

**THE SPECIAL COURT FOR SIERRA LEONE**

**CASE NO. SCSL-2004-15-T  
TRIAL CHAMBER I**

**THE PROSECUTOR  
OF THE SPECIAL COURT  
V.  
ISSA SESAY  
MORRIS KALLON  
AUGUSTINE GBAO**

**WEDNESDAY, 2 FEBRUARY 2005  
9.42 A.M  
TRIAL**

**Before the Judges:**

**Benjamin Mutanga Itoe, Presiding  
Bankole Thompson  
Pierre Boutet**

**For Chambers:**

**Ms Peace Malleni  
Mr Matteo Crippa**

**For the Registry:**

**Mr Geoff Walker**

**For the Prosecution:**

**Mr Peter Harrison  
Mr Christopher Santora  
Ms Millicent Stronge (intern)  
Mr Mark Wallbridge (Case Manager)**

**For the Principal Defender:**

**No appearance**

**For the accused Issa Sesay:**

**Mr Wayne Jordash  
Ms Chloe Smythe**

**For the accused Morris Kallon:**

**Mr Shekou Touray  
Mr Melron Nicol-Wilson**

**For the accused Augustine Gbao:**

**Mr John Cammegh**

1 [HS020205A - JM]  
2 Wednesday, 2 February 2005  
3 [Open session]  
4 [The accused Gbao not present]  
5 [The witness entered court]  
6 [On commencing at 9.42 a.m.]

09:28:28

7 PRESIDING JUDGE: Good morning, learned counsel. We're  
8 resuming our session. This would be the 24th Prosecution  
9 witness. Mr Santora, you're leading the  
10 examination-in-chief this morning?

09:44:31

11 MR SANTORA: Yes, Your Honour. It is the 25th Prosecution  
12 witness.

13 PRESIDING JUDGE: The 25th. Yes, it is, you're right. TF --

14 MR SANTORA: TF1-012, and the witness will be speaking in  
15 Kono.

09:45:40

16 WITNESS: TF1-012 [Sworn]  
17 [Witness answered through interpreter]

18 PRESIDING JUDGE: Yes, Mr Santora, you may proceed.

19 MR SANTORA: Thank you, Your Honour.

09:46:30

20 EXAMINED BY MR SANTORA:

21 Q. Good morning, Mr Witness.

22 A. Good morning. How do you do.

23 Q. Mr Witness, I'm going to ask you questions. I want you  
24 to listen to the questions carefully. And if you don't  
25 understand a question, please say you don't understand it  
26 and I will rephrase it.

09:46:52

27 A. Ask me.

28 Q. Mr Witness, where were you born?

29 A. I was born in Kono.

1 Q. And what chiefdom in Kono were you born in?

2 A. Tombodu.

3 Q. Mr Witness, what is your profession?

4 A. I am a farmer.

09:47:38

5 Q. Mr Witness, what languages do you speak?

6 A. I speak Kono. I speak Kono, I speak Krio, but I'm going  
7 to testify in Kono.

8 Q. Mr Witness, where were you living --

9 PRESIDING JUDGE: He says he speaks Kono and Krio?

09:48:14

10 MR SANTORA: Yes, Your Honour.

11 Q. Mr Witness, where were you living during the war in  
12 Sierra Leone?

13 A. I was in Kono.

14 Q. Do you remember the time during the war that Tejan Kabbah  
15 was thrown out of power?

09:48:45

16 A. Yes.

17 Q. Where were you living --

18 PRESIDING JUDGE: Do the Defence teams find any difficulty  
19 with leading, asking a leading question on issues like  
20 that?

09:49:06

21 MR JORDASH: No.

22 PRESIDING JUDGE: All right. Please, there are certain issues  
23 which are established which we should know already in  
24 this Court. You should feel free to put the date, you  
25 know, to the witness.

09:49:18

26 MR SANTORA: Okay. Thank you, Your Honour.

27 Q. Where were you living at this time?

28 A. The time when they overthrew Tejan Kabbah, I was in  
29 Tombodu.

1 Q. Can you tell us what happened after Tejan Kabbah was  
2 thrown out of power?

3 A. I can explain it. Let me explain.

4 Q. Go ahead and explain.

09:50:13

5 A. [No interpretation]

6 PRESIDING JUDGE: Mr Santora --

7 MR SANTORA: I'm not getting English. I'm hearing just the  
8 translator.

9 JUDGE BOUTET: We all do. He's not shutting off his

09:50:28

10 microphone.

11 MR HARRISON: I apologise for interrupting, but I think this  
12 is a problem we've faced before. My recollection was  
13 that in the interpretation unit, the microphones may be  
14 left on for a longer period. I'm just wondering if that  
15 could be checked by the audiovisual staff.

09:50:45

16 MR CAMEGH: I'm not getting Your Honours on my headphones at  
17 all. I'm getting the witness and I'm getting  
18 Mr Harrison, but not the Bench.

19 JUDGE BOUTET: Are you on right channel?

09:51:01

20 MR CAMEGH: Well, I'm on English, which is the one I was  
21 advised.

22 JUDGE BOUTET: It should be.

23 PRESIDING JUDGE: Are you getting us now?

24 MR CAMEGH: I'm getting you now.

09:51:11

25 PRESIDING JUDGE: Right, okay.

26 MR SANTORA: Okay, I'm hearing myself now, so I'll proceed.  
27 If there's any problem, we'll stop.

28 Q. Okay, Mr Witness. I'd like you to explain to the Court  
29 what happened after Tejan Kabbah was thrown out of power?

09:52:08 1 A. At one time, we were in Kono. Then we heard -- when we  
2 all voted for him, at one time we heard that they had  
3 overthrown him. It was a surprise to many people. We  
4 said having elected this man only for one year, now he  
5 has been overthrown? Not even up to a week, we heard  
6 that Corporal ^ Bori was going up to Kono.

7 PRESIDING JUDGE: You heard that what?

8 MR SANTORA: He said Corporal Bori.

9 Q. Before you proceed, who is Corporal Bori?

09:52:41 10 A. He was a soldier, but he had been killed. But they'd  
11 started everything. That is what we heard.

12 Q. So you said that you heard Corporal Bori was coming?

13 A. Yes. We went. We went to community. We went for a  
14 meeting.

09:53:05 15 Q. Where was this meeting?

16 A. Community centre, Koidu.

17 Q. And what happened when you got to the community centre in  
18 Koidu?

09:53:34 19 A. We went there with Mosquito, Superman, Colonel ^ Bunema,  
20 Gullit, Five-Five, Issa. By then, Issa was not a  
21 general. Mosquito was in charge.

22 Q. Were these individuals all present?

23 A. All those that I've named were all in that convoy. They  
24 attended that meeting.

09:54:05 25 PRESIDING JUDGE: Can he take that list again, please,  
26 Mr Santora.

27 MR SANTORA: Yes, can you remember all of the people --

28 PRESIDING JUDGE: Let him repeat the names.

29 MR SANTORA:

1 Q. Repeat the names of the people that were present with  
2 Bori. The names you just mentioned, can you repeat them?

3 A. Let me go over it again.

4 Q. Yes, please.

09:54:31

5 A. Corporal Bori, Superman, Gullit, Five-Five and Issa. By  
6 then there were so many I cannot name them all.

7 Q. These people were at the community centre?

8 A. Yes.

9 Q. What happened at the community centre?

09:55:16

10 A. What happened, then Bori said, they now own the  
11 government and [inaudible]. If anybody says they are not  
12 going to support the government, they will kill you.  
13 Having seen the condition at that time in Koidu, you that  
14 have a good vehicle, they will take it from you.

09:55:48

15 MR JORDASH: Can we slow down a touch, please.

16 MR SANTORA:

17 Q. Mr Witness, when you explain, you can speak slowly so we  
18 can understand and make sure we get your information. So  
19 go ahead and proceed. What was happening -- what  
20 happened at the community centre. You said Bori was  
21 addressing people; is that correct?

09:56:03

22 A. Yes, he held a meeting and spoke to people. He told them  
23 that they own the government now. He said whosoever says  
24 he will not support them, except he goes to Guinea or  
25 else they will kill you.

09:56:37

26 Q. Who do you mean by "they"?

27 A. Them, like who now?

28 Q. You said that "they owned the government." Who is  
29 "they"?

1 A. Those who did the overthrow, Corporal Bori and the RUF,  
2 they all came together. By then, you don't call them  
3 RUF, you call them soldiers.

09:57:29 4 Q. Aside from Bori, did anybody else say anything at this  
5 community centre meeting?

6 A. Yes. Most of them gave speeches. But the way they were  
7 doing things now, it was not pleasing to people.  
8 Whosoever have good cars, they take it from you.

9 Q. After this meeting, did they leave?

09:58:18 10 A. Yes, they all returned. Some came to Freetown, and we  
11 went to our villages.

12 Q. Where did you go specifically?

13 A. At that time, I returned back to my village where I came  
14 from, after the meeting.

09:58:36 15 Q. What village is that?

16 A. Tombodu.

17 Q. Mr Witness, do you remember the time that the ECOMDG  
18 forces in 1998 entered Freetown and removed the AFRC and  
19 RUF?

09:59:20 20 A. Yes.

21 Q. And where were you at this time?

22 THE INTERPRETER: Your Lordships, can the witness go slower  
23 than this.

24 MR SANTORA:

09:59:46 25 Q. Mr Witness, I'm going to ask you to speak slowly so the  
26 translation person can understand exactly what you say.  
27 Okay. I'm going to repeat the question.

28 You said that you remember the time -- or I'm asking  
29 you, do you remember the time that ECOMDG forces entered

1 Freetown and removed the AFRC and RUF?

2 A. Yes.

3 Q. Where were you at this time?

4 PRESIDING JUDGE: Please, let us take him there.

10:00:20 5 THE WITNESS: In Kono.

