



Case No. SCSL-2004-15-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO

THURSDAY, 18 OCTOBER 2007
9.46 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Benjamin Mutanga Itoe, Presiding Bankole Thompson Pierre Boutet
For Chambers:	Mr Matteo Crippa Ms Sandra Brown
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Charles Hardaway Mr Vincent Wagana Mr Reginald Fynn
For the accused Issa Sesay:	Mr Wayne Jordash
For the accused Morris Kallon:	Mr Shekou Touray Mr Kennedy Ogeto
For the accused Augustine Gbao:	Mr John Cammegh

1 [RUF18OCT07A - JS]

2 Thursday, 18 October 2007

3 [The accused present]

4 [The witness entered court]

5 [Open session]

6 [Upon commencing at 9.46 a.m.]

7 PRESIDING JUDGE: Good morning, I learned
8 counsel. We are resuming our proceedings, and Mr Cammegh, you
9 may proceed with your cross-examination of this witness.

09:51:06 10 MR CAMMEGH: May it please Your Honour.

11 WITNESS DIS-078: [Continued]

12 [The witness answered through interpretation]

13 CROSS-EXAMINED BY MR CAMMEGH: [Continued]

14 Q. Good morning, Mr Witness.

09:51:21 15 A. Good morning, sir.

16 Q. The other day I said I was hoping to finish within about an
17 hour and I still do so, so please bear with me for about another
18 hour. I've got some more questions for you. Mr Witness, if you
19 go back to the period of the war between approximately '96 and
09:51:56 20 '99, do you think somebody like Aruna Bondu would have been
21 forced during that time to eat?

22 THE INTERPRETER: Your Honours, can the learned counsel
23 take that question again?

24 MR CAMMEGH:

09:52:21 25 Q. During the period I've just mentioned, do you think Aruna
26 Bondu would have mostly been eating just bush yam and banana and
27 palm cabbage?

28 PRESIDING JUDGE: How does he answer that type of a
29 question?

1 MR CAMMEGH: Because, Your Honour, he told the Court --

2 PRESIDING JUDGE: Yes, I remember he told the Court -- I
3 mean, was he staying with him all the time -- were they staying
4 in the same place or because they were very good friends?

09:53:02 5 MR CAMMEGH: Exactly.

6 PRESIDING JUDGE: All right. Okay.

7 MR CAMMEGH: And something may have been related or said.

8 Q. Can I put the question in a different way: Did Aruna Bondu
9 ever tell you that all he was eating during that period was bush
09:53:19 10 yam, banana and palm cabbage?

11 PRESIDING JUDGE: You said banana, bush cabbage and what,
12 Mr Cammegh?

13 MR CAMMEGH: Bush yam, banana and palm cabbage. I'm not
14 hearing any translation at the moment. Nor is my learned friend.

09:54:01 15 THE INTERPRETER: Your Honours, the witness is not
16 speaking.

17 MR CAMMEGH:

18 Q. Okay. I'll ask the question again: Mr Witness, are you
19 hearing me?

09:54:13 20 A. Yes, I'm hearing you very well.

21 Q. The question is this: Did Aruna Bondu ever tell you, in
22 the years '96 to '99, that all he was eating was bush yam, banana
23 and palm cabbage?

24 A. Yes. Those food were the ones we used to eat.

09:54:49 25 Q. What was the reason for the fact that those foods were
26 eaten so often?

27 A. The time we were in the bush, there was a shortage of food.

28 Q. In your view, Mr Witness, what was the main reason for that
29 shortage of food during that period?

1 A. Well, there was no rice at that time.

2 Q. Why was that; do you know the reason for that?

3 A. Well, at that time, that was the time of the heaviest
4 retreat. All of us were now in the bushes.

09:56:17 5 Q. And when you say "the heaviest retreat" which forces were
6 in retreat?

7 A. At that time?

8 Q. Yes.

9 A. Whether you were a civilian or a rebel, all of us were
09:56:42 10 dispersed in the bushes.

11 Q. Was this a result of the fighting in the war?

12 A. I think so.

13 Q. Can I just ask you a question about brushing. We've heard
14 a lot in this trial about the brushing of roads and villages.

09:57:18 15 Was brushing done in Kailahun District, in the villages and on
16 the roads of Kailahun District, before the war?

17 A. Yes.

18 Q. Yes. And was it done by civilians?

19 A. Yes.

09:57:51 20 Q. Right, and did those civilians, and I'm talking about
21 before the war, did those civilians do the brushing voluntarily?

22 A. Yes, that used to happen happily.

23 Q. Okay. Mr Witness, what is the main purpose of brushing,
24 particularly in villages? Why is it so important?

09:58:38 25 A. Well, at that time, if the roads were bushy to the
26 villages, they would not allow that, for vehicles and even for
27 your own sake.

28 Q. When you say "for your own sake" are you talking about the
29 risk of disease?

1 A. Yes.

2 Q. I think it's right, isn't it, that the risk was that if
3 villages weren't brushed, the spread of disease, particularly
4 through mosquitos, was far more serious; is that right?

09:59:46 5 A. Yes, and even for risk of snakes.

6 Q. Yes. Did the voluntary brushing of roads and villages
7 within Kailahun District continue after the outbreak of war?

8 A. Well, there was a time you could not even imagine that.

9 Q. Can you explain what you mean by that answer, please?

10:00:25 10 A. Firstly, where you stay, you could not even think of
11 sweep -- of brushing a road. You would not be unhappy and then
12 you think of that. You can see people were distressed. Can you
13 tell that person to go and brush a road?

14 Q. Okay. And do I understand that they were distressed by the
10:01:16 15 effects, the direct effects of the war?

16 A. Yes.

17 Q. Can I ask you this: In your experience, and from what you
18 heard in Kailahun District during those years, did you ever hear
19 of civilians being forced to brush by the RUF?

10:02:05 20 A. No.

21 Q. Thank you. I shall probably return to the notion of forced
22 labour later, but can I just ask you some questions about the
23 pass system. Did the pass system relax or was it -- was the pass
24 system less stringently imposed for a period after May 1997 in
10:02:51 25 Kailahun District?

26 A. Yes, that happened.

27 Q. And during that period, Mr Witness, is it right to say that
28 the civilians were, and I'm talking about the latter half of
29 1997, into the early part of '98, that the civilians during that

1 time felt much safer in Kailahun District than they had for some
2 time; would that be right?

3 A. Yes.

4 Q. And from time to time, in fact, there was some jubilating,
10:03:48 5 wasn't there, in some of the villages, regular dances or discos
6 were held amongst the local population; was that right?

7 A. Yes. It did not only stop at that. We even initiated
8 young women into the bondo bush.

9 THE INTERPRETER: Correction interpreter, we even initiated
10:04:20 10 young girls into the bondo bush.

11 MR CAMMEGH: Thank you, Mr Interpreter.

12 Q. During that time was it necessary for a civilian to receive
13 a pass in order to look for food for himself?

14 A. No, not at that time.

10:04:50 15 Q. Thank you. And is it right also that people were free to
16 take their own food to, for example, the river crossing trading
17 posts in order to barter with the Guineans; is that right?

18 A. Yes, that happened.

19 Q. Were they, in fact, free to do that throughout the war
10:05:38 20 without a pass?

21 A. After the initiation in that bush, all of us were freed.

22 Q. I'm sorry, Mr Witness, can you just explain what you mean
23 by that answer, please?

24 A. Well, we, the Mende people, when we initiate young women
10:06:19 25 into Bondu society, we do not think of anything bad. That is the
26 last happiness in the Mende land, because after that initiation
27 we used to go to the Guinean border to buy a lot of clothes. We
28 were just going to the border -- to the Guinean border in turns.
29 That is the reason --

1 PRESIDING JUDGE: Let's get the interpretation right,
2 please. There's lots and lots of interferences. Be sure of what
3 you are translating, or what you interpreted, please. We are
4 getting a lot of disruptions, you know, there, and let's be sure
10:07:21 5 of what you are doing there, Mr Interpreter.

6 THE INTERPRETER: Your Honours, the witness said they used
7 to go there by turns. If somebody goes there today, the other
8 time the other group will go.

9 MR CAMMEGH: Can I briefly interrupt? Did I hear, and I
10:07:36 10 think Your Honour might have heard this as well in the
11 background, another interpreter suggesting the correct
12 interpretation was going to and fro?

13 PRESIDING JUDGE: Yes. This is what -- this is why I said
14 he should be sure of the --

10:07:48 15 MR CAMMEGH: It imparts a different meaning to in turn.

16 PRESIDING JUDGE: Ask him to take that over again.

17 MR CAMMEGH:

18 Q. If I can just ask you this, Mr Witness: Were the civilians
19 travelling backwards and forwards at will to the trading posts
10:08:08 20 during that time?

21 A. Yes, that was the way it used to happen.

22 MR CAMMEGH: Okay. I think we can leave that question
23 there.

24 Q. It's not true, is it, that whenever a civilian went to the
10:08:27 25 Moa River crossing points to trade, that he would always be
26 forced to carry a load?

27 A. Nobody could say that; that is not true.

28 Q. Thank you. I just want to ask you, please, a few questions
29 about RUF farms and government farms. I appreciate this might

1 have been dealt with before, but one more time, Mr Witness, would
2 you mind please explaining quickly the difference between an RUF
3 farm and a government farm?

4 A. Well, you've done something for somebody. You've given it
10:09:32 5 to him as his. For example, the way we used to farm, the
6 community farm was for the town people.

7 PRESIDING JUDGE: Mr Cammegh, please take the question
8 again. Was the question not a distinction between the RUF and
9 the government farm also?

10:10:01 10 MR CAMMEGH: It was.

11 Q. Mr Witness, I'm very sorry to interrupt you; listen to the
12 question. I just ask you to explain briefly the difference
13 between an RUF farm and the government farm?

14 JUDGE BOUTET: Did this witness testify as to a government
10:10:24 15 farm? Did he use that language? Maybe so, but I have no such
16 recollection. He used the word "community" farm and this kind of
17 language, but government farm?

18 MR CAMMEGH: Your Honour may well be right.

19 JUDGE BOUTET: And that may cause some kind of confusion in
10:10:40 20 the answer.

21 MR CAMMEGH: I will deal with it in this way, if I may.

22 Q. Mr Witness, did you ever hear of a government farm in
23 Kailahun District?

24 A. Yes.

10:10:54 25 Q. Were government farms different to RUF farms?

26 A. We only know of RUF farm. There was no government farm.

27 Q. Was there a big farm in Giema?

28 THE INTERPRETER: Your Honours, the counsel is speaking off
29 mic.

1 MR CAMMEGH: Sorry.

2 Q. Was there a big farm in Giema?

3 A. There were farms in Giema.

4 Q. Was there in particular a big farm in Kambama during one
10:11:51 5 year?

6 A. The only farm that was there was Mr Issa's farm.

7 Q. Let me approach this differently. Was this the position in
8 Kailahun: That there was one farm which directed all its produce
9 to the soldiers?

10:12:23 10 A. Yes; there was a farm like that.

11 Q. Where was that?

12 A. In Sembehun.

13 Q. I'm going to make a suggestion to you and I want to know if
14 you agree with me: That in Kailahun District there was only one
10:12:53 15 such farm that would direct all of its produce to the soldiers;
16 do you agree?

17 A. I am explaining to you today that that is true.

18 Q. Now, there were other farms, weren't there, which I suggest
19 were called RUF farms. Can you describe how they operated and
10:13:25 20 where the produce went from those farms?

21 A. In those farms all the produce they were getting from those
22 farms belonged to them, because whenever they harvested those
23 rice -- the rice remained with them. At that time --

24 PRESIDING JUDGE: I am afraid I have to stop you. To them,
10:14:12 25 to them, to who?

26 MR CAMMEGH: I was about to ask that, Your Honour. Yes, I
27 take Your Honour's point.

28 PRESIDING JUDGE: And to where.

29 MR CAMMEGH:

1 Q. When you say "them", Mr Witness, are you referring to the
2 local civilians?

3 A. After the harvest of the rice, the rice was meant for the
4 civilians.

10:14:36 5 Q. Did every village have such a farm?

6 A. Yes. In every village, this rice was found in every
7 village.

8 Q. Did you, during your time in Kailahun District, ever come
9 across a farm where workers --

10:15:12 10 PRESIDING JUDGE: Is he saying that there was an RUF farm
11 in every village, an RUF farm of this description according to
12 him?

13 MR CAMMEGH: Do you want me to repeat that? That was my
14 understanding. I'll repeat it.

10:15:24 15 PRESIDING JUDGE: That is your understanding.

16 MR CAMMEGH: That is my understanding.

17 PRESIDING JUDGE: I was going to find out whether that was
18 your understanding as well.

19 MR CAMMEGH: Unless you want me to clarify that one more
10:15:31 20 time, Your Honour?

21 PRESIDING JUDGE: Yes, yes.

22 MR CAMMEGH:

23 Q. Okay. The question once again, Witness, is this: Did
24 every village have such a farm where the produce was divided
10:15:47 25 between the local civilians?

26 A. You asked me twice. I want to clarify it properly so that
27 you can understand.

28 PRESIDING JUDGE: So that I too can understand.

29 MR CAMMEGH: Thank you, Your Honour.

1 THE WITNESS: That farm -- when you cultivated your own
2 farm, the other farm that was cultivated by all the town people,
3 after the harvest of that farm, it will be for the town people.
4 That harvest would be for the town people. Your own personal
10:16:48 5 farm, you alone will control that rice. The farm that we
6 cultivated for the RUF, they used to come and collect the rice by
7 bit, and we used to give the rice to them in bits. That was the
8 way the arrangement was.

9 PRESIDING JUDGE: Yes.

10:17:59 10 MR CAMMEGH:

11 Q. Much has been said in this trial of civilians being forced
12 to make subscriptions of food. What do you have to say about
13 that?

14 A. I did not see that for myself. At that time -- at that
10:18:39 15 time, if you did not have a farm, you would come to agriculture
16 and ask for rice and you will cultivate that farm for them.

17 Q. From the position that you held, would you expect to have
18 known if any such forced subscriptions were taking place in
19 Kailahun District during the war?

10:19:23 20 A. To subscribe food by force, that happened many times in
21 1991.

22 Q. And if it had happened during the war from, say, 1996
23 onwards, from your position, would you expect to have been told
24 about it?

10:19:58 25 A. That date you've mentioned, that did not happen.

26 Q. And did you ever witness or hear about farm workers being
27 forced to operate at gunpoint in Kailahun District?

28 A. That did not happen at all.

29 Q. All right. Did you ever become aware of the IDU commander,

1 Augustine Gbao, personally overseeing a farm in Giema?

2 A. I did not hear that and I did not see it.

3 Q. What was Morie Fekai's job during this period; can you help
4 us?

10:21:28 5 A. Morie Fekai, at that time, he was working at G5. He used
6 to work at G5.

7 Q. Did you ever hear of him passing orders to civilians, in
8 particular in respect of forced labour?

9 A. I did not hear that one.

10:22:02 10 Q. I just want to complete this small issue. Did you ever
11 hear that Augustine Gbao was passing orders to Morie Fekai with
12 respect to forced labour?

