Q. And are you able to spell your name?

15:54:42 15 A. In English? It is only in Limba I will be able to call it
16 as Ruko Turay.

17 MR WERNER: Your Honour, I gave the spelling already. Do
18 you want me to spell the name again?

19 JUDGE LUSSICK: Well, I have a record of it.

15:55:03 20 MR WERNER: Yes, it's correct on the LiveNote:

21 Q. Madam Witness, what is your date of birth?

22 A. Well, my parents did not give us our birth certificates,
23 but now I think I will be 50 years.

24 Q. And do you know where you were born?

15:55:38 25 A. Yes.

26 Q. Please tell us?

27 A. I was born at Kasokra.

28 Q. Do you know in which chiefdom is Kasokra?

29 A. In Tonkolili District, Lansokoya.

1 MR WERNER: Your Honour, Kasokra would be K-A-S-O-K-R-A and
2 Tonkolili I believe was spelt already and I am not sure about the
3 last name, but let me clarify one thing:

15:56:30

4 Q. Madam Witness, you said Tonkolili. Is Tonkolili a
5 district?

6 A. Yes. Yes, it is Tonkolili - Kasokra in the Tonkolili
7 District.

8 MR WERNER: And then the witness gave another location and
9 I am not sure about this one:

15:56:46

10 Q. Madam Witness, did you --

11 A. When I said Koroma?

12 JUDGE SEBUTINDE: What is the name of --

13 THE WITNESS: In the Tonkolili District.

14 JUDGE SEBUTINDE: And the name of the chiefdom, please?

15:57:02

15 THE WITNESS: Koroma.

16 MR WERNER: And that will be simply K-O-R-O-M-A, your
17 Honours.

18 MR MUNYARD: Mr President, there seems to be a word before
19 Kasokra that has come up twice now in different spellings. I am
20 not sure if that is just a mishearing --

15:57:21

21 THE WITNESS: The chiefdom is in the Tonkolili - Kasokra is
22 the village I was born. It is - they are paying their taxes at
23 the Tonkolili District, but my village where I was born is called
24 Kasokra.

15:57:44

25 MR MUNYARD: Thank you, I think that answers --

26 JUDGE LUSSICK: All right. Thank you, Madam Witness.

27 THE WITNESS: Okay.

28 JUDGE LUSSICK: We are just going to hear from counsel now
29 and so you are not required to say anything for the moment.

1 MR WERNER: I was going to clarify because indeed I heard
2 the witness say something like --

3 JUDGE LUSSICK: Well, Mr Munyard was halfway through a
4 submission to the Court.

15:58:14 5 MR MUNYARD: I think, Mr President, that the witness in
6 fact clarified the position in her intervention then. It looks
7 as though Kasokra is the full name of the village and it was
8 simply a mishearing in two different forms on the transcript.

9 JUDGE LUSSICK: All right, very well. Proceed, Mr Werner.

15:58:33 10 THE WITNESS: I have said coming from Freetown.

11 MR WERNER:

12 Q. Madam Witness, let me just pause you there. I understand
13 that it is probably confusing for you because you are hearing
14 people talking, but just try to answer the questions and then
15:58:54 15 pause and wait for the next question if that is possible for you.

16 Madam Witness, what is your tribe?

17 A. I am a Limba.

18 Q. And did you go to school, Madam Witness?

19 A. I did not go to school. I did not attend school.

15:59:26 20 Q. And which languages do you speak, Madam Witness?

21 A. I talk Limba and Krio a little bit. I cannot speak Krio
22 fluently, but I speak small small of it.

23 Q. Now, Madam Witness, do you remember --

24 A. Yes.

15:59:58 25 Q. Do you remember on 1 February 2005 in Freetown in Sierra
26 Leone, do you remember testifying --

27 A. I am there.

28 JUDGE LUSSICK: Madam Witness, please, just will you --

29 THE WITNESS: What?

1 JUDGE LUSSICK: Will you please stop talking for a minute.
2 I am just trying to tell you to listen to the question before you
3 start to answer, otherwise you are going to miss what is being
4 asked of you. Now, you are not required to speak until a
16:00:36 5 question has been fully put to you.