6 MR SANTORA:

7 Q. What village in Kono were you in at this time?

8 A. At that time, we were in Tombodu.

9 Q. Can you tell the Court, Mr Witness, what happened at this  
10:01:21 10 time, after the ECOMDG came into Freetown?

11 A. Yes.

12 Q. Go ahead and start explaining what happened, to the  
13 Court.

14 A. At one time, we saw vehicles coming in big convoys with  
10:01:59 15 so many vehicles.

16 Q. Coming into where, Mr Witness?

17 A. They entered Tombodu.

18 Q. And about how many vehicles did you see?

19 A. There were so many. There were so many. They had  
10:02:27 20 trucks. Trucks, vans. The vehicles were so many.

21 Q. When you first saw this convoy about how long was this  
22 after you heard that ECOMDG had come into Freetown?

23 A. The time when ECOMDG went into Freetown, that was the  
24 time they went to Kono with Johnny Paul.

10:03:05 25 Q. Okay. You said you saw a convoy come into Tombodu; is  
26 that correct?

27 A. Yes.

28 Q. It had many vehicles; is that correct?

29 A. Yes.



1 Q. Okay. Then what did you see?

2 A. What I saw, when they came, by then we are now in the  
3 bushes around the town. Then they asked an old man to  
4 announce in the town as a crier, town crier. They said  
10:03:55 5 people should come to Pa Faniya's compound. Then we  
6 asked what have happened. They said the president has  
7 come, Johnny Paul.

8 Q. Okay. Before you proceed, Mr Witness, you said that you  
9 were in the bush after the convoy came; is that correct?

10:04:23 10 A. Yes. By then, we weren't sleeping in the town again. We  
11 sleep in the bush.

12 Q. Okay. And while you were in the bush, you said a town  
13 crier came in and told you to come to Chief ^ Faniya's  
14 compound; is that correct?

10:04:54 15 A. Yes.

16 Q. Where is Chief Faniya's compound?

17 A. It is in Tombodu.

18 Q. So, did you proceed to go to Chief Faniya's compound?

19 A. Yes.

10:05:08 20 Q. Okay. Explain to the Court what you saw when you arrived  
21 at Chief Faniya's compound in Tombodu.

22 A. When we came, we saw them, so many of them Mbsquito,  
23 Johnny Paul himself, Superman, Rambo, Staff Alhaji. They  
24 call him now Staff Biyoh. There were so many. Then they  
10:06:08 25 explained to us that as for now -- in fact, it was then  
26 Johnny Paul told us that it was a pleasure to him because  
27 -- he's heading from Tombodu.

28 Q. Okay, Mr Witness, before we go on, I want to make sure we  
29 have it clear. Can you say all the commanders that you

1 remember seeing at Chief Faniya's compound when you  
2 arrived. Again, just repeat the list so it's clear.

3 A. I said Superman, Mosquito, Rambo, Colonel ^ Bunema,  
4 Staff Alhaji, Issa. There were so many. Because by  
10:07:17 5 then, no civilian could be able to understand what they  
6 were really after.

7 Q. Mr Witness, you said Issa. Who is Issa?

8 A. Issa Sesay. By then, they called him Povi ^ .

9 Q. And how did you know that these commanders were there?

10:08:02 10 A. They were introduced to us by their followers. At times  
11 you see them in a big group of men, following them. They  
12 say, "This is a commander. "

13 Q. Aside from these commanders, who else was at Chief  
14 Faniya's compound?

10:08:33 15 A. Apart from the commanders, people were there. There were  
16 so many.

17 Q. And what happened at the compound?

18 A. What happened, we were there. They captured six people.

19 Q. Who captured six people?

10:09:09 20 A. RUF and the soldiers. They were all now united together.

21 Q. What did they do with the six people?

22 A. Those six people, they killed them all.

23 Q. Who killed them?

24 A. The soldiers. They said they found voters' ID card in  
10:09:48 25 their pockets.

26 Q. Who said that they found voters' ID cards in their  
27 pockets?

28 A. Their followers who were moving with them went in search  
29 of those boys. And when they found them, they thought

1 they had money in their pockets. So they were searching  
2 in their pockets where they found wallets. In those  
3 wallets, they found those voters' ID cards. It was  
4 because of those voters' ID cards that they were killed.

10:10:43

5 Q. Why were they killed because of their voter ID cards?

6 A. They said they voted for Tejan Kabbah.

7 Q. How were they killed?

8 A. They were shot.

9 Q. Did you see this?

10:11:12

10 A. I witnessed it. In fact, one of the persons who killed  
11 those people is Saquee ^ , a Kono fellow. I know him

12 Q. And the six people that were killed, did you know them?

13 A. I know only one person among them.

14 Q. And without giving me a name, how do you know that  
15 person?

10:11:38

16 A. We are all in that same town.

17 Q. So this person was from Tombodu?

18 A. Yes.

19 Q. After these six people were killed, what happened?

10:12:15

20 A. At that time, they moved. They said they were going to  
21 Guinea.

22 Q. Who said they were going to Guinea?

23 A. That convoy which comprised of Mosquito, Johnny Paul,  
24 Colonel ^ Bunema, Staff Alhaji, they all decided that  
25 they are going to Guinea.

10:12:43

26 Q. You said Johnny Paul was present in the convoy?

27 A. Yes.

28 Q. How did you know that?

29 A. The vehicle in which he was sitting, one of his

1 bodyguards came to me and held me by my hand and showed  
2 me -- he said, "This is our president".

3 Q. And how did he appear?

4 A. He was dressed like a woman.

10:13:27 5 Q. Do you know why he was dressed as a woman?

6 A. Because at that time, ECOMOG had routed them from  
7 Freetown. They were trying to escape with him, so they  
8 dressed him in that manner so that people could not  
9 recognise him.

10:14:03 10 Q. So at Chief Faniya's compound when these events were  
11 going on, which commanders actually spoke to the people  
12 there?

13 A. That commander, I could not remember his name now because  
14 there were many, and even Johnny Paul himself spoke to  
15 us.

10:14:38 16 Q. And with regards to the incident about the civilians who  
17 were killed with the voter ID cards, how specifically did  
18 you learn that they were killed because of their voter ID  
19 cards?

10:15:13 20 A. They took it from their pockets. They took it from their  
21 pockets and displaced it, and said, "You see, these are  
22 the people who are going to vote for that foreigner." So  
23 we who had ours in our pockets removed it and threw it  
24 away.

10:15:33 25 Q. So they did this in front of other people; is that  
26 correct?

27 A. Yes.

28 Q. And after they removed the voter ID cards and spoke to  
29 the people, what happened right after that?

1 A. At that time, after they've killed those people, they  
2 just order that the bodies be taken away for burial.  
3 Then they went away.

4 Q. Okay. You said then that the convoy started departing  
10:16:33 5 towards Guinea; is that correct?

6 A. Yes.

7 Q. Did you go with the convoy?

8 A. Yes. In that convoy were the people who were carrying  
9 loads for them

10:16:52 10 Q. Were you carrying a load?

11 A. Yes.

12 Q. About how many people went on the convoy?

13 A. The people were many because the civilians which they  
14 captured from Freetown, Koidu, and Tombodu there were all  
10:17:24 15 in that convoy. It was the last convoy. The people were  
16 so many.

17 Q. Were other people carrying loads too?

18 A. Yes. People like that cannot hold you -- you say you  
19 cannot hold loads for them.

10:17:51 20 Q. What do you mean by that, Mr Witness?

21 A. What?

22 Q. You said that people like that -- can you repeat your  
23 answer to the last question?

24 A. What I'm saying is that they cannot capture you without  
10:18:16 25 putting a load on your head to carry for them That's  
26 what I mean, the rebels.

27 Q. So did you proceed towards Guinea?

28 A. We didn't reach to Guinea.

29 Q. Where did you go?

1 A. We stopped at Kuchero ^ .

2 Q. Can you tell the Court where Kuchero is?

3 A. Kuchero is in Sandor.

10:19:19

4 Q. Mr Witness, do you know how to spell Kuchero, the name of  
5 this place?

6 A. I cannot read and write.

7 Q. Let me ask you this question: Kuchero is in which  
8 chiefdom again?

9 A. It is in Sandor. Sandor, Sandor Chiefdom.

10:19:36

10 Q. Okay. This convoy that you were with, with the other  
11 civilians, where were the commanders in this convoy?

12 A. Most of the commanders were in vehicles. Some were  
13 walking on foot. And the rest of us were walking on  
14 foot. Some in vehicles again, as I said.

10:20:15

15 Q. Can you remember the types of vehicles that the  
16 commanders were in?

17 A. Yes. Land Cruiser, Land Rover.

18 Q. How long did it take for the convoy to get to Kuchero?

10:21:03

19 A. It was a day's walk, just a day's walk. We were not  
20 running, neither walking.

21 Q. Can you tell Court what happened when the convoy got to  
22 Kuchero?

23 A. Yes. When we arrived at Kuchero, at that time the man  
24 who showed us the road to go, he was called Pa Mara. It  
25 was from him we came to know that the motor road didn't  
26 go through. When we reached at that point, the vehicles  
27 could not go further. So they killed that man, saying  
28 that he wants to betray them.

10:21:49

29 Q. Okay. Why couldn't the vehicles go further?

1 A. There was no bridge. There was no thoroughfare. That  
2 was the end of the road for vehicles.

3 Q. And you said that Kamara was shot because they thought he  
4 betrayed them; is that correct?

10:22:45

5 PRESIDING JUDGE: Did I hear him say Pa Mara? What was the  
6 name?

7 MR SANTORA:

8 Q. Was the name Pa Mara or Kamara?

9 A. Hmm?

10:23:05

10 Q. The name of the person who was shot, who showed the road,  
11 what was his name again?

12 A. His name, I said Pa Mara. Mara, Mara.

13 PRESIDING JUDGE: Pa Mara?

14 THE WITNESS: Pa Mara, yes. That was what the wife told us.

10:23:36

15 MR SANTORA:

16 Q. Who killed him?

17 A. One boy they called T.

18 Q. Who was T?

19 A. He is a soldier.

10:23:59

20 Q. Do you know who T's boss was?

21 A. All of them at that time were under one command.

22 Q. Whose command was that?

23 A. It was Johnny Paul's command at that time.

24 Q. So after the convoy reached Kuchero and the bridge was  
25 out, what happened?

10:24:45

26 A. After they found out that there was no bridge, the convoy  
27 returned again.

28 Q. Returned to where?

29 A. They returned as far as Tombodu.

1 Q. And were all the commanders still present with the  
2 convoy?

3 A. They were all in the same convoy again.

4 Q. What happened after the convoy returned to Tombodu?

10:26:11

5 A. The time when the convoy returned to Tombodu, it was then  
6 Mosquito selected a few commanders to go with Johnny Paul  
7 to Kailahun.

