

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

WEDNESDAY, 10 NOVEMBER 2004
9.38 A.M.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Ms Sharelle Aitchison
Ms Chiara Galletti

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Joseph Kamara
Ms Adwoa Wiafe
Ms Bianca Suciu

For the Principal Defender:

Mr Ibrahim Yillah

For the Accused Sam Hinga Norman:

Mr John Wesley Hall
Ms Quincy Whitaker
Ms Claire da Silva

For the Accused Moinina Fofana:

Mr Arrow Bockarie
Mr Andrew Ianuzzi

For the Accused Allieu Kondewa:

Mr Yada Williams

1 [Wednesday, 10 November 2004]
2 [The accused not present]
3 [Open session]
4 [Upon commencing at 9.38 a.m.]
09:35:39 5 PRESIDING JUDGE: Good morning, learned counsel, we are
6 resuming our session. We will be calling on the
7 Prosecution to call its 24th witness, I suppose.
8 MR KAMARA: The 25th witness.
9 PRESIDING JUDGE: 25th, I'm sorry, 25th, yes.
09:36:09 10 MR KAMARA: Your Honours, the Prosecution seek to call witness
11 TF2-147. And, Your Honours, the Prosecution seek leave
12 of this Court to lead this witness in an open session,
13 without the basic protective measures.
14 PRESIDING JUDGE: I don't think the Defence would object to
09:36:38 15 that application. On the contrary, they should be
16 excitedly happy about it.
17 MR KAMARA: Very well, Your Honours. I did give my commitment
18 earlier on that we were moving towards opening sessions.
19 PRESIDING JUDGE: Good.
09:37:41 20 [The witness entered court]
21 WITNESS: JOHN EMMANUEL WILLIAM GARRICK sworn
22 MR KAMARA: The witness has sworn on the Bible, Your Honours.
23 EXAMINED BY MR KAMARA:
24 Q. Good morning, Mr Witness.
09:38:44 25 A. Good morning.
26 Q. I shall be leading you in this Court by asking you
27 questions to assist you present your evidence before this
28 Court. And I will admonish you to give your evidence
29 slowly and yet watch the pace of the Court, because

1 whatever you say is being taken down, and also for the
2 benefit of my learned friends on the other side. And try
3 to speak audibly enough, and keep your answers as direct
4 as possible. Will you give your full names to this
09:39:28 5 Court, Mr Witness?
6 A. John Emmanuel William Garrick.
7 Q. Mr Garrick, how old are you?
8 PRESIDING JUDGE: Now that the witness is here, let's have the
9 proper spelling of his name, please. I'm not sure what
09:40:00 10 we should be writing. Can you spell your name for us
11 please?
12 THE WITNESS: G-A-R-R-I-C-K.
13 PRESIDING JUDGE: Good, thank you.
14 MR KAMARA: Thank you, Mr Witness.
09:40:13 15 PRESIDING JUDGE: John Emmanuel William Garrick?
16 MR KAMARA: Yes, Your Honour.
17 Q. How old are you, Mr Witness?
18 A. 39 years old.
19 Q. Mr Garrick, will you tell this Court where you were born?
09:40:39 20 A. In Freetown.
21 Q. And the date?
22 A. 3rd June 1966.
23 Q. And where do you live, Mr Witness?
24 A. St Edward's compound, May Park, Kingtom.
09:41:07 25 Q. Mr Witness, will you tell this Court the level of
26 education that you attained?
27 A. Tertiary level with two Bachelors degree.
28 Q. You hold a double Bachelors. From what university did
29 you get the first degree?

1 A. St Paul's College in Liberia.
2 Q. What degree was awarded to you?
3 A. Bachelor of Arts in Philosophy.
4 Q. And in what year?
09:42:15 5 A. 1990.
6 PRESIDING JUDGE: 19 what?
7 MR KAMARA: 90.
8 Q. What about the second degree, what was it?
9 A. Bachelor of Divinity.
09:42:42 10 Q. And from what university?
11 A. The Urbanian University of Rome.
12 Q. Would you spell "Urbanian" for this Court?
13 A. U-R-B-A-N-I-A-N.
14 Q. And in what year did you obtain that second Bachelors?
09:43:05 15 A. 1994.
16 Q. 1994.
17 PRESIDING JUDGE: Let me get my notes right. Second degree in
18 what?
19 MR KAMARA: Bachelor in Divinity, Your Honour.
09:43:40 20 Q. Mr Garrick, what work do you do?
21 A. Presently I am one of the priests in charge of
22 St Edward's quasi-parish, and also the chaplain to
23 St Edward's Secondary School.
24 PRESIDING JUDGE: You're a reverend, Father?
09:44:03 25 THE WITNESS: Yes.
26 MR KAMARA: Thank you.
27 Q. And how long have you held this position?
28 A. Which position?
29 Q. As the reverend father for the St Edward's Parish?

1 A. Well --

2 PRESIDING JUDGE: Let me say, for how long have you been a

3 reverend, Father?

4 THE WITNESS: For over 9 years now.

09:44:39 5 MR KAMARA:

6 Q. For over 9 years you've been a reverend, Father. Father

7 Garrick, what languages do you speak?

8 A. English, Krio, Mende.

9 Q. Father Garrick, I want to take your mind as far back as

09:45:16 10 to May 1997, particularly the end of May 1997. Do you

11 recall that period?

12 A. Yes, I do.

13 Q. Father Garrick, where were you at the end of May 1997?

14 A. I was in Bonthe.

09:45:40 15 Q. When you say Bonthe, you're referring to the island or

16 the town - which one?

17 A. Bonthe Town.

18 Q. Bonthe Town. And what were you doing in the town of

19 Bonthe?

09:46:00 20 A. I was the parish priest of St Patrick's Parish, Bonthe,

21 Catholic Mission, and also the Acting Principal, St

22 Joseph's Vocational Secondary School.

23 Q. What is the name of the parish again?

24 A. St Patrick's Parish.

09:46:18 25 Q. And Acting Principal of?

26 A. St Joseph's Vocational Secondary School.

27 Q. Father Garrick, for how long did you hold that post?

28 A. For 4 years.

29 Q. And during those 4 years, you stayed in the town of

1 Bonthe?

2 A. Yes.

3 Q. Father Garrick, during that period that I've just
4 referred to, will you tell this Court what group was
09:47:23 5 responsible for the security of Bonthe Island?

6 A. Which period?

7 Q. The period I've referred to, May 1997.

8 A. The Sierra Leone Naval Wing.

9 Q. Thank you. Will you tell this Court what was the
09:47:52 10 relationship between the Sierra Leone Naval Wing and the
11 people of Bonthe?

12 A. There was high tension between the Sierra Leone Navy and
13 the people of Bonthe. The relationship was not so good
14 at all.

09:48:18 15 Q. When you say "there was high tension," would you clarify
16 that for this Court?

17 A. After the coup, there was problem between the soldiers
18 and the people. Many people were being harassed by the
19 soldiers, and, because of that, there was this tension
09:48:58 20 and many were forced to undergo some form of labour. And
21 also, there were reports of soldiers attacking villages,
22 looting villages; and then, following that, will come
23 strong message -- a strong rumour of Kamajors coming to
24 attack the soldiers in Bonthe. And that will create more
09:49:38 25 tension, because the soldiers will turn against the
26 civilians, accusing them of being the relations of the
27 Kamajors and of being -- of harbouring Kamajors.

28 Q. Okay, thank you. Reverend Father Garrick, you've just
29 mentioned Kamajors. Where were these Kamajors based

1 during this time?

2 A. They were based in the surrounding villages around Bonthe
3 Town and also on the mainland Bonthe District.

4 Q. You mentioned that Kamajors -- there was rumours of
09:50:47 5 threats of attack, and that the soldiers turned against
6 the civilians, accusing them of supporting the Kamajors.
7 Did the community then do anything as a result of the
8 situation?

9 A. Yes.

09:51:07 10 Q. Will you tell this Court?

11 A. In the first place, series of meetings were called by the
12 district officer by then, who was --

13 Q. What is the name of this district officer, do you
14 remember?

09:51:28 15 A. Mr L V Kanneh.

16 Q. And do you know the purpose for these meetings?

17 A. Yes. Those initial meetings centred around the
18 continuous harassment of civilians by soldiers, there too
19 much gun firing by the soldiers, and security on the
09:52:17 20 island.

21 Q. So as a result of those meetings, did the community come
22 to a decision?

23 A. Yes. The decision was that some members of the community
24 were sent by the community -- by the elders of the
09:52:49 25 community to go into Sittia Chiefdom.

