

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL-2004-14-T
TRIAL CHAMBER I

THE PROSECUTOR
OF THE SPECIAL COURT
v.
SAM HINGA NORMAN
MOININA FOFANA
ALLIEU KONDEWA

THURSDAY, 10 MARCH 2005
9.40 a.m.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Ms Sharelle Aitchison

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Mohamed Bangura
Mr Kevin Tavener
Mr Mohamed Stevens

For the Principal Defender:

Mr Ibrahim Yillah.
Mr Kingsley Belle

For the Accused Sam Hinga Norman:

Dr Bu-Buakei Jabbi

For the Accused Moinina Fofana:

Mr Arrow Bockarie
Mr Victor Koppe
Mr Andrew Ianuzzi

For the Accused Allieu Kondewa:

Mr Charles Margai
Mr Yada Williams

1 Thursday, 10 March 2005
2 [The accused Fofana and Kondewa present]
3 [Open session]
4 [Upon commencing at 9.40 a.m.]
09:42:42 5 PRESIDING JUDGE: Learned counsel, good morning. We are
6 resuming the session.
7 JUDGE BOUTET: Mr Prosecutor, are you ready to proceed with
8 your witness?
9 MR TAVENER: Yes, Your Honour.
09:43:06 10 JUDGE BOUTET: So this is witness 62.
11 MR TAVENER: I thought it was 61.
12 PRESIDING JUDGE: 61 because the other one was not taken.
13 61, yes. And he is TF2-014.
14 MR TAVENER: That's correct.
09:43:35 15 JUDGE BOUTET: And the witness will testify in?
16 MR TAVENER: In Krio.
17 JUDGE BOUTET: In Krio. Thank you.
18 WITNESS: TF2-014 [Sworn]
19 EXAMINED BY MR TAVENER:
09:44:40 20 Q. Mr Nallo, I'm going to ask you a series of questions. When
21 you answer those questions could you do so slowly as this is
22 being recorded by their Honours?
23 PRESIDING JUDGE: Yes, you may proceed.
24 MR TAVENER: Thank you.
09:45:43 25 PRESIDING JUDGE: Has the witness -- he's been sworn. He
26 was sworn on the Koran or on the Bible?
27 MR TAVENER: On the Bible. I just didn't hear the
28 translation.
29 Q. Can you hear me, Mr Nallo?

1 A. Clearly.

2 Q. What languages do you speak?

3 A. I speak Mende, English --

4 PRESIDING JUDGE: Let's have the name, first of all. We

09:46:31 5 want to know who we are dealing with.

6 MR TAVENER:

7 Q. Mr Nallo, can you tell the Court your full name please?

8 A. Albert Moinina Jusu Nallo.

9 Q. And can you now tell the Court the languages that you

09:47:12 10 speak?

11 A. I speak Mende, English, Krio, Kissi, Kono. I do speak

12 Koranko and Madingo.

13 Q. How old are you now?

14 A. I am 51 plus.

09:47:55 15 Q. Are you married?

16 A. I'm married. I have a wife.

17 Q. Do you have children?

18 A. I have many children.

19 Q. What level of education did you reach?

09:48:23 20 A. I reached up to Form 5, went to the [inaudible] Institute

21 and I did a certificate course in agriculture. I did accounting,

22 stage 2.

23 Q. Do you read English?

24 A. I do read English very well.

09:49:10 25 Q. Before the war started, the civil war started in this

26 country, so the year 1991, were you employed?

27 A. Yes, My Lord.

28 Q. What position did you hold?

29 A. I was an instructor. From there I joined the Anglican

1 mission.

2 THE INTERPRETER: My Lords, I didn't get the last one so I
3 couldn't interpret.

4 JUDGE THOMPSON: Perhaps learned counsel should tell the
09:50:00 5 witness to go slowly.

6 MR TAVENER:

7 Q. You may have heard that, Mr Witness, if you could go
8 slowly. But could you repeat your answer as to what position you
9 held prior to the war?

09:50:14 10 A. I was an agricultural instructor.

11 Q. Yes. Go on, please?

12 A. When I left there I joined the Anglican mission.

13 Q. Yes?

14 A. I was working as a parish development field worker.

09:50:57 15 Q. And did you continue in that employment once the war
16 started?

17 A. Yes, I continued. I continued in the Anglican mission when
18 the war started.

19 Q. We'll leave that aside for one moment. Before the war
09:51:24 20 started did you know Hinga Norman?

21 A. I knew Chief Hinga Norman very, very well.

22 PRESIDING JUDGE: Wait, wait, wait, please. Mr Witness,
23 please, you'll go slowly. We have all the time to hear and to
24 listen to everything you have to say. So can you please take it
09:51:53 25 slowly.

26 MR TAVENER:

27 Q. So again, Mr Witness, before the war did you know Hinga
28 Norman?

29 A. I knew Chief Hinga Norman. I knew him when he brought

1 cassava from his village Ngolala for sale in Bo. That's where
2 the two of us met. It was at that time when I knew him.

3 PRESIDING JUDGE: When he brought cassava from his village
4 to Bo.

09:52:45 5 THE WITNESS: To Bo. Yes, for sale. That's when I knew
6 him. At Mangeme, Mangeme area.

7 JUDGE BOUTET: You did say the name of his village. What
8 was it again?

9 THE WITNESS: Ngolala.

09:53:19 10 JUDGE BOUTET: Can you spell that out please.

11 THE WITNESS: Yes. N-G-O-L-A-L-A.

12 MR TAVENER:

13 Q. Prior to the war did you know Moinina Fofana?

14 A. I didn't know him.

09:53:40 15 PRESIDING JUDGE: You've mentioned the name that you met
16 him in -- you mentioned the name Mangeme, where you met.

17 THE WITNESS: Mangeme is in Bo where Norman brought
18 cassava.

19 MR TAVENER:

09:54:14 20 Q. And you've just said you didn't know Mr Fofana before the
21 war?

22 A. At all. I only knew him when we joined the Kamajor
23 society.

24 Q. Did you know Allieu Kondewa before the war?

09:54:55 25 A. I didn't know him. I only knew him when he initiated us in
26 the Kamajor society.

27 Q. You mentioned the Kamajor society. Before the war is it
28 correct to say that each village or each area had hunters?

29 A. Hunters were all over Sierra Leone before the war.

1 Q. Who controlled the hunters before the war?

2 A. At that time they were under the paramount chiefs. I want
3 to make further clarification. The hunters who existed before
4 the war hunted animals, they were not fighters.

09:56:39 5 Q. You mentioned the Kamajor society. When did that start,
6 the society?

7 A. Well, the Kamajor society started in the Eastern Province.
8 The fighting Kamajor society. It started in the Eastern
9 Province.

09:57:03 10 JUDGE THOMPSON: Learned counsel, was your question when?

11 MR TAVENER: When did it start.

12 JUDGE THOMPSON: Not where.

13 MR TAVENER: I'll come on to that.

14 JUDGE THOMPSON: I mean, I just wanted to know.

09:57:14 15 MR TAVENER: I asked when but I'm happy with where and
16 we'll go back to when.

17 JUDGE THOMPSON: But you want us to have the answer where.

18 MR TAVENER: Yes, please.

19 JUDGE THOMPSON: It's entirely up to you.

09:57:24 20 MR TAVENER: That's fine. We're simply going over the
21 history at this stage.

22 Q. So, Mr Witness --

23 THE WITNESS: I didn't get that point clearly.

24 MR TAVENER:

09:57:34 25 Q. First of all, when did the Kamajor society, as you call it
26 the fighting society, start?

27 A. From 1993 to 1994.

28 Q. Do you know who started the Kamajor society?

29 A. Very, very well.

1 PRESIDING JUDGE: Mr Tavener, I'm not very clear on this
2 question. There appears to be -- well, you have the Kamajors the
3 society and now there is an additional distinction, the fighting
4 Kamajor society. Which society are you referring to?

09:58:25 5 MR TAVENER: There was the hunters before the war who were
6 not fighters. There were Kamajors who fought during the war.
7 It's not a different society, it's merely a different activity.

8 PRESIDING JUDGE: And now we are at the level of the
9 fighting Kamajor society which started, according to the witness,
09:58:44 10 from 1993 to 1994.

11 MR TAVENER: That's correct.

12 PRESIDING JUDGE: So is it the leadership you're seeking to
13 establish?

14 MR TAVENER: Simply who started that society.

09:58:54 15 PRESIDING JUDGE: The fighting Kamajor society.

16 MR TAVENER: The Kamajor society. Fighting is what they
17 did.

18 JUDGE BOUTET: But just to clarify that, I didn't get from
19 the witness that a Kamajor society ever existed prior to what you
09:59:09 20 are trying to establish, '93. They were hunters, as you would
21 describe them, but these hunters were not referred to as
22 Kamajors. Or do I misread the evidence?

23 MR TAVENER: I'll go back a step or two and make it
24 clearer.

09:59:28 25 Q. In Mende what does the word "Kamajor" mean?

26 A. They're hunters.

27 Q. Prior to the war there were hunters, as you've said?

28 A. Yes. They hunted wild animals in the forest.

29 Q. And at that time they were controlled by the paramount

1 chiefs?

2 A. Yes. At that time if you hunted any animal, when you bring

3 it you would give a leg to the paramount chief.

4 Q. Subsequently a society was formed called the Kamajor

10:00:21 5 society?

6 A. Yes, My Lord.

7 Q. And is it correct to say that society was involved in

8 fighting during the war?

9 A. Yes, My Lord.

10:00:44 10 Q. Who started the Kamajor society?

11 A. It was Dr Alpha Lavalie, a university lecturer from the

12 eastern region who went to Kenema.

13 Q. Is Dr Lavalie still alive?

14 A. He has died.

10:01:30 15 PRESIDING JUDGE: How do you spell Lavalie, please.

16 THE WITNESS: L-A-V-A-L-I-E.

17 PRESIDING JUDGE: You say Dr Lavalie was in Kenema?

18 THE WITNESS: Yes, My Lord.

19 MR TAVENER:

10:01:59 20 Q. Before the war were you a hunter?

21 A. No, My Lord.

22 Q. Did you join the Kamajor society?

23 A. Yes, My Lord.

24 Q. When did you join the Kamajor society?

10:02:28 25 A. Late November 1996, My Lord.

26 Q. How did you join the Kamajor society?

27 A. Well, I went to the paramount chiefs.

28 Q. Yes.

29 A. They recommended me. It was at that time when the Kamajor

1 society had not been commercialised, before ever you could join
2 the society you were screened by the chieftdom people for them to
3 ascertain that you're not a bad person.
4 Q. And once you were assessed by the paramount chief as not
10:04:23 5 being a bad person, what happened next?
6 A. They would recommend you to the Soweï or the initiator.
7 PRESIDING JUDGE: To the Soweï?
8 THE WITNESS: Yes, that's the initiator.
9 PRESIDING JUDGE: Can you spell that? Is it possible to
10:04:58 10 spell that?
11 THE WITNESS: S-O-W-E-I. Soweï is a Mende word.
12 PRESIDING JUDGE: Meaning initiator?
13 THE WITNESS: Yes, My Lord.
14 MR TAVENER:
10:05:26 15 Q. You said you were initiated. Where were you initiated?
16 A. I was initiated in the society in Bo.
17 Q. Who initiated you?
18 A. Mammy Munda Fortune.
19 Q. Perhaps if you could spell that name as well?
10:06:00 20 A. Yes, My Lord. M-U-N-D-A F-O-R-T-U-N-E.
21 Q. Once you were initiated, what did you do next?
22 A. When I had been initiated we went to one camp in Bonthe.
23 One rebel camp in Bonthe.
24 Q. And once you were initiated what was your role? What was
10:07:15 25 the purpose of being initiated into the Kamajors?
26 A. To go and fight.
27 Q. And who were you to fight?
28 A. The AFRC and RUF.
29 Q. At the time of your initiation and being sent to fight were

1 the Kamajors fighting by themselves or with some other
2 organisation?

3 A. We were fighting together with the Royal Sierra Leone Army
4 Force. We all went together to the battlefield.

10:08:34 5 Q. Who was head of the Kamajors at that time in 1996?

6 A. It was the late Chief Lebbie Lagbeyor of Komboya Chiefdom
7 in the south.

8 Q. Could you spell that name please?

9 A. L-E --

10:09:09 10 PRESIDING JUDGE: The name of the chiefdom.

11 THE WITNESS: Chief Lebbie Lagbeyor. L-E-B-B-I-E, Lebbie.
12 L-A-G-B-E-Y-O-R.

13 PRESIDING JUDGE: Of what chiefdom?

14 THE WITNESS: Komboya Chiefdom, Bo District. The southern
10:09:44 15 province of Sierra Leone.

16 MR TAVENER:

17 Q. Did something happen to Chief Lagbeyor in 1996?

18 A. Yes, My Lord.

19 Q. What happened to him?

10:10:10 20 A. Chief Lagbeyor -- we had a fracas with the Sierra Leone
21 armed forces and during the fracas he was killed in Bo by the
22 soldiers.

23 JUDGE BOUTET: Did you say it was fracas with the armed
24 forces or in the armed forces?

10:10:41 25 THE WITNESS: With the armed forces of Sierra Leone when
26 they were in Bo Town.

27 MR TAVENER:

28 Q. Who then became the head of the Kamajors?

29 A. After Chief Lagbeyor's death it was the paramount chiefs in

1 the southern region, in Bo District, Moyamba District, Pujehun
2 District -- all of them came together and appointed Regent Chief
3 Hinga Norman for him to take over Chief Lagbeyor's position as
4 chairman.

10:11:58 5 PRESIDING JUDGE: Let's the enumeration of the chiefdoms
6 which assembled for the election, please.

7 THE WITNESS: I'll take it from Bo District. One Karuka
8 Chiefdom, Gbo Chiefdom, Selenga Chiefdom, Valunia Chiefdom, Bagbe
9 Chiefdom, Badjia Chiefdom, Komboya chiefdom.

10:13:11 10 PRESIDING JUDGE: I thought the enumeration was not such a
11 long [inaudible].

12 THE WITNESS: Bo Chiefdom has 15 chiefdoms. In the
13 southern region we have Moyamba which has 14 chiefdoms, and we
14 have Bonthe that has 11 chiefdoms and Pujehun has 12 chiefdoms.

10:13:48 15 JUDGE THOMPSON: But those that proceeded to elect Chief
16 Hinga Norman, were those from the southern region?

17 THE WITNESS: I can't remember all of them because at that
18 time I was outside peeping.

19 JUDGE THOMPSON: Specifically, are they from the southern
10:14:06 20 region? Those were the chiefs that elected Regent Chief Norman.

21 THE WITNESS: Yes, in particular the southern region.
22 Everybody was fighting according to region.

23 JUDGE BOUTET: But the election -- because you did mention
24 there's so many chiefdoms in Bonthe, for example, but did they
10:14:33 25 also participate in the election of Hinga Norman?

26 THE WITNESS: I can't say that now but we saw many
27 paramount chiefs. I cannot say that all of them came, because at
28 that time some chiefs had died.

29 MR TAVENER:

1 Q. When Hinga Norman became the head of the Kamajors was he
2 already a Kamajor?

3 A. Yes, My Lord. Nobody could become head of the Kamajors
4 when yourselves are not a Kamajor. You had to belong to the
10:15:39 5 society before you could become a head.

6 Q. Are you aware whether or not Chief Norman held any other
7 positions, government positions, at that time?

8 A. He was the Deputy Minister of Defence.

9 Q. And at that time was he also a regent chief?

10:16:32 10 A. Yes, My Lord. He was the regent chief in Jiama Bongor
11 Chiefdom, Bo District.

12 Q. If I can take you now to the overthrow of the Kabbah
13 government in May of 1997. Up until that time is it correct to
14 say that the Kamajors were fighting with the SLA, with the army?

10:17:23 15 A. No, sir. We had fallen out with them. They contracted a
16 marriage with RUF and we said we cannot be a party to that
17 marriage so we went into the bush and fought against them.

18 Q. Is it correct to say then after the Kabbah government was
19 overthrown that the Kamajors went into the bush?

10:17:55 20 A. Yes, My Lord.

21 Q. You mentioned that Kamajors came from all over Sierra
22 Leone -- I take that back. Where did Kamajors come from; were
23 they in every village or every region?

24 A. I want you to clarify that question because there are two
10:18:42 25 types of Kamajors. Are they the hunters or those that took up
26 arms to fight against the AFRC?

27 Q. We won't talk about the hunters, we'll just talk about the
28 Kamajors, the ones that took up arms against the AFRC or the
29 rebels. After the coup what did the Kamajors do? You've

1 mentioned they went to the bush but then what did they do?