8 Q. Can you tell the Court which commanders went with Johnny  
9 Paul and Mosquito to Kailahun?

10:26:46

10 A. The commanders were so many. In fact, most of them have  
11 died. At that time, they had no proper name.

12 Q. Did some commanders stay in Tombodu, or did they all go  
13 to Kailahun?

10:27:16

14 A. Some remained in Tombodu and gave an order that whatever  
15 town they capture, they must leave soldiers there. They  
16 shouldn't leave it empty.

17 Q. Do you remember which commanders stayed in Tombodu after  
18 the others went to Kailahun?

10:27:55

19 A. Yes. Commander that remained was Staff Alhaji, Savage,  
20 and the small small boys.

21 Q. So the other commanders went to Kailahun. Is that  
22 correct?

23 A. Yes.

24 Q. And did they proceed in vehicles?

10:28:20

25 A. Yes.

26 Q. After they left, what happened?

27 A. At that time, Savage remained. At that time we were  
28 there now, they told us there is an order. At that time,  
29 Superman, they came.



1 Q. Okay. Before you proceed, you said Superman came. Is  
2 that correct?

3 A. Yes.

4 Q. Did Superman come to Tombodu?

10:29:15 5 A. Yes.

6 Q. Did any other commanders come to Tombodu with Superman?

7 A. Yes.

8 Q. Do you remember which commanders came?

9 A. Rambo came. Bunema ^ came. Gullit came. Five-five.  
10 They came to Tombodu.

11 Q. And where were they coming from?

12 A. They came from Kailahun.

13 Q. And you said there was an order. What do you mean "an  
14 order"?

10:30:29 15 A. The order they were talking of was that they said they  
16 had seen Tombodu as a place wherein people don't want to  
17 cooperate with them, that people are running away from  
18 them going in the bushes, and that whosoever is now  
19 caught in the bush will be killed. That was the order  
10:30:47 20 they gave.

21 Q. Who gave this order?

22 A. At that time, Mbsquito was in charge.

23 Q. How did you hear about the order?

24 PRESIDING JUDGE: Mr Santora, please, please.

10:31:03 25 MR SANTORA: Sorry, Your Honour.

26 PRESIDING JUDGE: Anybody running into the bush will be  
27 killed. The order was given by who? The order was given  
28 by who?

29 MR SANTORA: The witness said Mbsquito.

1 Q. How do you know Mosquito gave this order?

2 A. Staff Alhaji brought the paper. He read the paper to us,  
3 indicating to us that it was Mosquito who gave the order  
4 that whosoever goes into the bush now must be killed.

10:32:54

5 Q. Did the order say anything else?

6 A. He said they should set houses on fire because we didn't  
7 support them. We were leaving the town going to the  
8 bushes. Therefore, we don't need houses.

9 Q. Was this order carried out?

10:34:17

10 A. Yes.

11 Q. Can you explain?

12 A. Yes. That was the time now, when Savage and Staff Alhaji  
13 and Superman and Five-Five, that was the very day they  
14 started burning Tombodu.

10:34:48

15 Q. Mr Witness, before this order from Mosquito was Savage  
16 burning houses in Tombodu?

17 A. No, at the time they left them in Tombodu and went to  
18 Kailahun there was no burning of houses yet. Nobody  
19 touched any house.

10:35:39

20 JUDGE BOUTET: Mr Prosecutor, I heard the witness say that the  
21 order was carried out, and I'm not sure I fully  
22 understood. He gave a series of names; Savage, Staff  
23 Alhaji, Five-Five, and so on. I would like to understand  
24 a little bit more what's the meaning of that.

10:36:00

25 MR SANTORA: I will clarify that with the witness,  
26 Your Honour.

27 Q. Mr Witness, you said that Savage, Staff Alhaji, Superman,  
28 and Five-Five, that this was the time then that burning  
29 of houses started; is that correct?

1 A. Yes.

2 Q. What do you mean by naming these four commanders?

3 A. Who are they? I didn't get you clear about these four  
4 commanders.

10:36:39 5 Q. You named these four commanders. Why did you name them?

6 A. They started burning houses in Tombodu.

7 Q. Okay. When you say "they", do you mean them personally  
8 or do you mean their men?

9 A. They have boys behind them. They only pass instructions  
10:37:17 10 to them, say, "Burn this house, burn this house, burn  
11 this house." And that very evening they burned 36  
12 houses.

13 Q. Mr Witness, did you see them burning houses?

14 A. If you go to Tombodu now, you will see the evidence of  
10:38:08 15 what they did. This is known by everybody now,  
16 worldwi de.

17 PRESIDING JUDGE: That does not answer the question.

18 MR SANTORA: I will repeat the question, Your Honour.

19 Q. Mr Witness, when the burning of the houses started did  
10:38:27 20 you see it?

21 A. I saw them I saw them burning these houses.

22 Q. Where were you exactly?

23 A. By then I was now in their hands, in captivity. After  
24 they killed my friend, they had empathy for me. They  
10:39:04 25 were now using me as an errand boy, sending me anywhere.

26 Q. Mr Witness, you also said that the order that came from  
27 Mosquito said that civilians who were hiding in the bush  
28 should be killed. Did this happen?

29 A. Yes.

1 Q. Can you explain?

2 THE INTERPRETER: Your Lordship, the witness is going so  
3 lengthy in his testimony that we cannot translate.

4 MR SANTORA:

10:40:49

5 Q. Mr Witness, I want you to repeat what you just said but  
6 very slowly so the translation unit can understand you,  
7 okay. Now, the question I asked you was whether or not  
8 the order for people in the bush to be killed was carried  
9 out.

10:41:08

10 A. Yes, it was carried out. Anybody now caught in the bush,  
11 as long as you are brought before them They kill you,  
12 threw you in the water. There is a place now they call  
13 Savage Water.

10:41:51

14 There is a house with four rooms and a parlour. At  
15 one time, he and Staff Alhaji, they said the boys should  
16 go out on an errand. They said whosoever is found in the  
17 bush, let them bring him. By then we were now in the  
18 town. The boys went out that day. So many people were  
19 captured that day. As they brought them, Savage gave an  
20 order. He said they should all be lodged in that house.  
21 That four rooms were all filled with people. Also the  
22 parlour. Nobody knows the count. They set fire to it.  
23 They were all burnt.

10:42:41

24 When we went there, if you see the oil of human  
25 being coming out, it took two months, the oil was running  
26 out. The house is still there.

10:43:23

27 Q. Okay, Mr Witness, I want to ask you about this incident  
28 with the people who were put in the house. These people,  
29 were they men and women?

1 A. Men and women. There were so many. The person who  
2 himself killed them never knew their count.

3 Q. This house, was it in Tombodu?

10:44:21

4 A. Right now UN have said, they said they are going to  
5 transform it in a sort of museum

6 Q. When this happened with the people in the house, this was  
7 after the order that Staff Alhaji read from a piece of  
8 paper?

10:44:54

9 A. Yes. When the order came, then the killing started now  
10 in Tombodu.

11 Q. About how long was this incident in the house after the  
12 order was read from the paper? Was it -- about how many  
13 days or weeks?

10:45:29

14 A. The day they read that letter, some of us didn't sleep in  
15 the town. We slept in the bush. It was that same day,  
16 the evening, that they burnt that 35 houses.

17 Q. And was that the same day they put the people inside the  
18 house with four rooms?

10:46:15

19 A. No. There came a time now, they went out in search of  
20 men in the bush as how hunters go in search of animals.

21 Q. Okay. What was this time? Was it in the dry season  
22 still?

23 A. It was almost to the end of the dry season because the  
24 place were now dried.

10:46:49

25 Q. Was this the same year that ECOMOG threw out the AFRC and  
26 RUF from Freetown?

27 A. When ECOMOG routed them from Freetown, they went to Kono,  
28 they went to Kuchero. They couldn't see a way to go  
29 through. They came to Tombodu and went to Kailahun.

1 There the order came from Kailahun. It was from that  
2 time they began the atrocity now.

3 Q. Okay. You mentioned something called Savage Water. What  
4 is this?

10:47:53

5 A. That water, it's sad to say something about. When he  
6 killed those people by burning them in that house most of  
7 his colleagues became worried. They called him and said,  
8 "The way you are doing things will make us be alarmed  
9 outside." Then he promised that he will not do it again,  
10 but he will find another place. That was the time he  
11 called that water Savage Water. He killed people and  
12 threw them in there.

10:48:27

13 Q. Do you know about how many people were killed and thrown  
14 in that water?

10:48:58

15 A. Even ourselves, we don't know. That is all the reason  
16 the white man has said that they were going to dry up  
17 that water to even count how many people were thrown in  
18 that water, for them to know exactly, because so many  
19 people are in that pit.

10:49:19

20 Q. Can you explain to the Court where exactly Savage Water  
21 is?

22 A. Yes. If you enter into Tombodu while going to Bendu II,  
23 at that junction, there the water is. In fact, it has  
24 been fenced by UNAMSIL that nobody goes there again.

10:49:54

25 Q. You said that - Mr Witness - while you were in Tombodu,  
26 people were killed and thrown into Savage Water. Did you  
27 actually see people being killed?

28 A. That which I didn't see, I would not talk about it. I  
29 saw it for myself. They killed somebody. A stone was

1 tied at his back and thrown into the water. The other  
2 day again, they killed about three people and tied stone  
3 on their back and throw them into the water.