26 Q. Will you spell Sittia for this Court?

27 A. S-I-T-I-A [sic]. Capital S-i-t-i-a, Sittia.

28 Q. And why were they to go to this particular chiefdom?

29 A. They were to speak with the Kamajor authorities, and

1 to convince --

2 PRESIDING JUDGE: Let me have the spelling of that chiefdom

3 again, Sittia Chiefdom?

4 MR KAMARA: S-I-T-I-A, Your Honour.

09:53:30 5 PRESIDING JUDGE: S-I --

6 MR KAMARA: T-I-A. T, as in Tom.

7 Q. Yes, you were telling us they were to meet with --

8 A. They were to meet with the Kamajor elders there and to

9 convince them not to attack the soldiers in Bonthe.

09:54:02 10 Q. Do you remember the members of that delegation -- the

11 names?

12 A. Very well so. The delegation was headed by Reverend

13 George Sandy. He was the pastor of the UMC Church and

14 also the chairman Bonthe Town Council. And in that --

09:54:35 15 PRESIDING JUDGE: Reverend who?

16 THE WITNESS: George Sandy.

17 MR KAMARA: George Sandy, S-A-N-D-Y.

18 Q. And who else?

19 A. There was also --

09:54:47 20 JUDGE THOMPSON: Let's have this designation. He says that he

21 was pastor of UMC Church?

22 THE WITNESS: UMC Church.

23 JUDGE THOMPSON: And also chairman of?

24 THE WITNESS: The Bonthe Town Council.

09:55:07 25 MR KAMARA: Thank you, Your Honour.

26 Q. Who else was part of that delegation?

27 A. Alhaji Imam Nuha Wahab.

28 Q. Let's have the names -- spell them?

29 A. Alhaji Imam.

1 Q. I-M-A-M?

2 A. Yes, the imam -- he's an imam.

3 Q. Alhaji Imam Wahab?

4 A. Nuha, N-U-H-A.

09:55:34 5 Q. Yes?

6 A. Wahab, W-A-H-A-B.

7 Q. W-A-H-A-B. Alhaji Imam Nuha Wahab. Was there any other

8 person else?

9 A. There was a third person, I cannot remember their name

09:55:52 10 now.

11 Q. Okay. So did the community get a report from this

12 delegation?

13 A. Yes, they return with the favourable report that the

14 Kamajors have agreed to stop their threat of attacking

09:56:14 15 Bonthe.

16 Q. Was any action taken by the community pursuant to that

17 report?

18 A. Well, the matter was reported to the soldiers, that this

19 agreement has been reached with the Kamajor authorities

09:56:52 20 in Sittia, and that they, too, should stop attacking

21 their villages.

22 Q. Was any confidence building measure put in place?

23 A. Yes. Boats started moving up and down the river to some

24 villages without hindrance.

09:57:28 25 Q. You say boats started moving?

26 A. Up and down the villages without hindrance.

27 Q. And so did anything happen following those events?

28 A. Well, after that -- after some time, we heard villagers

29 coming with some reports that soldiers are attacking --

1 are still attacking some of their villages. And then, on
2 one such occasion, when the boat left for Mattru, it was
3 to come on the next day, but the boat did not return --
4 Q. Take your time, Mr Witness. There were reports of
09:58:31 5 soldiers still attacking villages?
6 A. Yes.
7 Q. And this boat left and was supposed to return the next
8 day?
9 A. The next day.
09:58:39 10 JUDGE THOMPSON: Counsel, could you just watch that -- carry
11 on, reports that soldiers were still attacking villages?
12 THE WITNESS: Yes.
13 JUDGE THOMPSON: And what else?
14 MR KAMARA: And a boat left.
09:58:53 15 THE WITNESS: And one boat called ML Good Sababu.
16 MR KAMARA:
17 Q. And do you know the owner of that boat?
18 A. Yes, Mr Joseph -- [Overlapping speakers]
19 PRESIDING JUDGE: The boat is called?
09:59:09 20 THE WITNESS: ML Good Sababu. Motor Launch Good Sababu.
21 MR KAMARA:
22 Q. Sababu is spelt S-A-B-U --
23 A. "A".
24 Q. B-A-B-U, S-A-B-A-B-U, Good Sababu. And you said the
09:59:32 25 owner of that boat is one --
26 A. Mr Joseph Deoud.
27 Q. Is Deoud spelt as D-A-E-W-O-O-D?
28 A. D-E-O-U-D.
29 Q. D-E-O --

1 A. U-D.

2 Q. -- U-D. Now, what happened to this Good Sababu boat?

3 A. The next day, the boat did not return. The other day, it

4 did not return. On the third day, the owner of the boat

10:00:05 5 showed up in Bonthe Town - Mr Joseph Deoud - with a sad

6 story.

7 Q. What is that story?

8 A. That Kamajors based at Momaya have seized the boat.

9 Q. Based where?

10:00:35 10 A. Momaya, a village called Momaya.

11 Q. Is it M-O --

12 A. M-O-M-A-Y-A.

13 Q. M-O-M-A-Y-A. Kamajors based at Momaya?

14 A. Yes, have seized the boat, and he himself was severely

10:00:53 15 beaten.

16 Q. In what year did this event happen?

17 A. 1997.

18 Q. So upon hearing this report from Joe Deoud --

19 PRESIDING JUDGE: Can the reverend father remember the month

10:01:19 20 or so in 1997? I know it's very long ago, but if you

21 can't it's all right. If you can, that will be fine, but

22 I'm praying.

23 THE WITNESS: August --

24 MR KAMARA: If you're not sure, that's okay. We will --

10:01:46 25 PRESIDING JUDGE: That's all right.

26 THE WITNESS: I want to be believe it is in August.

27 MR KAMARA: You want to believe it's sometime in August.

28 Q. Upon receipt of this information from Joe Deoud, the boat

29 owner, was anything done by the community?

1 A. Yes, the district officer called an emergency meeting,
2 and in that meeting --
3 Q. This district officer, is he the same Kanneh you
4 mentioned?
10:02:18 5 A. Yes, the same Mr L V Kanneh.
6 Q. L V Kanneh.
7 A. And in that meeting almost everybody -- all elders
8 expressed concern of soldiers going to attack the
9 Kamajors in their villages. And we wanted to prevent
10:02:41 10 that open confrontation. So it was decided that a group
11 of people be sent to the supreme head of the Kamajors in
12 that region by then, Mr Allieu Kondewa, to talk to him
13 and to reason out with him to stop the hostilities
14 between them and the soldiers. So we went --
10:03:16 15 JUDGE BOUTET: Slowly, please, slowly.
16 MR KAMARA:
17 Q. And do you know --
18 JUDGE THOMPSON: Who was the supreme head, you said?
19 MR KAMARA: That is what I was going to ask.
10:03:33 20 Q. Who is the supreme head again, you mentioned?
21 A. In that region, by then, was Allieu Kondewa.
22 Q. And do you know where he was based at that time?
23 A. Well, at that time, according to what we are getting from
24 people, he was based in Tihun.
10:03:55 25 PRESIDING JUDGE: Can you please --
26 JUDGE THOMPSON: Spell that.
27 MR KAMARA: T-I-H-U-N.
28 THE WITNESS: In the Sogbini Chiefdom.
29 MR KAMARA: Sogbini Chiefdom. Sogbini is spelt as

1 S-O-G-B-E-N-I [sic]. S-O-G-B-E-N-I.

2 Q. And how many people were sent on this mission?

3 JUDGE THOMPSON: Yeah, but it was decided that a group should

4 be sent to him to do what?

10:04:32 5 MR KAMARA: To stop the hostilities between --

6 JUDGE THOMPSON: To do --

7 THE WITNESS: To stop the hostilities between them and the

8 soldiers -- the Kamajors and the soldiers. And also to

9 stop the harassment of civilians, as it happened in the

10:04:47 10 case when the boat was seized. And to plead for peaceful

11 coexistence and free movement of boats.

12 MR KAMARA: Thank you, Mr Witness.

13 Q. How many persons were sent on this mission?

14 A. A ten man delegation was formed, headed by the district

10:05:35 15 officer himself, Mr L V Kanneh.

16 Q. Father Garrick, were you, yourself, a member of that

17 delegation?

18 A. Yes, I was.

19 Q. Will you tell this Court about that mission?

10:06:07 20 A. Yes. Arrangements were made - and the only fast boat by

21 then was engaged - and we left on a Thursday, I think, on

22 the 16th of August. We left for Tihun.

23 Q. Are you referring to the year 1997?

24 A. 1997. We --

10:06:51 25 PRESIDING JUDGE: You left for Tihun?