2 A. When the Tejan Kabbah led government was overthrown, the
3 Kamajors who were based in the Southern Province, Pujehun
4 District, they went to Bo Waterside Gendema and some of us stayed
10:19:34 5 in Bo and we went around the general area and put a roadblock.
6 And those who were in Kenema, they went to Tunkia Chiefdom.

7 PRESIDING JUDGE: Mr Witness, please.

8 MR TAVENER: Yes, shorter answers please. Shorter
9 sentences.

10:19:57 10 PRESIDING JUDGE: I have not followed you.

11 MR TAVENER:

12 Q. Could you start again. Just break it down please?

13 A. After they overthrow the Kabbah government some Kamajors
14 who went to Bo, who were in Bo District, assembled in Gerihun and
10:20:31 15 put a roadblock there. The Kamajors in Pujehun District, being
16 that they were close to Liberian border, they were by the Mano
17 River Bridge in the Gendema area. That group was led by Eddie
18 Massalay.

19 PRESIDING JUDGE: What happened to that group which was led
10:21:23 20 by Eddie Massalay -- the group of Kamajors in the Pujehun
21 District, what happened to them, what did they do?

22 THE WITNESS: Eddie Massalay put out an announcement to the
23 whole world through the BBC. He called upon the Kamajors all
24 over Sierra Leone, the Kapras, the Gbethis, the Tamaboros, the
10:21:59 25 Donsos and the Donsoras [phon] that they should take arms to
26 fight against the AFRC to flush them out of the country.

27 MR TAVENER:

28 Q. And where were you when that announcement was made?

29 A. I was with the Gerihun group.

1 Q. Was Chief Hinga Norman with you at the time the
2 announcement was made?

3 A. No, My Lord. He was in Guinea.

4 Q. After the announcement was made did you see Hinga Norman?

10:23:24 5 A. After a week then he joined. He joined the Kamajors in
6 Gendema.

7 Q. And what happened when Norman joined the Kamajors at
8 Gendema?

9 A. In his capacity as the minister of defence and chairman of
10:24:01 10 the Kamajors in the southern region, Eddie Massalay automatically
11 -- Eddie Massalay relinquished his position as chairman and had
12 Hinga Norman as the national coordinator.

13 Q. Where were you staying at that time?

14 A. At that time when all of this was happening I had not
10:24:52 15 joined the Gendema group, I was in the Gerihun area. But
16 everything that was happening was being communicated to us.

17 Q. Where were you staying?

18 A. I was in the Kpa area, another base which we made to -- at
19 Mammy Munda Fortune.

10:25:52 20 Q. Did you stay there?

21 A. I didn't stay there. I was going right round Moyamba
22 District to mobilise Kamajors to the base.

23 Q. At that time where was the Kamajor base?

24 A. Well, in Gerihun. We moved from Gerihun to Kpa. Our own
10:26:28 25 base was at Gerihun when we blocked the road. That was when
26 Professor Tommy, one Mr Bio and paramount chief the late Joe
27 Kpundoh Boima of Bo Karuka and others. The late Prince Brima the
28 BBC reporter was there. All of them went and met us to talk to
29 us so that we could dismantle the road and join the AFRC. It was

1 at that time we came by Professor Tommy, Bio and others.

2 Q. You've mentioned Paramount Chief Bio. It's B-I-O; is that
3 correct? B-I-O. Is that his name? Paramount Chief Bio?

4 A. I didn't say Bio was a paramount chief. I said Paramount
10:28:03 5 Chief Joe Kpundoh Boima of Karuka chiefdom. Bio was with us.
6 AFRC prevail on him for him to prevail on us himself. Professor
7 Tommy, the late Prince Brima, the BBC reporter -- when they went
8 we killed Professor Tommy, Bio and others. We released JK Boima,
9 Prince Brima for them to go and tell the AFRC that we wouldn't
10:29:03 10 accept.

11 PRESIDING JUDGE: Let him take over that evidence. I've
12 been following him [inaudible] navigating. Let's get him on the
13 rail and be sure of what he's talking about, please.

14 MR TAVENER:

10:29:18 15 Q. Mr Nallo, you are speaking about an incident where a group
16 of people went to the AFRC or vice versa? The AFRC approached
17 some people?

18 A. After we had made the road block in Gerihun, the group
19 which was in Gerihun -- we made a road block in Gerihun. Gerihun
10:29:50 20 is just 12 miles off from Bo.

21 PRESIDING JUDGE: Please wait. Where the AFRC what?

22 THE WITNESS: Called on Paramount Chief Joe Kpundoh Boima
23 III -- Joe Kpundoh Boima III of Karuka Chiefdom.

24 PRESIDING JUDGE: Joe?

10:30:29 25 THE WITNESS: Kpundoh Boima III.

26 PRESIDING JUDGE: Of the Karuka Chiefdom.

27 THE WITNESS: Yes, My Lord. And Professor Tommy. One
28 Mr Bio who was with us, with us the Kamajors --

29 JUDGE BOUTET: Who is Professor Tommy?

1 THE WITNESS: Well, that was the first time I saw him.

2 That's when he introduced himself to us that he was Professor

3 Tommy and that he was born in Bo Karuka.

4 PRESIDING JUDGE: [Microphone not activated] Bio who was
10:31:27 5 with you the Kamajors, yes?

6 THE WITNESS: Yes, My Lord. Some other people, Prince

7 Brima the BBC reporter was deceased.

8 PRESIDING JUDGE: So you say it is the AFRC who sent these
9 people.

10:32:00 10 THE WITNESS: Yes. They sent those people to go and
11 prevail on us so that we could dismantle the road block and join
12 them. That they have space for us to work in collaboration with
13 them.

14 When they were talking to us, because about 300 of us had
10:32:59 15 assembled -- we noticed that they had brought some AFRC fighters.
16 So we opened firing. Bio was killed, Professor Tommy was killed
17 and others whose names I cannot remember. Paramount Chief JK
18 Boima and late BBC reporter were released. After that we moved
19 to Kpa base where Mammy Munda was and she was the initiator.

10:34:58 20 PRESIDING JUDGE: Spell Kpa for us.

21 THE WITNESS: K-P-A.

22 MR TAVENER:

23 Q. And how long did you stay there?

24 PRESIDING JUDGE: Where Mammy Munda was.

10:35:19 25 THE WITNESS: At Kpa.

26 PRESIDING JUDGE: Her name, I mean, Mammy Munda.

27 THE WITNESS: Mammy Munda Fortune.

28 MR TAVENER:

29 Q. How long did you stay at that place, Kpa?

1 A. We were there up to two months and so another batch moved,
2 another batch remained with the Mammy.

3 Q. At that time did you stay in a village called or an area
4 called Tihun Sogbini? That's spelt T-I-H-I-N S-O-G-B-E-N-I.

10:36:27 5 THE WITNESS: Yes, My Lord. Before I went to Sogbini the
6 people that was in Gendema area, that Eddie Massalay and Chief
7 Hinga Norman with Moinina Fofana -- Moinina Fofana was
8 transporting --

9 PRESIDING JUDGE: Please. Mr Tavener, please guide your
10:36:43 10 witness.

11 MR TAVENER:

12 Q. I asked you about Sogbini. A village called Sogbini. I
13 think the correct spelling is --

14 A. Tihun Sogbini. Tihun town Sogbini. It's Sogbini Chiefdom.

10:37:01 15 Q. Before you went to that village -- you just explained you
16 did something before you went to Tihun Sogbini. You mentioned
17 Massalay and Kondewa?

18 A. Yes, My Lord. Before we went to Sogbini, Chief Norman
19 appointed Moinina Fofana as director of war.

10:37:37 20 Q. Is it correct to say you then went to Tihun Sogbini?

21 A. Yes, My Lord.

22 Q. How long did you stay there?

23 A. At Tihun Sogbini we did not stay there up to a month but
24 about weeks when -- because there Kondewa was. But we were
10:37:59 25 driven from there. The paramount chief Steven Wonnio Bio IV.

26 PRESIDING JUDGE: You say you did not stay [overlapping
27 speakers].

28 THE WITNESS: About a week when I was there.

29 PRESIDING JUDGE: You spent a week there.

1 THE WITNESS: Yes, My Lord. So the paramount chief of
2 Sogbini, Chief Steven Wonnio Bio IV, drop us from Tihun Sogbini,
3 the whole Kamajor including Kondewa because Kondewa had already
4 taken his paramount chieftaincy Pa. He did not have any regard
10:39:15 5 for the chief. He had been doing a lot of bad things.

6 Q. What bad things had Kondewa been doing which caused the
7 paramount chief to drive the Kamajors from that place?

8 A. Well, he initiated a particular society there. When one
9 initiate, he pass through an ambush. When he struck his eye on a
10:40:10 10 tree and the eye busts.

11 PRESIDING JUDGE: Initiated what? Let's get that clearly.

12 THE WITNESS: He initiated people there.

13 PRESIDING JUDGE: Is it joining or initiating? Please,
14 let's get this thing clear.

10:40:33 15 THE WITNESS: Initiating. One of the initiates -- we had
16 one stage in our society that we had to go through which we
17 called a Kamajor ambush when you have been initiated. In that
18 particular ambush the man was not able to go through. During
19 that time one of his eyes got bust. You know, he struck the eye
10:41:06 20 on a palm tree. So when he struck the palm tree, Kondewa and the
21 others took him carried him to a secluded area and they killed
22 him. They burnt him. From the time when Chief Wonnio Bio
23 understood that, he stood firmly that Kamajor movement should
24 move from Tihun Sogbini. So we moved. Moinina Fofana took us to
10:41:53 25 MT Collier.

26 PRESIDING JUDGE: Let's get the evidence more sequentially
27 now, Mr Tavener, please. We've listened to the story.

28 MR TAVENER:

29 Q. You mentioned that as part of the initiation process of the

1 Kamajors there was a section called ambush; is that right?

2 A. Yes, My Lord.

3 JUDGE BOUTET: But, Mr Tavener, so I understand, the
4 witness, before he talked about this Kamajor ambush, he talked of

10:42:23 5 Kondewa initiating in a particular society. So I'd like to
6 understand what the witness means by particular society. And he
7 talked about different initiations, so I would like to have some
8 more clarification of the meaning of that, if possible.

9 MR TAVENER:

10:42:42 10 Q. Within the -- I'll start again. What role did Kondewa have
11 in the Kamajor society?

12 A. He was an initiator.

13 Q. And were there different methods or different types of
14 initiation within the Kamajor society?

10:43:17 15 A. Yes, My Lord.

16 Q. And is it correct to say that Kondewa would create --

17 MR WILLIAMS: I take an objection, My Lord. Let the
18 witness tell his story, My Lord. My learned friend should not
19 put words into his mouth.

10:43:32 20 MR TAVENER: I'll rephrase the question.

21 Q. Who created these different groups or different initiations
22 within the Kamajor movement?

23 A. It was Kondewa.

24 Q. You have spoken about a particular initiation that occurred
10:44:02 25 in Sogbini, I'll come back to that in one minute, but are you
26 saying there were other types of initiations which Kondewa
27 instituted over a period of time?

28 A. Yes, My Lord.

29 Q. Have you heard of the term Avondo?

1 THE INTERPRETER: Would you please repeat.

2 THE WITNESS: Yes, My Lord.

3 MR TAVENER:

4 Q. You've heard of that term?

10:44:52 5 A. Yes, My Lord. I know what Avondo is.

6 Q. At this stage all I want to ask you is: Is Avondo, for
7 example, another form of initiation within the Kamajor movement?

8 A. Yes, My Lord. When we had fought, when Tejan Kabbah had
9 been reinstated then we established the Avondo society.

10:45:05 10 Q. We'll get to that later. So there were different types of
11 initiations. We'll go back now to --

12 MR MARGAI: I'm sorry. With the greatest respect, the
13 answer is completely different from the question put to the
14 witness. The question was whether Avondo was another form of
10:45:29 15 initiation and the witness said Avondo was established after the
16 restoration of the Tejan Kabbah government. I don't know what
17 Your Lordships have.

18 PRESIDING JUDGE: Is it that it was part of the -- they had
19 the term Avondo and it was just another form of initiation in the
10:45:56 20 Kamajor society.

21 MR MARGAI: No, that was not what the witness said. The
22 question was whether it was another form of initiation.

23 JUDGE BOUTET: The first question was have you heard of the
24 term Avondo and the answer was yes. Was this another form of
10:46:12 25 initiation, and to that he followed up.

26 JUDGE THOMPSON: I think what we have is a variation of
27 learned counsel's phraseology. The confusion, in my own
28 estimation, came from the Prosecution because there was a slight
29 variation after the first question was asked when the answer was

1 given. Perhaps you need to clarify this.

2 THE WITNESS: Okay, let me make it clear to them. Kondewa
3 was at Tihun Sogbini. He initiated --

4 PRESIDING JUDGE: Wait, wait. He initiated who?

10:46:50 5 THE WITNESS: He initiated people into the Kamajor society.

6 MR TAVENER: Perhaps if I could stop you there. Just to
7 answer Your Honour's question --

8 MR MARGAI: With respect, My Lord, the practice has been to
9 allow the witness to continue and tell his story.

10:47:26 10 PRESIDING JUDGE: Indeed.

11 MR MARGAI: As My Lords please.

12 PRESIDING JUDGE: Unless you are guiding him to tell the
13 story, he should tell the story.

14 MR TAVENER: I am trying to complete the answer required by
10:47:42 15 His Honour Judge Boutet at this stage just to clear up that point
16 about different societies or different groups of initiators --
17 initiations.

18 PRESIDING JUDGE: Why don't we allow him to complete his
19 clarification. If it isn't clear then he can come back to that.
10:48:02 20 Mr Witness, can you please continue with your clarification.

21 THE WITNESS: Yes, My Lord.

22 PRESIDING JUDGE: Kondewa was at Sogbini where he initiated
23 people into the Kamajor society, yes.

24 THE WITNESS: In that Kamajor society you have different
10:48:17 25 stages through which an initiate will go through. So the stage
26 that the man reached was called Kamajor ambush. That is, all
27 initiates will stand in a line, they will make two straight lines
28 and it is between that line that an initiate will walk and they
29 had whips. During that time when he was walking -- during the

1 time when the initiate is walking in that line the other
2 initiates would beat you seriously. And when you are beaten and
3 you fall to the ground, then you've left the ambush. They will
4 take you and carry you somewhere where they will kill you and
10:50:23 5 burn you to ashes. And as you'll be taken --

6 THE INTERPRETER: Excuse me, will you please --

7 PRESIDING JUDGE: Please wait, Mr Translator. Wait. When
8 you fall it means you have failed the ambush test and they will
9 carry you?

10:51:08 10 THE WITNESS: They will take you to a secluded area in the
11 society bush. So this is what happened with one man. The man
12 fell down and they took him to this bush and when they take you
13 to this bush they had to use you as a material for our society.
14 You see, they did not find materials all the time.

10:52:13 15 PRESIDING JUDGE: Using you in what way?

16 THE WITNESS: They will kill him and burn him into ashes.
17 That was what happened at Sogbini. One man was not able to go
18 through the ambush. So when they beat him, he ran and went and
19 hit himself against a palm tree and his eye bust and they held
10:52:53 20 him and they killed him and turned him to ashes.

21 PRESIDING JUDGE: They caught him and they burnt him to
22 ashes. Sorry, you're drinking water. Please, drink your water.
23 So they caught this man and burnt him to ashes.

24 THE WITNESS: This was what the paramount chief Steven
10:54:06 25 Wonnio Bio IV saw and he said, "Kondewa, move your team from my
26 chieftdom".

27 JUDGE THOMPSON: Are you saying that the chief witnessed
28 that particular application of the ritual? Is that what you're
29 saying when you say "saw"?

1 THE WITNESS: Yes, My Lord.

2 JUDGE THOMPSON: [Overlapping speakers] particular
3 application of the ritual you described.

4 THE WITNESS: He went there later and he found out that he
10:54:47 5 had been burnt.

6 JUDGE THOMPSON: Just when you said "saw" I was taking you
7 literally.

8 THE WITNESS: No, My Lord. So the chief drove the Kamajor
9 group from Tihun and Moinina Fofana and MT Collier took me to
10:55:29 10 Talia Yawbeko which we call Base Zero.

11 MR TAVENER:

12 Q. Before we move on to Base Zero you mentioned that the
13 particular initiate, his body was burnt to ashes. What happened
14 to the ashes?

10:56:06 15 A. It was what they use as tevie, in Mende, to mark the
16 initiates bodies.