10:51:22

4 Q. Aside from seeing these killings and the burning of  
5 houses, did you see anything else while you were in  
6 Tombodu when Savage was there?

7 A. Yes, because we were there. Even Savage, when he killed  
8 those people, he became off head. He begun acting like a  
9 mad man.

10:52:01

10 Q. What did he do?

11 A. He became mad. They took him and carried him to the  
12 imbarmara ^ at Masofiniya.

13 Q. Before they took him away, did he do anything else in  
14 Tombodu that you saw?

10:52:53

15 A. Anything about Savage is hard to explain because all what  
16 he did in Tombodu is so many that to explain it it's very  
17 difficult, so hard to explain.

18 Q. While Savage was in Tombodu, where were you exactly in  
19 Tombodu?

10:53:32

20 A. We're all in Tombodu. While they were up in the town, we  
21 were down towards the riverside, but it was in the same  
22 town.

23 Q. And what were you doing at this time?

10:54:03

24 A. By then I was a farmer, but, because I have been  
25 captured, I had nowhere to go. I was just there with  
26 them doing nothing again.

27 PRESIDING JUDGE: He said he was an errands man. It's on  
28 record. He had been captured and he was running errands  
29 for them, unless you have something else you were heading

1 towards.

2 MR SANTORA: No, I was actually going to explore that,  
3 Your Honours.

4 Q. You said before, Mr Witness, that when you were captured  
10:54:31 5 in Tombodu at this time when Savage was there you were an  
6 errands man. What do you mean by that?

7 A. I was there with them --

8 PRESIDING JUDGE: The interpreter is complaining. He's going  
9 too fast, he is saying too long. Let him proceed --

10:55:20 10 MR SANTORA: Thank you, Your Honour.

11 [HS020205B 11.00 a.m. - EKD]

12 Q. Mr Witness, I'm going to ask you the question again and I  
13 just want you to speak slowly and let the translator hear  
14 it so he can translate it for us to understand exactly  
10:55:32 15 what you say, okay. You said that while you were there  
16 in Tombodu, while Savage was there, you were captured and  
17 were an errands man. Now, I'd like you to explain slowly  
18 what you mean by that?

19 A. There was no other job. In the morning they will ask us  
10:56:09 20 to come to headquarters, we the civilian who were in  
21 their captivity. When you come, they will send you --  
22 some of you who will go and find food for them, like  
23 cutting banana for them, you go. When they bring loads  
24 to be taken to the headquarters you who have to carry it,  
10:57:03 25 you carry it. If it happens that you are appointed to go  
26 to Kailahun with motor battery you have to take it there.

27 Q. What do you mean by "motor battery"?

28 A. The actual batteries which motor cars use. It is those  
29 kind of batteries which they use for wireless operation



1 for signals.

2 Q. What do you mean by "signals"?

3 PRESIDING JUDGE: Mr Santora, you don't understand that? You  
4 think it's not fully understood?

10:58:32

5 MR SANTORA: I want to clarify because he said motor batteries  
6 used in cars used for signals and I didn't know if it was  
7 understood.

8 PRESIDING JUDGE: For wireless operations, that's what we  
9 heard from the translation.

10:58:44

10 MR SANTORA: Okay.

11 Q. I want to ask you about the motor batteries that were  
12 used for signals. Was this happening in Tombodu?

13 A. Yes.

14 Q. Can you explain what you know about that?

10:59:07

15 A. Where the signal was positioned it was like whatever is  
16 happening in Guinea, Freetown and everywhere, we get it  
17 from them in the morning. At that time we were advised  
18 that nobody hang clothing outside even if you learn that,  
19 because when the jet is coming, from there it will pick  
20 it up that there are people in there. It was through  
21 that signal we got all that information.

11:00:36

22 Q. Mr Witness, this signal -- this radio, was this in  
23 Tombodu?

24 A. Yes.

11:01:01

25 Q. Who operated the radio?

26 A. ^ Abraham Signa.

27 Q. Do you know what group ^ Abraham Signa is with?

28 A. Yes, he was an RUF.

29 Q. Mr Witness, this radio was there at the same time Savage

1 was in Tombodu?

2 A. Yes.

3 MR JORDASH: Can we be careful? Communications are of -- it  
4 is just an objection, Your Honours. Communications are  
11:02:05 5 obviously important in the case. The question, I  
6 respectfully submit, should have been: When did this  
7 signal exist? Not was it in existence when Savage was  
8 there?

9 PRESIDING JUDGE: Sustained. Mr Santora, you can rephrase  
11:02:24 10 your questions in other ways.

11 MR SANTORA: Thank you, Your Honour.

12 Q. This radio in Tombodu, when was it there?

13 A. I cannot remember the exact date, but in the time the  
14 convoy came and went back to Kailahun, from then the  
11:03:04 15 radio was established.

16 Q. And where exactly in Tombodu was the radio located?

17 A. It was located at Mansaray compound.

18 Q. Did you personally see the radio at Pa Mansaray's  
19 compound?

11:03:53 20 A. Yes. It was a small gadget, it wasn't heavy. Only the  
21 battery was heavier, with a solar panel they were  
22 operating on.

23 Q. Did you see people talking on the radio?

24 A. Every morning we went there to see how they operate.

11:04:48 25 Every evening we went there to the headquarters and saw  
26 them operating it. In fact, when messages came for us to  
27 carry loads here to Njagbema, it was through that radio  
28 we'll get it.

29 Q. Mr Witness, from your position could you see who they

1 were talking with on the radio?

2 PRESIDING JUDGE: I beg your pardon, Mr Santora.

3 MR SANTORA: I can rephrase the question a little more  
4 eloquently.

11:05:59 5 PRESIDING JUDGE: Yes, please.

6 MR SANTORA:

7 Q. From where you were could you determine who they were  
8 talking with on the radio?

9 A. I didn't know exactly whom they were talking with, but I  
11:06:33 10 knew that they were talking to their big men from  
11 headquarters, Koidu, Buedu and other areas.

12 Q. Mr Witness, I want to take you now ahead in time a little  
13 bit. I want to talk about the time around the Lome Peace  
14 Accord. Do you remember this time?

11:07:32 15 A. Yes.

16 Q. Where were you around the time of the Lome Peace Accord?

17 A. I was in Kono.

18 Q. What town?

19 A. At that time I was in Koidu.

11:08:05 20 Q. Can you tell us what happened around the time of the Lome  
21 Peace Accord in Koidu?

22 A. Yes, I can explain. At one time we were in Kono when we  
23 heard that Pa Sankoh was going to Kono -- [translation  
24 interrupted]

11:08:48 25 PRESIDING JUDGE: When you heard that who was going to Kono?

26 MR SANTORA: I believe he said Pa Sankoh.

27 THE WITNESS: Pa Sankoh, Foday Sankoh.

28 PRESIDING JUDGE: That Pa Sankoh was going to where?

29 THE WITNESS: He was coming to Koidu.

1 MR SANTORA:

2 Q. Then what happened after you heard this?

3 A. They said we should go to our community centre for a  
4 meeting. We went.

11:09:49 5 Q. What happened at this meeting at the community centre?

6 A. We went there, Pa Sankoh went there, we saw him. At that  
7 time he showed us Akim to be his CSO.

8 Q. Can you repeat that again, Mr Witness? He showed you  
9 what?

11:10:30 10 A. He showed us Akim, Akim, that he was his CSO. He also  
11 showed Issa, Issa Sesay.

12 Q. What exactly did he say about Issa Sesay?

13 A. At that time he told us that Issa Sesay was now the  
14 general.

11:11:50 15 Q. What else did Sankoh say?

16 A. [Translation interrupted]

17 PRESIDING JUDGE: Too long. Too long.

18 MR SANTORA:

19 Q. Go ahead and explain again slowly what else Sankoh said.

11:12:25 20 A. That was the time he introduced Issa to us that he is not  
21 an extra somebody, he is a Sierra Leonean. At that time  
22 there were so many, lot of big men were there, and Pa  
23 Sankoh spoke to us.

24 Q. Did Pa Sankoh say anything else?

11:13:31 25 A. Yes, they said they have no food. Then he said, "How can  
26 you say this?"

27 PRESIDING JUDGE: Who said they have no food?

28 THE WITNESS: "When you're in Kono you say you don't have food  
29 here."

1 PRESIDING JUDGE: Mr Witness, when you're talking say who said  
2 what. Say, "This man said we have no food," "this one  
3 said," you know. We want to know who said what.

4 THE WITNESS: His soldiers. Because when they came to the  
5 meeting he said, "You can't tell me that you don't have  
6 food here, because Kono here, you have diamonds here,  
7 then you are telling me that you don't have food here."

8 MR SANTORA:

9 Q. What else did he say, Mr Witness?

10 A. He said they should get themselves in mining, diamond  
11 mining. They should work for the government.

12 Q. Who said this?

13 A. Sankoh, Foday Sankoh.

14 Q. And what exactly did he say about diamond mining?

15 A. The whole of Kono is diamondiferous, everywhere you find  
16 diamond. And, therefore, they should start mining  
17 diamonds anywhere and at any time.

18 Q. Who did he say this to?

19 A. He said this to Issa, Akim, Staff Alhaji, and most of  
20 their members.

21 Q. After he said this, what happened?

22 A. Having said so, we returned to our villages because that  
23 was the end of the meeting.

24 Q. Then what happened after you returned to your villages?

25 A. We're there now. As we returned we sat down. Then at  
26 one time Issa sent people: Colonel Gibbo, Colonel Lion,  
27 Officer Med. They came to Tombodu, they said we should  
28 work for the government. The small boy who asked which  
29 sort of government, they kept him in a back boot for the

1 whole day.

2 Q. Who kept him in the back boot?

3 A. Officer Med.

4 JUDGE BOUTET: Why was it that he was kept in that place?

11:19:10

5 MR SANTORA:

6 Q. Why did they put him in the back boot?

7 A. The mere fact that boy asked the question. When they  
8 said we should work for the government and he said what  
9 government, they said if the boy doesn't know that there  
10 is a government now operating within them, that was the  
11 reason they kept him in the back boot. Then the work  
12 started.