13 A. I did not hear that happen.

14 Q. In fact, who, according to your understanding at the time,
10:22:39 15 who would Morie Fekai have been taking his orders from?

16 A. He used to take orders from the overall G5.

17 Q. Was that Prince Taylor?

18 A. Yes, that was Prince Taylor.

19 Q. Just lastly on this particular topic, did you ever, at any
10:23:11 20 time, hear of any connection or any description between Morie
21 Fekai and Augustine Gbao?

22 A. No.

23 Q. Right. Between 1996 and 1999, was Fatoma Aruna a chief in
24 Giema?

10:24:01 25 PRESIDING JUDGE: What year, Mister --

26 MR CAMMEGH: '96 to '99.

27 THE WITNESS: Yes.

28 MR CAMMEGH:

29 Q. Right. Did you know him well?

1 A. Yes, I knew him well.

2 PRESIDING JUDGE: In what location?

3 MR CAMMEGH: Giema.

4 Q. If anything bad had happened to him, or to anybody in his
10:24:39 5 family, do you expect he would have told you about it personally?

6 A. Well, if he was supposed to explain that to me, he would do
7 so.

8 Q. Did you hear of any deaths in his family during the war
9 caused by RUF soldiers?

10:25:14 10 A. That did not happen.

11 Q. I think you told us the other day that you knew Aruna Bondu
12 very well; is that correct?

13 A. He was a very good friend of mine, Aruna Bondu, because he
14 promised me of giving me a wife.

10:25:47 15 Q. So if it was true that he was once beaten up by Morie
16 Fekai, don't you expect he would have told you about it?

17 A. If Morie Fekai beat up Aruna Bondu, he would have explained
18 to me.

19 Q. And if Aruna Bondu had been beaten up by Jah Glory, do you
10:26:30 20 expect Aruna Bondu would have told you about that?

21 A. Who is Jah Glory?

22 Q. I think that answers the question; if Your Honours are
23 content with that answer?

24 PRESIDING JUDGE: Yes. You asked him about a second
10:26:59 25 person, he is asking you who the person, the second person is.

26 MR CAMMEGH: Yes.

27 PRESIDING JUDGE: He has provided an answer that if Morie
28 Fekai beat Aruna Bondu, he would have -- so you asked him the
29 second person --

1 MR CAMMEGH: Yes, if he'd heard that Jah Glory had beaten
2 up Aruna Bondu would he have known that, and the answer was: Who
3 is Jah Glory.

4 PRESIDING JUDGE: Yes, that's right. Who is Jah Glory?

10:27:23 5 MR CAMMEGH: Yes, that's right. I'm suggesting that's a
6 sufficient answer for my purposes. But if Your Honours want me
7 to ground it home, I will. I will clear it up.

8 PRESIDING JUDGE: Is he saying that he doesn't know Jah
9 Glory?

10:27:37 10 MR CAMMEGH: I'll clear it up.

11 PRESIDING JUDGE: Let's get the record clear.

12 MR CAMMEGH:

13 Q. The question is this, Mr Witness, I'm sorry to dwell on it,
14 but we have to get it completely right. Did Aruna Bondu ever
10:27:49 15 tell you that he had been beaten up by a man called Jah Glory.
16 You just have to say "yes" or "no"?

17 A. No.

18 Q. Right. I think it's correct, isn't it, that Chief Sellu
19 Ensa, according to your knowledge, had very good relations with
10:28:16 20 the G5; is that right?

21 A. Yes.

22 Q. Did you ever feel it necessary yourself to consider going
23 to Chief Sellu Ensa to ask him to try to help to improve civilian
24 conditions?

10:28:54 25 A. Sometimes we used to make arrangement about that, but even
26 at that, it was already arranged. We only tried to buttress it.

27 Q. Did you ever feel it necessary to speak to Chief Sellu Ensa
28 about the fact that the RUF were damaging civilian conditions and
29 that you wanted him to try and do something about it?

1 A. Like, which damage?

2 Q. Well, was it ever your opinion that the RUF were harming
3 civilian conditions and that, therefore, it was necessary to
4 speak to Chief Ensa to try and sort it out, to try and stop the
10:30:00 5 RUF damaging civilians' conditions, living conditions?

6 A. No.

7 Q. I'm sorry to jump back to the subject of trading. I will
8 do this very quickly, I hope. Can you confirm that civilians
9 were at all times -- I'm talking about Kailahun District -- that
10:30:35 10 they were at all times allowed to keep certain foodstuffs for the
11 themselves, like cacao and palm oil; do you accept that?

12 A. Yes.

13 Q. You'd already indicated that civilians were free to go to
14 and fro to the crossing point. Can you just confirm that the
10:31:08 15 crossing points were chiefly at Gbele, Baona waterside, Yibema?

16 THE INTERPRETER: Your Honours, can the counsel take the
17 names again?

18 MR CAMMEGH: I'm not sure I'm pronouncing this correctly,
19 if it's Gbele or Bele, Baona Waterside, Yibema and Kumalo --

10:31:42 20 A. Are you talking about Yibema?

21 Q. I believe so. Were those the chief crossing points, the
22 main crossing points?

23 A. Yes.

24 Q. I think in return for the items that they personally
10:32:06 25 traded, did the civilians bring back, for example, rice, salt and
26 Maggi; do you agree?

27 A. Yes, that used to happen.

28 Q. Would you agree that throughout Kailahun, particularly
29 between '96 and '99, civilians worked hand-in-hand with G5

1 soldiers when necessary?

2 A. Very well.

3 Q. To improve the civilians' living conditions?

4 A. Yes. In the place where people used to sell palm oil, just
10:33:12 5 imagine that there was no problem there.

6 Q. Were civilian workers paid for the work that they did
7 during the war?

8 A. You will send somebody, your colleague, civilian, you would
9 beg him; he will work for you.

10:33:45 10 Q. Is this right: That civilians were generally given food in
11 exchange for work?

12 A. Sometimes, some amount of salt that we would give to
13 somebody, that person would be able to go and work for you.

14 Q. And did the G5 often take the responsibility for dividing
10:34:19 15 food for the civilians who'd been working?

16 A. No.

17 Q. Who divided the food?

18 A. The civilians who were working used to divide the food.

19 Q. But was this right: That from time to time soldiers,
10:34:53 20 whether they are regular combatants or G5s, would sometimes bring
21 back food from the war front, such as chickens, for example?

22 A. Yes.

23 Q. You mentioned agriculture earlier on; is it correct that
24 the agricultural unit distributed seedlings amongst the villages
10:35:35 25 whenever it was possible to do so?

26 A. Yes, that used to happen very well.

27 Q. Was AA Vandi the head of the agricultural unit at that
28 time?

29 A. Yes.

1 Q. I think Saleem, was he head of the business section of the
2 agricultural unit?

3 A. Yes.

10:36:37 4 Q. Mr Witness, is there any truth in the suggestion that from
5 time to time chiefs, civilian, commanders, et cetera, would be
6 summoned to Kailahun Town to receive orders from RUF commanders
7 as to how food from their farms should be distributed; did that
8 ever happen?

9 A. No.

10:37:30 10 Q. Did the RUF ever do anything to obstruct the organisation
11 of, for example, Mamba or Bondu ceremonies in Kailahun District?

12 A. That did not happen. Even they themselves, their own
13 children were initiated. When the time for that initiation came,
14 they would put aside their guns and all of us would participate
10:38:18 15 in that initiation.

16 Q. In fact, what I'm suggesting is that the RUF did everything
17 they could to encourage and facilitate such ceremonies; would you
18 agree?

19 A. Very well indeed, yes, we used to dance. We used to
10:38:44 20 glorify their names in our singing and they used to glorify our
21 names in their own songs. They used to give us money whilst we
22 were dancing.

23 Q. Were most of the RUF soldiers who you met in Kailahun
24 District during the war directly related to civilians in Kailahun
10:39:10 25 villages?

26 A. Yes.

27 Q. Mr Witness, can you just help me with this: Did you have
28 any knowledge of the S4 section?

29 A. I've not understood that question.

1 Q. I was just asking you if you had any knowledge of an RUF
2 section referred to as S4 that was involved in food distribution;
3 did you ever become aware of them?

4 A. I knew that very well.

10:40:02 5 Q. Okay. Would you like to explain what you understood their
6 role to be?

7 A. Yes.

8 Q. Please do.

9 A. Like the farm we cultivated at Sembehun?

10:40:24 10 Q. Yes. What job did the S4 have, if can -- if you know, then
11 please explain?

12 A. For example, I knew later that they were the ones who were
13 to give food to soldiers.

14 Q. Okay.

10:40:49 15 A. They would have food in their stores.

16 Q. According to your knowledge of the goings on in Kailahun
17 District, was there ever a time --

18 THE INTERPRETER: Your Honours, can the counsel take the
19 question again slowly?

10:41:10 20 MR CAMMEGH:

21 Q. Was there ever a time, to your knowledge, when food or
22 harvest would be gathered up and delivered to Augustine Gbao?

23 A. I did not hear that and I did not see it.

24 Q. In your position, Mr Witness, if that had been happening,
10:41:41 25 do you expect you would have known about it?

26 A. I would have known it very well.

27 Q. I want to make a suggestion to you as to what Mr Gbao's job
28 actually was in connection with food. If you can help me with
29 this, fine; if you don't know, then please say so. What I'm

1 suggesting is this: Is that one of Augustine Gbao's
2 responsibilities during the height of the war was to maintain
3 records or inventories of foodstuffs contributed by civilians to
4 the soldiers; would you agree with that?

10:42:56 5 A. I don't know that.

6 Q. Do you agree with this as a proposition, and again, I don't
7 want you to speculate, but perhaps you can help. Kailahun
8 District was at war and food was hard to come by; do you agree?

9 A. Yes, food was hard to come by. There was a time there was
10:43:32 10 a shortage of food.

11 Q. So would you agree that the fair and efficient distribution
12 of food, not only amongst the soldiers but also amongst the
13 civilians, was of paramount importance; would you agree?

14 A. Yes.

10:44:03 15 Q. And would you agree that, therefore, it was important to
16 ensure the security of that food, for example, to prevent its
17 unfair distribution or even its theft; would you agree?

18 A. Yes.

19 MR CAMMEGH: Excuse me one moment, Your Honours. Excuse
10:45:21 20 me, I'm sorry. I'm terribly sorry. Would Your Honour assist me
21 by just reminding me what the last question and answer was? I've
22 lost my track.

23 PRESIDING JUDGE: Yes, you were asking the witness in terms
24 of security on the necessity of food and the necessity for the
10:45:37 25 food to be secure, you know, to be secure from theft or from an
26 unfair distribution. That is where you stopped.

27 MR CAMMEGH: I'm grateful.

28 Q. Would you agree with this proposition, Mr Witness, that the
29 citizens and the soldiers in Kailahun District were, during the

1 war, united against the enemy in a general war effort; would you
2 agree?

3 A. Yes.

4 Q. Food was scarce, but, to your knowledge, from your
10:46:35 5 position, were you aware of anybody starving to death in Kailahun
6 District during that time?

7 A. That happened many times.

8 Q. Were you aware of anybody --

9 PRESIDING JUDGE: What happened many times, that people
10:46:54 10 would die of starvation?

11 MR CAMMEGH: Yes.

12 THE WITNESS: At that time there was scarcity of food.

13 There was no food. The elderly people were starved to death.

14 JUDGE BOUTET: What period of time are you talking about
10:47:15 15 here?

16 MR CAMMEGH:

17 Q. During what period, Mr Witness, can you be clear?

18 A. Well, at that time, the heaviest -- at the time of the
19 heaviest retreat, because the way he has asked me, that is the
10:47:38 20 way I'm going to answer. There was scarcity of food. You will
21 go and search for food and bring it. When the food was brought,
22 there were gates, but the soldiers used to accompany you to the
23 bush to search for food. Sometimes they would go and organise
24 ambush two or three days before you could go. When you brought
10:48:25 25 the food, all of you, your names were on a list. They will put
26 all the food together. When your name is called, if your name is
27 Boke, they will put it on the ground. They would divide it into
28 three parts. They will ask you to take your own choice; then you
29 will choose. You will take two parts of it, then they would take

1 the remaining one. Then all of you would disperse because at
2 that time you cannot go anywhere without meeting a soldier or a
3 Kamajor, because the ULIMO's used to attack, for example, three
4 times per day. That was the way it happened.

10:49:45 5 Q. Thank you, Mr Witness. It's been suggested in this trial
6 that some people starved to death as a direct result of being
7 forced to work by the RUF; what do you have to say about that?

8 A. I would like to say that that person is a liar.

9 Q. Can I just, and I hope to be finished within 15 minutes,
10:50:36 10 can I ask about medical care in Kailahun District at that time.
11 There is a large hospital in Kailahun Town, Mr Witness. I think
12 it's right that that was built some time before the war; do you
13 agree?

14 A. Yes.

10:50:48 15 Q. It is, in fact, quite a large hospital, isn't it?

16 A. Yes.

17 Q. Was that hospital operating as such during the war?

18 A. No.

19 Q. What was the reason for that, do you know?

10:51:18 20 A. There was nothing there and everything was destroyed there.

21 Q. Did the RUF do their best to provide medical care, despite
22 the fact that that hospital had been destroyed? I'm sorry, he
23 didn't say it had been destroyed, despite there was nothing
24 there. Your Honours get the point, I hope. I'm not trying to
10:51:52 25 take a dishonest point.

26 PRESIDING JUDGE: He said there was nothing there because
27 everything had been destroyed.

28 MR CAMMEGH: Oh, he did say that.

29 PRESIDING JUDGE: Yes, he did.

1 THE WITNESS: There was nothing there.

2 MR CAMMEGH:

3 Q. Okay. Did the RUF do their best, nevertheless, to assist
4 civilians in medical care?

10:52:13 5 A. Very well. Very well.

6 Q. I think you've been asked this question already: Did you
7 hear of Dr Fabai?

8 A. Very well.

9 Q. Did you hear of Dr Kulag Vanda?

10:52:37 10 A. Very well.

11 Q. Briefly, Mr Witness, please, can you explain to your
12 knowledge how the RUF attempted to maintain medical care in
13 Kailahun District during the war?

14 A. Well, there was a time Mr Issa Sesay called those doctors.
10:53:11 15 He made an arrangement with them so that there would be a
16 hospital. The very one I knew about was the one in Giema. They
17 built it in a bush. I cannot tell you now how he managed to
18 furnish it with medicine, but he called all the civilians
19 together with soldiers and said, "Look at the medicine. We've
10:53:53 20 put the medicine here. It is better for everybody to be coming
21 to the hospital." Please, he was asking everybody, and dance was
22 everywhere in the bush. People used to go to that hospital.
23 Even wounded soldiers were there as well. They asked us to make
24 beds for them in that place so that the wounded soldiers would be
10:54:40 25 admitted on them. That did happen.

26 Q. Thank you, Mr Witness. Is this true: That one of the
27 objectives of the RUF was this: That medication is not a
28 privilege for the wealthy, but the right of every Sierra Leonean?