6 THE WITNESS: Okay.

7 MR WERNER:

8 Q. Let me start again, Madam Witness. Madam Witness, do you
9 remember on 1 February 2005 in Freetown in Sierra Leone

16:01:01 10 testifying in the case Prosecutor versus Sesay, Kallon and Gbao,
11 the RUF case. Do you remember that?

12 A. Yes.

13 MR WERNER: I would ask if a transcript could be first
14 shown to my learned friend. It is a transcript of the case of
16:01:39 15 the Prosecutor versus Sesay, Kallon and Gbao of 20 pages and the
16 CMS numbers are 18872 to 18891.

17 MR MUNYARD: Mr President, those pages accord with mine
18 albeit the numbering is different.

19 JUDGE LUSSICK: Thank you, Mr Munyard.

16:03:11 20 MR WERNER:

21 Q. Now, Madam Witness, here is the transcript of your
22 testimony. Madam Witness, was your --

23 A. Okay.

24 Q. Was your testimony recently read to you in a language that
16:03:37 25 you could understand?

26 A. Yes.

27 Q. And do you adopt this transcript as your prior testimony?

28 A. Yes.

29 MR WERNER: Thank you. We have nothing further. Sorry, I

1 apologise about that. We will ask this transcript to be marked
2 for identification.

3 JUDGE LUSSICK: Well, the 20 pages of transcript numbered
4 18872 to 18891 of testimony given by this witness in the case
16:04:40 5 Prosecutor against Sesay, Kallon and Gbao on 1 February 2005 will
6 be marked for identification MFI-1. And you don't have any other
7 questions, Mr Werner?

8 MR WERNER: I do not, thank you.

9 JUDGE LUSSICK: Thank you. Mr Munyard.

16:05:04 10 MR MUNYARD: Thank you, Mr President.

11 CROSS-EXAMINATION BY MR MUNYARD:

12 Q. Good afternoon, Madam Witness.

13 A. Yes, good afternoon.

14 Q. I am going to ask you a few questions from over on this
16:05:16 15 side of the courtroom. If you don't understand anything that I
16 say, will you please let me know that you haven't understood and
17 I will try to ask it in an easier way for you to follow. Will
18 you do that?

19 A. Okay.

16:06:09 20 Q. Madam Witness, in the trial that you gave evidence in
21 before, that you have just been asked about, do you remember
22 telling the Court about an experience that you had when you had
23 been in the bush near Bumpé? Do you remember telling the
24 previous court about that experience?

16:06:43 25 A. Yes.

26 Q. And did that thing happen to you at the time - just let me
27 finish the question. Did that thing happen to you in the bush at
28 the time when Tejan Kabbah was President before he was overthrown
29 by the AFRC junta?

1 A. Yes.

2 Q. Now, we know that he was overthrown in May of 1997. I am
3 not expecting you to know the year or the date necessarily?

4 A. Yes.

16:07:35 5 Q. But are you clear in your own mind that Tejan Kabbah was
6 still President at the time that these things happened to you in
7 the bush?

8 A. Well, during that time we had not gone to the bush and we
9 heard that he had been removed from power. He was in town. It
16:08:05 10 did not take two months and they were told that he has come back
11 to his power. It was not too long and then the rebels left the
12 village and went to Kono. By that time we had already gone to
13 the bush.

14 Q. Let me see if I have understood that correctly: Had
16:08:34 15 President Kabbah been restored to power before these terrible
16 things happened to you in the bush?

17 A. Yes.

18 Q. So where were you living before President Kabbah was
19 overthrown by the AFRC junta? Just the area where you were
16:09:09 20 living, not your address?