17 JUDGE BOUTET: [Microphone not activated].

18 THE WITNESS: Tevie, yes, My Lord. T-E-V-I-E.

19 JUDGE BOUTET: Which means?

10:56:41 20 MR BOCKARIE: Your Honour, I want certain things to be
21 clarified inasmuch as the admission of hearsay evidence is
22 admissible, here it is unclear whether he witnessed those facts
23 or he heard it. Can he clarify it with Your Honour.

24 JUDGE BOUTET: Well, we'll see in due course.

10:56:55 25 PRESIDING JUDGE: The witness is testifying as to what
26 normally happens to the ashes.

27 MR BOCKARIE: No, in respect of this burning, whether that
28 was his own perception because here it is unclear, Your Honour.
29 I do accept that hearsay evidence is admissible but it has to be

1 clear whether what he is adducing is in respect to his own
2 perception or what he was told.

3 JUDGE THOMPSON: For me also the evidence seems to be at
4 two levels. He described a ritual as part of the initiation
10:57:28 5 process, the ambush ritual, and then probably describing this
6 from his own knowledge as an insider.

7 PRESIDING JUDGE: Yes, he knows it.

8 JUDGE THOMPSON: And then the second stage is the
9 description of the application or operationalisation of this
10:57:54 10 ritual in one particular case and that where I think we need to
11 clarify whether the evidence is direct or not direct. But of
12 course it doesn't really trigger off any hearsay thing because,
13 as we've said, as a matter of law hearsay is not inadmissible.
14 The issue would be what weight to attach to it vis-a-vis direct
10:58:19 15 evidence. But that is my own interest here; that he has
16 described the ritual as someone who is a member of the society
17 and then whether he actually witnessed the application of that
18 ritual in the case of the man he talked about.

19 MR BOCKARIE: Yes, but, Your Honour, the description of
10:58:36 20 this ritual is in respect of a particular incident.

21 JUDGE BOUTET: Are you objecting to the evidence or not?

22 JUDGE THOMPSON: I don't agree. I'm saying that he can
23 speak to his own peculiar knowledge being someone who is a member
24 of the society to what the ritual is and that's on one level.
10:58:54 25 We've understood that.

26 MR BOCKARIE: I agree, your Honour.

27 JUDGE THOMPSON: Then he comes and tells us I saw this
28 ritual being actually in application in so and so case and this
29 was the thing. And then of course the latter part of it is that

1 Chief Wonnio Bio was repulsed by this. Of course that aspect
2 will not show whether he actually witnessed it or he heard about
3 it. But it is not so much hearsay here.

4 JUDGE BOUTET: And I would like to say that I don't see
10:59:32 5 that as being a matter of objection by the Defence. I mean this
6 is and could be essentially a matter of cross-examination to
7 clarify this issue if it is not clear to you.

8 MR BOCKARIE: No, Your Honour, it's not whether it has to
9 be -- that was the premise I laid that even if it is hearsay it
10:59:45 10 is admissible, but we want to be reflected accordingly, Your
11 Honour. But I have raised the point --

12 PRESIDING JUDGE: There is no hearsay here. I think the
13 witness is testifying, at this stage, on matters which are within
14 his personal knowledge as a member of the society. So, Mr
11:00:04 15 Tavener, you may proceed. We were at the stage where the ashes
16 were used as a tevie which in Mende means -- that was when the
17 objection came up.

18 MR TAVENER:

19 Q. Mr Witness, do you know what tevie means?

11:00:25 20 A. Tevie means they use it -- that's what the initiator uses,
21 together with some herbs, on our bodies.

22 JUDGE THOMPSON: But what is the literal meaning of tevie,
23 just as if you say [overlapping speakers].

24 THE WITNESS: When a human being has been burnt and turned
11:00:52 25 into ashes it is called tevie.

26 PRESIDING JUDGE: Wait. The human ashes, what do they use
27 it for?

28 THE WITNESS: They use it to mark our bodies to join the
29 Kamajor society.

1 MR TAVENER:

2 Q. Who uses the ashes to have you join the Kamajor society?

3 Who actually used the ashes?

4 A. The initiator and his cabinet.

11:02:35 5 Q. Now you spoke about a particular incident where an initiate
6 at Sogbini was dealt with in a particular way, his body was
7 burnt. Did you actually see what happened to his ashes?

8 A. That's the general thing. I'm in society and I've
9 understood it, that when they burn a human being they would take
11:03:10 10 the ashes and put it into herbs and put it on our bodies. I knew
11 that it was used for that purpose.

12 JUDGE BOUTET: Mr Tavener, we didn't get the answer to your
13 question.

14 MR TAVENER:

11:03:24 15 Q. In respect of the man you spoke about who was killed at
16 Sogbini when he was being initiated, did you actually see what
17 happened to that man's ashes?

18 A. Yes, My Lord.

19 Q. What happened to that man's ashes?

11:03:46 20 A. They took his ashes and we went to Talia Yawbeko because
21 the paramount chief didn't allow us to stay in his chiefdom.

22 PRESIDING JUDGE: Wait. You took the ashes?

23 THE WITNESS: Yes. We went to Talia Yawbeko.

24 MR TAVENER:

11:04:26 25 Q. And do you know what happened to the ashes at Talia Yawbeko
26 or Base Zero?

27 A. Yes, My Lord.

28 Q. What happened to the ashes?

29 A. We initiated another Kamajor society at Base Zero in a town

1 called Mokusi.

2 Q. Before we go on to Base Zero, I'll go back to the question
3 of Avondo. You said you heard the term. What does the term
4 Avondo mean--

11:05:35 5 PRESIDING JUDGE: [Overlapping speakers] you're not
6 sequential.

7 JUDGE THOMPSON: You are really getting us into difficult
8 waters here. We are on a particular episode and it's incomplete
9 and then you're asking us to veer away from that and to come to
11:05:52 10 another concept. How will the evidence evolve, unless you can
11 persuade me that there is a linkage between that concept and what
12 he is about to say.

13 MR TAVENER: What I propose to do is: I'm now moving on to
14 Base Zero --

11:06:10 15 PRESIDING JUDGE: Because it's a question of the
16 destination of the ashes which were taken to Talia Yawbeko and
17 what follows is that they initiated another Kamajor society in
18 the town of Mokusi. So is that the end of the story about the
19 ashes, Mr Tavener?

11:06:28 20 MR TAVENER: No. What I propose to do, Your Honours --
21 there was a question raised as to Avondo. I was going to
22 complete that as different Kamajor societies or initiation
23 societies. Avondo was left, I haven't come back to that yet.
24 We've now moved on to Mokusi, so I intend to conclude the
11:06:52 25 question about that there were different Kamajor societies, or
26 initiation societies, then come back to Base Zero which includes
27 the initiations that took place using the ashes from the man who
28 was burned at Sogbini. So I'm trying to not leave unanswered
29 questions behind.

1 JUDGE THOMPSON: [Inaudible] waters.

2 MR TAVENER: I hope not. I just want to finish off the
3 aspect of the different societies which will then flow on to the
4 society or to the initiation which occurred at Mokusi.

11:07:25 5 JUDGE THOMPSON: As long as there is not going to be a
6 break in the logical nexus here.

7 MR TAVENER: Well, not in my mind but that may not be
8 helpful.

9 JUDGE THOMPSON: That's okay. It's your case.

11:07:37 10 MR TAVENER:

11 Q. Just very briefly, we'll come back to Avondo later. Just
12 to go quickly, Avondo is a term that you have heard?

13 A. Yes, My Lord.

14 Q. If there is no objection I'll just ask this question. Was
11:07:51 15 Avondo --

16 MR MARGAI: Of course we will object.

17 MR TAVENER: Then I won't ask that question. I'll ask
18 another question.

19 Q. What is Avondo?

11:08:03 20 A. Avondo is another society, a Kamajor society, which Chief
21 Allieu Kondewa, Sheku Bumbuwai [phon], formed after the
22 reinstatement of Tejan Kabbah in 1998. Dr Allieu Kondewa, the
23 high priest, and Sheku Bumbuwai.

24 JUDGE THOMPSON: Just a minute, let's have those names.
11:08:38 25 Dr Allieu Kondewa the high priest and?

26 THE WITNESS: And Sheku Bumbuwai.

27 JUDGE BOUTET: It's Bumbuwai.

28 THE WITNESS: Yes, My Lord.

29 JUDGE THOMPSON: You said they formed that society or they

1 set that up.

2 THE WITNESS: Yes, they set it up but there are some other
3 people I want to talk about. Kamoh Gboni, Kamoh Fuwad, Gibrilla,
4 CO Makossi [phon], Hallie Namoi [phon], Woodie [phon]. That was
5 the cabinet.

6 JUDGE THOMPSON: But, Mr Tavener, this is an incomplete
7 sentence. Certainly incomplete. There is no verb, no object.
8 Because I got Avondo is another Kamajor society, then all these
9 names and the sentence is incomplete grammatically.

11:10:53 10 THE WITNESS: That's the cabinet. He and his followers
11 were responsible for the initiation.

12 JUDGE THOMPSON: It needs to be more structured if it is
13 going to make sense.

14 MR TAVENER:

11:11:01 15 Q. Okay, perhaps I can ask you this. Mr Witness, you've
16 simply said that Avondo was another Kamajor society?

17 A. Yes, My Lord.

18 Q. The men you have now named, the people you have now named,
19 were part of the cabinet, that is the group of people associated
11:11:21 20 with Kondewa?

21 A. Yes, My Lord.

22 Q. And that Kamajor society, you have already said, was
23 established after President Kabbah came back into power?

24 A. Yes, the Avondo Kamajor society, My Lord.

11:11:41 25 MR TAVENER: So that is simply an example, Your Honours, of
26 another society.

27 PRESIDING JUDGE: Just a minute, please.

28 JUDGE THOMPSON: So the names that he gave us, they are
29 referred to as a cabinet. Cabinet of what?

1 MR TAVENER:

2 Q. Can you explain the term cabinet please?

3 JUDGE BOUTET: Of the Kamajor society. That's what he has
4 described.

11:12:08 5 THE WITNESS: They were followers of Kondewa. We call them
6 cabinet because they sit together. They were responsible for
7 marking our bodies so that's why we call them the cabinet.

8 PRESIDING JUDGE: True enough he's mentioned Kondewa. He
9 has mentioned the high priest Sheku Bumbuwai or whatever but what
11:12:37 10 is the structure? Who is the head of this?

11 THE WITNESS: Kondewa was the head and the others were his
12 subordinates.

13 MR MARGAI: If I could be of assistance here. What he
14 seems to be saying, from my understanding, is that Avondo were
11:13:03 15 founded by Kondewa and Bumbuwai and the others named thereafter
16 were associates.

17 PRESIDING JUDGE: We understand that. We understand that
18 very well. It is a question of being very clear on who the
19 leader of that group was. It was founded by Kondewa and Bumbuwai
11:13:17 20 so who was the leader. Now we have the reply. We knew that
21 others were just members of the executive. That we got clearly
22 on the record.

23 JUDGE BOUTET: But the high priest in that society was
24 Kondewa.

11:13:27 25 THE WITNESS: The high priest Dr Allieu Kondewa, he was the
26 founder and he was the leader.

27 MR TAVENER:

28 Q. Thank you. We'll move away from that form of initiation
29 called Avondo. We'll now go back to Base Zero. You've said

1 you've taken the ashes of that particular initiate to Mokusi?

2 A. Mokusi, yes.

3 PRESIDING JUDGE: I don't know whether the spelling is

4 right, yes. M-O-K-U-S-S-I, that's what I have here. Is that the

11:14:25 5 spelling?

6 THE WITNESS: Whichever. But it should be M-O-K-O-S-I.

7 MR TAVENER: That's the spelling I have.

8 PRESIDING JUDGE: M-O-K-O.

9 THE WITNESS: S-I-E.

11:14:45 10 Q. How far is Mokusi from Talia or Base Zero?

11 A. Approximately one mile.

12 Q. Did anything happen to the ashes you have spoken about at

13 Mokusi?

14 A. Yes, My Lord.

11:15:11 15 Q. What happened to those ashes?

16 A. Well, Kondewa initiated another Kamajor society and he used

17 the ashes to mark the bodies of the society he had -- the

18 Kamajors he had initiated.

19 Q. Thank you. Now, coming on to Base Zero, did you --

11:15:43 20 PRESIDING JUDGE: Please wait.

21 MR TAVENER: Sorry.

22 Q. When did you go to Base Zero?

23 A. It was in 1997 that I went to Base Zero.

24 Q. Were there other Kamajors at Base Zero before you went

11:16:31 25 there?

26 A. Yes, My Lord. Kamajors were there together with Chief Dr

27 Allieu Kondewa.

28 Q. You mentioned MT Collier. Who was MT Collier?

29 A. MT Collier, he was our host. Chief Hinga Norman and

1 Moinina Fofana stayed at his house.

2 Q. How big is -- how many people lived at Base Zero, excluding
3 the Kamajors? The locals, how many locals lived at Base Zero?

4 A. It is a small village, not very big. About hundred people
11:17:43 5 who were there.

6 Q. Are there other villages nearby?

7 A. Yes, My Lord.

8 Q. At the time you went to Base Zero did you hold any position
9 in the Kamajors?

11:18:07 10 A. Yes, My Lord. Yes, My Lord.

11 Q. What position did you hold?

12 A. While in Base Zero I was appointed as the National Deputy
13 Director of Operations -- [translation interrupted]

14 PRESIDING JUDGE: Please wait. Wait, wait, wait. National
11:18:54 15 Deputy Director of Operations?

16 THE WITNESS: Correct, My Lord. Regional Director of
17 Operations Southern Region in charge of Bonthe, Moyamba and
18 Pujehun -- Bo, Bonthe, Moyamba and Pujehun.

19 MR TAVENER:

11:19:31 20 Q. Who appointed you to be National Deputy Director of
21 Operations?

22 A. My National Coordinator, Chief Hinga Norman.

23 Q. Who appointed you Director of Operations for the Southern
24 Region?

11:20:04 25 A. My National Coordinator, Chief Sam Hinga Norman.

26 Q. What was your role as Director of Operations For the
27 Southern Region?

28 A. I took general and specific instructions from him and
29 passed it on to the war front.

1 Q. When you say him, who do you mean?

2 A. My National Coordinator, Chief Sam Hinga Norman.

3 Q. What was your role as the Deputy National Director of
4 Operations?

11:21:09 5 PRESIDING JUDGE: Mr Tavener, please wait, will you.

6 MR TAVENER: Sorry. Sorry, just one minute, please.

7 PRESIDING JUDGE: Yes?

8 MR TAVENER: Thank you.

9 Q. What was your role as National Deputy Director of
11:21:42 10 Operations?

11 A. I was taking instructions from Hinga Norman, general and
12 specific, and I transmitted to the war front people. Two, I
13 collected reports for the war front, I compiled them, submit them
14 to the National Coordinator, Sam Hinga Norman, through my

11:22:22 15 Director of War, Moinina Fofana. Three, I collected arms and
16 ammunition and I took them to the war front to the fighters.
17 Four, I frequently visited front lines to ascertain reports and
18 the position of the troops. I was taking interest in the
19 fighters to make sure they lacked no logistics. I sat with
11:24:25 20 Moinina Fofana to plan strategies for war operations for the
21 southern region --

22 MR BOCKARIE: Your Honour, I --

23 THE WITNESS: -- because he was illiterate.

24 JUDGE BOUTET: What was it?

11:24:42 25 MR BOCKARIE: No, because, I mean, he used a particular
26 qualification in respect of Moinina Fofana which I didn't hear
27 first announced by the interpreter.

28 THE INTERPRETER: The interpretation was still going on
29 when you stood up.

1 PRESIDING JUDGE: I sat with Moinina Fofana and planned
2 what? And planned --
3 THE WITNESS: Strategies for war operations.
4 MR TAVENER:
11:25:07 5 Q. Moinina Fofana was illiterate?
6 A. Yes, My Lord.
7 PRESIDING JUDGE: Moinina Fofana was what?
8 MR TAVENER: Illiterate.
9 THE WITNESS: He couldn't read and write. Those were my
11:25:42 10 roles as Director of Operations for the Southern Region.
11 MR TAVENER:
12 Q. How long did you remain at Base Zero, that is until you
13 finally left? I am going to ask you other questions but until
14 you finally left.
11:26:08 15 A. About six months.
16 Q. You mentioned you would go to the war front. How would you
17 travel from Base Zero to the war front?
18 A. Well, we commandeered one Honda bike from Africa. That was
19 what I was using, on the directives of Chief Hinga Norman.
11:26:50 20 Q. You mentioned you made reports. Did you make -- how did
21 you make those reports - were they in writing, verbal? How did
22 you make those reports?
23 A. Sometimes I would write and at other times I will talk.
24 Q. Did Mr Fofana have any assistants?
11:27:26 25 A. Yes, My Lord.
26 Q. Could those assistants read and write?
27 A. No, My Lord. No, My Lord. Among all the directors I was
28 the only person who could read and write.
29 Q. Did you ever give written reports to Mr Fofana?