11:19:42

13 Q. Mr Witness, before you proceed, how do you know that  
14 Officer Med and Colonel Gibbo were sent by Issa?

11:20:15

15 A. Issa himself went there. He himself went there and  
16 called up a meeting with us. Went and spoke to us that  
17 the war had come to an end, no more firing of gun. The  
18 only thing now, we shall find money.

19 Q. Do you know what he meant by "find money"?

11:21:46

20 A. Yes, he said if we do mining, we'll be able to get money  
21 because that's the only occupation in Kono.

22 Q. So what happened?

23 A. Then we asked a question, "How are we going to do this  
24 work?"

11:22:47

25 Q. Then what happened?

26 A. Then we started the work.

27 Q. Who started working?

28 A. Officer Med, Gibbo had mining there.

29 Q. Who actually did the mining?

1 A. We are doing the mining, but we are later made  
2 organisers. They used to go out now in search of people,  
3 capture them, bring them for the mining.

4 Q. Who would -- sorry.

11:23:59

5 JUDGE BOUTET: Mr Prosecutor, the witness said, "We asked a  
6 question how to do the work", and we moved from there.  
7 We didn't get any answer to that.

8 PRESIDING JUDGE: There was no reply to that question.

11:24:15

9 JUDGE BOUTET: The witness said, "We asked a question how do  
10 we do the work?", and then he talked about Officer Med  
11 and so on.

12 MR SANTORA: The work started. I will clarify, Your Honours.

13 Q. When Issa came and spoke with you and you asked him, "How  
14 are we going to do this work?", what was the response?

11:24:46

15 A. He said we are going to work for the government. They  
16 said it was going to be government mining.

17 Q. Mr Witness, you said people were captured to work in the  
18 mining; is that correct?

11:25:32

19 PRESIDING JUDGE: What does he mean by "government mining"?  
20 What is government mining?

21 MR SANTORA:

22 Q. When you said "government mining," did you know what he  
23 meant?

11:25:46

24 A. Yes, because at that time they were there, they said they  
25 had a government. So it was their government, yes. So  
26 whatever proceeds we got from there was their own -- for  
27 their own government. That was what I made to  
28 understand.

29 Q. Mr Witness, you said that people were captured and

1 brought to mine. Where were they captured from?

2 A. From Sandor. Even from Kabala, they brought people from  
3 there. Makeni also, they brought people from there.  
4 Even at Tongo, as long as you come there they will gather  
5 you to be taken to Kono.

11:27:20

6 Q. And who brought these people to mine exactly?

7 A. I didn't get you clear.

8 Q. Who actually captured these people and brought them to  
9 mine?

11:28:03

10 A. RUF.

11 Q. Mr Witness, can you describe for the Court the conditions  
12 of what it was like to mine at this time?

13 A. The condition under which we are working was this: No  
14 food and the type of mining they introduced was only  
15 their own style. I've never seen it before. 200 people,  
16 200 shovels. No tiring; you can't rest. If our people  
17 had not planted plantain or banana in Kono, people would  
18 have died and died so much because there was no food. If  
19 you say you are tired there were smaller boys - short,  
20 short ones - too ni bear ^ . Some had guns they could  
21 not carry, they go dragging it. If you say you are  
22 tired, they fire you, you are dead.

11:29:26

11:30:24

23 Q. Explain what you mean when you say, "If you said you were  
24 tired, they would fire you, you were dead." Did you see  
25 this happen?

11:30:48

26 A. Yes, it happened. One commander, Sherriff, fired one boy  
27 because he said he was tired and want to go to toilet.  
28 He was killed because of that.

29 JUDGE BOUTET: The witness, when he first talked about small



1 boys, he mentioned something about guns too heavy or  
2 something along those lines. I'd like to understand a  
3 bit more what was it he was attempting to describe. Will  
4 you take him over that, please?

11:31:57

5 MR SANTORA: Yes, Your Honour.

6 Q. You said that some of these boys that were there, that  
7 the guns were too big for them. What do you mean by  
8 that?

11:32:30

9 A. They were small boys -- small, small boys. A small boy,  
10 you go and hang G3 on him, will he be able to carry it?  
11 He'll going on dragging it. So that was what I meant.

12 JUDGE BOUTET: When you were talking of small boys -- the  
13 witness testified that you were tired, you were dead.  
14 Does that mean you were dead from the small boys?

11:33:12

15 THE WITNESS: Those small boys were staying together.

16 MR SANTORA:

17 Q. What did you mean when you said, "If you were tired, you  
18 were dead"?

19 PRESIDING JUDGE: He has demonstrated it.

11:33:36

20 MR SANTORA: Okay, I was clarifying because --

21 PRESIDING JUDGE: All right, okay. Go ahead, please. Let him  
22 provide the answer.

23 THE WITNESS: That which you have asked me is what I should  
24 explain?

11:33:59

25 MR SANTORA:

26 Q. Yes, explain what you mean when you say, "If you were  
27 tired you were dead"?

28 A. In our own way, the way we do mining was on a shift  
29 basis. If you have five or six, you go down by turns.

1 But in their own case, there was no resting. If they  
2 give you shovel you be on that shovel for a month with no  
3 rest.

11:35:13

4 Q. Mr Witness, these conditions which you're describing,  
5 which mining pit exactly were you at and are referring  
6 to?

7 A. We were in charge of the mining. There were machines.  
8 There was a Caterpillar, there are drag lines. We are in  
9 charge of the mining.

11:35:48

10 Q. You had stated before that there were civilians with  
11 shovels. You said there were 200 civilians and 200  
12 shovels at the time that the mining started. Where  
13 exactly were you when the mining started, which mining  
14 pit?

11:36:31

15 A. Was between Tombodu and Bendu II; the bridge that linked  
16 them was what was cut. The bridge was cut, cut off.

17 Q. Mr Witness, who was in charge of the mining where you  
18 were?

19 A. Our commander whom we had with us was Officer Med.

11:37:30

20 Q. After the diamonds were mined, where did they go?

21 A. At times Issa himself came over to us, we gave him the  
22 diamonds. At times myself and Officer Med went to  
23 Koakoyima to meet Issa, where we gave him the diamonds.

11:39:08

24 Q. Mr Witness, do you have any knowledge as to what Issa did  
25 with those diamonds after you gave them to him?

26 A. Well, we only gave him the diamonds. When we carried the  
27 diamonds to him, we give him. But at times, there came a  
28 time when I was made to understand that he took those  
29 diamonds to Charles Taylor.

1 Q. Mr Witness, how were you made to understand that these  
2 diamonds were taken to Charles Taylor?

3 A. One typical reason, an example I can show, there was no  
4 road to come to Freetown. From observation we realised  
11:41:13 5 that all his business was towards Liberia and not to  
6 Freetown again.

7 Q. Mr Witness, you said that Issa came several times to  
8 visit Tombodu; is that correct?

9 A. There he used to have his meals; one of our mothers  
11:42:18 10 cooked for him

11 PRESIDING JUDGE: That did not answer the question.

12 MR JORDASH: Could we just get the answer to that, though,  
13 Your Honour, just before he does answer the question. I  
14 just missed the answer.

11:42:35 15 MR SANTORA:

16 Q. Can you repeat that again, Mr Witness?

17 A. Say let me hear.

18 Q. You stated that Issa came to Tombodu several times to  
19 visit; is that correct?

11:42:53 20 A. Yes, every day he used to come there, he had mining  
21 there.

22 JUDGE BOUTET: He answered that, Mr Jordash, something to do  
23 with mother used to cook for him, but mother of whom I  
24 don't know.

11:43:31 25 MR SANTORA: He can explore perhaps later or if -- okay.

26 Q. Mr Witness, when Issa came, do you remember if anybody  
27 else came with him?

28 A. He had companions with him with whom he came. Moses  
29 Kallon -- Morris Kallon, Colonel Gbao, they used to come

1 there in the mining.

2 Q. Did anybody else come with Issa?

3 A. He came there every day because that was their government  
4 mining. Most of the authorities came there. CO Lion  
5 also came there.

11:44:41

6 MR TOURAY: Sorry, Your Honour, did you get the name of Kallon  
7 properly? Was it Moses Kallon?

8 JUDGE BOUTET: He didn't say, he just said Kallon.

9 MR TOURAY: I heard the word Moses.

11:44:56

10 MR HARRISON: I think if it is helpful for Mr Touray, the  
11 transcript can be read back to him I don't know if he  
12 wants it to be done.

13 PRESIDING JUDGE: Let's verify it. We don't want to go back  
14 to transcript, please. Ask him. We don't have very much  
15 time for this. Yes, ask him.

11:45:10

16 MR SANTORA:

17 Q. You said Kallon?

18 A. Kallon, Moses Kallon. I cannot just say the word better,  
19 but I know him

11:45:50

20 Q. How do you know Kallon?

21 A. The day he came there was the very day he was introduced  
22 to me by one of his boys called ^ Tactica.

23 MR SANTORA: Can I request a retranslation of that, because I  
24 know I distinctively heard something that was not  
25 translated. I don't profess to be conversational in  
26 Kono, but I did hear a phrase that was not translated and  
27 I was wondering if we can get a retranslation of that  
28 answer.

11:46:32

29 PRESIDING JUDGE: The witness has to --

1 MR SANTORA: I will repeat the question and ask the --

2 Q. Mr Witness, how do you know Kallon? Can you repeat your  
3 answer again slowly for the Translation Unit?

11:47:26

4 A. Yes. He was in the mining pit. Then they came with a  
5 vehicle. They came down. Then the boy Tactica - he is a  
6 rebel, but they were the guards on the mining - he came  
7 up and he showed me, he said, "This one of our bosses."  
8 He was standing over the bridge, overlooking the mining.  
9 There I knew him.