29 PRESIDING JUDGE: Did they get -- take an ideological

1 platform?

2 MR CAMMEGH: Your Honour, I'm simply asking --

3 PRESIDING JUDGE: We've remained within the precincts, you
4 know, of the medicines being provided free of charge or so?

10:55:34 5 MR CAMMEGH: It's probably my fault, Your Honour.

6 PRESIDING JUDGE: It's [overlapping speakers].

7 MR CAMMEGH: Can I ask the question in a more clear way.

8 Q. Did you ever hear it announced by the RUF that, "One of our
9 objectives, one of our political objectives," if you like is, and

10:55:57 10 I'm quoting, "Medication is not a privilege for the wealthy, but
11 the right of every Sierra Leonean." Did you ever hear that said?

12 A. Yes, that medication was for everybody.

13 Q. I will leave that issue there. Was to your knowledge one
14 of the main political objectives of the RUF to provide schools

10:56:35 15 free of charge amongst Kailahun District?

16 A. Yes.

17 Q. Is there anything you can tell us about that?

18 A. Well, I'm explaining about the time when I was in Sembehun
19 at the time of the opening of the school, when they opened the

10:57:15 20 school the head master was Kylie. Pupils were in that school up
21 to 200. Even myself, my children were there up to four. One

22 thing we were very happy about the school, when they performed a
23 concert, for the first time I ever cried. I thought of our old

24 days. There Mr Issa sent one football there. They used to play
10:58:25 25 that ball in the evening. That was the way the school business

26 was going on. Even up till now I have some of the results.

27 Q. I asked you the other day a question about -- well, I asked
28 you about whether Augustine Gbao was ever the head commander in
29 Kailahun Town and you said to your knowledge no. Can I ask you

1 about two other individuals now. Did you become aware some time
2 after 1997 that the area -- the RUF area commander of Kailahun
3 District was a man called Denis Lansana based in Pendembu?

4 A. I know Denis Lansana. He was based at Pendembu.

10:59:41 5 Q. And secondly this: Were you aware that his deputy, the
6 deputy area commander, was a man called Vandi Kosia?

7 A. No.

8 JUDGE BOUTET: Mr Cammegh, I'm not sure he answered your
9 first question. Maybe you're satisfied with the answer. You
11:00:08 10 asked him if he knew of Lansana and was aware of his position at
11 all. He said that he is aware that he was based in Pendembu.

12 MR CAMMEGH: I agree, Your Honour, he didn't cover the
13 position.

14 JUDGE BOUTET: And then you asked for a deputy, so it is
11:00:21 15 causing me some confusion now.

16 MR CAMMEGH: Of course.

17 Q. Can I just get you to -- can we go back to Denis Lansana
18 because his Honour is absolutely right. We didn't completely
19 cover the question. I asked you if you knew whether Denis

11:00:39 20 Lansana was an RUF area commander based in Pendembu. You told us
21 that you knew Denis Lansana, you knew that he was in Pendembu.
22 Did you know that he was an RUF area commander at the time?

23 A. That is what I'm confused about. I didn't know whether he
24 was the one, whether he was an area commander.

11:01:11 25 Q. And the next question was about a man called Vandi Kosia.
26 Did you ever know of a man called Vandi Kosia who I'm suggesting
27 was Lansana's deputy?

28 A. That one I did not know very much, that particular one.

29 Q. Mr Witness, did, to your knowledge, Mr Gbao ever carry a

1 gun?

2 A. I did not see him with gun.

3 Q. And just to give us an idea, please, how frequently did you
4 see Mr Gbao during the war, let's say from 1996 to the end of
11:02:08 5 1998?

6 A. I used to see him from 1998 to 1999.

7 Q. Where was that?

8 A. I used to see him in Giema. I used to see him at the
9 riverside.

11:02:34 10 Q. How often would you see him?

11 A. Sometimes I will see him at the riverside. Sometimes I
12 would see him where people used to drink palm wine.

13 Q. Did Mr Gbao ever have a farm in Giema to your knowledge?

14 A. No.

11:03:15 15 Q. Now, finally, and I hope to do this quite briefly, and
16 there was another witness, Your Honours, TF1-108. Mr Witness,
17 I've just got a few more questions for you; I'll try to be as
18 quick as I can. To your knowledge was Augustine Gbao ever a G5
19 commander?

11:03:54 20 A. No.

21 Q. In 1996 were you aware of Mr Gbao ever ordering civilian
22 commanders to go to Kailahun Town to discuss the issue of
23 subscriptions?

24 A. No.

11:04:22 25 Q. To your knowledge, Mr Witness, did Augustine Gbao ever
26 order civilians to carry loads on their heads from Giema to
27 Kailahun Town?

28 A. No.

29 Q. Again, to the best of your knowledge, did Augustine Gbao

1 ever order farms to be cultivated?

2 A. No.

3 Q. To the best of your knowledge did the RUF ever steal food
4 from those who were farming for themselves?

11:05:33 5 A. No.

6 Q. Again, to the best of your understanding of the RUF code,
7 if I can use that word, what would you have expected to happen to
8 any soldier who was apprehended stealing food from a civilian?

9 A. If that kind of person was caught, then we would report to
11:06:13 10 the G5, and he would report to the office that this is what has
11 happened. But that did not happen for me to see.

12 Q. Okay. Did you ever hear of Aruna Fatoma being put in a
13 cell -- let me start again. I think you've told us that you knew
14 Aruna Fatoma very well; correct?

11:06:47 15 A. Yes.

16 Q. Did he ever tell you about an occasion when he was put in a
17 cell at the MP office in Kailahun Town?

18 A. Not a day did he tell me that.

19 Q. Did he ever tell you about an occasion when his sibling, I
11:07:18 20 assume his brother, but I use the word "his sibling," was shot
21 after he became tired carrying a load from Kailahun Town towards,
22 I believe, Giema? Did he ever tell you that?

23 A. No.

24 Q. Mr Witness, did you ever hear about this story: Four
11:07:59 25 people, four civilians, being caught by the RUF trying to cross
26 to Guinea at Mafindor, in either '98 or '99, who were apprehended
27 by RUF, brought back to the Kailahun Town court barri and shot in
28 the presence of Augustine Gbao, Martin George, Sam Koroma and Tom
29 Sandy. Did you ever hear about that?

1 A. No.

2 Q. And in your position at the time, '98, or '99, is that
3 event something you would have heard about if it had really taken
4 place?

11:09:15 5 A. I would hear about it very well. Well, I am a little bit
6 confused. 1998, going to 1999, everybody was free. Wherever you
7 wanted to go you would go. That's the type of questions you're
8 asking me?

9 Q. It's probably fair to you that I explain, Mr Witness. I'm
11:09:43 10 simply asking you to comment on something that somebody else has
11 suggested to this Court on a prior occasion. Remind us, please,
12 how far were you living from Kailahun Town in '98 and '99? How
13 many miles away?

14 A. From Sembehun to Giema it's a mile-and-a-half. From Giema
11:10:41 15 to Kailahun, seven miles.

16 Q. Okay. Sorry to jump back to the issue of trading again; we
17 are almost finished. I'm going to suggest a system of trading to
18 you and I'd like you to comment as to whether or not you think
19 this is accurate. The system, I suggest, is this: That there
11:10:51 20 was an organisation in place whereby civilians, who'd produced a
21 harvest, would pass the harvest to paramount chiefs, or civilian
22 commanders, who would then pass those goods to the AU -- I'm
23 sorry, who would pass those goods to the S4 -- who in turn would
24 pass the goods to the AU, who would barter them in bulk at the
11:11:30 25 Guinea border, then bringing the bartered goods back to the S4
26 who would organise their distribution; does that system seem
27 familiar to you?

28 A. No. The first thing is nobody would take rice to the
29 Guinea waterside. They wouldn't buy it. They would buy rice

1 from there and bring it, but to take rice to Guinea waterside,
2 that did not happen.

3 Q. First of all, I'm suggesting that what they would usually
4 take to the waterside would be palm oil or cacao. I'm not
11:12:38 5 suggesting they took rice.

6 A. We used to take palm oil, cacao, coffee, kola nut.

7 Q. I accept that. However, it's the system that I'm more
8 interested in. If I've got it wrong, perhaps, Mr Witness, you
9 would like to tell me if there was a system that you were aware
11:13:17 10 of and how that organised system worked?

11 A. When we were preparing to take items to the waterside, we
12 would obtain a pass from the G5. Then we would take the items,
13 and when we took them we would sell them. Then we would buy
14 salt, Maggi, and tongoni and cigarette and shoes. We were not
11:14:10 15 taking rice from the waterside. We wouldn't take rice from Giema
16 to the waterside, but there were times Mr Issa would provide
17 money that would be taken to the waterside and we would buy a lot
18 of rice and we would bring it.

19 Q. Thank you. If Aruna Fatoma's wife had been raped, is that
11:14:57 20 something you would expect to have heard about from Aruna Fatoma?

21 A. I did not hear that; I did not see it.

22 Q. I think you've already told us that you never heard about a
23 member of his family being killed, haven't you?

24 PRESIDING JUDGE: The question is: If Aruna Fatoma's wife
11:15:35 25 was raped, would he have told the witness about it? That's the
26 question. Can he limit himself to that question, please.

27 MR CAMMEGH: Yes.

28 Q. That was the question, Mr Witness. If Aruna Fatoma's wife
29 had been raped, would you expect Aruna Fatoma to have told you?

1 A. Probably he would have told me, but it did not happen.

2 Q. Okay.

3 A. And I did not hear about it.

4 Q. And just so there's no confusion, if his wife had been

11:16:08 5 killed, is that something you expect he would have told you?

6 A. Yes, but it did not happen.

7 Q. Did anybody ever say to you -- did anybody ever tell you
8 that his wife had either been raped or later killed?

9 A. That did not happen.

11:17:00 10 Q. I just want to follow up a couple of matters that you
11 raised the other day, and then we can finish.

12 PRESIDING JUDGE: Don't worry, Mr Cammegh, you know, keep
13 on going.

14 MR CAMMEGH: Two issues left. Very brief.

11:17:16 15 PRESIDING JUDGE: You don't need to. We are far beyond
16 the [indiscernible] your case. No problem about that. Continue.
17 You keep reminding us and you are continuing. We want to see
18 when you are finally finished.

19 MR CAMMEGH:

11:17:30 20 Q. You told the Court the other day that your son was sent to
21 a base in Baima in 1995 for advanced training; do you remember
22 that?

23 THE INTERPRETER: Can learned counsel take the question
24 again?

11:18:07 25 MR CAMMEGH:

26 Q. You told us the other day that in 1995 your son was sent to
27 the Baima base for advanced training; do you remember?

28 PRESIDING JUDGE: Did he say for advanced training or for
29 training simpliciter? Did he say just training --

1 MR CAMMEGH: It may just have been training. That may be
2 my mistake. Mr Jordash is nodding, yes.

3 PRESIDING JUDGE: Unless he was trained before, for him to
4 now go for advanced training. I don't imagine he was. But, from
11:18:23 5 the evidence as we heard it on that day.

6 MR CAMMEGH:

7 Q. Let's just put it simply then, Mr Witness. Do you recall
8 telling the Court the other day that your son was sent to Baima
9 base in 1995?

11:18:41 10 A. It's not my son that I sent to the base. My son and a
11 soldier quarrelled, then he went to the base. They took him --
12 they caught him and took him to the base. Then I told Issa --

13 PRESIDING JUDGE: We heard that story, but later on, what
14 did you say happened to that child after Issa had intervened and
11:19:09 15 the child was released?

16 THE WITNESS: He, himself, went to the base.

17 PRESIDING JUDGE: [Overlapping speakers].

18 THE WITNESS: Yes.

19 PRESIDING JUDGE: Were you the one [overlapping speakers].

11:19:23 20 THE WITNESS: Well nobody forcefully took him there.

21 PRESIDING JUDGE: You said you were not the one who sent
22 him to the base --

23 THE WITNESS: No.

24 PRESIDING JUDGE: -- on his own.

11:19:30 25 THE WITNESS: He went himself, by his own. I did not send
26 him there. I explained that.

27 MR CAMMEGH:

28 Q. All I want to suggest to you is this: Is that there was an
29 argument which related to the fact that your son had been

1 impersonating a soldier; is that true?

2 A. Yes, that was the cause of the quarrel, that he challenged
3 a soldier.

4 Q. And I think -- was he sent to Baima base as a punishment to
11:20:12 5 do advanced training; is that correct?

6 A. No.

7 Q. All right. Well, is this the case: That impersonation or
8 impersonating a soldier was, in fact, a crime within the RUF
9 during the war?

11:20:39 10 PRESIDING JUDGE: Put it to him -- Mr Cammegh, ask him
11 whether his child ever impersonated. The witness is saying that
12 he had a quarrel with this soldier and that was why he was
13 detained. Let him tell us whether he was detained because he
14 impersonated as a soldier.

11:20:58 15 MR CAMMEGH:

16 Q. Is it right, Mr Witness, that he was detained because he
17 impersonated a soldier?

18 A. He did not say he was a soldier. He quarrelled with a
19 soldier. They said he had challenged a soldier.

11:21:23 20 Q. Okay. I need to finally to ask you about Pendembu. It's
21 right, isn't it, that Pendembu, in 1996, was a frontline town?

22 A. Yes.

23 Q. And as such, it's right, isn't it, that civilians were not
24 allowed within a reasonable distance of Pendembu because it was a
11:21:52 25 frontline town; do you agree?

26 A. Yes.

27 Q. And if civilians did trespass too close to a frontline
28 town, was it the normal duty of combatants or the normal duty of
29 combatants to round them up and take them back to within Kailahun

1 District?

2 A. They did not go that way, the civilians.

3 Q. Well, would you agree with me that RUF combatants would
4 round up or capture, if you like, civilians who were straying too
11:22:50 5 close to frontline towns?

6 A. There was a law that wherever rebels were and civilians,
7 there was a distance between them. You wouldn't go that way if
8 nobody took you there.

9 Q. But if civilians got too close to the rebels or to the
11:23:21 10 frontline towns, do you agree with me that they would be captured
11 and taken back inside Kailahun District by RUF for their own
12 safety?

13 A. Well, I did not know whether they were going there. I
14 didn't know that. They would capture people at the front line
11:23:58 15 and bring them -- and hand them over to the town chief. But to
16 say people went there, I did not hear that.

17 Q. You told me just now that there was a distance between
18 civilians and rebels at the front line, yes?

19 A. Yes. Yes.

11:24:28 20 Q. Why was it important for Kailahun citizens to be distant
21 from the rebel soldiers at the front? Why was that important?

22 A. For safety.

23 Q. In fact, was one -- if you don't know the answer to this,
24 please tell us, but was one of the duties of the IDU to ensure
11:25:05 25 that civilians didn't get too close to the rebels at the front
26 line?

27 A. Very well, indeed.

28 Q. And, in fact, was -- this is my last question -- was one of
29 the senior men amongst the IDU in the Pendembu area a man called

1 Francis Musa?

2 A. He was an IDU commander.

3 Q. Was he in Pendembu at that time?

4 A. Yes.

11:26:03 5 Q. Right. I don't think you've entirely answered my question.