21 A. I was at the bush.

22 Q. In what district?

23 A. In Kono. That is at Bumpe, in the street at Bumpe. I
24 don't know how the Konos are calling that street.

16:09:37 25 Q. Don't worry about the street. You were living in Bumpe in
26 Kono --

27 A. Yes.

28 Q. -- before he was overthrown. Where were you living when he
29 was restored to power?

1 A. That was the same place, at Fenguma at Bumpe.

2 Q. And it was after he had been restored to power that you
3 went into the bush and these terrible things happened to you, is
4 that right?

16:10:26 5 A. When the rebels came to the town we all ran to the bush.
6 We were there for three months and then we came back to town.
7 That was the time where I had all this trouble. That was at
8 Bumpe, at the Cockerill Junction. That was the place that all
9 this happened to me.

16:10:49 10 Q. Right, but I am simply trying to find out when these things
11 happened to you, and I want to know was President Kabbah - had he
12 been restored to power when these things happened to you, or did
13 these things happen to you during the period of the AFRC junta
14 being in power?

16:11:22 15 A. But I have told you that when the President was brought to
16 power the rebels left the village, they went to Kono. That was
17 the time we ran to the bush. We were there for three months. We
18 came back to town. That was the place where the rebels caught me
19 and they did all they did to me. Have you understood that?

16:11:46 20 Q. Yes, but to be clear that when you say when the President
21 was brought to power, you are talking about the time after he had
22 been overthrown and was then restored to power by ECOMOG? Is
23 that the period that you are talking about, that he was back in
24 power?

16:12:07 25 A. Yes, that is it, because when he was brought back to power
26 that was the time the rebels left and went to Kono and that was
27 the time they did these things to me.

28 Q. Right. And is this right: That you don't know who the
29 rebels were who captured you and did those things to you?

1 A. Well, because they said, they told me that - they told me
2 that they were the rebels and that if we didn't know they were
3 the rebels they were the rebels so I knew then that they were
4 rebels.

16:12:52 5 Q. Were they wearing a particular kind of uniform?

6 A. Yes.

7 Q. And was that the uniform of the Sierra Leone Army, do you
8 know?

9 A. Well, that was how I saw them. I saw combats with them,
16:13:15 10 that is the clothes they are wearing. They had the same uniform
11 the rebels had.

12 Q. You mean that the rebels were wearing the same uniform as
13 you expected Sierra Leone Army to be wearing?

14 A. Yes.

16:13:42 15 Q. And so is this right; that you don't know which particular
16 group the rebels who did these things to you belonged to?

17 A. Where they come from?

18 Q. Which group - which particular group - they belonged to,
19 you don't know that, do you?

16:14:14 20 A. No, because I didn't go to school. Where we were we were
21 all disturbed. I did not know whether - I cannot say.

22 Q. Right. Do you know who Kamajors are?

23 A. Yes.

24 Q. Did you ever see any Kamajors?

16:14:53 25 A. Well, when we were there I saw Kamajors. They wore
26 clothes, like native country clothes, they call ronkos, but
27 during that time they did not do anything wrong to us so I cannot
28 say whether they did anything wrong.

29 Q. All right, put the Kamajors on one side then. Going back

1 to the --

2 MR WERNER: Sorry to interrupt, your Honour, but I believe
3 ronkos is not correctly spelt on the record.

4 JUDGE LUSSICK: No, it is not correctly spelt, but I
16:15:28 5 anticipate that will be corrected when the transcript is edited.
6 But, nevertheless, it doesn't hurt to get the correct spelling on
7 the record now.

8 MR WERNER: It will be R-O-N-K-O-S and not "C".

9 MR MUNYARD: I wonder if Mr Werner would be kind enough to
16:15:51 10 give us a meaning as well as a spelling. There may be some who
11 are listening to this who don't know what ronkos are.

12 MR WERNER: I decline the invitation.

13 MR MUNYARD: We will proceed then in partial ignorance:

14 Q. Madam Witness, putting the Kamajors on one side and going
16:16:10 15 back to the rebels for a moment, how many rebels altogether did
16 you see - I think it was during a two-day period - in the bush?