11:48:08

10 Q. Mr Witness, you said "rebel". What do you mean by rebel?

11 A. Well, we had rebels, we had soldiers, but that boy was  
12 not a soldier. But when they all came together as one,  
13 they called themselves soldier, but that boy was a rebel  
14 and that's the reason I identify him to be a rebel.

11:49:11

15 Q. Mr Witness, the people that were mining in the pits, were  
16 they paid?

17 A. One day, even we ourselves are in charge of the mining,  
18 we are not paid. Nobody was paid.

19 Q. Why didn't you leave then?

11:50:14

20 A. Hey, at that time we had nowhere to go again, because  
21 having killing that of my colleague, I was just among the  
22 man like a madman. It is only now that I am beginning to  
23 behave myself as a human being.

24 Q. Did anyone try to leave, Mr Witness? Did any of the  
25 civilians who were mining leave or try to leave?

11:50:58

26 A. Again, somebody tried to escape. It was this same boy,  
27 Sherriff, who shot him again. After shooting him dead,  
28 he wrote in his record that he has killed a Kamajor,  
29 because that was their usual practice. Anybody they

1 killed they said he was a Kamajor.

2 Q. Mr Witness, you said that at one point Caterpillar  
3 machines came into the mining area; is that correct?

4 A. Yes, there was a Caterpillar and a drag liner. All were  
5 there.

11:53:09

6 Q. Do you know where the Caterpillar machines were from?

7 A. The Lebanese who were in Kono, those who ran away and  
8 left their machines behind. It was those machines they  
9 took and repaired. Those were the machines they were  
10 using.

11:53:43

11 Q. And aside from these Caterpillar machines that were  
12 repaired, was there any other equipment being used to  
13 mine?

14 A. Except for the pumping machines, baling machines.

11:54:36

15 Besides that, only those two machines were there: The  
16 Caterpillar and the drag liner.

17 Q. And do you know where the baling machines came from?

18 A. Most times we did hear them saying that most of the  
19 things they brought in were from Liberia. They brought  
20 them in vehicles. Even petrol, they used to get petrol  
21 from there.

11:55:13

22 Q. Mr Witness, who told you that these machines came from  
23 Liberia?

24 A. The stockpiler we had, Tactica, he was in charge of the  
25 stores. He took record of everything and I was the  
26 supervisor. He told me that these things were coming  
27 from Liberia.

11:56:14

28 MR SANTORA: Thank you, Mr Witness. That's all the questions  
29 that I have for this witness at this time, Your Honours.

1 THE WITNESS: Okay.

2 PRESIDING JUDGE: Learned counsel, we'll rise for 5 minutes.

3 THE WITNESS: Yes, sir?

4 PRESIDING JUDGE: And resume for Mr Jordash's

11:57:24

5 cross-examination. The Court will rise, please.

6 [Break taken at 12.00 p.m.]

7 [HS020205C - RK]

8 [On resuming at 12.25 p.m.]

9 JUDGE THOMPSON: Mr Jordash, your witness.

12:25:07

10 MR JORDASH: Your Honour, thank you.

11 CROSS-EXAMINED BY MR JORDASH:

12 Q. Good afternoon, Mr Witness.

13 A. Yes.

14 Q. Now before I move to ask you questions about the events  
15 you've described, I just wants to ensure that you  
16 understand what this is about. Can you tell this Court  
17 who you think I am? Do you understand the question,  
18 Mr Witness?

12:25:22

19 A. I do understand. I don't know you.

12:26:05

20 Q. Do you understand what my job is?

21 A. I don't know.

22 Q. Do you understand what the gentlemen's job is who was  
23 asking you questions a moment ago?

24 A. Which one?

12:26:34

25 Q. Well, there was only one gentlemen asking you questions a  
26 moment ago and he is sitting to your left. Do you  
27 understand what his job is?

28 A. Yes. I don't know his job.

29 Q. So, yes, you do understand what his job is or no, you

1 don't understand what his job is?

2 A. I don't know his job, except he tell me.

3 Q. Except what, sorry, Mr Witness?

4 A. I said I don't know your job unless you tell me.

12:27:21

5 Q. Well, I'm just going to ask you first of all what you  
6 understand before I tell you. Do you understand why you  
7 have been called to this Court?

8 A. Yes.

9 Q. Can you tell us why that is?

12:27:40

10 A. Yes.

11 Q. Would you like to?

12 A. Hmm?

13 Q. Would you like to explain to us, Mr Witness, what you  
14 understand is your role in this Court?

12:28:02

15 A. Yes.

16 Q. Well, would you like to do it now?

17 A. Yes. I can explain.

18 Q. Well, to explain, you'll have to speak to us, Mr Witness.

19 A. I want to understand something: If you want me to  
20 explain to you the reason why they brought me here to  
21 explain to you?

12:28:55

22 Q. Just listen to the question, Mr Witness. Why do you  
23 think you have been brought to this Court?

24 A. They've brought me here to testify.

12:29:21

25 Q. And what is the purpose of you testifying, as you  
26 understand it?

27 A. The way I understand it, the wrongs that have passed have  
28 already been passed, for it not to be repeated by any  
29 other person. That is what I know.



1 Q. Is anybody on trial here?

2 A. I didn't understand.

3 Q. Is anybody being tried in this Court? Is anybody being  
4 accused of anything?

12:30:25

5 A. They didn't point finger at anybody, but those who did  
6 the wrong, some are here, some are not here.

7 Q. Who is here that did the wrong?

8 A. Issa is number 1.

9 Q. How do you know Issa is number 1?

12:31:17

10 A. Because Issa was now in charge of RUF. We all did obey  
11 him now.

12 Q. When did you learn that Mr Issa Sesay was to be tried in  
13 this Court?

12:32:11

14 A. The time they were doing these wrongs nobody knew for  
15 sure that they would bring them to justice. It was of  
16 late that we heard that they brought them to justice.

17 Q. When did you hear that?

18 A. It is now quite a length of time.

19 Q. Well, this year, last year? Can you estimate, please?

12:32:33

20 A. Last year, it was last year.

21 Q. Was that -- let me just start that again. Do you recall  
22 giving a statement to the Prosecution in November of  
23 2002, late 2002?

24 A. Yes.

12:33:16

25 Q. Did you know at that time when you gave your statement,  
26 Mr Sesay would be on trial?

27 A. Yes, because the time I was giving out my statement to  
28 them we were told that they will bring them to book,  
29 because of the atrocities, cutting the hands of people,

1 killing people, all the wrongs that they did, they said  
2 that they will stand for it.

3 Q. Right. Now, so you were told by the person -- who told  
4 you that, Mr Witness?

12:34:09

5 A. We heard it from the radio. There was an announcement we  
6 said no matter how the lengthy the time may be, they must  
7 bring those people to book.

8 Q. What did the person say -- the person who took your  
9 statement, do you remember that person?

12:34:47

10 A. The time for the statement taking is a length of time. I  
11 cannot remember now exactly.

12 Q. Do you remember -- well let me start that again. How  
13 were you first contacted by the Prosecution to give your  
14 side of the story?

12:35:32

15 A. It happened that when they went to our town --

16 Q. Don't mention the name of your town, Mr Witness.

17 A. It happened that when we went to our town, they asked us  
18 that whosoever had suffered in the hands of those people  
19 by burning your house, cutting your limbs and undergoing  
20 so much atrocity from them, you can come forward and give  
21 your story.

12:36:15

22 Q. And you went forward to the place you were asked to go  
23 to; is that right?

24 A. Hmm?

12:36:45

25 Q. Was this then that you learned who would be on trial?

26 A. It was the time we came to realise that the time when the  
27 people were committing those crimes even though you as a  
28 lawyer you wouldn't be bold to appear before them

29 Q. So you know that I'm a lawyer, do you?

1 A. Yes.

2 Q. And you know that I'm Mr Sesay's lawyer?

3 A. I know that.

4 Q. How did you know that?

12:37:47

5 A. Because I can now see you are advocating for him.  
6 Anybody advocating for somebody is your client.

7 Q. When you gave your statement to -- in November late 2002,  
8 did you receive any money?

12:38:48

9 A. At that time no money was given to us, because they said  
10 if they give out money the whole thing will become lies,  
11 so the white men that went there they didn't give us any  
12 money.

13 Q. When did you first receive money?

14 PRESIDING JUDGE: Mr Jordash, please.

12:39:05

15 MR JORDASH: I beg your pardon, sorry, Your Honour.

16 PRESIDING JUDGE: Yes, please.

17 MR JORDASH: Thank you.

18 Q. Just let me ask a different question. When you were told  
19 that, what did you think about that? When you were told  
20 that no money was to be given, because if money was  
21 given, it would make -- give -- make people lie?

12:39:55

22 A. [Translation interrupted]

23 Q. Okay, Mr Witness, just pause to allow some translation,  
24 sorry to interrupt?

12:40:33

25 A. He gave an example. He said it happened in South Africa.  
26 That when Special Court went there, they were giving out  
27 money in the form of hundred dollars. People were coming  
28 out telling lies on other people.

29 Q. Do you think that's possible in this type of situation in

1 Sierra Leone, Mr Witness?

2 A. Yes, if money was first introduced, it would have  
3 happened because somebody would have looked at his  
4 companion and began telling lies on him?

12:41:42

5 Q. Is it right, Mr Witness, that you've received, since the  
6 24th of December until the 31st of January, 2005 a total  
7 of 576,000 Leones?

8 PRESIDING JUDGE: Mr Jordash, may we have the time frame,  
9 please.

12:42:07

10 MR JORDASH: 24th of December, 2004 until the 31st of January,  
11 2005. This is -- Before Mr Harrison leaps up, this is  
12 from the witness and victims support, and not the  
13 Prosecution.