6 I just want to be sure. Was one of his duties to ensure that

7 civilians didn't get --

8 PRESIDING JUDGE: That is another -- that is another

9 question in addition to the first one.

11:26:23 10 MR CAMMEGH: Well, no, Your Honour. With respect --

11 PRESIDING JUDGE: You can ask it, you can ask it -- no, no,

12 no, no, no, no, no. We don't really need to get into an

13 argument. You know that that is another question. It's not the

14 last. You can continue. We will give you the latitude to. You

11:26:36 15 can ask him the question.

16 MR CAMMEGH:

17 Q. What I asked you, Mr Witness, was: Was Francis Musa -- was

18 one of the duties of Francis Musa to ensure that the civilians

19 didn't get too close to the front line?

11:27:00 20 A. Very well. That was his work.

21 MR CAMMEGH: Since your Honours are offering me latitude,

22 can I just ask --

23 PRESIDING JUDGE: Yes, you can proceed. You can proceed.

24 MR CAMMEGH:

11:27:19 25 Q. Mr Witness, have you met anybody in the Gbao Defence team

26 before?

27 A. Mr Gbao? His lawyers?

28 Q. Yes.

29 A. No.

1 Q. Thank you. That's all.

2 PRESIDING JUDGE: Yes, Mr Fynn. I know we have just five
3 minutes to break time, but you may start with your preliminaries.

4 MR FYNN: Thank you very much, My Lord.

11:28:34 5 CROSS-EXAMINED BY MR FYNN:

6 Q. Mr Witness, I will now ask you some questions and you
7 would, like you've been doing thus far, answer slowly and try to
8 be as precise as the question is.

9 A. Okay.

11:29:09 10 Q. Now, you did say the war came to your village where you
11 were in 1991; am I correct?

12 A. Yes.

13 Q. And you said that the Gios came to your village?

14 A. Yes.

11:29:32 15 Q. Would I also be correct that the Gios came into Sierra
16 Leone together with Sierra Leoneans?

17 A. Yes.

18 Q. And that these Gios and those Sierra Leoneans were, in
19 fact, part of the same group?

11:30:05 20 A. That question that you've asked me, if Gios and
21 Sierra Leoneans came together to this country, I have not
22 understood. We saw Gios. At that time I had not seen
23 Sierra Leoneans where we were caught.

24 Q. So you did not see any Sierra Leoneans with the Gios; is
11:30:32 25 that what you're saying?

26 A. When they came initially?

27 Q. Yes.

28 A. Yes.

29 Q. How long after the Gios had come did you see

1 Sierra Leoneans with them?

2 A. It was up to three -- it was after three to four months.

3 Q. It was after three to four months. Did you get the
4 impression after you saw Sierra Leoneans with the Gios that the

11:31:13 5 Gios and the Sierra Leoneans were, in fact, in the same group?

6 A. At that time I didn't know. I only saw one person. I
7 didn't know whether they came together.

8 PRESIDING JUDGE: Did he say they came after about four
9 months, three or four months? Let's get that clear. The

11:31:46 10 Sierra Leoneans came after about three or four months,

11 Mr Witness?

12 THE WITNESS: I said when we saw the Gios, three or four
13 months afterwards I saw one Sierra Leonean at that time.

14 MR FYNN:

11:32:20 15 Q. Is it your evidence that it was only that single Sierra
16 Leonean who was with the Gios?

17 A. He alone was the one I saw when they came at that time.

18 Q. Did you at that time know about the group the RUF?

19 A. No. At that time the war has caught us. We did not know
11:33:03 20 what the RUF was.

21 Q. Would you agree with me that you complained to Mr Sankoh
22 about the conduct of the Gios because you knew that they were a
23 part of his group?

24 A. Yes. I reported to him.

11:33:41 25 Q. And you reported to him and not to anybody else because you
26 knew that the Gios were, in fact, part of his group?

27 A. Yes.

28 Q. And would I be correct to say that you reported to him more
29 than once?

1 A. Yes.

2 Q. And I would also be correct that it was after several of
3 such reports that Mr Sankoh promised you and the other leaders
4 that he would do something about the Gios; am I correct?

11:34:56 5 A. Yes.

6 Q. Mr Witness, you've told us what your position was. Am I
7 correct that it was the RUF who gave you that position?

8 A. They started, but they were not the ones who ended it.

9 Q. When you say "they were not the ones who ended it," what do
11:35:45 10 you mean?

11 A. They gave me that position. Later, they told Mr Sankoh,
12 when they said, "Whatever you're doing, this is not the time.
13 That position that they've given you, this is not the time." At
14 that time we did not even know what commander was. It was after
11:36:18 15 that he said, "That position which you had been talking about,
16 return to your people and discuss it." But we did not know --
17 all of us didn't know at that time. Later we were called up. It
18 was Mr Tengbeh who called us. Then two people stood. Then they
19 gave that position to one man. Then Mr Sankoh prepared a
11:37:06 20 document and gave it, but there was no appointment on the
21 document. He said, "You people are not chiefs." He said, "After
22 the war there would be proper organisation." That was how that
23 happened.

24 Q. Now, Mr Witness, would I not be correct to say that had the
11:37:44 25 RUF not approved that you assume the position you assumed, you
26 would not have had that position?

27 A. Not in the least.

28 Q. And would it also be true that all the people in your
29 position had to be approved of by the RUF?

1 A. Yes.

2 PRESIDING JUDGE: We will stop there. Well, learned
3 counsel, we will recess for the tea break. The Court will rise,
4 please.

11:39:10 5 [Break taken at 11.35 a.m.]

6 [RUF18OCT07B - MD]

7 [Upon resuming at 12.15 p.m.]

8 PRESIDING JUDGE: Yes, Fynn.

9 MR FYNN: Thank you, My Lord.

12:20:22 10 Q. Mr Witness, you have agreed with me that persons in your
11 position would ordinarily have had to be approved of by the RUF?

12 A. Yes.

13 Q. You'd also agree that your position was an important one to
14 the RUF?

12:20:48 15 A. Yes.

16 Q. And that because you occupied that position, you were now a
17 big man in your chieftom; a person of influence?

18 A. Yes.

19 Q. You would also agree that because you were in that position
12:21:20 20 you enjoyed certain privileges from the RUF?

21 A. They didn't do -- extend all privileges to me.

22 Q. They didn't extend all privileges to you, but you enjoyed
23 privileges which were not extended necessarily to everybody?

24 A. No.

12:21:57 25 Q. You would agree with me that you were protected from
26 harassment by RUF fighters?

27 A. That did not happen. The Gios were really tormenting us;
28 there was problem.

29 Q. Mr Witness, we are not necessarily speaking about the Gio

1 period here. I am asking you about the nature of your position
2 and the fruits of that office throughout the period when you
3 served in that position. I'm suggesting to you that you were
4 protected from harassment by RUF fighters?

12:22:45 5 A. They were protecting everybody. Everybody. They were not
6 discriminating.

7 Q. I believe you testified that you were given a card when you
8 were appointed to your position; correct?

9 A. Yes.

12:23:24 10 Q. Would you agree that that card gave you access to places
11 which ordinary civilians would not have gone to?

12 A. That did not happen.

13 Q. Now, in your position it was part of --

14 PRESIDING JUDGE: "That did not happen," what does that
12:23:47 15 mean? What does that mean?

16 MR FYNN:

17 Q. Now, when you said, "That did not happen" --

18 A. Wherever I went, civilians too could go there.

19 PRESIDING JUDGE: Yes, that's clearer.

12:24:23 20 MR FYNN:

21 Q. Was it part of your duty, in your position, to assist in
22 ensuring that civilians made contributions of food to the RUF?

23 A. No.

24 Q. But it is correct that civilians did, in fact, make
12:24:45 25 contributions to feed the RUF?

26 A. That happened in '91.

27 Q. When you say, "That happened in '91," are you suggesting
28 that after '91 civilians did not make contributions to feed the
29 RUF?

1 A. Not in the least. There was a law that nobody should feed
2 soldiers.

3 Q. Did civilians, however, make contributions to feed chiefdom
4 commanders, master farmers and other RUF personnel, not
12:25:53 5 necessarily soldiers?

6 A. That did not happen.

7 Q. Is it your evidence, then, that, in fact, civilians were
8 not making any food contributions towards the RUF at all?

9 A. After we got that document, that did not happen.

12:26:43 10 Q. After you got what document?

11 A. When Mr Sankoh said never should feeding a soldier be
12 anyone's responsibility; the document is there.

13 Q. Is it then your evidence that -- are you suggesting that
14 you were contributing up to a point and then you stopped; that is
12:27:19 15 civilians, I mean?

16 A. Yes.

17 Q. Would you recall when you stopped contributing?

18 A. I'm thinking about '91 up to '92, towards the end or mid.

19 Q. Mr Witness, I would suggest to you that throughout the war
12:28:14 20 period civilians were contributing food to the RUF?

21 A. That did not happen. It reached a point where it stopped.

22 PRESIDING JUDGE: You have limited the time when it
23 stopped. You said it happened only between 1991 up to the end of
24 1992; that is your evidence.

12:28:49 25 THE WITNESS: It stopped at that time. Apart from that
26 time, up to the end, no civilian contributed food for soldiers.

27 MR FYNN:

28 Q. But did you continue to contribute to feed the council?

29 A. Never did that happen.

1 Q. Mr Witness, I would suggest to you that civilians did make
2 contributions towards feeding councillors, chiefdom commanders
3 and town mothers?

4 A. I'm telling you that never did that happen.

12:30:08 5 MR FYNN: With your leave, My Lord, I would wish to draw
6 the Court's attention, and the witness's attention, to Court
7 Management Exhibit 246.

8 PRESIDING JUDGE: Was that one -- that must have been one
9 of the exhibits that was tendered by Mr Jordash?

12:31:25 10 MR FYNN: That's correct, My Lord.

11 PRESIDING JUDGE: Yes. That would be on page what of
12 the --

13 MR FYNN: It would be page 30771 is the cover page, My
14 Lord.

12:31:35 15 PRESIDING JUDGE: 30771. Has the exhibit been shown to the
16 witness?

17 MR GEORGE: Yes, Your Honour.

18 THE WITNESS: I've received the exhibit.

19 MR FYNN:

12:32:23 20 Q. Mr Witness, if you would kindly look at that exhibit which
21 you tendered, and if you would just read the subject line?

22 A. I've seen it.

23 Q. You would wish to agree with me that, in fact,
24 contributions were demanded from civilians to feed the
12:32:49 25 councillors, chiefdom commanders and town mothers?

26 A. It did not happen. I can explain something to you about
27 this document.

28 PRESIDING JUDGE: Yes, explain.

29 THE WITNESS: The councillors met in a meeting, and they

1 said it was proper for us to be feeding them, because they were
2 there to advocate for us in the council. When they returned
3 after the meeting, they said it to the chiefs and assembled the
4 town, and they told us about it. And we told them there and then
12:34:01 5 there was no way that could happen. But they were there to speak
6 on our behalf, and I think in Kailahun District, the whole of
7 Kailahun District, all those who've gone to the council, no one
8 of them would say that we gave him a cup of rice. They said it,
9 but it did not happen.

12:35:04 10 MR FYNN:

11 Q. Now, Mr Witness, we would suggest to you that, in fact, you
12 complied with the instructions in that exhibit, and you made
13 contributions to feeding the council and the other people
14 mentioned. What is your comment?

12:35:34 15 A. That did not happen; that's what I can tell you. That it
16 did not happen.

17 Q. Was it part of your duty, in your position, to identify
18 civilians to work on the RUF farms?

19 A. RUF farms, I know about one RUF farm. The other farms were
12:36:15 20 owned by the townspeople. They themselves organised to cultivate
21 their farms.

22 PRESIDING JUDGE: Mr Fynn, put the question to the witness
23 again. He's diverting.

24 MR FYNN: Yes, My Lord.

12:36:35 25 Q. Now, the question was whether it was part of your job, in
26 your position you held, to identify people to work on the RUF
27 farms?

28 A. That's what I said. I said no. There was only one RUF
29 farm that we told people to work on. The other farms were owned

1 by townspeople. Then we used to call it ordinary farms.

2 Townspeople.

3 Q. Okay. If we could concentrate at this point on the RUF
4 farms, not the ordinary farms. You have said you knew about one
12:37:38 5 RUF farm; am I correct?

6 A. Yes, that happened and I know about it.

7 Q. And my question to you was whether, in fact, you had a duty
8 to help get people to work on those farms, on that farm, because
9 you only knew about one?

12:37:59 10 A. That was my job. I did it once.

11 Q. Now, this RUF farm which you say you only knew about, where
12 was it?

13 A. It was in Sembehun.

14 Q. And you agree with me that it was your job to help get
12:38:38 15 people to work on the farm but then you are saying you only did
16 that job once?

17 A. Concerning that farm?

18 Q. Yes, and getting people to go and work on it.

19 A. I was not taking people to go and work there. I consulted
12:39:01 20 the people. That was the way everybody knew. The G5s who would
21 bring people. They would go and work on that day.

22 Q. Now, the G5 --

23 PRESIDING JUDGE: You consulted who?

24 THE WITNESS: The G5s.

12:39:44 25 MR FYNN:

26 Q. Would I be correct to say that the people who were brought
27 by the G5 to work on the farm could not refuse to work?

28 A. They could not refuse; they were happy. They were very
29 happy.

1 Q. Let me make myself clear: If they'd preferred not to work
2 on the farm, they would be forced to work; am I correct?

3 A. No. That did not happen. I would like to explain to you
4 that.

12:40:43 5 PRESIDING JUDGE: No, wait. Let's get you right first. If
6 they refused to work nothing ever happened to them but you have
7 added that they never refused to work.

8 THE WITNESS: Even if they had refused, nothing would have
9 happened to them. Before the farming, we all accepted that we
10 were going to do it happily. And we used to eat there.

11 MR FYNN:

12 Q. Is it correct that certain RUF commanders had farms of
13 their own?

14 A. Yes, that happened.

12:42:09 15 Q. And you have also testified that Mr Sesay had a farm?

16 A. Yes.

17 Q. Would it be correct that, in fact, he had two farms; he had
18 swamp and another farm?

19 A. Yes.

12:42:36 20 Q. And you would agree with me that civilians worked on both
21 of these farms?

22 A. Yes.

23 Q. I would also be correct if I suggested that Mr Sesay did
24 not pay the civilians who worked on these farms?

12:43:07 25 A. He did not pay them; he used to send them. Happily. They
26 were very happy.

27 Q. Mr Sesay had armed bodyguards; am I correct?

28 A. They had guns.

29 Q. And apart from his bodyguards, there were other fighters in

1 the area who were under his control; am I correct?

2 A. Except for soldiers, but others, I cannot tell because he
3 was in charge of the soldiers.

4 JUDGE BOUTET: Can you ask the witness to clarify that.

12:44:17 5 MR FYNN:

6 Q. When you say soldiers, would I be correct to assume that
7 you mean RUF soldiers or fighters?

8 A. Yes.

9 Q. Now armed men --

12:44:42 10 PRESIDING JUDGE: What was your question?