17 A. Well, the rebels I saw, we were sitting in a room with my
18 children and one rebel went there. He opened the door, I ran.

19 Q. Madam Witness, I don't want to have to take you through all
16:16:48 20 the things that happened. The only question I am asking you
21 about at the moment is how many - how many in number were the
22 rebels that --

23 A. The rebels I saw?

24 JUDGE LUSSICK: Madam Witness, I did mention this to you
16:17:07 25 before. Please wait until counsel has finished asking his
26 question before you start to answer. Can you ask that again,
27 Mr Munyard.

28 THE WITNESS: Yes.

29 JUDGE LUSSICK: Now, you are going to be asked the question

1 again, Madam Witness. Can you please wait until counsel has
2 asked the whole question before you answer.

3 MR MUNYARD:

16:17:38

4 Q. Madam Witness, I am not asking you to go into any of the
5 details of what happened. I just want to know from you how many
6 rebels in total did you see during that incident that took place
7 during a two day period when you were in the bush?

8 A. There were three. The fourth one was outside.

16:18:14

9 Q. And were they all dressed in the same combat or uniform
10 like the Sierra Leone Army uniform?

11 A. They were all dressed in that way.

12 Q. And is this right: That you actually saw those rebels on
13 one particular day when these terrible things happened to you and
14 you escaped and managed to hide in the bush that night?

16:19:03

15 A. Yes. After they had raped me I ran away and then they shot
16 at me, but I slept in the bush for that night.

17 Q. Yes. And the next day someone came along who you knew and
18 you and one of your children then managed to get away to safety,
19 is that right?

16:19:29

20 A. Yes.

21 Q. And so you only ever saw those three rebels on that
22 occasion, the three that you have told us about, and I think you
23 mentioned a fourth who stayed outside? That is the total number
24 of rebels that you saw during that whole incident, is that
16:19:54 25 correct?

26 A. Yes.

27 Q. After that incident did you ever see rebels again?

28 A. Well, after this had passed, when they had done bad to us,
29 I saw them going. Some of them were holding lamps with them.

1 Q. Where were they?

2 A. They were in the town. They were going towards Njaiama
3 Nimi koro.

16:20:46

4 JUDGE SEBUTINDE: Mr Interpreter, what did you say they
5 were holding?

6 THE INTERPRETER: Lamps.

7 MR MUNYARD:

8 Q. Do you mean small sheep? Is that what you are telling us,
9 Madam Witness?

16:21:08

10 A. Sheep? Sheep?

11 Q. Is that what the rebels who you saw in the town were
12 holding?

16:21:35

13 A. Lamps, these are - after they had done it they were holding
14 lanterns. Lanterns. We were in the bush. That is in the middle
15 of the town. They were lamps which is lanterns.

16 Q. Is it lamps, or is it lambs? Is it lanterns, or is it
17 sheep?

18 JUDGE SEBUTINDE: Mr Munyard, it's lanterns, lamps, as in
19 lights.

16:21:54

20 MR MUNYARD: Thank you. I must say I thought --

21 THE WITNESS: They placed some liquid in the bottles and
22 they lit it. They were so many, but I could not be able to count
23 them. But those who held me, those who did the bad were sitting
24 there. The fourth one was outside. They were holding lanterns.

16:22:15

25 MR MUNYARD:

26 Q. Thank you very much. Were they dressed in the same way as
27 the rebels who were dressed as Sierra Leone Army were dressed,
28 these rebels with the lanterns?

29 A. That was the way they were dressed. Some had guns, some

1 had clothes. They were dressed in that same way.

2 MR MUNYARD: Mr President, would you give me just a moment?

3 I think those are my questions, but I just want to make sure.

4 JUDGE LUSSICK: Yes, certainly.

16:23:03 5 MR MUNYARD: Yes, thank you very much. I have no other
6 questions of you, Madam Witness.