14 PRESIDING JUDGE: 24/12/04 to?

12:42:26

15 MR JORDASH: 31st of January, 2005, Your Honours.

16 JUDGE THOMPSON: From the victims and witnesses unit.

17 MR JORDASH: Your Honour, yes.

18 Q. Did you understand the question, Mr Witness?

19 JUDGE THOMPSON: Give us a figure.

12:42:54

20 MR JORDASH: 576,000 Leones. There is more, but this is the  
21 first aspect.

22 THE WITNESS: Whatever happens you have to explain for people  
23 to understand. I received the money, but not in the  
24 bulk. They gave me in bits because I have children back  
25 at home whom I have to attend to. That money which was  
26 given me was left with them

12:43:27

27 PRESIDING JUDGE: Mr Jordash, how much money again?

28 MR JORDASH: 576,000 Leones.

29 PRESIDING JUDGE: 576?

1 MR JORDASH: 76, yes.

2 PRESIDING JUDGE: 576,000 Leones.

3 MR JORDASH:

4 Q. Is that right, 24th of December? Do you think that  
12:43:57 5 figure's about right, Mr Witness?

6 PRESIDING JUDGE: We want to have his explanation, please. He  
7 explained that he had children.

8 THE WITNESS: 24th December last year was the time they  
9 brought me here.

12:44:12 10 PRESIDING JUDGE: First of all he said he didn't receive that  
11 money in bulk.

12 MR JORDASH: Yes, he said he received it in small --

13 JUDGE BOUTET: In bits.

14 MR HARRISON: I think he indicated he had children.

12:44:25 15 MR JORDASH: We're coming to that.

16 THE WITNESS: Yes, I was not given in bulk.

17 Q. Would you agree that the amount you've received in that  
18 period is in the region of 576,000 Leones?

19 A. Yes.

12:45:14 20 Q. You are a farmer by profession; is that right,  
21 Mr Witness?

22 PRESIDING JUDGE: Mr Jordash, let's be fair to the witness.

23 He had an explanation he was making. After he did say  
24 that he did not receive the money in bulk, I think he was  
12:45:35 25 saying that he has children and so on and so on.

26 MR JORDASH: Your Honour, I'm going to ask him about that.

27 I certainly wouldn't want that answer not to be explored.

28 PRESIDING JUDGE: All right. That's okay.

29 MR JORDASH:

1 Q. You're a farmer by profession; is that right?

2 A. Yes.

3 Q. That's is what you do at the moment?

4 A. Even up to now I'm a farmer.

12:46:14

5 Q. 576,000 Leones how long do you think it would take you to  
6 earn that as a farmer?

7 A. That's the reason they say -- that's the reason why they  
8 say it is not good to be in a conflict situation. What  
9 I do get for my farming is far above that that you're  
10 calling here.

12:47:00

11 Q. So what would you earn in a month then, Mr Witness, which  
12 is far beyond 576,000 Leones?

13 A. I have a coffee farm. I have a cocoa farm. With the  
14 advent of the war we came to realise that banana us  
15 survive. I have a banana plantation, over 800 trees. It  
16 is out of that I pay my children's school fees. For now  
17 the price of coffee is low, but we still do get money out  
18 of it.

12:47:37

19 Q. Well, you've told us that you would earn far beyond  
20 576,000 so could you just give us an estimate in Leones  
21 as to what you would expect to earn in a month as a  
22 farmer?

12:48:17

23 A. Well, I don't want to become liar, but to say the truth  
24 in the dry season if I sell all my produce, I would get  
25 above 700,000 Leones.

12:49:06

26 Q. In one month?

27 A. Not within one month, but I say by year. That is only  
28 for cocoa, the banana has its own.

29 Q. I'm trying to work out what it is, Mr Witness, you would

1 earn in a month or a year, if that's easier for you?

2 A. For banana, when the NGOs are there with us, if I sell my  
3 banana, I will get above 100,000. I built my house out  
4 of my produce, not from mining.

12:50:19

5 Q. Mr Witness, concentrate on the question. I'm not asking  
6 you what do in terms of crops. I'm asking to estimate,  
7 as best you can, the amount of money you would receive in  
8 a year or a month, whichever is easiest for you.

12:51:14

9 A. To be frank with you, putting my garden produce all  
10 together, if I sell, besides what I give out to people  
11 helping me, I will bank 500,000 per annum.

12 Q. 500,000 for the year?

13 A. Yes.

12:51:43

14 Q. Thank you. Did you ask the people looking after you in  
15 Freetown for the 576,000?

16 A. No.

17 Q. How did it end up being given to you?

12:52:25

18 A. They brought me here knowing very well that I'm not based  
19 here and I have children back home so they give me per  
20 week.

21 Q. You received 70,000 Leones for clothes as well; is that  
22 right?

23 A. Yes.

24 Q. Did you ask for those clothes?

12:52:58

25 A. Yes.

26 Q. Are those the clothes you're wearing now?

27 A. Yes.

28 Q. So you've received 185,000 Leones of either money or  
29 clothes since the 24th of December 2004; do you agree?

1 A. Not for clothes, not for clothing at all.

2 Q. Well, 70,000 for clothes and then other expenses which has  
3 been -- well, I'll come to that. 70,000 for cloths and  
4 576,000 for other things; yes?

12:54:04

5 A. Yes, that is truth. That is truth. 70,000 Leones for  
6 clothing and this 576,000 for other things.

7 Q. And those are the thing you -- are what? What was the  
8 money for?

12:54:52

9 A. Well, it is just a humanitarian gesture. They know very  
10 well I have left my family behind. My children are there  
11 going to school. It is what I used for lunch for them  
12 and other things back at home.

13 Q. Do you accept, though, that the amount of money you've  
14 received since the 24th of December, 2004 is, when  
15 compared to your annual income, a lot of money?

12:55:23

16 A. It is not a lot of money to me, because while I'm back at  
17 home in my bush there, what I get out of my bush is above  
18 this that you're talking of.

19 Q. Well, Mr Witness, according to your annual income that  
20 you've just given us, of 500,000 a year, you would, on  
21 average have 42,000 Leones a month. Whereas you've  
22 received since being in Freetown just over a month,  
23 185,000. You don't accept that you earned a lot of money  
24 from this attending at the trial?

12:55:58

12:56:29

25 THE INTERPRETER: Your Lordships, let the lawyer also give us  
26 a space.

27 MR JORDASH: Sorry.

28 Q. Let me re-put that. From your annual income of 500,000  
29 Leones that works out at 42,000 Leones a months. You've



1 received from your attendance here on the 24th, 185,000  
2 so --

3 JUDGE THOMPSON: 185,000 per --

4 MR JORDASH: Leones.

12:57:15 5 JUDGE THOMPSON: Leones per

6 MR JORDASH: For just over a month from the 24th.

7 JUDGE THOMPSON: And you're saying compared with what he would  
8 earn from his own vocation it's a lot of money.

9 MR JORDASH: It's four times as much.

12:57:33 10 JUDGE THOMPSON: Yes, well, why not say four times as much?

11 Because when you say a lot, he's disagreeing with you.

12 MR JORDASH: I was just --

13 JUDGE THOMPSON: Why not be specific? You just were using  
14 figures now. We're in the realm of mathematics. Why not  
15 put it to him in that way?

12:57:44

16 MR JORDASH: I hadn't calculated it myself until --

17 JUDGE THOMPSON: Well, 185 minus 42.

18 MR JORDASH: I have now. Well, my learned colleague has  
19 anyway.

12:57:56

20 JUDGE THOMPSON: So why not put it that way and then we can  
21 make progress.

22 MR JORDASH:

23 Q. Isn't it right, Mr Witness, that you've earned over four  
24 times as much since the 24th of December than you would  
25 ordinarily as a farmer?

12:58:16

26 A. You mean here.

27 Q. That's what we're talking about, Mr Witness? By attend  
28 here you've earned over five times what you ordinarily  
29 earn. Do you accept that?

1 A. I disagree with you. What I get from my farm is far  
2 above what I'm getting here. If I say I'm a farmer -- if  
3 I say I'm a farmer, I buy -- I don't buy rice.

4 JUDGE THOMPSON: [Microphone not activated]

12:59:26

5 MR HARRISON: No I think the witness has answered. It's the  
6 translator who's giving the --

7 JUDGE THOMPSON: Oh, I see.

8 MR HARRISON: So I would ask if the translator would be  
9 allowed to continue with the response.

12:59:34

10 JUDGE THOMPSON: Okay, let's have that.

11 THE WITNESS: If I say I'm a farmer, I do rice farming. I  
12 don't buy rice, I don't buy fish, I don't buy even meat.  
13 All that I get it from my farm. So what I get from the  
14 other areas, is far above what you're talking about.

12:59:53

15 JUDGE THOMPSON: [Microphone not activated] kind of answer  
16 which will take us into a whole area of argumentative  
17 cross-examination, because I was thinking that one way of  
18 looking at this thing is that if you put specific figures  
19 to him, he agrees that it is four times in terms of  
20 figures, four times what he earned, and then you leave it  
21 to the Court to draw the inferences, because when you  
22 come to the other side, he might still disagree with you.  
23 There are other aspects of his life which do not  
24 necessarily mean that that's all what he is getting,  
25 which he may be missing. It is very possible.

13:00:43

26 MR JORDASH: Your Honour. Firstly, before I address  
27 Your Honour, could I just ask for the witness's  
28 translation be turned off.

29 JUDGE THOMPSON: Yes. Could we have the witness's translation

1 turned off for the time being?

2 MR JORDASH: The big difficulty --

3 JUDGE THOMPSON: Yes.

4 MR JORDASH: Your Honour's colleagues are conferring.

13:01:29

5 JUDGE THOMPSON: Yes. My difficulty is really how far can we

6 get with this. First of all you have presented to the

7 witness that what he got from the victims and witnesses

8 unit is in the form of earnings. That can be

9 argumentative. I noted that, you see. And then what he

13:02:06

10 earns from his vocation, which is farming, my difficulty

11 is if you put the figures to him, whether he denies that

12 he's not getting far more than he would have earned, the

13 figures speak for themselves. I mean we can't manipulate

14 mathematics. If you're saying what he has got from the

13:02:38

15 victims and witnesses unit is four times what he would

16 have earned from his own figures. That, from a

17 mathematical point of view, is not disputable. What may

18 be disputable is whether he accepts that quantitatively

19 or qualitatively his life as a farmer gives him far less

13:03:09

20 than what he may have received from the OTP. I just

21 wanted to put that in focus, because I don't know when we

22 get to that kind of argument how far we can evaluate

23 anything, any answers that you may be getting from him.