26 THE WITNESS: Yes.

27 MR KAMARA:

28 Q. Yes?

29 A. On our way, we made a -- wanted to make a stop at Momaya.

1 No sooner the launch hit the shores, the town, which at
2 first appeared quiet, many Kamajors came from the nearby
3 bushes and the houses, firing guns here and there, and we
4 were rudely ordered to disembark from the boat.

10:07:57 5 PRESIDING JUDGE: What town was this?

6 MR KAMARA: Momaya.

7 THE WITNESS: Momaya.

8 MR KAMARA: Momaya, M-O-M-A-Y-A.

9 Q. You were ordered to disembark the boat?

10:08:28 10 A. Yes. Continue?

11 Q. Yes, please.

12 A. And were firing all about us -- all around us. Firing on
13 the ground, in the air, even between our legs. And some
14 were shouting that the district officer, Mr L V Kanneh,
10:08:46 15 should start rolling in the mud; he'll be the first to be
16 killed, since they're going to kill all of us.

17 Q. Yes, Father Garrick?

18 A. After this show of force, we are rudely led to one
19 verandah, where we sat on the ground.

10:09:40 20 Q. For how long did the firing last, do you know?

21 A. For about 15 to 20 minutes.

22 Q. And do you know why it stopped?

23 A. Yes. A young man, who identified himself as Sheku
24 Kaillie, pleaded with them. He said --

10:10:24 25 Q. Take your time. Who is this young man Sheku Kaillie?

26 A. He was a Kamajor -- or he is a Kamajor.

27 MR KAMARA: Your Honours, the name is spelt as S-H-E-K-U for
28 Sheku and the Kaillie, K-A-I-L-L-I-E.

29 Q. He identified himself as?

1 A. Sheku Kaillie.
2 Q. Was he one of them?
3 A. Yes, he was a Kamajor.
4 Q. What did Sheku Kaillie say?
10:11:05 5 A. He spoke to the other Kamajors and told them that he is
6 not disputing the fact that the district officer and all
7 those who are with him are dead men -- are to be killed,
8 but, first, let them hear what we have to say.
9 Q. Father Garrick, do you by any chance know who the leader
10:11:46 10 of that group was?
11 A. That group -- first of all, the chief of Momaya was
12 there, Chief Nuha.
13 Q. Are you saying Chief Nuha was part of that group?
14 A. Yes, and also Sheku Kaillie was also another commander --
10:12:15 15 Kamajor commander. And there was also Julius Squire.
16 Q. And who is this Julius Squire?
17 A. A Kamajor.
18 Q. He was a Kamajor. You were telling this Court that Sheku
19 Kaillie said some things that --
10:12:56 20 A. That calm down the fearless Kamajors, and so they are
21 prepared to listen to us.
22 Q. Did any of you say anything to the persons present then?
23 A. Yes. The first to speak was the district officer
24 himself, who acquainted them with our mission. Our
10:13:28 25 mission --
26 Q. Yes, what was this mission?
27 A. -- was in the name of peace to Allieu Kondewa, to stop
28 the harassment of civilians by both forces - the Kamajors
29 and the soldiers, and to arrange for a peaceful

1 existence -- coexistence among the two forces.

2 Q. Thereafter was the group allowed to proceed?

3 A. Well, after that, others were still allowed to talk

4 within the group, and next to speak was Alhaji Imam

10:15:06 5 Fallon.

6 Q. Fallon?

7 A. Fallon, F-A-L-L-O-N, the imam of the Biankoi Central

8 Mosque in Bonthe Town.

9 Q. Will you spell that for us, Biankoi?

10:15:20 10 A. B-I-A-N-K-O-I.

11 Q. Central Mosque?

12 A. Yeah.

13 Q. And what did he have to say?

14 A. He admonished them, the Kamajors, in the name of Allah,

10:15:38 15 to stop their threat of attacking Bonthe. They should

16 consider the suffering of the civilians in Bonthe and

17 refrain from attacking Bonthe.

18 Q. Now, Father Garrick, you mentioned Sheku Kaillie as being

19 one of the commanders of the Kamajors. Is he known by

10:16:10 20 any other name?

21 A. Yes, after we have -- people have spoken, he identified

22 himself as Sheku Kaillie, the man popularly referred to

23 as Bombowai.

24 MR KAMARA: Your Honours, the spelling of Bombowai is

10:16:36 25 B-O-M-B-O-W-A-I.

26 Q. Is that right, Father Garrick?

27 A. Yes.

28 PRESIDING JUDGE: B-O what? B-O-M --

29 MR KAMARA: B-O-M-B-O-W-A-I.

1 Q. He introduced himself as Bombowai?

2 A. Yes. And also the Kondewa, whom we want to see, since he

3 is the son of Kondewa.

4 JUDGE BOUTET: Who is the son of Kondewa? Bombowai?

10:17:19 5 THE WITNESS: Bombowai, yes.

6 MR KAMARA: Sheku Kaillie alias Bombowai.

7 Q. You were later allowed to continue your journey?

8 A. Well, he declared that since we are on mission to his

9 father, he will take us under his protection and lead us

10:17:46 10 to his father; and so we continued.

11 Q. Did anything happen on your way to Tihun?

12 A. Yes, there was also another Kamajor checkpoint in the

13 village called Saama. On our approach --

14 MR KAMARA: Wait. Your Honours, Saama is spelt "S" - as in

10:18:23 15 Sam - "A-A-M-A".

16 Q. On your approach to this checkpoint --

17 PRESIDING JUDGE: That's S-A-M-A?

18 MR KAMARA: S-A-A-M-A, yes.

19 PRESIDING JUDGE: Okay.

10:18:42 20 MR KAMARA:

21 Q. As you approached this checkpoint --

22 A. We heard gunshots that frighten us.

23 Q. Who were firing those gunshots, do you know?

24 A. Later we discovered they were Kamajors.

10:19:21 25 Q. Did anything happen at that checkpoint?

26 A. Yes, Bombowai disembarked and he spoke to the Kamajor

27 commander, who was called Commander Francis.

28 Q. And what did Bombowai say to Commander Francis, do you

29 know?

1 A. Well, not really, but he returned and we continued our
2 journey.
3 Q. Upon the return of Bombowai, you were allowed to go
4 through; is that it?
10:19:56 5 A. Yes.
6 Q. Did you eventually make it to Tihun?
7 A. Yes, but we stop first at Mattru-Jong.
8 Q. Mattru-Jong.
9 A. At Mattru --
10:20:22 10 PRESIDING JUDGE: Tru [sic] --
11 MR KAMARA: Jong, M-A-T-T-R-U-J-O-N-G.
12 THE WITNESS: We met the Kamajors at the landing site -- the
13 jetty. And the Kamajor grand commander at Mattru by then
14 was Matthew Juana, also known as Convoy.
10:20:54 15 Q. Matthew Juana. Is it J-O-A-N-N-A?
16 A. J-U-A --
17 Q. J-U-A --
18 A. -- N-A.
19 Q. -- N-A. He was also known as?
10:21:07 20 A. Convoy.
21 Q. Matthew Juana alias Convoy. Now, what about this Matthew
22 Juana?
23 PRESIDING JUDGE: Matthew Convoy?
24 MR KAMARA: Convoy.
10:21:19 25 PRESIDING JUDGE: Convoy.
26 THE WITNESS: We acquainted him with our mission and he took
27 us to the region chief, who by then was Chief Samah.
28 MR KAMARA:
29 Q. You were taken to the region chief, Chief Samah?

1 A. Yes.

2 Q. S-A-M-A?

3 A. S-A-M-A-H, I think. I can't really --

4 Q. Okay. He was a region chief of where?

10:21:48 5 A. Mattru-Jong, Jong Chiefdom, residing at Mattru.

6 Q. So what happened when you were taken to Chief Samah's

7 house?

8 A. We acquainted him to our mission to Kondewa, but since it

9 was a long day, we were advised to rest and we can have a

10:22:25 10 meeting in the morning. The next morning at about 8.00,

11 we had a meeting, and that was on the 22nd -- the 22nd of

12 August. We had a meeting. We explain to the chief and

13 elders of Mattru --

14 Q. Slowly.

10:22:45 15 A. -- our mission. Especially the heads of departments who

16 want to be going and carrying out their work in the

17 districts, but because of the problem, were not able to

18 do so. And because boats are not moving, starvation --

19 Q. Slowly, slowly.

10:23:18 20 A. And because the boats were not allowed to move, there was

21 starvation in Bonthe. The doctor, himself, cannot even

22 check on the health posts all around the district. Need

23 to be doing all those things. That is why we are on this

24 mission of peace to Kondewa, and there should be peaceful

10:23:47 25 coexistence between the soldiers and the Kamajors, so

26 that these civil works can go on.