1 A. Yes, My Lord. When I give it to him, we sit down together,
2 I'll read it to him before we take it to the Chief, Sam
3 Hinga Norman, the National Coordinator. Yes, My Lord.

4 PRESIDING JUDGE: Mr Witness, yes?

11:28:37 5 THE WITNESS: I want to ease myself.

6 PRESIDING JUDGE: The witness wants to put himself at ease.
7 We shall rise and as soon as you are ready you will call us in,
8 please. The Court will rise.

9 [Break taken at 11.27 a.m.]

11:41:09 10 [Upon resuming at 11.38 a.m.]

11 PRESIDING JUDGE: We are resuming the session, please.

12 MR TAVENER:

13 Q. Mr Nallo, we were speaking about Base Zero and in your
14 evidence earlier on you spoke about general and specific orders.

11:41:37 15 Firstly, who gave these general orders?

16 THE INTERPRETER: Your Honour, the witness's mic is not on.

17 THE WITNESS: It was the National Coordinator of CDF, Chief
18 Sam Hinga Norman. It's from him that all directives emanated.

19 MR TAVENER:

11:42:30 20 Q. How were these general orders sent out to the Kamajors?

21 A. Well, some of the Kamajors were based -- they were based
22 with Chief Norman, the Death Squad, with the Kamajors that used
23 to come. So he would go to a training ground, that was the
24 general order, and he would give the orders to the Kamajors. He
11:42:58 25 would give some to me and I would take my bike and I would pass
26 right round in order to tell the commanders, so that it would
27 reach the people.

28 JUDGE BOUTET: Mr Tavener, could you take this back with
29 the witness?

1 PRESIDING JUDGE: Yes, we got the witness up to when he was
2 saying the orders were given in the training ground or so, and
3 that thereafter they were diffused. Let him take that again so
4 that we get it clearly on record. And that he uses motor bike
11:43:47 5 thereafter to diffuse the instructions or to communicate the
6 instructions from the National Coordinator.

7 THE WITNESS: He used to give general instructions. That
8 is, he would call all Kamajors together who would be in the base.
9 He would give the instruction generally.

11:44:05 10 PRESIDING JUDGE: Wait. He'll call Kamajors from all over
11 or only those in Base Zero?

12 THE WITNESS: Those who were at Base Zero or who were
13 normally there. That was the general order. So I would take it
14 and take it to the front line to all the Kamajors that were in
11:44:44 15 the front line. So telling them that these are general orders
16 that the Pa had given.

17 MR TAVENER:

18 Q. Where was the training ground at Base Zero?

19 A. It was in one school compound. We broke one school and
11:45:25 20 turned it to a training ground. UBC Primary School.

21 Q. And at the training ground who actually --

22 PRESIDING JUDGE: What does UBC mean -- Primary School?
23 What does UBC stand for?

24 THE WITNESS: United Brother and Church.

11:46:03 25 MR TAVENER:

26 Q. When the Kamajors were gathered at the training field, who
27 spoke to them about the general orders?

28 A. It was Chief Hinga Norman.

29 Q. What were the subjects of the general orders? What were

1 they about?

2 A. One, he said all AFRC fighters were our enemies, and
3 collaborators and sympathisers who were also enemies.

4 JUDGE THOMPSON: [Overlapping speakers] fast.

11:46:59 5 THE WITNESS: Okay.

6 JUDGE THOMPSON: All AFRC fighters were --

7 THE WITNESS: Stroke RUF. They are sympathisers,
8 collaborators, and those who refused deliberately to leave the
9 AFRC and RUF zones, those were our enemies and that we should
11:48:16 10 kill them, no problem. He said we should -- he said we should
11 not be sorry for them at all because Kamajors don't have food,
12 not have house to keep these people. So the best way of getting
13 rid of enemy is to exterminate him. He further sanctioned
14 looting of their property and burning down of their houses.

11:49:53 15 JUDGE THOMPSON: You mean approved, is it?

16 THE WITNESS: He approved. He approved the looting of
17 their properties.

18 JUDGE THOMPSON: Properties of whom? Do you have a
19 category or a classification? Whose properties?

11:50:29 20 THE WITNESS: The sympathisers, the collaborators and those
21 who are behind the AFRC line that were not in our own operational
22 area.

23 MR TAVENER:

24 Q. When Hinga Norman gave those general instructions, were
11:51:26 25 there any senior members of the Kamajors present?

26 A. War Council members were there, Dr Allieu Kondewa was
27 there, Moinina Fofana was there.

28 Q. Were any prisoners ever brought to Base Zero?

29 A. Yes, My Lord. Captured AFRC/RUF people who brought five of

1 them.

2 Q. Do you know when that was?

3 A. I cannot tell the time now. Because that's taken a long
4 time.

11:52:45 5 Q. What happened to those five RUF soldiers?

6 A. When they brought them to Base Zero, they handed them over
7 to the Death Squad and they tortured them to death.

8 Q. You mentioned the Death Squad; what was the Death Squad?

9 A. It's a special group that was with Norman, who are only
11:53:29 10 answerable to Hinga Norman, who were charged with responsibility
11 of torturing people and killing them. They were not answerable
12 to anybody except Hinga Norman.

13 Q. Did you agree --

14 PRESIDING JUDGE: Please wait.

11:53:58 15 MR TAVENER: Sorry.

16 PRESIDING JUDGE: Yes.

17 MR TAVENER:

18 Q. I will put it this way. Did you oppose the instruction to
19 kill prisoners?

11:54:29 20 A. Yes, My Lord. It was too horrible, so I rushed down to Bo
21 to call on --

22 PRESIDING JUDGE: Please, wait, wait. He said he opposed
23 instructions to kill prisoners?

24 THE WITNESS: Yes, I intervened on their behalf.

11:55:10 25 MR TAVENER:

26 Q. You went to Bo?

27 A. Yes, My Lord. Yes, My Lord.

28 Q. Did you see somebody there?

29 A. Yes, My Lord.

1 Q. Who did you see?

2 A. I saw Alhaji Daramy Rogers, present Minister of Local
3 Government Sidikie Brima, Dr Matturi.

4 PRESIDING JUDGE: Please wait. Daramy Rogers. Then the
11:55:42 5 present minister --

6 THE WITNESS: Of local government, Honourable Sidikie
7 Brima.

8 PRESIDING JUDGE: Sidikie Brima?

9 THE WITNESS: Yes, My Lord.

11:55:56 10 PRESIDING JUDGE: And who else?

11 THE WITNESS: Dr Matturi.

12 PRESIDING JUDGE: Mu --

13 THE WITNESS: Turi.

14 PRESIDING JUDGE: Can you spell that for us?

11:56:09 15 THE WITNESS: M-A-T-U-R-I.

16 MR MARGAI: M-A-T-T-U-R-I.

17 THE WITNESS: M-A-T-T-U-R-I, thank you.

18 PRESIDING JUDGE: Thank you, Mr Margai.

19 THE WITNESS: Proper noun.

11:56:35 20 PRESIDING JUDGE: You say?

21 THE WITNESS: I said it's a proper noun.

22 PRESIDING JUDGE: Yes, are these the only people you saw:
23 Daramy Rogers, Sidikie Brima and Dr Matturi?

24 THE WITNESS: Yes, My Lord.

11:57:04 25 PRESIDING JUDGE: [Overlapping speakers] saw in Bo?

26 THE WITNESS: Yes, My Lord. I went at night. My life was
27 in jeopardy so I was not able to go round. The juntas were all
28 around.

29 MR TAVENER:

1 Q. As a result of speaking to those people, were you able to
2 stop the killing of prisoners in Base Zero?

3 A. I was not able at all. I called on Alhaji Daramy Rogers to
4 go to Base Zero. I told him, I said, "Go to Base Zero and
11:57:52 5 prevail on Chief Hinga Norman. We joined the Kamajor society to
6 fight for this country, but what I have seen," I said. I went to
7 these three people mentioned so that they could go to Base Zero
8 so as to prevail on their colleague so as to change our attitude.
9 Because what the rebels had been doing was what we were doing, so
11:58:18 10 it will not augur well, because we join the Kamajor society to
11 get rid of the rebels. What the rebels are doing we also are
12 doing so it's not good.

13 PRESIDING JUDGE: Stop.

14 MR TAVENER:

11:59:43 15 Q. You have already mentioned the War Council and we will come
16 on to that shortly. Was Daramy Rogers a member of the War
17 Council?

18 A. Yes, My Lord. I prevailed on him so as to come to Base
19 Zero, and he went there, he was a member of the War Council. He
12:00:08 20 was representing political wing.

21 Q. Daramy Rogers, when he went to Base Zero, was he able to do
22 anything about the situation you have described?

23 A. He tried to prevail on his colleagues Chief Sam Hinga
24 Norman and the Kamajors, but it did not go down well with
12:00:45 25 Hinga Norman.

26 Q. Perhaps now if we could turn to the War Council. Do you
27 know when the War Council started?

28 A. My Lord, when we entered Yawbeko we move to Tihun Sogbini,
29 Yawbeko. That was the time they formed the War Council. When

1 the big ones had joined us.

2 Q. Are you saying the War Council was formed in --

3 A. Base Zero. Base Zero.

4 Q. Who was on the War Council?

12:01:32 5 A. PC Joe William Quee of Kowa Chiefdom, Moyamba District, he
6 was the chairman of the council.

7 Q. I think you mentioned big ones --

8 PRESIDING JUDGE: Where was he from? You say he was -- was
9 this chief?

12:01:59 10 THE WITNESS: Chief Joe William Quee. JW Quee. Paramount
11 chief JW Quee of Kowa Chiefdom, Moyamba District. He was the
12 chairman of the War Council. PC Charlie Tucker of Nongoba Bullom
13 Chiefdom, paramount chief, he was the deputy chairman. IFM
14 Kanneh was the chairman Bo District, member of the War Council.

12:03:29 15 RP Kombe, chairman Moyamba District, member of the War Council.
16 Francis Mustapha Lumeh, chairman Pujehun District, member of the
17 War Council. Chiefdom speaker Vandy Sorka of Dama Chiefdom,
18 chairman Kenema District, member of the War Council.

19 PRESIDING JUDGE: Let's have the name again, please.

12:04:24 20 THE WITNESS: Vandy Sorka. Chiefdom speaker of Dama, Vandy
21 Sorka. KG Samai, chairman, Kailahun District, member of the War
22 Council. Alhaji Daramy Rogers, in charge of the political wing,
23 representing the government, member of the War Council.
24 Honourable paramount chief, Charles Caulker, of Bumpe Chiefdom,
12:05:33 25 member of the War Council.

26 PRESIDING JUDGE: Charles Tucker?

27 THE WITNESS: Charles Caulker. Yes, My Lord. Joseph Sandy
28 Demby, member of the War Council. King Dr Allieu Kondewa, high
29 priest, member of the War Council. Moinina Fofana, Director of

1 War, member of the War Council. MT Collier, our host, member of
2 the War Council. The last but not the least, our National
3 Coordinator, Chief Sam Hinga Norman, member of the War Council.
4 These are the members that I can remember.

12:07:55 5 MR TAVENER:

6 Q. Did you take orders from the War Council?

7 A. They did not have that power at all. Everything was
8 directed to Hinga Norman. He had the last say. They used to
9 recommend. They recommend to Chief Hinga Norman.

12:08:33 10 Q. Were you involved in any killings around -- the killing of
11 people around Base Zero?

12 A. Yes, My Lord. See, I was the one that was the leader.

13 Q. Before we go on to details, was it your idea to kill people
14 around Base Zero or something else's?

12:09:05 15 A. I was working under somebody's authority, who was my
16 National Coordinator, Sam Hinga Norman.

17 PRESIDING JUDGE: What was the reply to the first question,
18 please? And what was the first question?

19 MR TAVENER: The first question was: Was he personally
12:09:22 20 involved in killings around Base Zero?

21 PRESIDING JUDGE: Was he personally involved?

22 MR TAVENER: That's right.

23 PRESIDING JUDGE: And he said yes?

24 MR TAVENER: Yes. And my next question was: Was it his
12:09:35 25 idea to kill people around Base Zero or was it someone else's
26 idea?

27 Q. Perhaps if you can answer that question again.

28 A. Yes, My Lord.

29 PRESIDING JUDGE: Yes?

1 THE WITNESS: The general instructions that Chief Hinga
2 Norman gave me --

3 THE INTERPRETER: Excuse me, Your Honours, the witness is
4 not audible.

12:10:10 5 PRESIDING JUDGE: They're not hearing you at the
6 translation cabin.

7 THE INTERPRETER: He is far from the mic.

8 THE WITNESS: The general instructions which Hinga Norman
9 gave, which he used to give us, I did not finish them. The
12:10:32 10 general instructions, I did not complete them. Hinga Norman
11 gathered us in the training ground at Base Zero and told us that
12 any Kamajor who did not carry out the instructions that he ask --

13 PRESIDING JUDGE: Wait. Who did not carry out?

14 THE WITNESS: These instructions, the instructions that he
12:11:41 15 gave you to do to carry out. Either they cut your ear off or
16 they break your leg or they kill you. Then he said no Kamajor
17 should tamper with his companion's wife.

18 MR TAVENER:

19 Q. If we can now come back to the question I asked --

12:12:43 20 PRESIDING JUDGE: Has he finished? Have you finished the
21 instructions?

22 THE WITNESS: I have not yet finished. If you the
23 Kamajor --

24 PRESIDING JUDGE: Wait, wait. Mm-hm?

12:13:01 25 THE WITNESS: If you, a Kamajor, happens to tamper with
26 another Kamajor's wife, they will cut your ear, they break your
27 neck or they kill you. Any civilian who tampers with a Kamajor's
28 wife, who the man refuses to -- the civilian who refuses to join
29 the Kamajors, he a dead man.

1 PRESIDING JUDGE: Let's get this clear. Any civilian who
2 refuses to join the Kamajors, do you add and who tampers with a
3 Kamajor's wife; is that what you are saying?

4 THE WITNESS: Yes, My Lord, we should kill you. Wife for
12:14:33 5 civilian were rations for Kamajors, because we are working for
6 you, we are giving you safety. So if we felt Kamajors that did
7 not have wives, the wife of civilians were rations. We had right
8 to use them. But if you the civilian joins the Kamajors, they
9 will not tamper with your wife. That was the law that was given
12:15:40 10 to us.

11 MR TAVENER:

12 Q. Who gave the Kamajors the law that they couldn't tamper
13 with another Kamajor's wife?

14 A. It was Chief Hinga Norman, My Lord.

12:16:31 15 Q. Did someone say that civilian women were rations?

16 A. Yes, My Lord.

17 Q. Who said that?

18 A. Chief Hinga Norman.

19 Q. If we can now come back to my earlier question about were
12:17:19 20 you involved with killings around Base Zero?

21 A. Yes, My Lord.

22 Q. Whose idea was it to kill people around Base Zero?

23 A. Chief Hinga Norman, My Lord.

24 Q. Were you given an instruction by Hinga Norman about that
12:17:58 25 issue?

26 A. Yes, My Lord.

27 Q. What was that instruction?

28 A. He called me one morning, Moinina Fofana was present --

29 PRESIDING JUDGE: Wait. Said?

1 THE WITNESS: He said, "Director of Operations have
2 received information that someone saw rebels, sympathisers and
3 collaborators, they've surrounded our base. That shouldn't
4 happen, it is dangerous."

12:20:12 5 MR TAVENER:

6 Q. What did you do as a result of that conversation?

7 A. Well, he said they shouldn't infiltrate us, so he gave me
8 command that I should go on an operation to get rid of all the
9 collaborators, rebels and sympathisers around our base.

12:20:38 10 Q. Was there a village called Dodo village, D-O-D-O?

11 A. Yes, My Lord. I went to Dodo village in Jong Chiefdom,
12 Bonthe District.

13 Q. What did you do there?

14 A. I went to the village with two other people given to me by
12:21:21 15 Moinina Fofana to give me an idea what the terrain is in the
16 area, and to --

17 THE INTERPRETER: My Lords, the witness is speaking very
18 fast.

19 MR TAVENER:

12:21:36 20 Q. Could you repeat that please? You went to the village,
21 Dodo village?

22 A. Yes, My Lord. Before I could go to the village,
23 Moinina Fofana gave me two men, Momoh Pemba and Billo Conteh.

24 Q. I understand Momoh. Pemba is spelt?

12:22:16 25 A. Pemba, P-E-M-B-A.