24 That's just my own random thinking on it.

13:03:35

25 MR JORDASH: Well, Your Honour, I answer Your Honour's concern

26 in two ways. Firstly that this witness has now

27 backtracked from his original estimation of 500,000 a

28 year. If the answer he has given to me, to this Court

29 was that he earned more than the sum he'd received from

1 the victims and witness unit then it is not consistent  
2 with the answer that he only earns 500,000 a year. To  
3 that extent I submit a further cross-examination to have  
4 him answer the question how much he earns; I don't want  
13:04:15 5 to spend much time on this, but I do want this evidence  
6 to be before the Court. But the witness, for some  
7 reason, is finding it difficult to answer and stick to  
8 the answer.

9 The second way I would say is this: That I do  
13:04:35 10 not want to be criticized at a later stage for floating  
11 suggestions in the Court about motivation without giving  
12 witnesses the opportunity to rebut such allegations. Not  
13 every witness who I cross-examine and place the expenses  
14 before them will be motivated by those expenses; I'm not  
13:05:08 15 suggesting they will. Some will, I submit, and it's  
16 those witnesses who ought to be given the chance, I would  
17 respectfully submit, to say no, it's not true.

18 JUDGE THOMPSON: Right.

19 MR JORDASH: Later on Your Honours can evaluate whether that  
13:05:18 20 answer itself was true.

21 JUDGE THOMPSON: Well, with that explanation I think I can  
22 understand the line of your cross inquiry. But with the  
23 emphasis that the mathematical side of it is a certainty.  
24 I mean, whether he denies 42 -- 185 is four times more  
13:05:39 25 than 42, it is a mathematical certainty; there needn't be  
26 any argument about that. But the other part I would  
27 yield to your explanation and let you continue.

28 MR JORDASH: But Your Honours, I certainly want to move  
29 through this type of cross-examination as quickly as

1 possible, because it is -- it is peripheral insofar as  
2 the substance of the evidence is concerned.

3 JUDGE BOUTET: But don't read this evidence the same way as  
4 you do, Mr Jordash. Because he's trying to give the  
13:06:05 5 explanation as to why this difference. The difference is  
6 when he's at home, he gets his own fish, he gets his own  
7 crop and he doesn't have to pay because he gets it out of  
8 his own plantation. So all of this, if he were to buy,  
9 it would cost money, so if you add all these costs, to  
13:06:22 10 what it is he's given you, he's telling you it comes to  
11 more than that. If you keep pursuing this we're going to  
12 get into these kind of details for a long, long time.  
13 Because obviously, the witness does not make calculation  
14 on a daily basis, on a monthly basis as you want him to  
13:06:37 15 give you and he's try to go give these answers. I don't  
16 have the same problems as you do with this.

17 MR JORDASH: Your Honour, in due course I will be submitting  
18 on behalf the first accused that the way in which  
19 payments have been given to the witnesses has in effect  
13:06:55 20 perverted the whole process. That's where I'm going.  
21 I'm not seeking to hide that, because if --

22 PRESIDING JUDGE: No, you can't hide it. Because, I perceive  
23 it. We perceive it. As a Chamber, we perceive it. Your  
24 cross-examination on this line is geared towards  
13:07:13 25 impeaching the credibility of the witness and sort of  
26 having accepted or asked for these monies in order to  
27 incriminate your client.

28 MR JORDASH: Yes.

29 PRESIDING JUDGE: This is where you're going, we understand

1 that. But point is the parameters you are pursuing.  
2 This is a witness, who, he's a villager and he doesn't --  
3 he has his farms and he said in my village when I'm at  
4 home I don't buy fish, I don't buy plantains, I don't buy  
13:07:54 5 this, I don't buy that. If you have to start quantifying  
6 all those things in terms of cash, I don't know where we  
7 may be able to arrive at.

8 MR JORDASH: Well, that's if he's telling the truth. He may  
9 not have a farm We may investigate and find he doesn't  
13:08:13 10 have a farm.

11 PRESIDING JUDGE: Well, that is it. Those are matters which  
12 will come up in your cross-examination. He has said a  
13 number of things. He has a garden which gives him about  
14 100,000 Leones, he has bananas and so on. I mean, that  
13:08:34 15 is it. If you can tell him that he doesn't have a farm  
16 and impeach his credibility on that, then that's fine.

17 MR JORDASH: Well, I can't tell him he hasn't got a farm at  
18 the moment. But when my investigator attends to where he  
19 lives I'll be able to say yes or no. And I will be  
13:08:54 20 criticized later on, if I don't turn around to the Court  
21 and say, "this witness was lying," and had failed to  
22 explore that area in cross-examination.

23 JUDGE BOUTET: This is not what you're trying to do. At least  
24 that is not my understanding of what you're trying to do,  
13:09:02 25 Mr Jordash. Absolutely not. You are at liberty to  
26 explore that; if you feel this is important for you and  
27 your clients, please do so.

28 JUDGE THOMPSON: Yes, I concur in that. I think if you need  
29 to lay some evidential foundation in the records upon

1           which you would need to build some defence in the future,  
2           that is perfectly permissible and legitimate. Otherwise  
3           the process would not be what it is. And I certainly  
4           feel that you're entitled to go along the line that  
13:09:30 5           you're going. We don't want you to feel that there is  
6           any constraint from the Bench. It's just that we want to  
7           satisfy ourselves as to where you're going. It's just  
8           that I didn't want you to get bogged down in the  
9           mathematical certainty. Because he cannot, by his  
13:09:48 10          answers, nor can you, change a mathematical certainty.  
11   MR JORDASH: I know Your Honours give me plenty of latitude.  
12           I'm aware of that and I wasn't suggesting otherwise. I  
13           will finish this though, very, very swiftly, if I may.  
14   PRESIDING JUDGE: I was just going to say that, since very  
13:10:08 15          peripherally in your cross-examination, I was thinking  
16          that you were virtually closing the chapter.  
17   MR JORDASH: I am virtually closing the chapter.  
18   PRESIDING JUDGE: You may proceed, Mr Jordash.  
19   MR JORDASH: Thank you.  
13:10:22 20   Q.    You've told us, Mr Witness --  
21   MR HARRISON: I'm sorry, if he could just.  
22   MR JORDASH: I beg your pardon.  
23   Q.    Are you getting me, Mr Witness?  
24   A.    Hmm.  
13:10:38 25   Q.    You told us, Mr Witness, that usually you would not pay  
26          for such things as meat, rice, I think you said?  
27   PRESIDING JUDGE: Fish.  
28   MR JORDASH:  
29   Q.    Fish; is that correct?

1 A. Yes. I don't buy oil also.

2 Q. There's no reason that that situation has changed since  
3 you came to Freetown on the 24th of December, is there?

4 A. It is not happening now because I'm not there.

13:11:30

5 Q. Well, what is happening to your farm then? Nobody  
6 working on it?

7 A. My younger brothers I left behind to supervise my work.  
8 Every time I get complaints from them. Even the brushing  
9 I left them to brush, they say the progress is very slow.

13:12:09

10 That has made me become very bitter within myself. I am  
11 just disappointed -- I am discouraged, rather.

12 Q. So your brother's working on the farm now. Other members  
13 of your family, are they working on it?

14 A. Yes, they are working on the farm. I left them there.

13:12:30

15 Q. You left food for your family while you were away, did  
16 you not?

17 A. The food I left with them was very small, so it got  
18 finished. The money which they give me here is what I  
19 sent to them over there.

13:12:53

20 Q. But can your brother not continue to farm for you while  
21 you are away to produce the rice or to produce the fish?

22 A. He is not so strong. He was a student before, so he is  
23 not accustomed to native works.

24 Q. Before I move on, Mr Witness, what is not being done on  
25 your farm that would be done if you were there?

13:13:35

26 A. If I'm not there, the work will not function properly,  
27 because my presence there we encourage everybody within  
28 my family to go to the farm. When the children come from  
29 school, they also go to the farm.



1 Q. But what is being done -- what is not being done that  
2 would be done if you were present?

3 A. What I know is this is the period for me to brush within  
4 my coffee farm and to brush my farm. They've brushed my  
13:14:53 5 farm but nobody has brushed the coffee farm. This  
6 they've told me just a few days ago.

7 Q. Is that the only thing that has not been done, brushing  
8 your coffee farm, that would ordinarily be done in your  
9 presence?

13:15:13 10 A. I've not heard anything strange again from home. The  
11 only thing is the farm work which is going down slowly.  
12 You know farming has a time which that time -- the time  
13 expires there will be no proper farming.

14 Q. No, but just stick to the question and then I'm finished  
13:15:41 15 with this, Mr Witness. Apart from coffee brushing, is  
16 there anything else which is not being done on your farm  
17 since you were gone that would ordinarily be done?

18 A. That is the only thing, no other thing has happened in my  
19 absence.

13:16:13 20 MR JORDASH: That's the end of this period, Your Honours.

21 I notice the time.

22 PRESIDING JUDGE: Yes. Learned counsel, we would be  
23 adjourning to tomorrow at 9.30 to continue with  
24 Mr Jordash's cross-examination of this witness. We will  
13:17:56 25 adjourn to tomorrow at 9.30. The Court will rise.  
26 [Whereupon the hearing adjourned at 1.22 p.m to be  
27 reconvened on Thursday, the 3rd day of February, 2005, at  
28 9.30 a.m ]

29

**WITNESSES FOR THE PROSECUTION:**

<b>WITNESS: TF1-012</b>	<b>1</b>
<b>EXAMINED BY MR SANTORA</b>	<b>1</b>
<b>CROSS-EXAMINED BY MR JORDASH</b>	<b>38</b>