27 Q. All right.

28 A. The Chief express his appreciation to our sacrifice and

29 he, himself, even mention that because of the lack of

1 movement of boats, there's too much hardship in Mattru,
2 and he wish and pray that all these problem will come to
3 an end. And with that, he said we can move, and we are
4 introduced to a young man called Ngobeh.

10:24:48 5 Q. N-G-O-B-E-H, Your Honour. And who is this Ngobeh?

6 A. He was the district grand commander -- Kamajor commander.

7 Q. District ground --

8 A. Grand Kamajor commander. I can't tell whether it's
9 "ground" or "grand."

10:25:08 10 Q. Never mind.

11 A. But district grand commander.

12 Q. Okay. And what was his role?

13 A. He was to take us to Kondewa. And at Mattru, we learned
14 also from the elders, that Mr Allieu Kondewa is no longer
10:25:34 15 staying in Tihun in the Sogbini Chiefdom, but now stays
16 in Talia in the Yobehko Chiefdom.

17 Q. So Father Garrick, having learned that Allieu Kondewa now
18 resides in Talia, Yobehko Chiefdom, did you eventually
19 make it to that destination?

10:26:15 20 A. Yes. Mr Ngobeh came with [inaudible] pick-up, in which
21 we all crammed ourselves and we went to Talia. But we
22 made a stop first at Tihun, where we met Chief Bio, the
23 paramount chief of Sogbini Chiefdom.

24 Q. Now, when you got to Talia, what happened?

10:26:50 25 A. We went straight to the house -- we are taken to the
26 house of Mr Allieu Kondewa. We met him sitting in the
27 verandah, casually dressed, in a locally made easy chair.

28 Q. Was anyone else with him?

29 A. Yes, outside was a boy between 14 to 16 years, who was

1 playing on a locally made guitar, and was sitting on a
2 five gallon Havoline rubber container, which he used to
3 produce the percussion. He was singing about the
4 greatness of Kondewa and the Kamajor society. There were
10:28:21 5 also some Kamajors on guard around the house, armed with
6 rifles and the single barrel and double barrel guns.

7 Q. Was the group introduced to Allieu Kondewa?

8 A. Yes, the district officer introduce us all to Mr Kondewa
9 and acquainted him with our mission. Mr Kondewa then
10:29:01 10 gave orders the Court Barri be prepared for a general
11 meeting, whilst we stayed with him in the verandah.

12 Q. And while you stayed with him in the verandah, did
13 Kondewa have cause to say anything to you people?

14 A. Yes, we are all talking together and we are talking about
10:29:38 15 the effects of the war -- the dreadful effects of the
16 war, and he himself joined in.

17 Q. And what did he have to say?

18 A. He tried to explain to us what really war is about. In
19 this explanation he played on the word -- the Mende word
10:30:18 20 for war, which is synonymous with the Mende word to know.
21 The Mende word for war is "koi" and the Mende word --

22 Q. Spell that for us?

23 A. K-O-I.

24 Q. K-O-I.

10:30:39 25 A. And the Mende word to know is "kor".

26 Q. K-O-R?

27 A. Yes. So according to him, war means to know that you
28 will die; to know that you have no control over your
29 life; to know that you have no dignity; to know that your

1 property is not yours. According to him, that is what
2 all war is about, and that is war.

3 Q. Thank you, Mr Witness. Did you eventually make it to the
4 Court Barri for that meeting?

10:31:39 5 A. Yes.

6 Q. And will you tell this Court what transpired at the Court
7 Barri?

8 A. There was a large gathering of the elders in that region
9 - the paramount chiefs, the Kamajor commanders, chiefdom
10:32:01 10 elders; not only of Yobehko Chiefdom, but of the other
11 chiefdoms in Bonthe District -- were all there. And the
12 district officer went through the traditional way of
13 greetings, by offering some tokens of money, and
14 acquainted them with our mission.

10:32:42 15 Q. Was there any response from the elders gathered there?

16 A. Yes. First of all, they were quite satisfied with the
17 make up of the delegation -- the people that went in that
18 delegation, but, also, they were dissatisfied with the
19 district officer. Many of the speakers from their side
10:33:19 20 complained that the district officer treated them badly
21 when the soldiers were killing and destroying their
22 people, their home lands and farmlands. The district
23 officer did not stop them, but he kept on sending letters
24 to them, the Kamajors, asking them to stop the fighting.

10:33:52 25 They blamed him for that.

26 Q. Okay. Did Kondewa speak at that meeting?

27 A. Yes.

28 Q. And what did he say?

29 A. He also stress the fact that the district officer has

1 treated them badly, and he also went on to point out that
2 formerly, a short while ago, soldiers in Bonthe and
3 Kamajors were working together. In fact, the soldiers
4 provided them with arms and ammunition to fight against
10:34:40 5 the rebels, whilst, now that there is a coup, they've now
6 turned against them and attacking them. They should not
7 be attacking them. Those that have caused the problem
8 are in Freetown, but they should not be there fighting
9 against each other, they should live as brothers. And
10:35:05 10 also, he stress that he is not going to give all the
11 areas under his control to any military government, but
12 to the democratically elected Government of Dr Alhaji
13 Ahmad Tejan Kabbah.

14 Q. Did he make any commitment with reference to your
10:35:43 15 mission?

16 A. Yes, after the speech, when all others have spoken, he
17 agreed on the following: The cessation of hostilities
18 between them and the soldiers, the stopping of the
19 harassment of civilians, the free movement of boats,
10:36:39 20 peaceful coexistence between soldiers and Kamajors,
21 soldiers to be allowed with prior notice to visit Kamajor
22 held territories, and Kamajors to do likewise in the
23 territories that were under the control of the soldiers.
24 In addition to those points, he stressed that soldiers
10:37:21 25 should stop attacking their villages and that they should
26 allow boats to be moving.

27 [HN101104B 10.40 a.m.]

28 Q. And was it on that note that the meeting was concluded?

29 A. Yes. He gave orders to his secretary to write a letter

1 to all Kamajor commanders around Bonthe stopping them
2 from attacking Bonthe.

3 Q. And after that meeting, did the team have cause to return
4 to Bonthe?

10:38:14 5 A. Yes, but not without some problems on the way.

6 Q. And where did you encounter these problems?

7 A. We left Talia in the company of Gobey. At Tihun we were
8 rudely stopped by a group of Kamajors and we were
9 threatened.

10:38:51 10 Q. Take your time, Father Garrick.

11 A. Yeah.

12 Q. You were threatened.

13 A. Yes.

14 Q. How were you threatened?

10:39:07 15 A. If we attempt to go further, we will all be dead men
16 since there were many Kamajors in ambush.

17 Q. Were these Kamajors armed?

18 A. Yes, they were armed.

19 Q. Armed with what?

10:39:27 20 A. Rifles, shotguns a single-barrel, double-barrel and some
21 with machetes.

22 Q. So you were stopped?

23 A. Yes.

24 Q. What happened after you were stopped?

10:39:46 25 A. Gobey inquired the reason for this abrupt stop, but he
26 said -- the man in charge said he has a letter that is
27 supposed to be read only in the presence of Kondewa.

28 Q. Were you shown that letter?

29 A. Gobey demanded the letter. They showed him the letter,

1 but not allowing him to read, but the letter was
2 addressed to the district ground commander, incidentally
3 the man was Gobey. He demanded the letter, but they
4 still failed to give him the letter, so he called upon us
10:40:42 5 all together with the Kamajor commander to go the
6 chief -- to Chief Bio's house and consult with him so
7 that we can see what the letter was all about.
8 Q. So you consulted with Chief Bio?
9 A. Yes, and the letter was read.
10:40:58 10 Q. The letter was read in the presence of?
11 A. Us only.
12 Q. Including Chief Bio?
13 A. Yes. The contents of the letter could be summarised as
14 follows.
10:41:15 15 Q. Yes.
16 A. The letter is from the commander at Gambia, the Kamajor
17 commander at Gambia.
18 Q. Do you remember his name?
19 A. Sorry.
10:41:27 20 Q. You cannot remember his name?
21 A. No, no, I can't remember his name.
22 [Mobile phone ringing]
23 Q. Is that your phone?
24 A. Yes, yes, very, very sorry.
10:41:44 25 Q. You can go ahead and turn it off.
26 A. Sorry, I forgot about it. Very sorry for that.
27 PRESIDING JUDGE: It is okay. It's all right.
28 MR KAMARA: Thank you, Your Honours.
29 Q. You were telling us about -- that this letter was from

1 one commander from the Gambia?

2 A. Gambia.

3 Q. Gambia and you're trying to remember his name. Do you

4 remember his name?

10:42:26 5 A. No.