26 Q. And Billo is B-I-L-L-O?

27 A. Yes, My Lord.

28 Q. Conte, C-O-N-T-E?

29 A. Yes, My Lord.

1 Q. What happened in that village?

2 A. When we reached the village the people had all gone in
3 hiding. We call them out that Chief Norman had sent us to come
4 and stay there to safeguard the people, to protect the people,
12:23:00 5 and nothing would happen to them.

6 Q. Did anything happen to those people at that village?

7 A. Yes, My Lord. When they came out of the bush we summoned
8 them in the court barri and we told them that, "We've come. You
9 are all rebels, that we've got an information, and the National

12:23:40 10 Coordinator had sent us to come and weed out." Momoh Pemba,
11 Billo Conte and myself and the others who were in the group, we
12 opened fire on them. We killed over 15 of them. We burnt down
13 their houses.

14 Q. How far was --

12:24:10 15 PRESIDING JUDGE: Please wait.

16 MR TAVENER: Sorry.

17 Q. How far was Dodo village from Base Zero?

18 A. I don't know the terrain much, but according to Momoh Pemba
19 and Billo Conte, they said it was about seven to eight miles. I

12:25:16 20 didn't know the terrain much, except by Haahun, that was
21 bypass -- it was a bush pass where vehicles ply.

22 Q. Okay, thank you.

23 A. Yes, My Honours.

24 Q. Following on the instructions that had been given to you,
12:25:50 25 did you go to any other villages?

26 A. Yes, My Lord.

27 Q. What other villages did you go to?

28 A. I went to Sorgia, Pipor and Baoma village.

29 PRESIDING JUDGE: Sorgia, can you spell those?

1 THE WITNESS: S-O-R-G-I-A.
2 PRESIDING JUDGE: The next village?
3 THE WITNESS: Pipor, P-I-P-O-R. P-I-P-O-R.
4 PRESIDING JUDGE: And then?
12:26:46 5 THE WITNESS: Baoma village.
6 MR TAVENER:
7 Q. What happened at Sorgia village, S-O-R-G-I-A?
8 A. In Sorgia village we went with Kamoh Lahai Bangura, who was
9 high priest, who was sacked by Chief Hinga Norman, high priest Dr
12:27:36 10 Allieu Kondewa, because of what he did in Charles Margai's
11 village, the havoc that he reaped in Charles Margai's village.
12 So went there and he identified one --
13 PRESIDING JUDGE: We are taking note of what you are
14 saying. You say you went there with Kamoh Lahai Bangura?
12:28:01 15 THE WITNESS: Kamoh Lahai Bangura. He took over as high
16 priest from Dr Allieu Kondewa.
17 MR TAVENER:
18 Q. At the time you went to Sorgia village --
19 PRESIDING JUDGE: Please wait. Who took over from -- you
12:28:30 20 were narrating a story.
21 THE WITNESS: From Dr Allieu Kondewa when Allieu Kondewa
22 caused havoc in Charles Margai's home town, Gbangbatoke. So that
23 incident became very alarming and government interfered and
24 forced Chief Hinga Norman to remove him.
12:28:59 25 PRESIDING JUDGE: Because of havoc in what village? Let me
26 have the spelling.
27 THE WITNESS: Gbangbatoke, Lower Banta Chiefdom.
28 JUDGE BOUTET: Are we talking of the same time again --
29 same period of time?

1 MR TAVENER: Perhaps if I can ask this question.

2 Q. When was Kondewa replaced as the high priest, what year?

3 A. It was after we had come from the bush and we are now
4 living in town, and Tejan Kabbah has now returned, he has settled

12:30:03 5 and he has formed the government. We're now in Bo.

6 Q. Can you now tell the Court what happened in Sorgia village?

7 A. When myself and Kamoh Lahai Bangura went and he pointed at
8 Joseph Lansana, he said, "This was the man that was working for
9 the rebels, that he was secretary for the rebels and he's RUF."

12:30:48 10 PRESIDING JUDGE: Pointed at who?

11 THE WITNESS: One Joseph Lansana. He is still alive. If
12 you go to Sorgia village you would find him there.

13 PRESIDING JUDGE: They pointed at him as a rebel?

14 THE WITNESS: That he was secretary for the rebels and he's
12:31:19 15 RUF and now he's here. And that he's a dangerous man around our
16 base.

17 MR TAVENER:

18 Q. Did something happen to Lansana after he was pointed out as
19 being a rebel?

12:31:48 20 A. Yes, My Lord.

21 Q. What happened?

22 A. He was tortured before we tied him up. We cut off his ear,
23 lit a plastic and we were dripping it on his body.

24 PRESIDING JUDGE: You cut off his ear?

12:32:17 25 THE WITNESS: His ear, yes, My Lord.

26 MR TAVENER:

27 Q. Then what happened?

28 A. We tied him up. Tied him up. We beat him well, well,
29 well.

1 THE INTERPRETER: The term used is tabbay. He was tabbied,
2 whatever tabbay means.

3 PRESIDING JUDGE: That's French.

4 JUDGE BOUTET: Yes, Mr Margai.

12:33:26 5 MR MARGAI: Yes, My Lords, the witness did not say anything
6 about beating. He said, "We tabbied" -- "We tabbay him very,
7 very well." That means tie him neat. Or he can explain it, but
8 it's not beating.

9 PRESIDING JUDGE: [Microphone not activated]

12:33:42 10 THE WITNESS: We tortured him. When we are torturing him
11 we are beating him up. We cut off his ear, we putting fire on
12 him and tied him up. It's a -- the Kamajor to tie somebody up is
13 to tabbay him. Tied him.

14 MR TAVENER:

12:34:33 15 Q. Did anything happen after he had been tied up?

16 A. Yes, My Lord. An old, frail looking old woman was
17 screaming and she said the man was her son and they said she was
18 cooking for the juntas.

19 Q. Who said she was cooking for the junta?

12:35:06 20 A. Kamoh Lahai Bangura who led me. And the woman, the old
21 woman was chopped.

22 Q. Who chopped the woman?

23 A. We were many but it was done by one amongst us.

24 Q. What happened to her as a result of being chopped?

12:36:03 25 A. When she was chopped, we left her naked as she was born.

26 Q. Did you do anything else at that village?

27 A. Yes, My Lord. We took petrol along, about two gallons, and
28 set ablaze their compound. We took the old woman and threw into
29 the fire. That's where she died.

1 Q. You mentioned Pipor village. Did you go there?

2 A. Yes, I went to Pipor village, but, My Lord, I have not
3 finished with Joseph Lansana yet.

4 Q. What happened to Joseph Lansana?

12:37:25 5 A. At that time we have tied Joseph Lansana and he was lying
6 down. And he was pleading that, "Please, don't kill me. You've
7 burnt my house, you've killed my mother." So he said Kamoh Lahai
8 Bangura should think about the relationship that they've had
9 before. So now that we've killed the mother we should let go of
12:37:54 10 him. So at the moment Joseph Lansana is in the village as I'm
11 speaking.

12 Q. [Microphone not activated]

13 THE INTERPRETER: Microphone.

14 PRESIDING JUDGE: Please, Mr Tavener, just hold on. Before
12:38:46 15 we make a further excursion to Pipor village, we would want to
16 stop here and to continue with his evidence at 3.00. Continue
17 with his evidence at 3.00. The Chamber will adjourn and resume
18 sitting at 3.00, thank you.

19 [Luncheon recess taken at 12.37 p.m.]

15:09:10 20 [Upon resuming at 3.07 p.m.]

21 PRESIDING JUDGE: Learned counsel, good afternoon, we are
22 resuming the session. Good afternoon, Mr Witness.

23 THE WITNESS: Good afternoon, sir.

24 PRESIDING JUDGE: Good. How are you?

15:10:37 25 THE WITNESS: Fine; very well.

26 MR YILLAH: Yes, My Lord, sorry to interrupt. Just to have
27 a smooth process, I thought it wise at this stage to ask that
28 Your Lordships order or put the witness and victim support unit
29 on notice now about the list of expenditure on this witness so

1 that we do not have delays when it comes to our own portion -- if
2 Your Lordship so desires.

3 PRESIDING JUDGE: But you should have done that earlier on.
4 Did you put them on notice about this, because it is a long time
15:11:14 5 you have abandoned this line of action? So we did not bother
6 about that.

7 MR YILLAH: I thought I could apply Your Lordship to put
8 them on notice. It is not now, My Lord, so we may have a smooth
9 flow of the process.

10 JUDGE BOUTET: But we have a standing order that they shall
11 do that in every case. I do not see why we should renew that
12 every time.

13 PRESIDING JUDGE: You better tell them because --

14 JUDGE BOUTET: The other is still applicable. We can go
15:11:38 15 ahead, Mr Yillah.

16 MR YILLAH: I accept the point.

17 PRESIDING JUDGE: Mr Tavener, please, you may proceed.

18 MR TAVENER: Thank you, Your Honour.

19 Q. Before the break we were speaking about Pipor village as
15:11:54 20 one of the villages that you went to. Why did you go to that
21 village?

22 PRESIDING JUDGE: What is the spelling of that?

23 MR TAVENER: P-I-P-O-R.

24 PRESIDING JUDGE: P-I-P-O-R?

15:12:00 25 THE WITNESS: Yes, sir.

26 PRESIDING JUDGE: You went there on orders?

27 A. Yes, My Lord.

28 MR TAVENER:

29 Q. By whose orders did you go to that village?

1 A. It was Chief Sam Hinga Norman.

2 Q. What was the order Chief Norman gave to you about that

3 village?

4 A. Well, he called me, my second in command, who was late

15:12:53 5 Mustafa Ngobea, brought information to him that --

6 PRESIDING JUDGE: He called you and your second in command.

7 A. Well, he called me, my second in command, Mustafa Ngobea,

8 brought information that --

9 PRESIDING JUDGE: Wait. You told him that --

15:13:26 10 THE WITNESS: That he had that information that the

11 collaborators were at Pipor village. They had given them zinc to

12 roof their houses.

13 PRESIDING JUDGE: In this Pipor village?

14 THE WITNESS: Yes, My Lord.

15:13:49 15 MR TAVENER:

16 Q. And did you go to that village?

17 A. Yes, My Lord.

18 Q. You went there with other Kamajors?

19 A. Yes, My Lord.

15:14:03 20 Q. What did you do there?

21 A. When we went there, Mr Mustafa Ngobea and others --

22 PRESIDING JUDGE: Hold on please.

23 THE WITNESS: We got to the village. We asked them to tell

24 us who gave them the zinc.

15:15:08 25 PRESIDING JUDGE: Did you see the zinc?

26 THE WITNESS: Yes, My Lord. They had roofed one house

27 already -- one Mamuna Cleveland's house.

28 PRESIDING JUDGE: Whose house?

29 THE WITNESS: Mamuna Cleveland. So we told them this zinc

1 was given to them by RF. So we had this information that we had.
2 We unroofed the house; we took some zinc that had not been roof
3 set and we gathered everything and we took it all away.

4 MR TAVENER:

15:17:03 5 Q. Can you explain what you mean by "zinc"? Can you elaborate
6 on what you mean by "zinc"?

7 A. These are the things that you take to roof houses in Sierra
8 Leone here.

9 PRESIDING JUDGE: Mr Tavener, you don't use zinc in your
15:17:29 10 country?

11 MR TAVENER: We do, Your Honour. I just want to make sure
12 we talking about the same zinc.

13 PRESIDING JUDGE: I wonder how the zinc in your country
14 withstands the cold.

15:17:50 15 MR TAVENER: I might not ever know.

16 PRESIDING JUDGE: Go ahead.

17 MR TAVENER: Thank you.

18 Q. You said that you went to Baoma village. What happened
19 there?

15:17:55 20 A. Baoma village, Baoma Kpenge.

21 PRESIDING JUDGE: To Baoma?

22 THE WITNESS: B-A-O-M-A, Baoma. K-P-E-N-G-E, Kpenge. We
23 went to Baoma Kpenge on the order of Chief Norman and Moinina
24 Fofana. Fofana and Chief Norman told me that they had
15:18:59 25 information from one Junisa, who was the Kamajor, who was based
26 in that area. That is the trade fair that was in Baoma --
27 rebels, collaborators at Baoma, Baoma village --

28 PRESIDING JUDGE: Rebels, collaborators --

29 THE WITNESS: And sympathisers -- had been infiltrating in

1 that fair market, which was very dangerous for our base. So,
2 therefore, as you take few Kamajors and Junisa Korneh [phon] they
3 would be able to identify the collaborators and the sympathisers.
4 I took a few Kamajors and went and joined Junisa.

15:21:31 5 PRESIDING JUDGE: How many?

6 THE WITNESS: I took five Kamajors and joined Junisa Korneh
7 at Baoma on the day the trade fair was taking place, which was
8 Monday. We made a gate and people started coming to pass to go
9 to the trade fair at Baoma. So we saw a Fullah on a Honda, on a
10 bicycle. Behind his bicycle he had four cartons of cigarettes.
11 When we have been reached the gates Junisa Korneh identified him
12 as a rebel. He said he knew him; he was a co-collaborator. We
13 apprehended him; we took him behind a school building; we killed
14 him.

15:24:46 15 PRESIDING JUDGE: How did you kill him?

16 THE WITNESS: We took the four cartons of cigarettes to
17 Basil. He was shot.

18 MR TAVENER: Thank you.

19 Q. Whilst you were at Base Zero did you know of, or hear of, a
15:25:25 20 person called Mustapha Fallon?

21 A. Yes, My Lord. I knew he was called Mustapha Fallon. I
22 came to know him the time that we were in the Pipor bush.

23 PRESIDING JUDGE: Mustapha whom?

24 THE WITNESS: Fallon.

15:25:52 25 [Microphone not activated]

26 THE WITNESS: Yes, I knew him when we were in the Pipor
27 bush.

28 MR TAVENER:

29 Q. Did anything happen to Mustapha Fallon?

1 A. Yes, My Lord.

2 Q. What happened to him?

3 A. Well, we killed him.

4 Q. When you say, "We killed him", who killed him?

15:26:37 5 A. Dr Allieu Kondewa and Chief Hinga Norman and Moinina
6 Fofana; all were there.

7 Q. How was he killed?

8 A. They laid him and they cut off his throat. There was one
9 guard whose mouth was cut.

15:27:08 10 PRESIDING JUDGE: Wait, wait, wait. Yes, how was he
11 killed?

12 THE WITNESS: Yes, My Lord. We laid him and we cut off his
13 throat.

14 MR TAVENER:

15:27:48 15 Q. Where did that take place?

16 A. In the Poro Bush when we were at Talia Yawbeko, known as
17 Base Zero.

18 PRESIDING JUDGE: Poro Bush?

19 THE WITNESS: That is another male society.

15:28:12 20 PRESIDING JUDGE: Can you try to spell it?

21 THE WITNESS: P-O-R-O.

22 PRESIDING JUDGE: Near Talia --

23 THE WITNESS: Near Talia, as you approach the town.

24 MR TAVENER:

15:28:45 25 Q. How far from the barri -- port barri -- were you when this
26 man was killed?

27 A. About 30 yards.

28 MR TAVENER:

29 Q. I should have asked you, sorry -- were you present when

1 this man was killed?

2 A. I was there; I was standing there.

3 Q. Do you know why he was killed?

4 A. Very, very, very well.

15:29:33 5 Q. Why was he killed?

6 A. Allieu Kondewa said that we needed human sacrifice.

7 PRESIDING JUDGE: Wait, wait, wait.

8 THE WITNESS: So as to protect the fighters.

9 PRESIDING JUDGE: So as to protect the fighters?

15:30:23 10 THE WITNESS: So as to make them invisible. And we would
11 have arranged the charm, so as to capture Koribundu, because we
12 had attempted to go to Koribundu many times.

13 MR TAVENER:

14 Q. Was Mustapha Fallon a Kamajor?

15:31:20 15 A. Yes, My Lord. He was a Kamajor from Kati [phon] village of
16 Nongoba Bullom Chiefdom.

17 PRESIDING JUDGE: From which village?

18 THE WITNESS: Kati, Kati village.

19 MR TAVENER:

15:31:57 20 Q. How was Mustapha Fallon chosen or picked to be a sacrifice?

21 A. Well, the high priest -- Dr Allieu Kondewa -- said that the
22 spirit with which he was dealing with, they had chosen Mustapha
23 Fallon among the group as the sacrificial lamb. That was how
24 Mustapha Fallon was chosen.

15:33:28 25 MR TAVENER:

26 Q. Now, you have said that Hinga Norman, Allieu Kondewa and
27 Moinina Fofana were present at the time he was killed. Were you
28 also present?