11 MR FYNN: My question, My Lord, was that apart from his
12 armed bodyguards whom the witness has agreed Mr Sesay had --

13 PRESIDING JUDGE: Yes.

14 MR FYNN: -- my question was that Mr Sesay also had in that
12:45:00 15 same locality armed men, fighters, RUF fighters, who were also
16 under his control.

17 JUDGE BOUTET: We didn't hear the answer to that. Or at
18 least he did not appear to be answering your question.

19 MR FYNN: I will put it again to the witness.

12:45:17 20 Q. Now, you have said that Mr Sesay had armed bodyguards.
21 Now, apart from the armed bodyguards, would I be correct to say
22 that there were also other armed men, RUF men, who were in that
23 area under Mr Sesay's control?

24 A. Mr Sesay had bodyguards. All the soldiers used to go to
12:45:53 25 him and went, and go back. To say that the soldiers were for me?
26 No, I did not see that, but all the soldiers were under his
27 control.

28 PRESIDING JUDGE: Is he -- let's get it clear: Is he
29 saying that in addition to the armed bodyguards, Mr Sesay also

1 had other soldiers under his control?

2 THE WITNESS: There was no soldier under Mr Sesay's
3 control, meaning that they were for him. We only knew that he
4 was the commander of all the soldiers. Whenever you paid a visit
12:47:12 5 to him, you would meet him together with all his bodyguards at
6 home.

7 MR FYNN:

8 Q. So your evidence is that Mr Sesay was the commander in the
9 area; am I correct?

12:47:34 10 PRESIDING JUDGE: Of all the soldiers.

11 MR FYNN: Yes, My Lord, I was going to add that.

12 PRESIDING JUDGE: Yes.

13 MR FYNN:

14 Q. He was the commander of all the soldiers in the area?

12:47:45 15 A. He was the area commander.

16 Q. You would agree with me that in those circumstances it
17 would be difficult for anybody to disobey Mr Sesay?

18 A. No.

19 Q. Were there armed men on Mr Sesay's farms?

12:48:26 20 A. No.

21 Q. I would suggest to you, Mr Witness, that armed men did go
22 to Mr Sesay's farms?

23 A. As for me, I did not hear that. Nor did I see it.

24 Q. Would you agree that the other commanders, who had farms,
12:49:15 25 also had civilians working on those farms. You said other
26 commanders had farms; would you agree that they also had
27 civilians working on those farms?

28 A. The commanders who had those farms, they used to send
29 civilians. If they ever accepted, then they would do the farm

1 work, but it doesn't mean that they were living with him at home,
2 but he used to send them. If they accepted it, they would do it.

3 THE INTERPRETER: Your Honours, can the witness take the
4 last bit of his statement?

12:50:40 5 MR FYNN: I apologise My Lord, I thought the witness was
6 going to repeat his last statement.

7 Q. Now, you said that other commanders had --

8 MR JORDASH: Sorry to interject, but I don't think the
9 witness knows that he's expected to repeat the answer until
12:50:57 10 someone tells him. We get the message in English, but the
11 witness hasn't had the message, so someone has to say to him,
12 "Please, can you repeat the last part of your answer," as per the
13 translator's request.

14 PRESIDING JUDGE: Mr Fynn, can you ask your witness, in
12:51:18 15 these circumstances he is your witness.

16 MR FYNN: Yes, My Lord. I thank My Lord for that logistic
17 guidance. I thought the witness had.

18 Q. Now, my question was that, in fact, you had testified that
19 other commanders had farms, and I wanted to know if civilians
12:51:38 20 worked on those farms just as they did on Mr Sesay's farm?

21 A. They used to go to that farm, but they were not on the
22 farm. That's what I'm saying, that the civilians were on that --

23 PRESIDING JUDGE: You asked whether they were on the farm.
24 They used to go there to work. That's the question. Put it to
12:52:03 25 him again.

26 MR FYNN: Did they work on the farm, the civilians? They
27 worked on all the farms --

28 PRESIDING JUDGE: There is no suggestion they were staying
29 in the farm.

1 THE WITNESS: Okay. Okay. People used to go to that farm
2 to work.

3 PRESIDING JUDGE: And he added that it is only if they
4 accepted to work that they went there. Those civilians who went
12:52:26 5 there, went there only if they accepted.

6 THE WITNESS: Yes.

7 MR FYNN:

8 Q. And you would agree with me that they were not paid either?

9 A. No. Sometimes they would do some, just gestures to them in
12:52:51 10 Mende custom. They would give them palm wine to drink there, and
11 they would dance a very heavy dance in that farm.

12 Q. Now, the produce from those farms were all for the
13 commanders; would I be correct? The produce from Mr Sesay's farm
14 was for Mr Sesay and the same with the other commanders; would I
12:53:22 15 be correct?

16 A. Yes.

17 Q. Would it also be true that the produce from community
18 farms, you testified there were community farms as well, would it
19 be true that the produce from those farms were also for the RUF?

12:54:02 20 A. They did not give it to the RUF.

21 Q. Now, Mr Witness, you testified that there was a free poor
22 primary school in the Sembehun area; am I correct?

23 A. Yes.

24 Q. You said your children attended the school; am I correct?

12:54:59 25 A. Yes.

26 Q. Mr Witness, how many children do you have?

27 A. Now?

28 Q. Well, then?

29 A. Four.

1 Q. Would I be correct that all your children were attending
2 the free poor primary school?

3 A. Yes.

4 Q. If I may, how old were your children?

12:55:45 5 A. Well, some of them were young. Except I take the farming
6 calendar to estimate their age. All of them were in class one.

7 Q. And it was one of those children that had the
8 confrontation, the challenge, with the soldier?

9 A. No. He was the elder son. He was staying with me but he
12:56:34 10 was not my -- my biological child.

11 Q. Was he also attending the free poor primary school?

12 A. No.

13 Q. Was he attending school at all?

14 A. He was not -- he was not attending.

12:57:19 15 Q. Your testimony is that you saw Mr -- that Mr Sesay had two
16 children of his own; am I correct?

17 A. I've told you, there were two children with him. They were
18 not his biological children, but that's what I saw; two children
19 were staying with him.

12:57:50 20 Q. Would I be correct that there were more than two children
21 in Mr Sesay's compound when you visited?

22 A. Yes. I saw children there but the one I knew very well,
23 there were two of them because those two, any time you paid a
24 visit, you would meet them there always. The others, there were
12:58:23 25 times when you paid a visit there, you would not meet them there.
26 But those two children, they were always there at that house.

27 Q. Mr Witness, have you met -- did you ever meet Mr Sesay away
28 from his home?

29 A. Yes.

1 Q. I would suggest to you that when you did, he had children
2 with him?

3 A. I did not see any child with him, except his bodyguards,
4 when they used to go on patrol.

12:59:18 5 Q. I would suggest to you that among his bodyguards there were
6 small boys?

7 A. I cannot assure you of that statement.

8 PRESIDING JUDGE: What does that mean: "I cannot assure
9 you of that statement?" Let him answer.

12:59:45 10 MR FYNN:

11 Q. Why can you not assure me?

12 A. Well, it did not happen at all. I did not see that at all.

13 Q. Did you hear about him having children among his
14 bodyguards; small boys?

13:00:07 15 A. No.

16 Q. Mr Witness, I would suggest to you there were small boys
17 with guns with Mr Sesay?

18 A. You have told me that but I did not see that.

19 Q. Mr Witness, you spoke about mining at Giema; am I correct?

13:01:07 20 A. Yes.

21 Q. Did you yourself visit the mining area?

22 A. Yes.

23 Q. Now, did you not see armed men at the mining site?

24 A. No.

13:01:47 25 Q. Did RUF personnel participate in the mining?

26 A. Well, the work was carried on where they were staying but
27 the mining, to say that they were mining --

28 Q. My question is whether in fact you saw personnel
29 participating in the mining; that is the question.

1 A. Yes, the other day, they did it.

2 Q. So I would be correct to say there were RUF soldiers at the
3 mine site?

4 A. They were at the site, but I did not see any person with a
13:03:01 5 gun.

6 Q. So your evidence is that the soldiers were there but
7 without their guns?

8 A. No. They too were working there.

9 Q. Now, Mr Witness, would I be correct to say that civilians
13:03:50 10 were expected to stay in a particular place within the Kailahun
11 District? The RUF expected civilians to be in a particular
12 location?

13 A. Yes.

14 Q. Would I also be correct to say that if a civilian left the
13:04:34 15 location where he was expected to be, and he was caught, he would
16 be brought back, forcibly?

17 A. You would be brought back, but you would not be
18 disciplined. You would be advised.

19 PRESIDING JUDGE: I think that would be a convenient point
13:05:21 20 for us to rise for the lunch break. Mr Fynn?

21 MR FYNN: Thank you very much, My Lord.

22 PRESIDING JUDGE: You will continue when the Chamber
23 resumes sitting at 2.30. The Court will rise, please.

24 [Luncheon recess taken at 1.03 p.m.]

13:05:52 25 [RUF18OCT07C - JS]

26 [Upon resuming at 2.50 p.m.]

27 PRESIDING JUDGE: Good afternoon, learned counsel. We will
28 resume our proceedings. Yes, Mr Fynn, you may continue with your
29 cross-examination --

1 MR FYNN: Thank you, My Lord.

2 PRESIDING JUDGE: -- of this witness.

3 MR FYNN:

4 Q. Good afternoon, Mr Witness.

14:55:14 5 A. Good afternoon, sir.

6 Q. Mr Witness, you would recall that you testified to trading
7 at the border?

8 A. Yes.

9 Q. Would I be correct to suggest that the trade at the border
14:55:39 10 was being supervised by the RUF?

11 A. Yes.

12 Q. And that the goods which were being traded from Kailahun
13 were being traded for and by the RUF?

14 A. That question, I would like you to take that question
14:56:29 15 again.

16 Q. I apologise. Now, Mr Witness, it was the RUF who was
17 trading things at the border?

18 A. They were trading on our behalf. At that time, when we
19 took the goods to the riverside, you would not just sell the
14:57:10 20 goods the way you wanted to sell. You would give the goods to
21 the contractor to buy. That was the way we used to do.

22 Q. Would I be correct to say that the people you referred to
23 as contractors were really RUF personnel?

24 A. Yes. They were civilians as well.

14:58:00 25 Q. When you say "civilians as well", is that civilians who
26 were members of the RUF; is that what you mean?

27 A. Yes.

28 Q. Am I correct also that it was civilians who carried the
29 goods to the border for the RUF?

1 A. They used to take the goods to the border for them, for the
2 civilians, because even if you could not take it there, nobody
3 would ask you. That means you were taking it for yourself.

4 PRESIDING JUDGE: I don't understand that question.

14:59:00 5 THE WITNESS: But you would not sell it for you.

6 MR FYNN:

7 Q. Mr Witness, I think you may not have understood me. Now,
8 trade was going on at the border, and you've agreed with me that
9 it was the RUF who was supervising and the goods were being

14:59:20 10 brought there for the RUF. My question was whether, in fact,
11 these goods were brought to the border by civilians, civilians
12 actually carried the goods?

13 A. Yes, civilians were taking them to the border.

14 Q. And you'd also agree with me that during the transportation
14:59:59 15 of the goods, those civilians would be accompanied or would have
16 with them armed RUF personnel?

17 A. The gunmen were at the riverside. Those who were going,
18 you would not be accompanied by guns.

19 Q. Now, Mr Witness, if we could move away from that area for a
15:00:50 20 moment. You have mentioned that you know one Aruna Fatoma?

21 A. Yes, I knew him very well.

22 Q. Now, Mr Witness, you have told us what your position is; I
23 don't want to repeat that. But would you agree with me that a
24 person in your position would know about the happenings in his
15:01:29 25 locality better than somebody else in a similar position who is
26 in another locality?

27 A. Yes.

28 Q. You've suggested that Fatoma was a proud man. Would I be
29 correct to suggest to you that he was a person who preferred not

1 to take orders from anybody?

2 A. He used to take orders from other people. He was not
3 taking orders from everybody, but there were some he was taking
4 orders from. He did not respect people very much.

15:02:59 5 Q. Now, Mr Witness, if I may bring you back to that. The
6 question is not whether he actually took orders. From your
7 knowledge of him, even though he took those orders, do you think
8 by his disposition he would have preferred not to take orders
9 from anybody?

15:03:32 10 A. He used to take orders from his immediate boss, because
11 there was a time all the civilians, all the things concerning
12 civilians were handled by chiefs.

13 Q. Mr Witness, I will try a final time. Would you agree with
14 me that if Mr Fatoma had his way, he would not take orders from
15:04:13 15 that superior you said he took orders from?

16 A. He would like to take orders from somebody, but he does not
17 know how to talk to somebody. That is the only way. Because he,
18 himself, had a -- his immediate superior.

19 Q. Mr Witness, in your position, would I be right to say you
15:04:58 20 enjoyed the confidence of the RUF?

21 A. Yes.

22 Q. And would I be correct to suggest that other persons in a
23 similar position to yours also enjoyed that confidence?

24 A. I believe so.

15:05:34 25 Q. You would agree with me, therefore, that a person in your
26 position would not wisely at that time openly oppose the RUF?

27 A. I have not understood the word "oppose."

28 Q. A person in a position similar to yours, or exactly the
29 same as yours, would not openly go against the RUF or show that

1 he is against the RUF?

2 A. If you did not like it, you would say it at that point, or,
3 "I am not going to do it." But whosoever that had his immediate
4 boss, you would take orders from him.

15:07:05 5 Q. Mr Witness, the question is a little larger than a person's
6 immediate boss?

7 JUDGE BOUTET: But could you also, Mr Prosecutor, clarify
8 what the witness means by taking orders in his scenario from his
9 boss? I would appreciate.

15:07:24 10 MR FYNN: As My Lord pleases.

11 Q. Mr Witness, you mentioned that a person would have to take
12 orders from his immediate boss. When you say "orders," what do
13 you mean by "orders."

14 A. Any type of orders. For example, for example, here is a
15:07:54 15 chief who has called you for some arrangement and you are called
16 to that arrangement. You would do it grumbling but you would not
17 do that in his presence. You can't grumble in his presence.

18 Q. So you are suggesting that you would not have the option of
19 refusing to carry out an order?

15:08:32 20 A. The orders you cannot take, you would tell the chief that
21 this particular order I cannot take.

22 Q. Mr Witness, if I could take you back to my original
23 question. Now, the RUF had come to Kailahun. I am asking you
24 whether a person in your position, who did not like the fact of
15:09:05 25 the RUF being there in Kailahun and being in charge, would a
26 person in your position act wisely to openly show his dislike for
27 the RUF?

28 A. No.

29 Q. Considering the confidence which you've agreed with me that

1 the RUF had in persons of your rank and station, you would agree
2 with me that a person who disliked the RUF will not be advised to
3 confide in you in that regard?

4 A. Nobody would disturb you at the end now. But the time the
15:10:31 5 Gios were here --

6 PRESIDING JUDGE: Don't concentrate on the Gios.
7 Concentrate on the question. Concentrate on the question,
8 please.

9 THE WITNESS: Yes.

15:10:41 10 PRESIDING JUDGE: No, I don't know what his answer to
11 that -- put the question to him please.