6 Q. So what is it that was said?

7 MR WILLIAMS: My Lord, I would wish to seek Your Lordship's

8 guidance on this, procedurally or evidentially the

9 contents of a document could not -- which is not in

10:42:44 10 evidence, could not be delved into. I don't know what is

11 the attitude of the bench to that -- I mean, as a matter

12 of fact, the witness has not even bothered to state the

13 present whereabouts of the letter.

14 JUDGE BOUTET: So what is your objection?

10:43:09 15 MR WILLIAMS: Well, I mean, my understanding of -- I mean,

16 evidentiary rule governing that is that you cannot

17 adduce --

18 JUDGE BOUTET: We have told you many times that the rule that

19 is governing these procedures is that hearsay is, indeed,

10:43:28 20 permissible. It has to do the weight to be attached to

21 the particular issue, but hearsay is admissible.

22 MR WILLIAMS: But this is not hearsay.

23 JUDGE BOUTET: It is not.

24 MR WILLIAMS: It is not hearsay. I mean, he is giving

10:43:42 25 evidence as to the content of a document which is not

26 before this Court.

27 JUDGE BOUTET: It was read in his presence and he is about to

28 report what he has heard, so this is not hearsay to you.

29 Said.

1 PRESIDING JUDGE: What do you have to say about the extensive
2 admissible of evidence, which is a general principle in
3 international criminal tribunals.
4 MR WILLIAMS: I would like to object, but -- I would object,
10:44:07 5 but if Your Lordship --
6 PRESIDING JUDGE: No, but you should have objected. You
7 shouldn't come to us first for advice before you object.
8 Your duty is to object. It is not for us to advise you
9 to stand up and object. You should stand up and
10:44:18 10 formulate an objection, Mr Williams.
11 MR WILLIAMS: Yes, My Lord, I have done that by saying --
12 PRESIDING JUDGE: No, you didn't formulate an objection, that
13 is why my learned brother here Judge Boutet said, "What
14 is your objection?"
10:44:31 15 MR WILLIAMS: That the witness -- the objection is that the
16 witness is going into the contents of a document which is
17 not in evidence.
18 PRESIDING JUDGE: Okay. Mr Williams, can we continue.
19 JUDGE BOUTET: Your objections is overruled, if this is your
10:44:44 20 objection.
21 MR WILLIAMS: As My Lord pleases.
22 MR KAMARA: Thank you, Your Honours.
23 Q. Father Garrick, you were reporting to this Court what you
24 heard in that meeting.
10:45:00 25 A. Yes, the letter is from the Kamajor commander at Gambia.
26 They have spied two soldiers around Gambia. They were
27 brought by the district officer. Mr Gobey, the district
28 ground commander, and the district officer in the company
29 of some other people passed through Gambia. They don't

1 know what their mission is all about. That was just a
2 summary of that. It was the content of that letter. And
3 with that we returned back to Kondewa in Talia.

4 Q. The whole team returned back?

10:45:49 5 A. The whole team returned back in the company of other
6 Kamajors that brought the letter.

7 Q. Okay. So what happened when you went back to Kondewa?

8 A. When we went back, we met Kondewa and the letter was read
9 in his presence. And he outrightly pointed out that the
10:46:16 10 letter has nothing to do with the district officer and
11 his team. The letter has to do with jealousy among the
12 Kamajor commanders. He also went on to say that if he
13 found out that what is in that letter, the district
14 officer and his group are responsible for bringing the
10:46:51 15 soldiers, then all of them will be killed, but he further
16 threatened me that if he goes into the matter and found
17 out that this was an allegation not true against his
18 visitors, the district officer and his team, those
19 responsible will experience a terrible death.

10:47:25 20 Q. So did Kondewa do anything as a result?

21 A. The next day he -- he placed us in the care of Pa
22 Collier, one of the elders at Talia and encouraged us to
23 stay with him. The next day he himself will lead us to
24 Gambia for himself to go and investigate, but after that
10:47:58 25 we were being molested by the Kamajors that were around.
26 I even pleaded with Kondewa to sleep in his veranda, but
27 he said let us don't fear anything. Let us just follow
28 Pa Collier and stay with him.

29 Q. You mentioned that you were molested. Would you explain

1 to the court what you mean by being molested. What are
2 the particulars of the molestation?

3 A. Well, we are being abused by the Kamajors around when we
4 are going somewhere, even pushing us and say all sorts
10:48:28 5 of -- we are traitors and all sorts of things against us.

6 Q. So were you eventually accompanied by Kondewa to Gambia?

7 A. Yes, the next morning we left in company of Julius
8 Squire, a Kamajor, who followed us all way the from Amiya
9 [phonetic] base. Fortunately for us we came across Sheku
10:48:55 10 Kaillie, the man called Bombowai and his troops, and we
11 told him of the situation and he too joined us and we
12 went to Gambia.

13 Q. Did anything happen at the Gambia?

14 A. Yes, at Gambia a court sitting was called to order by
10:49:15 15 Kondewa and he placed Gobey, Bombowai and Pa Lewis in
16 charge the investigation, while he retires in a room
17 prepared for him in the house nearby, to go into the
18 matter. Pa Lewis was one of the elders of the town by
19 then.

10:49:46 20 Q. By then?

21 JUDGE BOUTET: Can you spell that name, please?

22 THE WITNESS: L-E-W-I-S.

23 MR KAMARA:

24 Q. So investigations were conducted by these three people?

10:50:00 25 A. Yes.

26 Q. And do you know what the findings were?

27 A. Well, the whole thing ended up with those responsible for
28 the writing of the letter to the commander at Gambia
29 pleading guilty and they were supposed to be killed. But

1 we pleaded with Kondewa to spare their lives and he
2 agreed.
3 Q. Your plea was taken in good stead?
4 A. Yes.
10:50:48 5 Q. Thereafter were you allowed to continue your journey?
6 A. Yes, we left for Mattru and then for Bonthe, but we made
7 a stop at Momaya.
8 Q. You got to Bonthe. Let's go to Bonthe, Father Garrick.
9 Do you recall September the 15th of 1997, Father Garrick?
10:51:20 10 A. Yes, I do.
11 Q. Did anything happen on that date that you would like to
12 inform this Court about, 15th of September 1997?
13 A. Yes, that was the first Kamajor invasion of Bonthe. That
14 was the date.
10:51:43 15 Q. The first Kamajor invasion of Bonthe. Will you tell this
16 Court about that invasion. Where were you on that date?
17 A. I was in bed in the parish house, in the St. Patrick's
18 parish house. At about 5.00 a.m. I heard the traditional
19 Poro shouts coming from three directions, from the inland
10:52:24 20 outskirts of the town.
21 PRESIDING JUDGE: You heard the traditional --
22 THE WITNESS: Poro shout.
23 MR KAMARA:
24 Q. What is that? Would you explain to this court?
10:52:33 25 A. It is the shout of the Poro secret society.
26 PRESIDING JUDGE: Spell that Poro.
27 MR KAMARA: P-O-R-O.
28 Q. And do you know the meaning of that shout?
29 A. Well, it just denotes that the society is present.

1 Q. It connotes the presence of the society members?
2 A. Yes.
3 Q. You heard this Poro shout?
4 A. Yes, and it was followed by some gun firing.
10:53:27 5 Q. Did you do anything?
6 A. Well, I instructed all those that were with me in the
7 house to go down to the basement of the building.
8 Q. Did they -- sorry, carry on.
9 A. The gun firing continued, the gun from the gunboats, the
10:54:02 10 heavy guns from the gunboat and the smaller arms
11 continued firing, and this continued for about two to
12 three -- about two hours.
13 Q. All right, Father Garrick, you heard heavy firing?
14 A. Yes.
10:54:18 15 Q. You mentioned a gunboat?
16 A. Yes.
17 Q. Who had that gunboat?
18 A. The Sierra Leone Navy.
19 Q. The Sierra Leone Navy. Are you telling this Court that
10:54:33 20 you heard firing from the gunboat as well?
21 A. Yes.
22 Q. And you said the firing continued for, like, two hours?
23 A. Yes.
24 Q. Did anything happen after the cessation of the firing?
10:55:00 25 A. Whilst in the house I peeped outside. I saw some
26 Kamajors running and some were crying.
27 Q. So what did you do yourself?
28 A. I remained in the house. At about 10.00 to 10.30 some
29 soldiers entered the compound.

1 Q. Are you referring to the morning?

2 A. Yes, the morning.

3 Q. When you say the compound, are you referring to the

4 parish?

10:55:50 5 A. Yes, the parish compound.

6 Q. Thank you. Did the soldiers do anything upon entering

7 the parish?

8 A. They asked us all to come outside, that the war is over,

9 the fighting is over, and that we should go out and

10:56:14 10 see for ourselves the result of the fighting.