29 A. Yes, My Lord. I was there; Chief Sam Hinga Norman was

1 there; Allieu Kondewa was there; Moinina Fofana was there.

2 Q. Was there anyone else there?

3 A. Yes, My Lord. Junisa was there; Gaima was there; Gibrilla
4 was there; Amara Sengay was there; then the two brothers of

15:34:09 5 Mustapha Fallon were there -- all of whom came from Kati.

6 Q. Did the brothers of Mustapha Fallon do anything?

7 A. Yes, My Lord.

8 Q. What did they do?

9 A. They went and pleaded with Kondewa and Chief Norman that it
15:35:16 10 was their brother. They said all of them came from the same
11 home. They said they would intervene on his behalf so that he
12 could be released. Kondewa said when his old spirits had laid
13 hands on somebody he would never be released.

14 Q. After Mustapha Fallon had his throat cut, what happened to
15:36:12 15 him, or to the body?

16 PRESIDING JUDGE: Please wait. Yes, Mr Tavener.

17 MR TAVENER: After Mustapha Fallon had his throat cut, what
18 happened to him, or to his body?

19 A. We took his parts. The other body -- the male body -- was
15:37:11 20 burnt to ash. The liver was cooked with some medicine, some
21 herbs, which Chief Allieu Kondewa brought out and mixed with it.
22 All of us ate that and we took an oath. We must not explain what
23 had happened, not even to the other Kamajors and Mustapha
24 Fallon's people at Kati. So, Chief said --

15:39:09 25 PRESIDING JUDGE: Wait, it is not complete here. You said
26 you ate and you took an oath and that anybody who goes and
27 explains it to the Kamajors, what has happened, and Mustapha
28 Fallon's people at Kati -- what happens, it is not complete
29 there.

1 THE WITNESS: They will kill him. So, the chief said and
2 he gave us a parable in Mende.

3 PRESIDING JUDGE: Which chief?

4 THE WITNESS: Chief Hinga Norman. He gave us the parable
15:40:21 5 in Mende saying, "[Mende spoken]".

6 PRESIDING JUDGE: Meaning what?

7 THE WITNESS: There is one fish in Mende called bulewa
8 [phon]. When it wants to cut its younger ones it will shake the
9 water so that it will have the opportunity of swallowing the
15:40:59 10 little ones. It will catch all of the little ones so the others
11 will not see it.

12 MR MARGAI: That is muddying the water.

13 THE WITNESS: So they told us all that if they asked for
14 Mustapha Fallon let us tell them that he had been killed at
15:42:05 15 Koribundu. Junisa left at once and went and told his people at
16 Kati that, "Well, your son has been killed at Koribundu."

17 MR TAVENER: Thank you.

18 Q. Whilst you were at Base Zero, did you know a person called
19 --

15:43:10 20 PRESIDING JUDGE: Junisa reported to the people at Kati?

21 THE WITNESS: At Kati village.

22 PRESIDING JUDGE: That Mustapha Fallon --

23 THE WITNESS: That Mustapha Fallon has been killed at
24 Koribundu.

15:43:29 25 MR TAVENER:

26 Q. You mentioned that Mustapha's brothers were present. What
27 about them; what happened to them?

28 A. The two brothers -- Momoh Rogers and Sheku Massaquoi.

29 PRESIDING JUDGE: Their names?

1 THE WITNESS: Momoh Rogers and Sheku Massaquoi. Chief
2 Hinga Norman and Moinina Fofana and --

3 INTERPRETER: Your Honours, will the witness please go a
4 little bit slower? Your Honours, the interpreter cannot do his
15:44:28 5 work because it is a little bit fast.

6 JUDGE BOUTET: Mr Witness, can you please slow down? You
7 have to repeat your last two answers.

8 THE WITNESS: Mustapha Rogers, Momoh Rogers and Sheku
9 Massaquoi -- chief Norman gave them 300,000 Leones. Told them to
15:45:14 10 have it so as not to explain how Mustapha Fallon died. In war
11 anything can happen. He said, "If you go and explain outside and
12 if somebody should cry, if that secret leaks, we will kill you
13 because you have nowhere to go. You cannot go to Bo. As long as
14 you are within the Kamajor zone I have the absolute power to get
15:46:35 15 you wherever you are."

16 MR TAVENER:

17 Q. Now, at Base Zero, did you know a man called of Alpha Dauda
18 -- D-A-U-D-A Kanu?

19 A. Alpha Dauda Kanu; he was a Kapra.

15:47:14 20 PRESIDING JUDGE: What was the name again?

21 THE WITNESS: Alpha Dauda Kanu -- a Kapra.

22 MR TAVENER:

23 Q. What happened to him?

24 A. Okay, we killed him at -- in an oil palm plantation when
15:47:56 25 going towards Mokusi.

26 Q. Who killed him?

27 A. Dr Allieu Kondewa, Hinga Norman, Moinina Fofana.

28 Q. How was he killed?

29 A. He was hacked to death, and we took off his skin.

1 Q. Were you present?

2 A. I was there. I just came from war front. See, I wanted to
3 get arms and ammunition to return. When I asked some war council
4 members and they said they are going to that [inaudible]. I

15:49:07 5 heard their voices, so I went there.

6 Q. What happened to Alpha Kanu's body?

7 A. They took some parts. They said they are going to make a
8 garment for Chief Hinga Norman and a walking stick.

9 PRESIDING JUDGE: Wait, wait. They pulled some parts and
15:49:58 10 said what?

11 THE WITNESS: They said that they are going to prepare a
12 garment and a walking stick for Chief Hinga Norman and a fan,
13 which is called a "controller", so as to use those things in
14 order to become very powerful.

15:51:10 15 MR TAVENER: Okay.

16 Q. Mr Nallo, did you have any authority over the Moyamba
17 district in late 1997?

18 A. Yes, My Lord; I was the one that was controlling all there.
19 I was the director of operations in Moyamba.

15:51:37 20 Q. Was there a chiefdom speaker in the Moyamba district at
21 that time? Was there more than one or was there --

22 A. Chiefdom speakers were all over, but the chiefdom speaker
23 that I knew of was the big chiefdom speaker at Ribbi, Bradford.

24 MR TAVENER:

15:52:14 25 Q. That is R-I-B-B-I. He was at Bradford?

26 A. Yes, My Lord.

27 PRESIDING JUDGE: What is the man again; what is the name?

28 THE WITNESS: I cannot remember his name.

29 PRESIDING JUDGE: But he was the speaker of what chiefdom?

1 THE WITNESS: Ribbi Chiefdom, Moyamba district.

2 MR TAVENER:

3 Q. Did anything happen to the Ribbi chiefdom speaker?

4 A. Yes, My Lord.

15:52:58 5 Q. What happened to him?

6 A. Well, I was performing one of my routines to check in the
7 front line, to know the position of the troops. So I went to
8 Moyamba. There I met my deputy -- Mustafa Ngobea. He said, "I
9 am just coming from the Ribbi area." He said, "Four days ago,
15:54:50 10 Abu Bawote -- the commander who was at that flank -- had killed
11 the chiefdom speaker. He had cut his hand. He have dried it and
12 he has put it on his neck as a necklace."

13 PRESIDING JUDGE: Sorry.

14 MR TAVENER: Perhaps we can go through that more slowly.

15:55:18 15 Q. What were you told?

16 A. Mustafa Ngobea said, "Abu Bawote -- B-A-W-O-T-E --

17 MR TAVENER:

18 Q. Stop there.

19 PRESIDING JUDGE: Told him --

15:55:45 20 THE WITNESS: Abu Bawote had killed the chiefdom speaker at
21 Ribbi chiefdom because he said --

22 PRESIDING JUDGE: Wait, wait. You mentioned Mustafa, where
23 does Mustafa stand in this? Is it that he heard --

24 THE WITNESS: Mustafa Ngobea and I met at Moyamba Town.

15:56:16 25 PRESIDING JUDGE: Yes.

26 THE WITNESS: Okay.

27 PRESIDING JUDGE: You said he was just returning from Ribbi
28 Chiefdom.

29 THE WITNESS: The chiefdom speaker of Ribbi died four days

1 ago. So, I went there because it was the front line.

2 PRESIDING JUDGE: To do what?

3 A. He said because he was a rebel collaborator.

4 PRESIDING JUDGE: And who was Abu Bawote?

15:57:21 5 THE WITNESS: He was he a commander in the area.

6 PRESIDING JUDGE: A Kamajor commander?

7 THE WITNESS: Yes, My Lord. I went and Abu Bawote at

8 Bradford, headquarter town of Ribbi Chiefdom. I met him with the

9 chiefdom speaker's hand that he had cut and that he made a

15:58:28 10 necklace and tied it around his neck as a chain.

11 MR TAVENER:

12 Q. Later did you see Abu Bawote anywhere else?

13 A. Yes. Abu Bawote went and met us at Base Zero. He still

14 had the necklace which he made out of the chiefdom speaker's hand

15:59:38 15 when we met at Base Zero.

16 Q. Did you speak to anybody at Base Zero concerning the

17 necklace?

18 A. Yes, My Lord. I left Abu Bawote at Bradford and I came to

19 Bradford. I made the report to Moinina Fofana and Chief Hinga

16:00:29 20 Norman about what had happened at the war front.

21 Q. And upon your making that report, did either of those men

22 say anything to you?

23 A. Yes, My Lord. Chief Hinga Norman says something. When he

24 asked about why he killed that man - the chiefdom speaker - and

16:01:10 25 said, "What was the answer that he gave to you?" And he answered

26 that the chiefdom speaker was a collaborator. And he said,

27 "Well, a collaborator deserves that." He said, "That was the

28 standing order. You know that was the standing order I passed

29 long ago."

1 Q. When you were at Base Zero did you know a person called
2 Charles Caulker, or is it the honourable Charles Caulker?

3 A. Yes, My Lord. He was a War Council member.

4 Q. Did he ever make a report to you about an incident in
16:02:36 5 Moyamba?

6 A. Yes, My Lord. But the incident that happened in Moyamba
7 was something that I was supposed to take an action by the
8 brigade commander in Moyamba. So when I went there and met the
9 chief and he gave me the same report.

16:03:17 10 Q. What was the report that you were told?

11 A. Well, the brigade commander called upon me. Moinina Fofana
12 was there. By then we have sent the War Council and the war
13 office in Bo to say that certain Kamajors were looting in Shenge
14 Kagboro Chiefdom. They move from Shenge and come to Bumpe
16:03:53 15 Chiefdom which is a Rotifunk area.

16 Q. Was anything done about that report?

17 A. Yes, My Lord. Under the order of Moinina Fofana we made
18 --we formed a team and went to Moyamba. When we reached Moyamba
19 we went to the district officer who was then Matthew Manna.

16:04:28 20 Q. Sorry, is that Matthew?

21 A. Matthew Manna. He was the district officer in Moyamba by
22 that time. We met him and said that we have come -- that the
23 brigade commander has asked the director of war and he has sent
24 me and I am the director of operations for the south. So we said
16:05:07 25 we've come to -- about the incident that is taking place.

26 Q. What happened?

27 A. When we went to the district office we told him about our
28 mission that we've come to cool down the incidents that were
29 happening in the Bumpe Chiefdom and the Shenge Chiefdom wherein

1 the Kamajors were looting and burning houses and killing people.

2 Q. And were you able to do that, to cool down the situation?

3 A. We were able to cool down the situation but the district
4 officer said that he will not involve himself -- he will not

16:06:39 5 involve himself because that these people have killed a women and
6 brought her to Moyamba and she got brought there and they had to
7 bury her. Then they took one four year baby and put him in fire
8 and he burnt there. When they apprehended them and put them in
9 jail they said Chief Sam Hinga Norman came in a helicopter and
16:06:59 10 came down to Moyamba and threatened them and they released the
11 people.

12 Q. Thank you. So you spoke to the district officer?

13 PRESIDING JUDGE: Please wait.

14 MR TAVENER:

16:08:21 15 Q. Just so I understand, you spoke to the district officer and
16 he told you about another incident where Hinga Norman came to his
17 town and released some people about the incident you just
18 described.

19 A. No, My Lord. What I said, when we went and reported to the
16:08:38 20 district officer - because we could not do anything without
21 reporting to the district officer - and reported our mission,
22 then he explained to us that what you've come to do -- he was
23 afraid that the people to whom we were going, they had killed a
24 woman and the child and they put in fire, a four year old child.
16:09:10 25 So after they've apprehended Pa Sam Kpaka, Sesay Betty, Sefu
26 Mengo [phon], Kanu Boy, Junisa Will and Donald Kani, they brought
27 them to Moyamba, the headquarter town of the Moyamba District.
28 Chief Hinga Norman, he flew in the helicopter and came down there
29 and released all those people. So the mission for which you've

1 come, we are really afraid of it.

2 PRESIDING JUDGE: That is what he said.

3 MR TAVENER:

4 Q. I'll leave that there now. If I might ask you about the
16:09:50 5 term Black December. Are you familiar with that term?

6 A. Yes, My Lord.

7 Q. Were you involved in the planning or the implementation of
8 the Black December operation?

9 A. Yes, My Lord, as a director of operations in Moyamba.

16:10:28 10 Q. When was the Black December operation implemented? When
11 was it put into place?

12 A. It was in the December moon - that was why we named in
13 Black December - 1997.

14 Q. And what was the object of the Black December operation?

16:10:52 15 A. It was to paralyse the AFRC/RUF fighters so that they could
16 not gain any movement. We were to block all major roads in the
17 country.

18 Q. Did any Kamajor make any announcement warning people of the
19 implementation of Black December?

16:11:23 20 A. Yes, My Lord.

21 Q. Who made the announcement?

22 A. Chief Hinga Norman made the announcement through the BBC
23 that he had declared Black December. No vehicle should ply the
24 major roads. Anybody who did that -- if you were a civilian,
16:12:00 25 after we've blocked the road and you said you will neglect this
26 you will be putting your life in danger.

27 Q. Besides the announcement on the radio was there any other
28 means used to communicate the implementation of Black December?

29 A. Yes, My Lord.

1 Q. And what means were they?

2 A. We used -- I used a Honda to go round.

3 Q. Where did you get that Honda?

4 A. We got the Honda from the Jiama Bongor Chiefdom from

16:13:18 5 Africare. We commandeer it and took it from there, from the

6 NGOs. That was done on an order.

7 PRESIDING JUDGE: [Microphone not activated]

8 THE WITNESS: Yes, My Lord.

9 PRESIDING JUDGE: The same one.

16:13:35 10 THE WITNESS: Yes, My Lord.

11 MR TAVENER:

12 Q. Were you authorised to commandeer property?

13 A. Yes, My Lord. We even commandeered one property and that

14 property is still now by -- with Moinina Fofana. It's at the

16:13:57 15 back of his house.

16 Q. Who authorised you to --

17 PRESIDING JUDGE: Please wait.

18 MR TAVENER: Sorry, Your Honour.

19 Q. Who authorised you to commandeer property?

16:14:56 20 A. It was Chief Hinga Norman.

21 Q. If I might now ask you some questions about Tongo. With

22 regards to Tongo, did you go there when the fighting was on?

23 A. The fight that was in Tongo, I did not get to Tongo but we

24 transported arms and ammunitions to Dodo.

16:15:56 25 PRESIDING JUDGE: Mr Tavener, what question was that?

26 MR TAVENER: I asked him did he go to Tongo when the

27 fighting was on.

28 PRESIDING JUDGE: And he said yes.

29 MR TAVENER: No.

1 Q. Perhaps if you could repeat that answer?

2 A. When the fight was on I did not reach Tongo. I stopped at
3 Dodo.

4 Q. Did you have a role in respect of Tongo? Did you do
16:16:29 5 something?

6 A. Yes, My Lord. Ammunitions were transported up to Dodo. I
7 helped my colleague Musa Junisa.

8 Q. Just coming back to the Black December operation briefly,
9 were you involved in sealing any of the roads or implementing any
16:17:11 10 road blocks?

11 A. Yes, My Lord.

12 Q. Did you receive any reports of incidents arising out of the
13 Black December operation?

14 A. Yes, My Lord.

16:17:44 15 Q. Can you recall any incidents arising out of the Black
16 December operation?

17 A. Yes, My Lord.

18 Q. What do you recall?

19 A. The Kamajors captured a good road transport -- government
16:18:13 20 road transport bus along the Kenema Road and burnt it down.

21 Q. Thank you. Where is your home town?

22 A. I am -- I was born in the Lugbu Chiefdom. Upper Saama,
23 Lugbu Chiefdom, Bo District. Lugbu, L-U-G-B-U.

24 PRESIDING JUDGE: In Bo District.

16:18:53 25 THE WITNESS: Yes, My Lord.