12 MR FYNN:

13 Q. Would you agree with me that a person who disliked the RUF
14 would be advised not to confide in you?

15:11:05 15 A. You can't be with them.

16 Q. You can't be with who, Mr Witness?

17 A. You can't be with the RUF.

18 Q. Mr Witness, I seem to have lost you there, or you I. Let
19 me go over that again, please. Now, my suggestion to you is that
15:11:37 20 since you've agreed with me that in your position you enjoyed the
21 confidence of the RUF, I am suggesting that, if a person, an
22 ordinary civilian, did not like the RUF, was against the RUF,
23 that civilian would not confide in you. He will not come and
24 tell you that, "I don't like the RUF."

15:12:13 25 A. Nobody would confide that in me, but that one would be in
26 his mind.

27 Q. Thank you very much, Mr Witness. Mr Witness, you have
28 mentioned that you knew Augustine Gbao. Now, am I correct that
29 Mr Gbao was the head of the IDU?

1 A. Yes.

2 Q. And I mean the head of the IDU meaning in the whole of the
3 RUF?

4 A. Yes.

15:13:18 5 Q. And you have also said you knew one Morie Fekai, and I will
6 suggest to you that Morie Fekai was a junior to Mr Gbao in the
7 RUF structure?

8 A. Yes, but he was not under his unit.

9 Q. They were in different units. One was in G5 and the other
15:14:04 10 one was in IDU; am I correct?

11 A. Yes.

12 Q. But, nonetheless, Mr Gbao was a senior to Mr Fekai?

13 A. Yes.

14 Q. In view of that junior/senior relationship, would I be
15:14:31 15 correct to suggest that Mr Fekai would have obliged Mr Gbao a
16 request if he made one?

17 A. Yes.

18 Q. Mr Witness, if I may take you back to the school concert.
19 You testified that during that concert you cried; am I correct?

15:15:29 20 A. Yes.

21 Q. I would suggest to you that at the time of this concert
22 things were very difficult for civilians in Kailahun?

23 A. Ask that question again.

24 Q. My suggestion to you, Mr Witness, is around the period when
15:16:00 25 you went to this concert, around that time frame, things were
26 difficult for civilians in the Kailahun District?

27 A. Things were not difficult.

28 Q. Would I be correct to suggest that the concert reminded you
29 of the days before the war?

1 A. Yes.

2 Q. And that it was the memory of those days which I dare
3 suggest were better days than the ones you were living in that
4 caused you to cry?

15:17:12 5 A. Yes, that is true.

6 Q. I would thank you very much, Mr Witness, for your
7 cooperation.

8 MR FYNN: I thank you for your attentions, My Lord. That
9 would be all.

15:17:28 10 PRESIDING JUDGE: Thank you, Mr Fynn.

11 Yes, Mr Jordash, any re-examination?

12 MR JORDASH: No, thank you.

13 PRESIDING JUDGE: All right. Mr Witness, the Chamber
14 thanks you for coming to assist it with your testimony, and it's
15:19:04 15 over now and we are releasing you so that you can go back to your
16 village and resume your activities. So we wish you a safe
17 journey. Thank you for coming to assist us.

18 Can we have the witness -- Mr Jordash, I hope we have --
19 can you help him out, please? Mr Jordash, it's okay, let's them
15:19:46 20 take the witness out.

21 [The witness withdrew]

22 PRESIDING JUDGE: Mr Jordash, I'm just waiting for the veil
23 to be lifted.

24 MR JORDASH: Can I indicate that the next witness is
15:21:05 25 DIS-178, and the witness after that will be DIS-069 and DIS-178
26 is our tenth witness, and will be our last Kailahun civilian
27 witness for some time, I think.

28 JUDGE BOUTET: Is this the one for which you filed a
29 supplemental a few days ago?

1 MR JORDASH: I'm sure we did, Your Honour, yes.

2 JUDGE BOUTET: I know I've looked at some -- I don't have
3 it with me but --

4 MR JORDASH: Yes, I'm confident we did, yes, Your Honour.

15:22:00 5 JUDGE BOUTET: Some 35 something paragraphs in that
6 supplemental, is that the one?

7 MR JORDASH: That was for 069.

8 JUDGE BOUTET: 069.

9 MR JORDASH: Was the last supplemental.

15:22:13 10 JUDGE BOUTET: Okay. With 35 paragraphs is for 069, is it?
11 Not this witness, the one after?

12 MR JORDASH: Not this witness. I'm sure this witness,
13 there was about five paragraphs.

14 JUDGE BOUTET: Okay, thank you.

15:22:25 15 [The witness entered court]

16 WITNESS: DIS-178 [Sworn]

17 [The witness answered through interpreter]

18 PRESIDING JUDGE: So this witness is DIS-178?

19 MR JORDASH: Your Honour, yes.

15:23:53 20 EXAMINED BY MR JORDASH:

21 Q. Mr Witness, remember we're in an open session, so be
22 careful about saying anything to reveal your identity. Can I ask
23 you how old you are, please?

24 A. I am 25 years. I am 35 years.

15:24:26 25 Q. And what languages do you speak?

26 A. I speak Mende, I speak Krio, I can speak English.

27 Q. Can you write English, Mr Witness?

28 A. Yes, I am going to school.

29 Q. Perhaps I can ask you to write down what it is you do as a

1 job now and where you do the job and where you go to school and
2 what you're studying.

3 MR JORDASH: Could I ask Mr George to assist, please.

4 Q. Do you follow what I'm asking you to do? Just to write
15:25:17 5 down what it is you do, studying or job-wise or both, so that it
6 remains confidential.

7 A. My job now?

8 Q. Yes, write down your job now. And can you write down,
9 while you're doing that, the name of the place where you work, so
15:26:36 10 not just what you do, but the name of the place where you work.
11 Can I confirm that you have also written down where you study, if
12 you study?

13 A. Yes, I have written the name of the college I'm attending,
14 then the year I enter is just what I've written.

15:27:57 15 Q. May I see that, please? Just so I can save some time, can
16 you write down what job you did before you studied, please?
17 Thank you. Thank you.

18 MR JORDASH: May I tender that as an exhibit, please?

19 PRESIDING JUDGE: Yes, Mr Fynn, any objection to that, or
15:34:20 20 Mr Wagona, is this your case?

21 MR WAGONA: Yes, My Lord. No objection.

22 PRESIDING JUDGE: It is admitted confidentially and marked
23 as exhibit -- what is it?

24 MR GEORGE: 253, Your Honour.

15:34:55 25 PRESIDING JUDGE: 253.

26 [Exhibit No. 253 was admitted]

27 MR JORDASH:

28 Q. Mr Witness, I want to ask you first to just talk the Court
29 through where you were during the war so we get a brief

1 chronology. So am I right -- well, where were you in 1993,
2 Mr Witness?

3 A. I was in Kailahun.

4 Q. And where was it you were when the war first came?

15:35:42 5 A. I've told you; I said Kailahun. Then I came to Giehun,
6 Luawa Chiefdom in 1993.

7 Q. And how long did you stay there?

8 A. In Giehun?

9 Q. Yes; did there come a time when you left?

15:36:28 10 A. Yes.

11 Q. Where did you go?

12 A. Well, I -- I went into the hiding.

13 Q. Where did you go?

14 A. When the war came, first, I went to Guinea, but I came back
15:36:40 15 in 1993.

16 Q. So in 1993, as you've told us, you were in Giehun. Did you
17 stay in Giehun or did you go somewhere else?

18 A. Yes.

19 Q. Where did you go?

15:36:53 20 A. I went to Sandiaru.

21 Q. Do you know which year it was when you went to Sandiaru?

22 A. Yes.

23 Q. Which year?

24 A. That was the very year I left to go to Sandiaru.

15:37:22 25 Q. It was in 1993 then. How long did you stay in Sandiaru?

26 A. Well, I cannot say the amount of months I spent there, but
27 I spent some months there.

28 Q. And then you went to where?

29 A. Well, I went to Dodokotuma.

1 Q. And how long did you stay in Dodokotuma?

2 A. Well, I spent two weeks in Dodokotuma; then I left there.

3 Q. And you went to where?

4 A. Well, because of my job, the type of job I was doing, they
15:38:24 5 asked me to work at Dambaru.

6 Q. Could you say the name again, please, of the place where
7 you worked?

8 A. Dambaru.

9 Q. D-A-M-B-A-R-U, I think. And we will come to what you were
15:38:53 10 doing in a moment, but how long did you stay in Dambaru working?

11 A. Well, I used to work at Dambaru until --

12 Q. Well, when, sir?

13 A. Until the end of 1993.

14 Q. And at the end of 1993 did you go somewhere?

15:39:40 15 A. Yes.

16 Q. Where did you go?

17 A. Well, we were there until the time they told us that. In
18 Giema Town, the people were there, so we came there.

19 Q. And do you know what year that was?

15:40:10 20 A. In what year what happened?

21 Q. Do you know what year it was that you went to Giema?

22 A. Yes.

23 Q. Would you tell the Court, please?

24 A. Yes. I went there from 1993, the end of 1993 to 1994.

15:40:42 25 Q. And how long did you stay in Giema?

26 A. Well, I was in Giema in 1994, 1995, 1996 and 1997.

27 Q. And in 1997 did you go somewhere?

28 A. Yes.

29 Q. Where did you go?

1 A. Well, I went to Buedu.

2 Q. How long did you stay in Buedu?

3 A. I was there for some months, but I cannot tell you the
4 amount of months that I spent there.

15:41:43 5 Q. Okay. Did you, after some months, go somewhere else?

6 A. Yes.

7 Q. Where did you go?

8 A. I went to -- I came to Kailahun Town.

9 Q. And how long did you stay there?

15:42:14 10 A. Well, I was in Kailahun until the end of the war, up 'til
11 now.

12 Q. Up 'til now, okay. Thank you. Now, can I ask you, please,
13 what job you were doing in Giehun in 1993?

14 A. I used to do medical work.

15:43:06 15 Q. When you say you used to do medical work, exactly what do
16 you mean by that?

17 A. Well, what I mean by that, if somebody was sick, that the
18 person is now sick, he would come to me and I will give the
19 person treatment. If somebody is wounded, I will dress the place
15:43:32 20 and I'd stitch it. Whatever concerning any medical work doing, I
21 was able to do, I will do it.

22 Q. Okay. Thank you. When and where, if any place, did you
23 train to be able to do that job in 1993?

24 A. Well, before that I was in Kenema. I was in school in
15:44:03 25 Kenema. After the O-level.

26 THE INTERPRETER: Your Honours, can the witness speak
27 slowly and may I take that part of his statement?

28 MR JORDASH:

29 Q. Could you repeat that again? The translator didn't quite

1 get you.

2 A. Before I could do this work, that time I was in Kenema
3 attending school.

4 Q. Okay. And were there any armed men in Giehun when you were
15:44:35 5 there in 1993?

6 A. Yes.

7 Q. And where were they from, the armed men, in 1993 in Giehun?

8 A. Those that I met there, at that time they were our
9 siblings. They were Sierra Leoneans with guns.

15:45:08 10 Q. Did they have a name, the Sierra Leonean siblings with
11 guns?

12 A. They used to call them junior commandos.

13 Q. Was there any offices for the junior commandos in Giehun?

14 A. Yes.

15:45:39 15 Q. Can you recall what they were called?

16 THE INTERPRETER: Your Honours, can the counsel take that
17 question again?

18 MR JORDASH:

19 Q. Can you recall the names of the offices, Mr Witness?

15:46:03 20 A. Well, there was an office called MP office, and G5 office
21 and IDU office.

22 Q. Thank you. And was there any laws in Giehun in 1993 that
23 you became aware of?

24 A. The laws from where?

15:46:44 25 Q. Well, were there any rules of how people should behave
26 which were operating in Giehun?

27 A. Yes.

28 Q. What were they?

29 A. Well, the first law that nobody should steal; no rape.

1 Whatever problem you encounter as a civilian, you would take it
2 to G5 or IDU. If you are hurt by any soldier, you would take the
3 complaint to the G5. They would know what to do next.

4 Q. And did you see civilians taking problems to G5 or IDU?

15:47:59 5 A. Yes.

6 Q. And before we move to your job, how did the junior
7 commandos behave as you observed them in Giehun?

8 A. Well, I used to observe them moving up and down saying they
9 were going to the front line and coming back.

15:48:35 10 Q. Okay. And where in Giehun did you work; was there a place?

11 A. At the hospital.

12 Q. How many workers besides yourself was at the hospital?

13 A. Well, there were up to four.

14 Q. And who did you treat at the hospital?

15:49:16 15 A. We used to treat anybody.

16 Q. And from where did the people come that you were treating?

17 A. Somewhere in that town orders were coming from the
18 surroundings villages, villages around Giema.

19 Q. Is that Giema or Giehun?

15:49:47 20 A. Giehun.

21 Q. Do you know where the drugs and the medicines came from?

22 A. Well, the person who was our boss at the hospital, when the
23 medicine was finished --

24 THE INTERPRETER: Your Honours, can the witness take that
15:50:17 25 last bit of his statement.

26 MR JORDASH:

27 Q. Can you repeat the last bit of your --

28 A. Our bosses at the hospital used to go to Pendembu, collect
29 the medicines from our bosses and brought them to the hospitals

1 to us.

2 Q. So the bosses used to go to Pendembu and bring the
3 medicines?

4 A. Yes.

15:50:48 5 Q. Now, you've told us that you left there and went to
6 Sandiaru in 1993. Was there a reason why you left there, left
7 Gi ehun?

8 A. Well, there was one morning we saw a jet passing. Then we
9 saw our siblings, those soldiers, the junior commandos, they were
15:51:46 10 in large numbers. Then their bosses told us that all those who
11 are civilians in this town, you are to leave this town. Then we
12 asked them why. Then they said they were chased by the soldiers,
13 so that if we are to fight in this town, you will be caught in
14 the crossfiring. So we went, and even myself, I went to my
15:52:20 15 village, Sandiaru.

16 Q. And did all the civilians leave Gi ehun?

17 A. Yes.

18 Q. And where did they go, do you know?

19 A. Well, there are villages, Gi ema, Gi ehun, the environs,
15:52:55 20 Yama.

21 Q. And when you left and went to Sandiaru, did you continue
22 working?

23 A. Yes.

24 Q. Did you continue with the same job?

15:53:13 25 A. Yes.

26 Q. Do you know or did you know a man called Sam Jinnah?

27 A. Sam Jinnah? Yes, I know a person called Sam.

28 Q. Do you know a man called Sam Jinnah, Jinnah?

29 A. The only person I knew was Sam Joe, he was ahead of us.

1 Q. Okay, Sam Joe, and did you see him at that time when you
2 were in Sandiaru?

3 A. Well, he was not there. He was staying at Dodo.

4 Q. Did he give you any instructions?

15:54:22 5 A. Yes.