11 Q. So did you see the result of the fight?

12 A. Yes.

13 Q. What is it that you saw?

14 A. We were all asked to go to the military base and as we

10:56:42 15 made our way to the base, there were many corpses of

16 Kamajors on the road.

17 Q. How far was this base from the parish; do you know?

18 A. I can't really tell the distance, but it is quite a

19 distance, really.

10:57:06 20 Q. Quite a distance. Did anything happen at the base when

21 you got there?

22 A. At the base the soldiers admonished us to stay around the

23 base while they go around to search and make sure that

24 there is no Kamajor in the town.

10:57:42 25 Q. For how long were you at this military base?

26 A. We were there until the late afternoon.

27 Q. And did you have cause to leave the base?

28 A. Yes. We were asked to return and get some food and stay

29 in the homes.

1 Q. So you went back to the parish?

2 A. Yes.

3 Q. Did anything happen subsequent to this return to the

4 parish?

10:58:26 5 A. Yes, on my way to the parish we saw there were two people

6 who were caught by the soldiers and we were told that

7 they were Kamajors, but I did not really remain there to

8 see how they were and who they were. Later on I was

9 informed that they were killed by the soldiers.

10:59:12 10 Q. Father Garrick, earlier on you said that the 15th of

11 September 1997 was the first Kamajor invasion. Was there

12 a second invasion by the Kamajors of Bonthe Town?

13 A. Well, I can't really call it an invasion -- yes, yes, it

14 is an invasion. When the soldiers left Bonthe, the

10:59:38 15 Kamajors came in.

16 Q. Okay. Do you know the date that the soldiers left

17 Bonthe? Do you remember?

18 A. February 15th -- February.

19 Q. Are you suggesting the 15th of February?

11:00:04 20 A. That is what I am -- let me just -- yes, the 15th of

21 February.

22 Q. And in what year?

23 A. 1998.

24 Q. So for how long were the soldiers in occupation of

11:00:17 25 Bonthe, to your knowledge?

26 A. For years. I met the soldiers in Bonthe when I went

27 there on transfer.

28 Q. Now tell us about this second coming of the Kamajors to

29 Bonthe Town?

1 A. In the early hours of the 15th of February, say 1.00
2 a.m., we heard the sound of the -- I heard the sound of
3 the gunboat leaving. At about 7.00 in the morning --
4 Q. When you said you heard the sound of the gunboat, is it
11:01:16 5 the same gunboat that belonged to the --
6 A. Yes, the Sierra Leone Navy. Some elders came to my house
7 and told me that the soldiers had left and that some
8 people are even going to the base, so I left in the
9 company of some elders for the military base with the aim
11:01:48 10 of retrieving the communication set which they
11 confiscated from me. On arriving at the base, we saw --
12 I saw that the whole place was evacuated, except for the
13 faulty arms and ammunition that were around. I called on
14 a few police officers and prison officers that were
11:02:23 15 around to take care of the faulty arms and ammunition.
16 And after that there was the government hospital
17 ambulance, which the soldiers were using. I drove that
18 to the mission and parked it there.
19 Q. And why did you have to do that?
11:02:54 20 A. Because the -- that was taken by force by the soldiers
21 from the hospital workers and they were using it, so they
22 just left it there. I took that for safekeeping to the
23 mission.
24 Q. You took it for safekeeping to the mission?
11:03:11 25 A. Yes.
26 Q. So when did the Kamajors enter Bonthe?
27 A. By 9.00 I was at the entrance of the church preparing to
28 begin the Holy mass. Some people had gone outside to
29 clear to the outskirts of the town to the airfield to

1 clear the airfield of the -- the tree trunks and all the
2 blockades that was placed on the airstrip in case of any
3 coming of any ECOMOG plane or so, so that we can land
4 easily. Whilst we were in the church, I heard gunshots
11:04:05 5 and those who went to clear the airstrip came back
6 running and they brought their reports that Kamajors have
7 entered Bonthe. After that I saw Kamajors running past
8 my compound, running in front of me, going all about the
9 town firing guns.

11:04:39 10 Q. Now, you heard this firing of guns by the Kamajors, what
11 did you yourself do?

12 A. At that point many people were rushing to the church from
13 all over the town into the compound and then there came a
14 message -- a rumour, in fact, that we were all supposed
11:05:12 15 to gather around the military base where the Kamajors
16 have now made their own base.

17 Q. You heard word that civilians were to gather at the
18 military base?

19 A. Yes.

11:05:25 20 Q. Which now is --

21 A. Under the control of the Kamajors.

22 Q. So did you move to that base?

23 A. Yes, I asked everybody to line-up and we walked to the
24 base with myself leading the whole procession.

11:05:37 25 Q. And, Father Garrick, how many people are we talking about
26 here?

27 A. Hundreds of people, hundreds of them. I can't really
28 tell, a huge crowd.

29 Q. Why did they rush to the parish; do you know?

1 A. Well, people normally have the belief when there is
2 problem, you go to the house of God. That would be the
3 reason for that.
4 Q. Thank you. So you led this crowd of people to the
11:06:14 5 military base?
6 A. Yes, indeed.
7 Q. Did you observe anything in your way to this military
8 base?
9 A. Yes. On my way I saw some Kamajors looting, especially
11:06:28 10 the Bonthe Technical College and the Bonthe Holiday
11 Complex.
12 Q. What were they looting?
13 A. Household items. There were these big mirrors -- big
14 mirrors, tables, chairs, whatever that was inside.
11:06:59 15 Q. You mentioned specific names -- did you say technical
16 something?
17 A. The Bonthe Technical College.
18 Q. Bonthe Technical College. And where else did you see
19 Kamajors loot on that day?
11:07:18 20 A. The government buildings.
21 Q. Government building?
22 A. The police station, the district office, the elections
23 office the Ministry of Works.
24 Q. All right?
11:07:44 25 A. And the fisheries department.
26 Q. And the fisheries department?
27 A. Yeah.
28 Q. Father Garrick, while you saw this looting going on were
29 there any particular Kamajors that you remembered that

1 participated in this process?

2 A. Yes, but that came the next day.

3 Q. The next day?

4 A. Yes.

11:08:06 5 Q. So you went to this?

6 A. I went round.

7 Q. To the Barri?

8 A. To the --

9 Q. To the base.

11:08:14 10 A. Yes, to the base.

11 Q. What happened at the base?

12 A. At the base I saw a huge crowd of people gathered there

13 and in front -- outside in the open there was a corpse of

14 a man who appeared to have just been shot dead.

11:08:33 15 Q. At the entrance?

16 A. No, in the open -- on the street in the open.

17 Q. On the street. Did you inquire as to what happened?

18 A. Yes, I did.

19 Q. What were you told?

11:08:46 20 A. I was informed by some bystanders that that young man was

21 a man called Kpana Manso, a fisherman.

22 MR KAMARA: Your Honours, the spelling for that is K-P-A-N-A

23 M-A-N-S-O.

24 Q. And he was a fisherman?

11:09:05 25 A. Yes.

26 Q. Were you told how he was killed?

27 A. Well, I was told that he -- the Kamajors met him in the

28 military guardroom -- in the naval guardroom and they

29 brought him out and they shot him. And he was shot by

1 Baigeh, one Baigeh.

2 Q. You were informed that one Baigeh --

3 Mr Kamara: Your Honours, the spelling for that name is

4 B-A-I-G-E-H.

11:09:42 5 Q. So what happened at that base having seen this?

6 A. After some time a young man came forward and identified

7 himself as Baigeh, and that he is the commander of the

8 invading force, the Kamajor force.

9 Q. Commander of the invading Kamajors force?

11:10:09 10 A. And that he comes from a village called Mosallay.

11 Q. Will you spell that for this Court?

12 A. M-O-S-A-L-L-A-Y.

13 Q. M-O-S-A-L-L-A-Y?

14 A. Well, I cannot really --

11:10:28 15 Q. That's okay. And that he came from Mosallay?

16 A. Yes, he's the commander of the invading force, but there

17 is the overall commander of operations in Bonthe. His

18 name is Morie Jusu Kamara?

19 Q. Morie M-O-R-R-I-E, Jusu J-U-S-U, Kamara K-A-M-A-R-A?

11:11:00 20 A. Yes.

21 Q. He was the overall Kamajor boss for --

22 A. For Bonthe, yes.

23 Q. For Bonthe.

24 A. He was the battalion commander of the Kamajor naval

11:11:20 25 battalion, also referred to as the Kasilla Battalion.

26 MR KAMARA: Kasilla is spelled, Your Honours, as

27 K-A-S-I-L-L-A.

28 Q. The Kamajor naval wing is also referred to as the Kasilla

29 battalion?