26 Q. Are you familiar with the town called Kpetewoma, spelt
27 K-E-P-T --

28 A. Kpetewoma Lugbu, yes, My Lord.

29 Q. That's K-P-E-T-E-W-A-M-A?

1 A. K-P-E-T-E-W-O-M-A.

2 PRESIDING JUDGE: We've seen that town before. We have

3 visited that town before.

4 MR TAVENER: That's correct.

16:19:33 5 PRESIDING JUDGE: And I think it's learned counsel's

6 Charles Margai who was our touristic guide to the town.

7 MR TAVENER: We thank him.

8 Q. Did you have any control over that particular town during

9 the course of the war?

16:19:54 10 A. Yes, My Lord. All that area was under my control.

11 Q. Are you familiar with a person called Joe Nunie, N-U-N-I-E?

12 A. Yes, My Lord.

13 Q. Was he a Kamajor?

14 A. He was a Kamajor.

16:20:22 15 PRESIDING JUDGE: Joe who?

16 THE WITNESS: Joe Nunie. General Joe Nunie.

17 PRESIDING JUDGE: He was a real general?

18 THE WITNESS: He was not a real general. General to do

19 bad.

16:20:48 20 MR TAVENER:

21 Q. Was Joe Nunie operating in that --

22 PRESIDING JUDGE: He was a general to do bad things? There

23 is a lot of humour in you.

24 MR TAVENER:

16:21:02 25 Q. Was Joe Nunie operating in Kpetewoma during the war?

26 A. Yes, My Lord.

27 Q. Did you have any dealings with him?

28 A. Yes, My Lord.

29 Q. What were the dealings that you had with General Joe Nunie?

1 A. Joe Nunie used to extort people for money.

2 Q. Did you try and do anything about that?

3 A. Yes, My Lord.

4 PRESIDING JUDGE: He used to take money from people. How
16:21:55 5 did he use to take the money from people?

6 THE WITNESS: They were business people. He would meet
7 them, attack them and then take away their money. That was how
8 he operated.

9 PRESIDING JUDGE: That's not extortion [inaudible].

16:22:17 10 THE WITNESS: He went to the farm houses and then take
11 chickens, poultry, people's poultry.

12 MR TAVENER:

13 Q. Did you do anything about that?

14 A. Yes, My Lord.

16:22:53 15 Q. What did you do?

16 A. I called him and said, "Joe Nunie, Lugbu is my home town".
17 I did not call him General. I did not call him General. I said,
18 "Kpetewoma Lugbu is my home. This is the place I was born. The
19 people here are my people. You know that I'm your leader here as
16:23:33 20 director of operations. You have been here. You are doing a lot
21 of bad to the people here. You have no good record." So I held
22 him and tied him.

23 Q. Did you report his activities to anyone?

24 A. Yes, My Lord. I reported the matter to Chief Hinga Norman.
16:24:22 25 Chief Norman didn't do anything. What I did by tying the Kamajor
26 was the wrong thing and he reprimanded me for that.

27 Q. Earlier on you spoke about general orders and specific
28 orders?

29 A. Yes, My Lord.

1 Q. Were you involved in the attacks on Bo and Koribundu?

2 A. Go over your question, please.

3 Q. Sorry. Firstly, were you involved in the attacks on

4 Koribundu and Bo?

16:25:17 5 PRESIDING JUDGE: First Koribundu.

6 MR TAVENER: First Koribundu.

7 PRESIDING JUDGE: Or Bo. Whichever you wish, Mr Tavener.

8 THE WITNESS: Yes, My Lord, I was involved in the Koribundu

9 attack. I arranged, I did all the planning and submitted to my

16:25:34 10 director of war. He submitted it to Chief Hinga Norman.

11 MR TAVENER:

12 Q. And were you also involved in the attack on Bo?

13 A. Yes, My Lord.

14 Q. Prior to the attacks on those two towns were you given any

16:25:55 15 specific orders by anyone?

16 A. Yes, My Lord.

17 Q. Who gave you the specific orders?

18 A. Chief Hinga Norman, the national coordinator of CDF. He

19 gave me the specific orders.

16:26:29 20 Q. Where were you when you were given these specific orders?

21 A. At Base Zero. Both of us entered his room.

22 Q. When you say "both of us" who do you mean?

23 A. Chief Hinga Norman and my very self sitting here Albert

24 Nallo. Both of us entered this room.

16:27:09 25 Q. Was there anyone else there when these orders were given?

26 A. Yes, My Lord. My director of war Moinina Fofana was there.

27 Q. Can you tell the Court what were the specific orders you

28 were given at that time?

29 A. Yes, My Lord. Hinga Norman told me that, "When you go down

1 to Bo the southern pharmacy should be looted and bring all the
2 medicines to me". He told me that when you get out of Bo you
3 should kill PC Veronica Bagni of Valunia Chiefdom, the home town
4 of -- chiefdom of Chief Hinga Norman.

16:28:15 5 PRESIDING JUDGE: Wait. He said you should loot the
6 southern pharmacy and do what?

7 THE WITNESS: Take all the medicines there and bring them
8 to him.

9 MR TAVENER:

16:28:41 10 Q. Now if we could take this slowly, slowly. Were you given
11 other orders?

12 A. Yes, My Lord.

13 PRESIDING JUDGE: [Overlapping speakers]

14 THE WITNESS: Base Zero, My Lord. He said that when I get
16:29:03 15 to Bo PC Veronica Bagni --

16 MR TAVENER: Perhaps --

17 PRESIDING JUDGE: Yes.

18 THE WITNESS: Are we talking of Bo or Koribundu?

19 PRESIDING JUDGE: We are talking of Bo. We are talking of
16:29:25 20 Bo.

21 THE WITNESS: Okay. Okay. He said when I get down to Bo
22 Paramount Chief Veronica Bagni of Valunia Chiefdom, where he
23 himself Hinga Norman come from, should be killed because that
24 woman was against our movement. She did not like any Kamajor
16:29:50 25 business at all.

26 PRESIDING JUDGE: Wait. He said you should kill who.

27 THE WITNESS: PC Veronica Bagni

28 PRESIDING JUDGE: Paramount chief?

29 THE WITNESS: Paramount Chief Veronica.

1 PRESIDING JUDGE: Bagni?

2 THE WITNESS: Bagni, B-A-G-N-I.

3 PRESIDING JUDGE: Because?

4 THE WITNESS: Because she was against the Kamajor movement.

16:30:25 5 She didn't like any Kamajor in her chiefdom. She did not like
6 any Kamajors so they couldn't pull. He said I should also kill
7 JK Boima. But he was lucky he had died before that time, so he
8 was lucky.

9 PRESIDING JUDGE: JK?

16:31:13 10 THE WITNESS: Joe Kpundoh Boima III. Paramount chief of Bo
11 Kakua.

12 MR TAVENER: That's K-P-U-N-D-O-H B-O-I-M-A.

13 Q. Anyone else?

14 A. Yes, My Lord. I was to kill Tuma Alias [phon], chairlady
16:31:41 15 of Bo Town council, because she used to collect the market dues.

16 PRESIDING JUDGE: Who? Chair?

17 THE WITNESS: Madam Tuma Alias.

18 PRESIDING JUDGE: Who used to collect market dues.

19 THE WITNESS: Yes, when she collected it she gave the money
16:32:11 20 to the juntas. Therefore she was a collaborator. I was to kill
21 Lansana Koroma who was there as provincial secretary and the DO
22 because they failed to stop to work. They failed to work under
23 the junta, therefore they were collaborators. Lansana Koroma
24 provincial secretary.

16:33:12 25 PRESIDING JUDGE: Is it that they worked or they failed to
26 work?

27 THE WITNESS: When they were working during the junta time
28 they could not stop so therefore they were collaborators.

29 PRESIDING JUDGE: You said Lansana Koroma was what?

1 THE WITNESS: He was the provincial secretary. PS, he is
2 now at Kenema.

3 PRESIDING JUDGE: And the DO.

4 THE WITNESS: Yes, My Lord. Dr MB Sesay should be killed
16:34:04 5 because he used to give money to the juntas and he prepared the
6 ronko which the juntas wore and so we could not distinguish
7 between the juntas and the Kamajors. The ronko which we used to
8 wear --

9 PRESIDING JUDGE: MB Sesay, because he used to give money
16:34:30 10 to the --

11 THE WITNESS: The juntas and he went in and out to get the
12 ronko which he gave to the juntas. We had the same attire so it
13 was difficult to distinguish between us. That we should loot his
14 property and in fact burn his house.

16:35:46 15 MR TAVENER:

16 Q. Anyone else?

17 A. Yes, My Lord. Ali Fataba. He too was to be killed, burn
18 his houses, because he too was a collaborator.

19 PRESIDING JUDGE: Fataba?

16:36:09 20 THE WITNESS: Ali Fataba. Yes, My Lord.

21 MR TAVENER:

22 Q. F-A-T-A-B-A?

23 PRESIDING JUDGE: And he said you should burn his house or
24 so?

16:36:22 25 THE WITNESS: Yes, My Lord, which we did.

26 MR TAVENER:

27 Q. Anyone else?

28 A. Yes, My Lord. Ali Jabu [phon]. He had a petrol station.
29 He used to supply petrol to the juntas. He too -- his houses too

1 were to be burnt and loot his property as well and kill him
2 again.

3 PRESIDING JUDGE: So he used to supply what to the junta?

4 THE WITNESS: Petrol. Petrol. Fuel. We were to kill
16:37:33 5 Cecil Hanciles. The Honourable Cecil Hanciles because he was a
6 PRO, he used to liaise between the civilians and the juntas.

7 PRESIDING JUDGE: He was a PRO who used to do what? To be
8 the link?

9 THE WITNESS: Yes, between the juntas and the civilians.
16:38:00 10 He used to talk on behalf of the civilians.

11 JUDGE THOMPSON: Mr Witness, those allegations, were they
12 part of the instructions from Hinga Norman or are they
13 allegations that you are putting forward as part of your
14 evidence?

16:38:21 15 THE WITNESS: These were specific instructions given by
16 Hinga Norman.

17 JUDGE THOMPSON: Right, because it's important for me to
18 know whether those were allegations embodied in the instructions
19 from Norman or whether they are your own appraisal of the
16:38:38 20 situation. I mean, you've said they were specific instructions.

21 THE WITNESS: No, My Lord.

22 JUDGE THOMPSON: It's very important for me. Specific
23 instructions.

24 THE WITNESS: Specific instructions that I was to carry
16:38:55 25 out. By all means I was to do them.

26 JUDGE THOMPSON: All right.

27 MR TAVENER:

28 Q. And when you were given those instructions for instance,
29 you said that --

1 PRESIDING JUDGE: Is the enumeration over?

2 MR TAVENER: Almost. I just want to clarify one point.

3 Q. When you spoke about Ali Fataba, he was a businessman. You
4 said he had given money to the rebels or financed the rebels; is
16:39:28 5 that correct?

6 A. Yes, My Lord.

7 Q. Were you told by Hinga Norman the reason why he was to be
8 killed was because he gave money to the rebels?

9 A. Yes. Yes, My Lord. That he was a collaborator.

16:39:46 10 JUDGE THOMPSON: That applies to every other allegation in
11 the instruction, because it's important to know whether these
12 were part of the instructions.

13 THE WITNESS: These were part of the specific instruction.
14 Those are the things that I'm dealing with presently.

16:40:05 15 JUDGE THOMPSON: Thank you, Mr Witness. You've clarified
16 my point.

17 THE WITNESS: I'm not yet finished. Okay.

18 MR TAVENER:

19 Q. Yes, go on.

16:40:16 20 A. Brima Tolli [phon] -- he has a house at Shenge. Chief
21 Norman said that he too was a collaborator because that was the
22 place where the juntas used to keep time and ate there. We were
23 to burn his house, loot his property there. And if seen he
24 should be killed also.

16:40:59 25 Q. In respect of Koribundu, were you given similar
26 instructions?

27 PRESIDING JUDGE: Is he through his enumeration?

28 THE WITNESS: Yes, My Lord, but I'm not yet finished with
29 the specific instruction given to me for Bo.

1 PRESIDING JUDGE: Can you continue?

2 THE WITNESS: Yes, My Lord. The police officers who used
3 to work under the AFRC junta, they were all to be killed.

4 MR TAVENER:

16:41:55 5 Q. Were you told why?

6 A. Yes, My Lord.

7 Q. Who told you?

8 A. It was Chief Hinga Norman because he felt they were to have
9 stopped working under the junta.

16:42:27 10 Q. Sorry, could you say that again?

11 A. Because the police officers failed to work -- the police
12 officers refused to work during the juntas.

13 JUDGE THOMPSON: [Overlapping speakers] the translation is
14 wrong.

16:42:51 15 THE WITNESS: They refused to stop -- to work for the
16 juntas. They did not stop working under the junta. They
17 continued to work for the juntas, so they are collaborators.

18 MR TAVENER:

19 Q. Did you carry out those orders?

16:43:11 20 A. Yes, My Lord. I carried out the orders, but not fully
21 because most of them, I did not see most of them. [Inaudible]
22 the burning of their houses and looting of their properties.

23 Q. Sorry, did you say you didn't see them? I didn't
24 understand?

16:43:40 25 A. I did not see them. They hid. If I had seen them I should
26 have killed them because the law that bound me was that -- that
27 given to the national coordinator [inaudible]. If I did not do
28 that they will either cut off your ear or they kill you. So when
29 I was not able to kill them, that was why I spearheaded the

1 burning of their houses and the looting of their properties.

2 Q. Does that complete Bo?

3 A. Yes, My Lord.

4 Q. Thank you. Were you given any instructions in respect of
16:44:35 5 Koribundu?

6 A. Yes, My Lord.

7 PRESIDING JUDGE: Are you saying that the whole list of men
8 you gave here -- that all of them were in hiding? You didn't see
9 one of them so you only burnt their houses? Is that what you're
16:44:56 10 saying, Mr Witness? You have enumerated a whole list of names.

11 Do this, go kill him, burn his property or, rather, loot his
12 property, burn his house. Are you suggesting -- are you saying
13 that you didn't kill anybody [overlapping speakers].

14 THE WITNESS: Those that were on the list that was given to
16:45:20 15 me, the specific instructions, I was not able to see them because
16 by the time we entered there --

17 PRESIDING JUDGE: Wait, wait.

18 THE WITNESS: Okay.

19 JUDGE BOUTET: That applies to the police as well?

16:45:38 20 THE WITNESS: No, the police, we killed them. Those that
21 we were able to see, we killed them.

22 MR TAVENER:

23 Q. And were you given specific instructions or orders in
24 respect of Koribundu?

16:46:39 25 A. Yes, My Lord.

26 Q. And was that the same time you were given orders in regard
27 to Bo?

28 A. Yes, My Lord. The same time they give me the orders for Bo
29 was the same time they gave me the orders for Koribundu.

1 Q. And what orders were you given in respect of Koribundu?

2 A. Well, Koribundu, Chief Norman called me and said, "Well, we
3 have attacked Koribundu many times, we are not able to capture
4 it. The root cause of that was because the civilians that were

16:47:11 5 in Koribundu who had given their children to the juntas in
6 marriage. So they were spies and collaborators. So when I go
7 down to Koribundu, let me see that nobody should be left, not
8 even a farm. All houses should be burned." Petrol was given for
9 that operation.

16:48:10 10 Q. Were any specific --

11 PRESIDING JUDGE: Just wait.

12 MR TAVENER: Sorry, Your Honour.

13 PRESIDING JUDGE: So the instructions were that everything
14 should be burnt down.

16:48:50 15 THE WITNESS: Yes, My Lord. We should burn all the houses
16 in Koribundu. I should not even leave a fowl or the people.
17 They were spies. They had given their children in marriage to
18 the juntas.

19 MR TAVENER:

16:48:56 20 Q. You were given a list -- Sorry.

21 PRESIDING JUDGE: And to kill even the fowls? Everything?

22 THE WITNESS: Yes, My Lord. He said, "Even the fowls, you
23 should not leave anything." Anybody that was met there should be
24 killed. They were all collaborators.

16:49:39 25 MR TAVENER:

26 Q. Were any specific names mentioned?

27 A. Yes, My Lord.

28 Q. Who were they?

29 A. Shekou Gbao, the driver. We should kill him and burn his

1 compound because he was the one that was giving his vehicle to
2 the AFRC junta when they had been travelling. So they took their
3 vehicles to go and attack us.

4 Q. When you took Koribundu, did anything happen to Shekou
16:50:49 5 Gbao's house or life?

6 A. We burnt his compound. We burnt his compound. We did not
7 see him. We saw him in Bo, but by the time ECOMOG was there. So
8 when I saw him he went to ECOMOG and surrendered himself. There
9 he was.