7 JUDGE LUSSICK: Thank you, Mr Munyard. Any re-examination?

8 MR WERNER: Yes, just two quick questions, your Honour.

9 RE-EXAMINATION BY MR WERNER:

16:23:19 10 Q. Madam Witness, you were asked about the time Bumpe was
11 attacked. Do you know if Bumpe was attacked in the dry season or
12 the rainy season?

13 A. During that time they were coming from the town during the
14 day. They came from Freetown in the dry season, but when they
16:23:46 15 did bad things to us rain had started coming.

16 Q. Thank you, Madam Witness. Now on LiveNote for my learned
17 friend it will be page 144, lines 23 and 24. Madam Witness you
18 said, "After they had raped me I ran away and they shot at me".
19 Where did they shoot at you, Madam Witness?

16:24:16 20 A. On my hand. Look at my hand. That is on my left hand.

21 MR WERNER: And I think I can see the scar from here and
22 could that be noticed, that the witness has a scar?

23 MR MUNYARD: It is on her arm as far as I can see.

24 MR WERNER: Yes, yes.

16:24:39 25 JUDGE LUSSICK: Yes. Well, the witness has shown the Court
26 quite a deep scar on the underside of her left forearm. It looks
27 as though it may be about an inch and a half across.

28 MR WERNER: Thank you, your Honours. I have no further
29 questions.

1 JUDGE LUSSICK: Mr Munyard, that scar actually was not part
2 of the evidence-in-chief. I don't know if anything arises from
3 that.

4 MR MUNYARD: No, thank you, your Honour. I have nothing
16:25:19 5 further to ask about that.

6 JUDGE LUSSICK: Right, thank you.

7 THE WITNESS: I want to drink.

8 JUDGE SEBUTINDE: Please help yourself to a drink of water.

9 THE WITNESS: Yes, I want to drink.

16:25:47 10 JUDGE SEBUTINDE: Please, you are welcome to drink some
11 water and then I will ask you one question. Madam Witness, the
12 lawyer asked you how the rebels were dressed that attacked you.
13 Can you in your own words describe to the judges how these rebels
14 were dressed - in your own words? Describe the clothes that they
16:26:31 15 were wearing.

16 THE WITNESS: They had the same uniform, that was combats.
17 You know the combat of the rebels.

18 JUDGE SEBUTINDE: Actually I don't. That's why I was
19 asking you to describe to us whether it was a full army uniform
16:26:56 20 combat, or half a uniform, different shirts, different trousers.
21 We need to know.

22 THE WITNESS: The trousers, the clothes, they were the
23 same. The boots, they were black. The boots were black.

24 JUDGE LUSSICK: Yes, anything arising from that, Mr Werner?

16:27:32 25 MR WERNER: No, thank you.

26 JUDGE LUSSICK: Mr Munyard?

27 MR MUNYARD: No, thank you.

28 JUDGE LUSSICK: Yes, Mr Werner.

29 MR WERNER: We have I believe MFI-1 and we would apply for

1 that to become the next exhibit.

2 JUDGE LUSSICK: Do you have any objection, Mr Munyard?

3 MR MUNYARD: Agreed.

4 JUDGE LUSSICK: Thank you. The transcript described as
16:27:55 5 MFI-1, that is the transcript of the evidence of this witness
6 given on 1 February 2005 in the case of Prosecutor against Issa
7 Sesay and others, pages 18872 to 18891, will be admitted into
8 evidence as Prosecution exhibit P-198.

9 [Exhibit P-198 admitted]

16:28:44 10 Madam Witness, that ends your testimony. We would like to
11 thank you for coming to court and if you will just sit there now
12 we will adjourn the Court and you will be able to leave.

13 Madam Court Manager, could you adjourn the Court please.

14 [Whereupon the hearing adjourned at 4.30 p.m.
16:29:12 15 to be reconvened on Wednesday, 15 October 2008
16 at 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

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EXHIBITS:

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