1 A. Yes.

2 Q. Having been addressed by Baigeh, what did you do with
3 your group?

4 A. Well, he also went on to say, "From now on Bonthe is
11:11:58 5 under the control of the Kamajors, headed by Morie --
6 Commander Morie Jusu Kamara.

7 Q. So did you do anything with your group having been
8 addressed by Baigeh?

9 A. Yes, returned back to the mission. He asked us all to go
11:12:29 10 home, but he also told us that they would go around to
11 search even the homes to make sure that there is no
12 soldier around.

13 Q. So you left with your group and went back to the parish?

14 A. Yes.

11:12:46 15 Q. Will you tell this Court what happened on the second day?

16 A. Many groups of Kamajors from different towns and villages
17 around Bonthe kept coming in.

18 Q. Coming into where?

19 A. Into Bonthe.

11:13:04 20 Q. Into Bonthe.

21 A. And --

22 PRESIDING JUDGE: Learned counsel, are you going to another --
23 are you going into the meeting now also?

24 MR KAMARA: The meeting?

11:13:17 25 PRESIDING JUDGE: Yes, I mean, are you going into a new
26 subject?

27 MR KAMARA: Yes, it is a new day. It is still on the attack.
28 It is a new day. We've done the first day. It is the
29 second day of the attack.

1 PRESIDING JUDGE: That will take about how long?
2 MR KAMARA: The second day of the attack?
3 PRESIDING JUDGE: Um-hum.
4 MR KAMARA: That will be about ten to 15 minutes.
11:13:40 5 PRESIDING JUDGE: Okay. Well, we will break for some time.
6 MR KAMARA: As Your Honour pleases.
7 PRESIDING JUDGE: And come back to continue, but you know we
8 are not sitting this afternoon, so is there any chance
9 that you will wrap up your evidence in chief with Father
11:14:06 10 Garrick before it is 1.00?
11 MR KAMARA: I'll endeavour to do so, Your Honour.
12 PRESIDING JUDGE: No, I mean take your time. I just wanted to
13 find out, you know, but we'll see how we proceed, you
14 know, when we resume. The Court will rise for a few
11:14:23 15 minutes, please.
16 [Recess taken at 11.17 a.m.]
17 [On resuming at 11.44 a.m.]
18 JUDGE BOUTET: You may proceed.
19 MR KAMARA: Yes, Your Honour.
11:40:54 20 Q. Father Garrick, you were telling this Court before recess
21 that the second day of the Kamajor attack, did you have
22 cause to leave the parish?
23 A. Yes, some family members of the Samuka.
24 JUDGE BOUTET: Your mic is not open -- could you please.
11:41:18 25 Thank you.
26 MR KAMARA: Thank you, Your Honour.
27 A. Some members of the Samuka family.
28 Q. Samuka is spelled S-A-M-U-K-A; is that so, Father
29 Garrick?

1 A. Yes, yes, Samuka Kamara.
2 Q. So members of the Samuka --
3 A. Kamara.
4 Q. Kamara family?
11:41:38 5 A. Yeah.
6 Q. Yes, what about this family?
7 A. Called upon me and informed --
8 PRESIDING JUDGE: They came to you in the parish?
9 THE WITNESS: Yes, in the parish. That one of their sons has
11:42:01 10 just been killed by the Kamajors.
11 MR KAMARA:
12 Q. Were you told the name of the son that has been killed?
13 A. Yes, Abu Samuka.
14 Q. He was called Abu Samuka? Did you do anything having
11:42:26 15 heard this?
16 A. I went out to see for myself.
17 Q. Where did you go?
18 A. Along Medina Street by Corn Street.
19 MR KAMARA: Medina is spelled M-E-D-I-N-A, Your Honours.
11:42:47 20 Q. And what is the other street?
21 A. Corn Street.
22 Q. It is spelled C-O-R-N?
23 A. Yes.
24 Q. Did you see anything while at that point?
11:43:03 25 A. Yes, there was a corpse of a young man lying on the
26 ground.
27 Q. Was the corpse identified to you by anybody?
28 A. Yes, apart from the family members there were bystanders
29 who claimed that that was the corpse of Abu Samuka.

1 Q. Did you notice anything about that corpse?

2 A. Well, it was lifeless. That is what I could remember.

3 Q. Were there any marks, bullets or anything on the body

4 that you noticed?

11:43:53 5 A. No, I couldn't.

6 Q. And, Father Garrick, were you told how he was killed?

7 A. I was only told that he was killed by the Kamajors.

8 Q. Did you notice anything?

9 A. Well, not really. I can't remember now.

11:44:26 10 Q. Okay. So what did you do having seen this body of Abu

11 Samuka?

12 A. Whilst I was standing around the area, some workers at

13 the government hospital came to me and reported that some

14 Kamajors are already in the hospital looting the

11:44:46 15 hospital.

16 Q. Yes.

17 A. So I followed them to the hospital.

18 Q. You followed who?

19 A. The workers, the workers from the hospital.

11:45:13 20 Q. You followed the hospital workers to the hospital?

21 A. Yes, to the hospital and I saw Kamajors looting

22 materials, drugs, some were even in the theatre.

23 Q. Upon seeing this, what did you do?

24 A. I called them and spoke to some of them and they agreed

11:45:44 25 to leave. And I called upon one Henry Nyukeh?

26 Q. Henry?

27 A. Nyukeh.

28 Q. Can you spell Nyukeh for us?

29 A. N-Y-U-K-E-H.

1 Q. N-y-u-k-e-h, Your Honours?

2 A. Who was staying with the medical -- the senior medical
3 officer by then, Dr Samba. Together with some workers
4 I asked them to salvage whatever drug, important
11:46:17 5 material, instrument that could be salvaged and to take
6 them to the mission house.

7 Q. Did they comply with those instructions?

8 A. Yes, Henry Nyukeh went for the ambulance and then they
9 packed the things in the ambulance and took it to the
11:46:44 10 mission.

11 Q. The salvaged items were taken to your mission?

12 A. Yes.

13 Q. Father Garrick, did you make any report to the Kamajor
14 leadership?

11:46:57 15 A. At that time there was no strong Kamajor leadership,
16 except the leaders of the different groups that came, and
17 there was not at that time that you can come in contact
18 with, except when you meet them on the --

19 PRESIDING JUDGE: So, Father, you did not make your report?

11:47:18 20 Is that what you want to say?

21 THE WITNESS: Yes, at that particular --

22 PRESIDING JUDGE: Because there was no identifiable authority.

23 A. Yes.

24 MR KAMARA: Thank you, Your Honour.

11:47:27 25 Q. What observations did you make again on that second day?

26 A. Whilst we were there at the hospital, the domestic
27 workers at the doctors' quarters came running with the
28 report that some Kamajors have entered the doctors'
29 quarters and are presently looting the quarters.

1 Q. Did you talk to those Kamajors as well at the doctors'
2 quarters?
3 A. I went there, but I did not meet the Kamajors. They had
4 already left.
11:48:19 5 Q. What were your observations of the place?
6 A. Some of the -- some of the household materials were not
7 there, like the chairs, the dishes were not there and
8 some of the curtains.
9 Q. Did you do anything thereafter?
11:48:41 10 A. Well, there were people standing by and they drew my
11 attention to a corpse lying by the shore.
12 Q. Your attention was drawn to a corpse?
13 A. Yes.
14 Q. Was that corpse identified to you by any person?
11:48:57 15 A. Yes, those that were standing by defined him as one
16 Kondor Bantiamor, a fisherman.
17 Q. Kondor, K-A-N-D-O-R.
18 A. K-O-N.
19 Q. K-O-N-D-O-R?
11:49:10 20 A. Yeah.
21 Q. Bantiamor?
22 A. Bantiamor.
23 Q. B-A-N-T-I-A-M-O-R, Kondor Bantiamor. The body was
24 identified as that of Kondor Bantiamor?
11:49:33 25 PRESIDING JUDGE: A fisherman?
26 MR KAMARA: Yes a fisherman, yes, Your Honour.
27 Q. Were you told how he died?
28 A. Yes, I was told that the Kamajors killed him.
29 Q. So having heard that, what happened?