16:50:53 10 Q. Anyone else in Koribundu?

11 A. Yes, My Lord. Mike Lamin, RUF, his father's house should
12 be burnt. We burnt it. Chief said it should be burnt. As his
13 own house was burning, children's houses, his house should be
14 burnt also.

16:51:49 15 Q. Anyone else?

16 A. Yes, My Lord. One Mr Biyo. He was also a driver. Norman
17 give directives that we should burn his compound and we did burn
18 it.

19 Q. Thank you.

16:52:02 20 MR TAVENER: Your Honours, I am moving now to the attack on
21 Koribundu. I don't know whether you wish to have a break at this
22 stage for a short while?

23 PRESIDING JUDGE: You just picked the words from my mouth,
24 because before we go into details of the attack on Koribundu, it
16:52:49 25 was necessary that at least we pause for a while. The Court will
26 recess for a few minutes, please.

27 [Break taken at 4.51 p.m.]

28 [Upon resuming at 5.16 p.m.]

29 PRESIDING JUDGE: We are resuming the session. Mr Tavener,

1 do we have chances of wrapping up by 6.00.

2 MR TAVENER: No, Your Honour. What I would suggest is if I
3 complete Koribundu and Bo and then tomorrow I will have one or
4 two other areas. I will take about another hour or so tomorrow.

17:19:17 5 PRESIDING JUDGE: About an hour?

6 MR TAVENER: Tomorrow, yes.

7 PRESIDING JUDGE: Then we can start cross-examination
8 tomorrow?

9 MR TAVENER: That's correct.

17:19:25 10 PRESIDING JUDGE: It will be nice for the Defence teams to
11 know this. Mr Margai, yes?

12 MR MARGAI: Yes, My Lords, my only request, which I regret
13 making but I have to, is that Your Lordships grant me the
14 dispensation of not cross-examining tomorrow, but on Monday,
17:19:52 15 because I will be tied up in the national courts tomorrow. I
16 regret that very much, but I personally would want to conduct the
17 cross-examination of this witness. As Your Lordships would
18 appreciate, a lot has been said, he is a very, very important
19 witness both to the Prosecution and to the Defence. And in the
17:20:16 20 pursuit of justice I would crave Your Lordships' indulgence that
21 I cross-examine on Monday morning.

22 [Trial Chamber conferred]

23 PRESIDING JUDGE: Well, on learned counsel Margai's
24 application, we observe that this is not a typically Moyamba
17:22:36 25 based witness. And so maybe to meet up with his application we
26 will take the normal rounds: Cross-examination by the first
27 accused, then the second accused, then we see where we go from
28 there.

29 MR MARGAI: As My Lord pleases.

1 PRESIDING JUDGE: Mr Tavener, you may continue, please.
2 MR TAVENER: Thank you.
3 Q. Mr Nallo --
4 PRESIDING JUDGE: Mr Witness, how are you, are you all
17:23:16 5 right?
6 THE WITNESS: I'm very well. I'm very fine, faring well.
7 PRESIDING JUDGE: Good. And you're strong?
8 THE WITNESS: I was a warrior.
9 PRESIDING JUDGE: All right, okay.
17:23:31 10 MR TAVENER: Thank you.
11 Q. Mr Nallo, you spoke about there being a number of attacks
12 on Koribundu?
13 A. Yes, My Lord.
14 Q. Eventually there was a successful attack on Koribundu; is
17:23:54 15 that correct?
16 A. Yes, My Lord.
17 PRESIDING JUDGE: A number of aborted attacks on Koribundu.
18 MR TAVENER:
19 Q. Do you recall when the successful attack on Koribundu
17:24:07 20 occurred?
21 A. Yes, My Lord. It was on Saturday. Saturday, February,
22 between February and March.
23 Q. What was your role --
24 PRESIDING JUDGE: What year?
17:24:39 25 THE WITNESS: In 1998.
26 MR TAVENER:
27 Q. What was your role in that attack?
28 A. When I went there as Director of Operations with specific
29 instructions that were in my hands to carry out, to see that what

1 the National Coordinator had said, we should be able to do that.

2 Q. When you attacked Koribundu did you have other Kamajors
3 with you?

4 A. Yes, up to 700.

17:25:38 5 Q. Were there other commanders involved in that attack?

6 A. Yes, My Lord. Some commanders came from Pujehun, you have
7 some from Bonthe District and Bo District.

8 Q. When you successfully attacked Koribundu - that means the
9 rebels left - what happened?

17:26:04 10 A. We burnt the place. Then one of my commanders by the name
11 of CO Lamin, when he was making up a mopping up operation, he
12 went along Koribundu Road. That is Gbaima village in the Wunde
13 Chiefdom --

14 PRESIDING JUDGE: Wait, wait. The question that was put to
17:26:55 15 you was -- in fact, it was a suggestion, because you hadn't even
16 said that when you attacked the juntas ran away. That was
17 Mr Tavener's intervention. Well, what you said was the junta --
18 or the question that was put to you was what happened after your
19 attack and after the junta had escaped, had taken to their hills?

17:27:28 20 THE WITNESS: We took over Koribundu.

21 MR TAVENER:

22 Q. How long did you stay there?

23 A. We are there throughout. The only thing was that I stayed
24 there for one day. The other day I moved to Bo on the
17:27:56 25 instruction of Chief Hinga Norman.

26 Q. In the day that you were there what did you see?

27 A. We burnt houses. Then we captured some -- some two
28 soldiers.

29 Q. What did you do with those soldiers?

1 A. Well, they were with us up to when ECOMOG entered Bo. That
2 was the time that one sergeant commander went to ECOMOG and said
3 that we had soldiers that we had captured. There was a man that
4 was called commander. So the ECOMOG soldier prevailed on me and
17:28:57 5 he harassed me. So I handed over the soldiers that we captured.

6 Q. Okay, stop there. You said that you received orders from
7 Chief Hinga Norman when you were in Koribundu. How did you
8 receive those orders?

9 A. He sent somebody.

17:30:00 10 Q. What were the orders?

11 A. He said I should move to Bo immediately. He said Bo was
12 not under control presently and the rebels are still around. He
13 said I should go and take over control of my deputy, Mustafa
14 Ngobea. There was looting going on in Bo and he had said that
17:30:25 15 looting should go on, but he did not say --

16 PRESIDING JUDGE: He said he had authorised looting but he
17 did not say what?

18 THE WITNESS: He said we should only loot when we had
19 captured the town. He said but if a Kamajor loots he would not
17:31:05 20 hold the ground, he would go on to loot a property. So he said
21 looting should stop until we have captured the town.

22 MR TAVENER:

23 Q. You mentioned your deputy, Mustafa Ngobea?

24 A. Yes, My Lord.

17:31:42 25 Q. Was he involved in the attack on Bo?

26 A. Yes, My Lord.

27 Q. Was he supposed to lead the attack on Bo?

28 A. No, My Lord. It was a personality conflict that made him
29 to go to Bo. The time when I captured Koribundu, I went -- when

1 I captured Koribundu, I put it under control. That was the time
2 that I was supposed to go to Bo, to lead them to Bo.

3 Q. Did you go to Bo?

4 A. Yes, My Lord.

17:32:42 5 Q. Did you go by yourself or with others?

6 A. Both of us went. Both of us went by bike. One Sheku
7 Mansaray.

8 Q. By which road did you go into Bo?

9 A. Koribundu Road, that's Bo-Puje [sic] Highway, Shellmingo
17:33:34 10 end.

11 Q. What did you do in Bo?

12 A. When I went to Bo the instruction -- when I went to Bo I
13 started executing the functions that were given to me, and I made
14 sure that we should hold the ground because the enemies were
17:34:00 15 there.

16 Q. Were you able to take control of the Kamajors that were
17 already in Bo?

18 A. Yes, My Lord, I took over control from the deputy that I
19 met there.

17:34:44 20 PRESIDING JUDGE: Let's have the name again, the deputy.

21 THE WITNESS: Mustafa Ngobea.

22 MR TAVENER:

23 Q. When you were in Bo was there a Kamajor there by the name
24 of Borbor Tucker?

17:35:10 25 A. Yes, My Lord.

26 Q. Did he bring anyone or anything to you?

27 PRESIDING JUDGE: Spell that.

28 MR TAVENER: B-O-R-B-O-R.

29 THE WITNESS: B-O-R-B-O-R. Yes, My Lord.

1 PRESIDING JUDGE: Did he do what?

2 MR TAVENER: Did he bring anyone or anything to the
3 witness.

4 THE WITNESS: He brought a surrendered soldier to me by the
17:35:47 5 name of John Hota.

6 PRESIDING JUDGE: By the name of?

7 THE WITNESS: John Hota.

8 MR TAVENER: H-O-T-A.

9 THE WITNESS: Hota, H-O-T-A.

17:36:26 10 MR TAVENER:

11 Q. Did you have any instructions -- you may have already
12 spoken about this, but did you have any instructions as to what
13 to do with a surrendered soldier?

14 A. Yes, My Lord. The instruction was that we did not have
17:36:49 15 food and house to keep surrendered soldiers, so we should kill
16 them when we capture them. Before I left Base Zero, those are
17 the instructions that I got from our National Coordinator, Chief
18 Sam Hinga Norman.

19 Q. Did you follow those instructions in regards to John Hota?

17:37:22 20 A. No, My Lord. My commander, Borbor Tucker, he bought that
21 surrendered soldier to me and he said he was his brother. In my
22 capacity as -- I did all in my capacity --

23 PRESIDING JUDGE: Just a minute. You say who brought him
24 to you and said it was a brother?

17:37:48 25 THE WITNESS: Borbor Tucker.

26 PRESIDING JUDGE: Said it was his brother?

27 THE WITNESS: Yes, My Lord. So he begged me. So he said
28 if I should give this man to go out the Kamajors that came from
29 the area, who came from the same chiefdom, they would know that

1 he was soldier, they would kill him. So he said -- he begged me
2 and he said I should do everything possible so that the chief
3 would know and so that he could talk on his behalf.

4 MR TAVENER:

17:39:09 5 Q. What did you do?

6 A. Well, I sent one of the Kamajors who was with me, Toku
7 [phon], to Chief Hinga Norman.

8 Q. Did you get a response to that message?

9 A. Yes, My Lord. The other day four Kamajors came from Base
17:39:36 10 Zero, Death Squad. Two Liberians who were Special Forces with
11 two of Death Squad, they came and met me.

12 Q. What happened when the Death Squad came to Bo?

13 A. When they came to Bo they met me and they said, "You sent a
14 message?", and I said, "Yes." "Chief said" -- at that time there
17:40:33 15 are over hundred Kamajors surround me. Chief said the orders
16 that he had given, there is no brother in the army. A monkey is
17 a monkey. What -- [Overlapping speakers]

18 PRESIDING JUDGE: Wait, wait, wait.

19 THE WITNESS: -- because your enemy is your enemy.

17:40:55 20 PRESIDING JUDGE: You say there were about how many
21 Kamajors surrounding you then?

22 THE WITNESS: Over hundred.

23 PRESIDING JUDGE: Says they told you that Chief Norman said
24 what?

17:41:28 25 THE WITNESS: Those that came from Base Zero, they said
26 Chief Norman said -- may I continue?

27 PRESIDING JUDGE: Yes.

28 THE WITNESS: They said Chief Norman said the order that he
29 had given that any collaborator or prisoner of war, if we capture

1 them, we don't have food for them and we did not have any lodging
2 place for them. And that that order still stood. It will not
3 bend and that even if they give us billion it should not bend.
4 There is no brother in the army.

17:42:30 5 MR TAVENER:

6 Q. What happened to John Hota?

7 A. So they killed John Hota.

8 Q. Who killed --

9 PRESIDING JUDGE: They, who?

17:42:45 10 THE WITNESS: The Kamajors that came from Base Zero. The
11 four Kamajors that came from Base Zero.

12 PRESIDING JUDGE: Were they Death Squad Kamajors?

13 THE WITNESS: Yes, My Lord. Yes, My Lord. Death Squad and
14 Special Squad, because there were two Liberian boys.

17:43:23 15 MR TAVENER:

16 Q. How was he killed?

17 A. They cut off his head and put in a white plastic. He said
18 that was the one that they came for.

19 Q. Before they cut off his head, had they done anything to
17:43:53 20 him?

21 A. It was -- they had been run after them. It was not only he
22 alone that was with me. He had a lot -- some other people that
23 were -- some others that were with him. They captured him. So
24 when they captured him two of them ran away. Where I was, I
17:44:25 25 stood looking at them.

26 Q. After Bo had been captured did Hinga Norman travel to Bo?

27 A. Yes, My Lord.

28 Q. When did he do that? How long after?

29 A. One week after the capture of Bo, that was the time that he

1 entered.

2 Q. Did Hinga Norman speak to you at that time?

3 A. Yes, My Lord.

4 Q. What did he say to you?

17:45:38 5 A. When I met him, I met him under a mango tree, sitting
6 under, and he told me that, "You were the one that sent a message
7 to me?", and I said, "Yes, My Lord." And he said, "Have you
8 forgotten the other order that I gave, which was a standing
9 order?"

17:46:02 10 Q. Yes?

11 A. I answered and said, "Yes, My Lord." And he said, "But
12 why? Why did you bypass the orders I gave you and send somebody
13 to me?"

14 Q. Yes?

17:46:55 15 A. He said, "I was the one that sent my boys, the Death Squad,
16 so as to come and finish away with John Hota for whom you sent a
17 particular message and the others and those that were in your
18 custody."

19 Q. Did he say anything else, Hinga Norman?

17:47:29 20 A. That is all that I can remember, which when he talked about
21 John Hota's case.

22 Q. Do you recall any large meeting of Kamajors in Bo?

23 A. Yes, My Lord.

24 Q. How long after Bo was retaken or captured from the rebels
17:48:06 25 did this meeting take place?

26 A. When he came we held the meeting the other day. The other
27 day we held the meeting. One week after the capture.

28 Q. When you say he came, who are you speaking about?

29 A. My National Coordinator, Chief Hinga Norman.

1 Q. Were you present at this meeting?

2 A. Yes, My Lord.

3 Q. Were there other Kamajors at this meeting?

4 A. Yes.

17:49:02 5 Q. How many Kamajors were there?

6 A. I was not able to count them.

7 Q. Were there civilians present at this meeting?

8 A. Yes, My Lord.

9 Q. What did Hinga Norman say at this meeting?

17:49:22 10 A. Well, Hinga Norman at that meeting, he addressed the people

11 saying that, "You complain that Kamajors have been killing,

12 Kamajors had burnt houses."

13 Q. Yes, did he say more?

14 A. Yes, My Lord. He said, "I like Kamajor. I love Kamajors

17:50:03 15 more than my own children. You should love Kamajors also. If

16 any Kamajor did anything to you you should not grumble about it."

17 Q. Did he say anything else?

18 A. Yes, My Lord. Yes, My Lord. He said, "Let the whole Bo

19 Township know that, have that in their ear. What all the

17:50:44 20 Kamajors have done to you, they said no Kamajor should be blamed,

21 you should blame me, Norman. I was the one that gave them

22 directives. Anything that the Kamajors did, it was I did." This

23 he said it. At that time my own brother that is seated there --

24 PRESIDING JUDGE: Wait. That they should blame him?

17:51:35 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: Not the Kamajors?

27 THE WITNESS: Not the Kamajors at all. My brother, Arrow

28 Bockarie, was in that meeting. It was a public meeting.

29 MR TAVENER: Thank you. There are two other areas which I

1 will intend to start tomorrow, if that is suitable to the Court.
2 That will take approximately one hour tomorrow morning. I am now
3 moving on to a different topic.

4 PRESIDING JUDGE: Is Arrow Bockarie your brother?

17:52:45 5 Mr Witness, is Arrow Bockarie your brother?

6 THE WITNESS: He's my brother Sierra Leonean and we're in
7 the same township.

8 PRESIDING JUDGE: "Arrow Bockarie is my brother Sierra
9 Leonean." Yes, Mr Tavener?

17:53:35 10 MR TAVENER: This might be an appropriate time.

11 PRESIDING JUDGE: This will be an appropriate time for us
12 to stop, okay. So you are moving to some other chapter tomorrow.

13 MR TAVENER: That's correct, yes, please.

14 PRESIDING JUDGE: Learned counsel, I think this is a
17:55:07 15 convenient point to stop. We will resume our session tomorrow at
16 9.30. The Court will rise, please.

17 [Whereupon the hearing adjourned at 5.53 p.m., to be reconvened
18 on Friday, the 11th day of March 2005, at 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

WITNESS: TF2-014 2

EXAMINED BY MR TAVENER 2