6 Q. What were they?

7 A. Well, he told us that now that all of us are now scattered
8 about, go to work --

9 THE INTERPRETER: Your Honours, can the witness take that
15:54:46 10 last bit of his statement and talk slowly?

11 MR JORDASH:

12 Q. Mr Witness, take it slowly and repeat your answer, please.

13 A. He told me to go to Dambaru. He said there were large
14 number of people there, let me go and work there. So I went
15:55:09 15 there.

16 Q. And who did you treat there, please?

17 A. I treated a lot of people. A large crowd was there,
18 civilians, children, elderly. I used to treat even children.

19 Q. Did people pay for treatment?

15:55:48 20 A. They were not giving us anything. They asked us not to
21 take money from them.

22 Q. And how many other people were working with you there?

23 A. Dambaru?

24 Q. Dambaru, yes.

15:56:16 25 A. There were only two of us who were working there.

26 Q. And where were the civilians living at that point, the ones
27 you were treating?

28 A. Well, they were in the villages. Some were in the bushes,
29 because the village was too small.

1 Q. Where were your family living?

2 A. We were all staying together. They gave me one house where
3 I used to work; that was the place we used to stay.

4 Q. And what were the junior commandos doing with the
15:56:54 5 civilians?

6 A. Well, at that time we were now scattered about. They used
7 to bring messages to us that this the way things had happened;
8 that was the way we used to get information.

9 Q. And what was the relationship like between the junior
15:57:19 10 commandos and the civilians around you?

11 A. Well, I did not see problem among them that.

12 Q. Did the junior commandos have family members amongst the
13 civilians?

14 A. Yes, their mothers were there, their parents, their wives,
15:58:04 15 their children, a big crowd, but only their people, their people
16 were there.

17 Q. Thank you. Let me take you now, if I can, to Giema. Did
18 you work there?

19 A. Yes.

15:58:18 20 Q. Do you know when you arrived there who was the area
21 commander?

22 A. Yes.

23 Q. Who was it?

24 A. Peter Vandj.

15:58:45 25 Q. And where were you working specifically?

26 A. Well, we used to work -- we prepared a place in the bush,
27 that was the place we used to work.

28 Q. And this bush was where in relation to Giema Town; how far
29 from Giema Town?

1 A. Well, it was up to a mile.

2 Q. And were you with other civilians?

3 A. Yes.

4 Q. And were you -- sorry, were you with other medical workers?

15:59:34 5 A. Yes.

6 Q. Do you know how many you were working with?

7 A. There were many.

8 Q. Who were you treating in the bushes?

9 A. Everybody.

15:59:59 10 Q. Where did you get your medicines and treatments from,
11 please? Bless you.

12 A. We used to get medicines from, as I've told you --

13 THE INTERPRETER: Your Honours, the witness is speaking
14 very fast. Can he take back his last statement?

16:00:21 15 MR JORDASH:

16 Q. Repeat your answer slowly, Mr Witness, please.

17 A. We used to tell our bosses that the medicine has got
18 finished. Then they would go to the commanders and told them so
19 that they will give them medicine to bring it to us.

16:00:44 20 Q. And who were your bosses, please?

21 A. At that time?

22 Q. Yes.

23 A. There was a man called Dr Jinnah.

24 Q. Now, you were working in the bushes in Giema. Did you
16:01:04 25 travel during your work at that time? Did you move about?

26 A. Yes.

27 Q. Where did you travel to; can you give us some examples of
28 the places you went in the course of your duties?

29 A. Yes. We used to go to the bushes because there are towns.

1 Some people were not staying in the town; they were staying in
2 the bushes around that town. For example, Bandajuma, Talia,
3 Sandia, they were in the bushes there. We used to go and visit
4 them there. Sembehun.

16:01:56 5 Q. And when you visited them in the bushes there, were you
6 working or was it social visits?

7 A. We used to pay visit to them. If there was treatment to be
8 carried out, we would treat them.

9 Q. Was there any restriction on your movement imposed by the
16:02:20 10 junior commandos?

11 THE INTERPRETER: Your Honours, can the counsel take that
12 question again?

13 MR JORDASH:

14 Q. Did the junior commandos ever impose a restriction on where
16:02:36 15 you went to do your work, Mr Witness?

16 A. No. They used to give us freedom to go and work because
17 they themselves, their parents were there, their wives were not
18 well, their children were not well as well.

19 Q. Thank you. Did there come a time when you met or heard
16:03:03 20 about Issa Sesay?

21 A. At that time?

22 Q. When you were in the bushes in Giema, did you hear about
23 Mr Issa Sesay?

24 A. Yes, I heard about him.

16:03:39 25 Q. And did you hear that he lived in Giema?

26 A. Yes.

27 Q. And did you hear that at some stage he was in command
28 there?

29 A. Yes.

1 Q. And when he was in command there, were you working doing
2 your job?

3 A. Yes.

4 Q. And when he was in command there, was there a school?

16:04:24 5 A. Yes.

6 Q. Do you know a man called Yellow Man?

7 A. Yes.

8 Q. What did Yellow Man do around that time?

9 A. Well, Yellow Man and others, they used to sing the Mende
16:04:52 10 songs. They used to beat -- they used to play band. They used
11 to do that at night. We used to dance, so that they would be
12 able to encourage us.

13 Q. And where did this take place?

14 A. They used to do it at night in Giema Town.

16:05:24 15 Q. And who went to these dances and music occasions in Giema
16 Town?

17 A. Well, that time, everybody be you a civilian, soldier, all
18 of us were going there to witness.

19 Q. Thank you. And did you observe anybody farming at that
16:05:55 20 time when Issa Sesay was in command?

21 A. Yes.

22 Q. Did you observe any civilians farming for themselves?

23 A. Yes.

24 Q. How were your family living at this time, on what were they
16:06:28 25 living?

26 A. At that time we used to get bananas from our siblings who
27 were fighting the war, like bananas, bush yams.

28 Q. And in 1995 and 1996 -- well, let's focus on 1996. Were
29 civilians farming in 1996?

1 A. Yes.

2 Q. And you were there, you've told us, in Giema, until 1997;
3 were civilians farming in 1997?

4 A. Yes.

16:07:18 5 Q. What happened to the civilians' harvest in 1996 and 1997,
6 from what you observed?

7 A. Well, if you farm, you will get the rice.

8 Q. Do you have any -- did you have any children in 1997,
9 Mr Witness?

16:07:55 10 A. Yes.

11 Q. And in 1997 how many children did you have?

12 A. Three children. I had three children.

13 Q. What were they doing in 1996 and 1997 while you were in
14 Giema, Mr Witness?

16:08:22 15 A. What I was doing?

16 Q. No, what your children were doing?

17 A. Well, my first child was in class 1.

18 Q. Where? Which school, please?

19 A. The time they said that they had opened a school.

16:08:54 20 Q. Whereabouts?

21 A. At Giema Town.

22 Q. Thank you. And just briefly, did Issa Sesay have a farm
23 around this time, 1996, or thereabouts?

24 A. Yes.

16:09:10 25 Q. Do you know who worked on the farm?

26 A. Yes.

27 Q. Who worked on the farm?

28 A. Civilians used to work on that farm, as well as his
29 bodyguards.

1 Q. Did the civilians receive any compensation for working on
2 the farm?

3 A. He did not pay them in my presence.

4 Q. Did they receive anything when they worked on the farm?

16:10:02 5 A. Well, I did not go together with them on the farm to work
6 there.

7 Q. Now, let's travel to Kailahun. You've told us you went to
8 Kailahun in 1997; is that right?

9 A. Yes.

16:10:25 10 Q. Did you work there?

11 A. Yes.

12 Q. Where did you work?

13 A. I was doing medical work under five.

14 Q. Medical work -- sorry, finish that again, please. Would
16:10:48 15 you repeat your answer, please, Mr Witness, for me?

16 A. I was working at under five.

17 Q. You mean under five year old patients, you mean?

18 A. The patients whose ages are up to five, 10, 20, all of them
19 were attending there.

16:11:25 20 Q. Where were they attending?

21 A. Under five, under five clinic. That was the place
22 everybody was working.

23 Q. At the clinic?

24 A. Yes. It is a clinic. We used to call it "clinic."

16:11:54 25 PRESIDING JUDGE: Mr Cammegh, you have visited that clinic.
26 Mr Cammegh, you may have stayed at the under five clinic.

27 MR CAMMEGH: When I was under five. That's probably right,
28 until it was in England.

29 PRESIDING JUDGE: No, it was not in England. It was in the

1 Newfoundland in Kailahun.

2 MR CAMMEGH: Maybe the witness can enlighten us. I'm not
3 sure if we're talking about the same place.

4 PRESIDING JUDGE: Well, anyway.

16:12:23 5 MR JORDASH: It's a long time ago. He's probably
6 forgotten, I think.

7 PRESIDING JUDGE: Forgotten, yes.

8 MR JORDASH:

9 Q. Can you name some other people who were working at the
16:12:32 10 clinic, Mr Witness?

11 A. Yes. Alex Sambana.

12 Q. Alex Sambana, S-A-M-B-A-N-A. Who else?

13 A. Hawa Mendegla.

14 Q. M-E-N-D-E-G-L-A. Who else?

16:13:12 15 A. Sally Francis.

16 Q. Was there a Mr Kallon?

17 A. Mr Kallon, Pa Kallon.

18 Q. And --

19 A. Morrison Brima.

16:13:42 20 Q. And were they --

21 A. Pa Salia.

22 Q. And can you just explain to the Court why these people were
23 working; how did they end up working as medical personnel in
24 1997?

16:14:16 25 A. Well, at that time we heard that the AFRC have overthrown.
26 They've joined the RUF. So all of us left the bush. All of us
27 were now in Kailahun Town. There also was a very big town, so we
28 decided that we should come and work there, so wherever there was
29 crowd, we would be able to go and treat people there.

1 Q. Who decided that you should work and treat people?

2 A. Well, we were not doing things on our own. If we were to
3 work anywhere, it was the commanders who should direct us that
4 that particular place was safe, come and work there.

16:15:20 5 Q. All right. And once they'd said it was safe, who decided
6 who went to work at the clinic?

7 A. Those who were the leaders of the war, the commanders.

8 Q. And how did you feel about working at the clinic,
9 Mr Witness?

16:15:54 10 A. Well, at that time, we used to work without problem. There
11 was no other problem.

12 Q. And who came to the clinic besides under fives?

13 PRESIDING JUDGE: Besides what, Mr Jordash?

14 MR JORDASH: Under fives.

16:16:23 15 PRESIDING JUDGE: Let's have this name clear. Was the
16 clinic for under fives or it was a clinic for everybody?

17 MR JORDASH: That's what I'm --

18 PRESIDING JUDGE: I don't know.

19 THE WITNESS: The clinic, everybody was going there. It
16:16:36 20 was a clinic but you know the time when there was no war they
21 used to call it --

22 THE INTERPRETER: Your Honours, can the witness speak
23 slowly and take that last bit of his testimony?

24 PRESIDING JUDGE: Not just the last bit, everything that he
16:16:55 25 said.

26 MR JORDASH:

27 Q. Mr Witness, I know, and the rest of the Court doesn't know
28 that you're keen to get away tomorrow back to your college
29 course, but you still have to speak at a certain pace; okay?

1 A. Okay.

2 Q. I'm going to be as quick as I can with you. So the clinic
3 you've described, was it for a particular age group or was it for
4 everyone?

16:17:39 5 A. Everybody. Everyone.

6 Q. Thank you. Now you've spoken about knowing Hawa Mendegla,
7 yes? Mr Witness, you know Hawa Mendegla?

8 A. Yes.

9 Q. And when did you first come to know Hawa Mendegla?

16:18:14 10 A. Well, I knew Hawa Mendegla in 1993.

11 Q. Did you know her when you were staying in Giema?

12 A. Well, she used to stay in Giema there, then she also stayed
13 in Bunumbu.

14 Q. And how long were you working with her in the clinic you've
16:18:44 15 told us about?

16 A. We did not work together in Giahun; we worked in Kailahun.

17 Q. Right. And in Kailahun how long did you work with her?

18 A. We were there up 'til '97, until the time the peace came.

19 Q. Did Hawa Mendegla have a son?

16:19:40 20 A. Yes.

21 Q. Did Hawa Mendegla have a son who died during the war?

22 A. Yes.

23 Q. Do you know how her son died during the war?

24 A. Well, we heard that he lost his life at war front.

16:20:08 25 Q. And do you know how old he was when he lost his life at the
26 war front, approximately?

27 A. I cannot give the exact date, but it was not more than 20
28 years.

29 Q. And do you know how it was he came to be at the front line?

1 A. That one, I cannot know it now. We used to move about.

2 Q. Did you ever speak to Hawa Mendegla about the death of her
3 son at the front line, or did she ever speak to you about it?

4 A. Yes.

16:21:08 5 Q. And what did she say or what was her view about it?

6 A. Well, when we were working, there was a time he came and
7 told us that her son had lost his life and so she had got that
8 problem and the COs had not done anything about it.

9 THE INTERPRETER: Correction, interpreter, CO. Your
16:21:52 10 Honours, can the witness take that again?

11 MR JORDASH:

12 Q. You mentioned something about the CO not doing anything
13 about it. What was Hawa Mendegla's view about the CO?

14 A. Well, even myself, I was confused about it.

16:22:15 15 Q. In what sense?

16 A. Because that was a burial, she had come and if somebody
17 lost his life, we would see people performing burial ceremonies.
18 But later there was some that may occur, even food to eat, there
19 was none, so she used to grumble.

16:22:53 20 Q. Let me try to clarify it because it's not coming across so
21 clearly to me. Hawa Mendegla used to grumble. What did she
22 grumble about in relation to the death of her son?

23 A. The grumble was when we come to work, even every day --

24 THE INTERPRETER: Your Honours, the witness is speaking
16:23:18 25 very fast. Can you take that all over again?

26 MR JORDASH:

27 Q. Sorry, Mr Witness, speak slowly. Take that last answer
28 again.

29 A. When we come to work, there were times she would grumble

1 about what to eat that day. Well, myself, I used to tell her
2 that we have to be patient. So she was grumbling about food.
3 She used to grumble about that particular one.

4 Q. Did she grumble about her son?

16:24:05 5 PRESIDING JUDGE: She grumbled about what, about food?

6 THE WITNESS: First she grumbled that she had lost her son
7 at the front line.

8 MR JORDASH:

9 Q. Second, she grumbled about what?

16:24:24 10 A. When we come to work, he would say what even to eat, she
11 hadn't got it.

12 Q. She hadn't got enough to eat. Did she grumble about being
13 forced to work or was she working -- no, let me ask the question:
14 Did she grumble about being forced to work?

16:24:50 15 A. No. Nobody was forcing anybody.

16 Q. If you hadn't come to work and if she hadn't come to work,
17 would anything have happened to you?

18 A. You would only be asked why you did not go to work for
19 today, then you would tell them that, well, even food to eat, I
16:25:14 20 hadn't got today.

21 Q. So if you decided not to come to work but decided to get
22 food, that would be okay?

23 A. No.

24 Q. No what, Mr Witness, what do you mean?

16:25:36 25 A. No.

26 Q. Sorry, can you explain what you mean by "no"? I think we
27 might be at cross purposes.

28 A. When he asked if you did not go to work, if you did not go
29 to work, you would not be -- what did they do with you. That was

1 the reason I said, they could not do anything to you.

2 Q. Thank you, Mr Witness. Did you get any extra privileges or
3 compensation for working from the junior commandos?

4 A. Well, they were not the very people, but their bosses,
16:26:26 5 those who were the leaders of the war, there were times when they
6 got food they would bring us some.

7 Q. Right. Let me just ask this, Mr Witness: What was your
8 motive for working? What was the reason you chose to work as a
9 medical worker during the war?

16:26:57 10 A. Well, as for me, I used to treat people, and when the work
11 came, instead of sitting down doing nothing, I came to treat
12 people so that I would be able to help my siblings than to sit
13 there until I forgot all what I have learnt.

14 Q. Thank you for that answer, Mr Witness. Let me just
16:27:25 15 complete with details of Howa Mendegla. Did you ever hear about
16 any other members of her family; for example, any siblings being
17 killed during the war?

18 A. Well, if ever that happened, I did not know that because
19 everybody had dependants, a lot, but I did not see any of her
16:28:06 20 other dependants.

21 Q. And she never discussed any other people, relatives, being
22 killed during the war; am I summarising you correctly?

23 A. No, to my knowledge.

24 Q. Thank you. Now, in Kailahun were there any religious
16:28:47 25 services going on while you were there?

26 A. Yes.

27 Q. Were there any MPs or IDUs or G5 there?

28 A. Yes.

29 Q. Are you aware of the time when Johnny Paul Koroma was

1 thrown out of Freetown?

2 A. Yes.

3 Q. Did you ever see Issa Sesay in Kailahun after that time?

4 A. Yes.

16:29:38 5 Q. Did he have anything to do with you and your job?

6 A. No.

7 Q. Did you have any interaction with him?

8 A. Yes.

9 Q. What was it, please?

16:30:04 10 A. Well, all those who were working, we know them, we used to
11 come, we used to greet each other. We would crack joke.

12 Sometimes he used to visit us too. Sometimes we would go to the
13 hospital and talk. He would greet us. He would greet the
14 patients too and then pass [indiscernible] and then went away.

16:30:35 15 Apart from that, there was no other relationship between he and
16 I.

17 Q. In 1998 and 1999 --

18 PRESIDING JUDGE: Court Management?

19 MR GEORGE: Yes, Your Honour.

16:31:17 20 [Trial Chamber and court attendant conferred]

21 PRESIDING JUDGE: Yes, Mr Jordash, you may go on.

22 MR JORDASH:

23 Q. Mr Witness, did you ever, after the time of Johnny Paul
24 Koroma being thrown out of Freetown, did you ever hear about the
16:31:42 25 construction of an airfield in Buedu?

26 A. Yes.

27 Q. Do you know who worked on the airfield?

28 A. Yes.

29 Q. Who?

1 A. Civilians used to work there.

2 Q. Did you know anyone who worked there?

3 A. Yes.

4 Q. And do you know why the people worked there that you knew;
16:32:30 5 did they ever tell you?

6 A. Well, we used to stay together moving about. We used to
7 ask them where they were going. They said they were going to
8 the -- to prepare the field.

9 Q. Who said this?

16:32:55 10 A. The civilians. The civilians we were asking when they were
11 coming to us for treatment.

12 Q. And did they go on their own to the airfield or were they
13 escorted or what was the situation?

14 A. As for me sitting down here, I did not see anybody
16:33:32 15 escorting them. They were going there on their own.

16 Q. You've talked about people coming for treatment; did those
17 people coming to you --

18 A. Yes.

19 Q. -- have anything to do with the work at the airfield?

16:33:58 20 A. They were going to work there, so when they -- so when they
21 were leaving their working place, they used to come to us for
22 treatment.

23 Q. What, before or after work or at any time? What is it
24 you're saying, Mr Witness?

16:34:17 25 A. When they left the airfield there were times they would
26 come. Sometimes --

27 THE INTERPRETER: Your Honours, the witness is speaking
28 very fast. Can he take that.

29 MR JORDASH:

1 Q. Try again with that answer, Mr Witness.

2 A. When they left the airfield, there were some evenings they
3 would come to us for treatment. Some mornings there were some
4 people who could not go to work who would stay with us at the
16:34:51 5 clinic.

6 Q. Who would stay with you at the clinic; is that what you
7 just said?

8 A. They would go to us at the clinic for treatment.

9 Q. And would they then go to work or they would stay with you;
16:35:11 10 what is it you're saying?

11 A. After treatment they would go to their houses.

12 Q. And so they wouldn't go to work; is that what you're
13 saying?

14 A. Yes.

16:35:30 15 PRESIDING JUDGE: Mr Jordash, may we take a break? The
16 Court will recess for a few minutes and resume thereafter. The
17 Court will rise, please.

18 [Break taken at 4.32 p.m.]

19 [RUF18OCT07D - MD]

17:10:02 20 [Upon resuming at 5.05 p.m.]

21 PRESIDING JUDGE: Yes, Mr Jordash, you may proceed, please.

22 MR JORDASH: Thank you.

23 Q. I've got just a few more questions, Mr Witness. I want to
24 return to Kailahun, when you were there. The civilians who came
17:11:01 25 to the clinic, did they, as a routine or in any way frequently,
26 complain about any treatment by the junior commandos. Can you
27 explain to the Court if that was the case or not? The
28 microphone, please. Did you get my question, Mr Witness?

29 A. Take that question again.

1 Q. I want you to think back to the civilians who came to be
2 treated at the clinic and whether any of them, as a routine or
3 frequently, complained about treatment at the hands of the junior
4 commandos. Was that the case or not?

17:12:43 5 A. Well, the only complaints they used to bring to us was
6 sometimes, when they came, they would say they will -- the
7 treatment was not fast because there were a crowd. So if there
8 was any complaint about any junior commando, they will only take
9 those complaints to the offices, because we were busy always.

17:13:34 10 Q. Okay. So the complaints you received were complaints of a
11 medical nature?

12 A. Yes.

13 Q. And the complaints you received of a medical nature, did
14 they, as a general rule, have anything to do with the junior

17:14:04 15 commandos?

16 A. No, I did not receive complaint.

17 Q. Okay. Thank you. And did you work every day until the end
18 of the war, or not?

19 A. Well, sometimes I used to rest.

17:14:55 20 Q. Was there any trade going on in Kailahun in 1988 and 1999;
21 Kailahun Town?

22 A. Yes. Trade was going on there.

23 Q. The same trade or different trade to that that's going on
24 now, present day?

17:15:23 25 A. Yes.

26 Q. "Yes" the same or "yes" different?

27 A. Like what?

28 Q. I'm asking you the question whether the trade that was
29 going on in Kailahun Town in 1998 and 1999 was the same or

1 different to the trade which is going on now?

2 A. Well, the same things they used to buy is the same thing
3 they are still buying up to now.

4 Q. Was there a football team in Kailahun Town during that
17:16:24 5 time?

6 A. Yes.

7 Q. Were there other sports taking place?

8 A. Yes.

9 Q. Anybody at that time going to the Guinea border?

17:16:53 10 A. Yes.

11 Q. What for?

12 A. Sometimes they used to go and do trading, and then came
13 back.

14 Q. Who did? Who did the trading?

17:17:12 15 A. The civilians.

16 Q. Have you ever heard of Operation Spare No Soul, Mr Witness,
17 during that time?

18 A. That one I cannot explain much about that because I did not
19 see that.

17:17:52 20 Q. Thank you. Did you hear about any other operations such as
21 Spare No Soul or No Living Thing; did you hear about these at all
22 as a civilian?

23 A. That one, even if that happened, I cannot explain that to
24 you now, that that happened.

17:18:22 25 Q. Because you never heard of it; is that right?

26 A. As for me, no.

27 Q. Thank you. I've got no other questions for you,

28 Mr Witness. Thank you. If you'd wait there, there will be some
29 questions from other lawyers. Thank you.

1 MR JORDASH: That's finished, Your Honour.

2 PRESIDING JUDGE: Thank you, Mr Jordash.

3 Yes, is it Mr Ogeto or Mr Touray?

4 MR TOURAY: Touray, Your Honour.

17:19:31 5 PRESIDING JUDGE: Touray.

6 CROSS-EXAMINED BY MR TOURAY:

7 Q. Mr Witness, now, throughout the war period, you remained
8 and stayed in the Kailahun District?

9 A. Yes.

17:20:06 10 Q. And you performed your work as a medic?

11 A. Yes, sir.

12 Q. Now, in 1996, you were in Giema?

13 A. Yes.

14 Q. Did you hear about the Abidjan Peace Accord, that year?

17:20:44 15 A. Yes.

16 Q. Now, do you know where, or have you heard of the name Foday
17 Sankoh, did you, by any chance?

18 A. Yes.

19 Q. Was he in Giema around the time you heard about the

17:21:09 20 Abidjan Peace Accord?

21 A. Well, they told us that he was in Abidjan and he was ready
22 to come and talk to us about the peace.

23 Q. Did he come at all?

24 A. Yes.

17:21:40 25 Q. That same year, in 1996?

26 A. Yes.

27 Q. Now, it's true, is it not, that he spoke to you people
28 about the peace?

29 A. Yes.

1 Q. Now, there were several other RUF personnel you may have
2 heard of, apart from the ones you mentioned here, junior
3 commandos and Issa Sesay?

4 A. Yes.

17:22:28 5 Q. Now, I'll ask you: In 1996, did you see a man called
6 Morris Kallon in Giema?

7 A. I did not see him.

8 Q. And you never heard about him in Giema in 1996?

9 A. In 1996, when Mr Sankoh came to talk to us, there were
17:23:21 10 Mende commanders, but at that time there were big crowd. I used
11 to hear about --

12 THE INTERPRETER: Your Honours, the witness is speaking
13 faster. Can he take --

14 MR TOURAY:

17:23:39 15 Q. Can you take it bit-by-bit slowly, so that we can get an
16 interpretation of what you say?

17 A. The time Mr Sankoh came to talk to us, concerning that
18 peace, many commanders came to Giema. There were a lot of
19 people. I used to hear about Morris Kallon during that war. I
17:24:21 20 did not see him. Even if he was there, I did not see him.

21 Q. Thank you. And in 1997, up to the time you were asked to
22 leave the bushes for the town, when there was the overthrow, you
23 did not also see Morris Kallon in Giema?

24 A. This has taken a long time, but people -- there were a lot
17:25:29 25 of people. At that time you would not be able to -- I cannot
26 tell you that I saw him there.

27 Q. Thank you. And, in fact, it is true to say, is it not,
28 that throughout your stay in the Kailahun District, from 1996, up
29 to the end of the war, you never came across Morris Kallon, in

1 Kailahun District?

2 A. No. I have told you that I saw him, but the time you are
3 talking about the peace, that Mr Sankoh came to talk about the
4 peace, that is the time I'm talking about, but I saw him during
17:26:34 5 the war.

6 Q. When did you see him during the war?

7 A. I cannot tell you the year, but I saw him more than two,
8 three or four times.

9 Q. Where did you see him during those two, three or four
17:26:53 10 times?

11 A. I saw him in Kailahun.

12 Q. Where else did you see him?

13 A. There was a time I saw him in Giema.

14 Q. Where else did you see him?

17:27:21 15 A. We used to hear about Morris Kallon, but to tell you now
16 that I saw him in a particular place, I cannot tell you now.

17 Q. Will you say that he was not based in the Kailahun
18 District?

19 THE INTERPRETER: Your Honours, can the counsel take the
17:28:02 20 question again?

21 MR TOURAY:

22 Q. You will say that he was not based in the Kailahun District
23 between 1996 and 2000?

24 A. No.

17:28:17 25 MR TOURAY: Thank you, that will be all.

26 PRESIDING JUDGE: So from 1996 to 2000, you say?

27 MR TOURAY: That is so.

28 PRESIDING JUDGE: Thank you.

29 Yes, Mr Cammegh.

1 CROSS-EXAMINED BY MR CAMMEGH:

2 Q. Good afternoon, Mr Witness. Can you confirm for the Court,
3 please, that Hawa Mendegla's son was Mohamed Tarrawallie's
4 bodyguard during the war; that's right, isn't it?

17:29:12 5 A. Yes, they were one of his -- he was one of his bodyguards.

6 Q. As you've told us, Hawa Mendegla's son was unfortunately
7 killed; correct?

8 A. Yes. That was what I heard.

9 Q. And can you confirm that her son died before Mohamed
17:29:44 10 Tarawallie died?

11 A. Yes.

12 Q. And according to what you know, is it right that Mohamed
13 Tarrawallie died towards the latter part of 1996?

14 A. Well, Mohamed Tarawallie, the death of Mohamed Tarawallie,
17:30:24 15 we used to understand that some people will tell us that Mohamed
16 Tarawallie was not dead. Some would say he was dead. So we are
17 now confused that, until the end of this war, we have not seen
18 him.

19 Q. But isn't it right that as far as Hawa Mendegla was
17:30:52 20 concerned, she was resentful about the fact that Mohamed
21 Tarawallie hadn't done enough for her, following her son's death;
22 do you agree?

23 A. Well, he used to grumble, yes.

24 THE INTERPRETER: SORRY, correction, interpreter. Yes, she
17:31:21 25 used to grumble.

26 MR CAMMEGH:

27 Q. Let's JUST get it clear, if we can. Is it right that she
28 grumbled about the fact that Mohamed Tarawallie didn't do enough
29 for her following her son's death?

1 A. She told me that.

2 Q. And is it, in fact, correct that Hawa Mendegla bore a
3 grudge against the RUF after her son's death?

4 A. Well, I cannot explain what was going on in her mind.

17:32:14 5 Q. Would it be fair for me to suggest that she was not in
6 favour of the RUF after her son died?

7 A. If I can tell you that?

8 Q. Are you telling me that? I just want to get you clear.

9 A. Yes.

17:32:53 10 PRESIDING JUDGE: What is "yes"?

11 THE WITNESS: No, no. I would like to know, when I say
12 "Yes" I would like to know if -- I would like him to clarify that
13 question.

14 MR CAMMEGH:

17:33:13 15 Q. The question is simply this: After her son's death, did
16 you think that Hawa Mendegla lost all respect for the RUF?

17 A. Well, I cannot explain that she lost all respect for RUF
18 because she used to come to work. Whenever she came, she used to
19 grumble and to tell you now that she had respect for RUF or she
17:34:05 20 did not have respect for RUF, I cannot tell you that.

21 Q. Let me ask you this, then: Was she grumbling before her
22 son died?

23 A. To me, she was not grumbling to me.

24 MR CAMMEGH: Would Your Honours give me one second, please?

17:34:56 25 That will be all. Thank you very much, Mr Witness.

26 PRESIDING JUDGE: Thank you, Mr Cammegh. Learned counsel,
27 I think it's 5.30. We will adjourn the proceedings to tomorrow
28 at 9.30.

29 The Court will rise, please.

1 [Whereupon the hearing adjourned at 5.30 p.m.,
2 to be reconvened on Friday, the 19th day of
3 October 2007 at 9.30 a.m.]
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