1 A. One of the boys staying with me in the mission ran to me
2 and said many people have come to take -- to seek refuge
3 in the mission.
4 Q. You're telling this Court that many more people came in
11:50:20 5 addition to those that were already there?
6 A. Yes.
7 Q. What kind of people were there at the mission, would you
8 tell this Court?
9 A. There were many of the townspeople, but when I entered
11:50:45 10 the house I was led by the boy and he showed me some
11 police officers, some prison officers and some people who
12 have a relationship with soldiers.
13 Q. So apart from this personnel in terms of police and
14 prison, were there any important dignitaries in that
11:51:37 15 group?
16 A. Yes, there was the Paramount Chief George Brandon III.
17 Q. George Brandon III, paramount chief of where?
18 A. Sittia Chiefdom.
19 Q. Any other personalities you heard that sought refuge at
11:51:59 20 the mission?
21 A. Well, later on as the days went by, they kept coming in.
22 Q. Kept coming in. Did you have, at any point in time, one
23 Pa Abu Conteh?
24 A. Yes, he was one of those who was staying in the house.
11:52:31 25 Q. At the parish?
26 A. Yes.
27 Q. And who is this Pa Abu Conteh?
28 A. He was a Temne man.
29 MR KAMARA: Conteh is spelled C-O-N-T-E-H, Your Honours.

1 A. And a petty trader.

2 Q. He was a petty trader. Did anything happen to this Pa
3 Abu Conteh?

4 A. Yes. That happened on the next day, the third day.

11:53:07 5 Q. It happened on the third day?

6 A. Yes. As the groups of Kamajors kept coming in, they
7 always entered the mission to see all those who were
8 there and then they moved out. One -- that day a group
9 of Kamajors came from Sittia.

11:53:26 10 Q. When you say "that day", which of the days are you
11 referring to?

12 A. The third day, which I think was a Tuesday or Wednesday.
13 The third day after the invasion.

14 Q. It was the third day of the invasion?

11:53:37 15 A. Yes, so they went -- I had just left to enter the
16 secondary school to get some money and some things that
17 I needed. Whilst there I heard a gunshot.

18 Q. How far was the secondary school from the parish; do you
19 know? Was it a mile or more?

11:54:08 20 A. No.

21 Q. It is less than a mile?

22 A. Less than 50 yards, even.

23 Q. Less than 50 yards. And you're telling this Court that
24 whilst you were at this school --

11:54:22 25 A. Yes, St. Joseph's Secondary School.

26 Q. You heard a gunshot?

27 A. I heard a gunshot from the direction of my compound.

28 Q. From the direction of the parish?

29 A. Yeah.

1 Q. And what was your response to that?

2 A. I ran out to see what was happening.

3 Q. And what did you see?

4 A. I saw some of the people that were in my compound

11:54:50 5 standing by the church and when I went there, they showed

6 me the body of Abu Conteh not far from the church.

7 Q. And what was the state of that body that you were shown?

8 A. A dead body.

9 Q. And were you told how this Abu Conteh was killed?

11:55:27 10 A. Yes. Yes, I was told that the Kamajors from Sittia

11 killed him and, in fact, some of the Kamajors were

12 around.

13 Q. Were you told who these Kamajors were, by any chance?

14 A. Yes, the Kamajors from Sittia.

11:56:00 15 Q. Sittia. And again Father Garrick, did you make any

16 report of those events?

17 A. On this particular day they -- some of the elders of the

18 Kamajors arrived to Bendu Cha.

19 Q. To Bendu Cha?

11:56:21 20 A. Yes.

21 Q. And, Father Garrick, do you know why Pa Abu Conteh was

22 killed?

23 A. Well, some were saying that they were accusing him of

24 preparing talisman, magical -- some magical concoction

11:56:41 25 for the soldiers, some protective -- I can't -- I don't

26 know how to put it now.

27 Q. So basically it was --

28 PRESIDING JUDGE: It is not your fault. It is not your field,

29 Reverend Father, never mind. We know what you're talking

1 about. So he was accused of preparing some concoctions,
2 you know, to protect the soldiers, maybe.

3 MR KAMARA:

4 Q. You were saying on that date some Kamajor leaders arrived
11:57:23 5 from where?

6 A. Bendu Cha.

7 Q. Would you spell that for the Court?

8 A. B-A-N-D-U.

9 Q. B-A-N?

11:57:31 10 A. B-E-N-D-U C-H-A.

11 Q. Bendu Cha. Do you know any of these Kamajor leaders?

12 A. Among those that arrived was one Nabie Koroma, an elderly
13 man called Nabie Koroma.

14 Q. One Nabie Koroma. And the premise of my question to you,
11:58:10 15 then, was whether you made a report.

16 A. Yes, I am coming. And there was also the chief of Gono
17 Chiefdom Sittia Chiefdom called Chief Sei Mani.

18 Q. Chief Sei Mani. It is spelled as S-E-I M-A-N-I. Of what
19 chiefdom?

11:58:31 20 A. Sittia Chiefdom, the section chief of Gono Chiefdom in
21 Sittia Chiefdom.

22 Q. Could you spell Gonor for us?

23 A. G-O-N-O-R.

24 Q. G-O-N-O-R. He was amongst the Kamajor leadership that
11:58:55 25 arrived?

26 [HN101104C 12.02 p.m.]

27 A. Yes. I made a complaint to these authorities about the
28 situation in Bonthe under the Kamajors.

29 Q. You are telling this Court that you complained to those

1 three --

2 A. Yes.

3 Q. -- men you've mentioned?

4 A. Yes.

11:59:24 5 Q. And what were the complaints you made?

6 A. The harassment of civilians, the looting - they're the

7 two main ones.

8 Q. Yes. Did you get any response from them?

9 A. Well, they expressed their concern about that as well,

12:00:00 10 but they said we shall wait for the battalion commander

11 to come; and, indeed, he came.

12 Q. Will you tell this Court who was this battalion

13 commander, if you know?

14 A. Commander Morie Jusu Kamara.

12:00:33 15 Q. Is this the same Norrie Jusu Kamara that was early on

16 referred to, on the first day of that address at the

17 base?

18 A. Yes.

19 Q. Father Garrick, at about this time, how would you

12:00:59 20 describe the relationship between the Kamajors and the

21 people of the town of Bonthe?

22 A. It was very bad.

23 Q. Very bad; how bad?

24 A. Well, many people -- in fact, they preferred -- they move

12:01:16 25 from their homes and they came and stayed with me,

26 because of the continuous looting, the continuous

27 harassment. Sometimes, even on the street, some were

28 even asked to give up their wearings, their shoes. It

29 happened even in my presence.

1 Q. What happened in your presence?

2 A. Somebody was asked to remove his shoes -- his slippers,
3 and the Kamajor wore that and he went away.

4 Q. Was any disciplinary action taken by this group that you
12:01:58 5 reported the matter to?

6 A. Not really, not really. Not to my knowledge.

7 Q. Not to your knowledge?

8 A. No.

9 Q. Father Garrick, you said the battalion commander arrived
12:02:26 10 -- this Morie Jusu Kamara?

11 A. Yeah.

12 Q. Was he the overall boss of the Kamajors?

13 A. Well, the commander, yes.

14 Q. Did you specifically make a report to him?

12:02:37 15 A. I did, and he, himself, told me that he is not able to
16 control many of these Kamajors, because some of them have
17 some familiar relationship with Kondewa.

18 Q. What do you mean by "familiar relationship"?

19 A. Well, family relationship. So every one of them is just
12:03:06 20 going his own way.

21 Q. Did he make any suggestions to you as to how to curb this
22 situation?

23 A. Yes, after that came -- after a report of the serious
24 looting of some of the Government department by some
12:03:33 25 Kamajors.

26 Q. Is this the point where you want to mention the specific
27 names of the Kamajors involved in this looting?

28 A. Yes.

29 Q. Will you tell this Court?

1 A. As I went round, especially by the Government buildings -
2 the police, the district office, I met this Kamajor
3 commander called Lamina Gbokambama.
4 Q. Lamina, L-A-M-I-N-A?
12:04:10 5 A. Yeah.
6 Q. And then the other one is --
7 A. He was looting --
8 Q. For the spelling? G-B-O-K-A-M --
9 A. G-B-O-K-A-M --
12:04:15 10 Q. -- M --
11 A. B-A.
12 Q. B-A?
13 A. Yes.
14 Q. Gbokambama?
12:04:24 15 A. Gbokambama
16 Q. Gbokambama?
17 A. Yes.
18 Q. G-B-O-K-A-M-B-A-M-A, Your Honours. Do you know what's
19 the meaning of this Gbokambama?
12:04:41 20 A. Well, literally, it can be roughly translated as to
21 defecate on the grave.
22 Q. To defecate on the grave?
23 A. Yeah.
24 Q. What about this leader, what was he doing?
12:05:00 25 A. Yes, he and his men around were looting the district
26 office, the police office, the post and
27 telecommunications apartment, the state prison and the
28 elections office. And they took out all the paramount
29 chief staffs that were in the district office, whatever

1 they could lay hands on in the police station, like the
2 blue helmets, the police caps, their uniforms and all
3 things like that.

4 Q. You just mentioned something of interest to me, Father
12:05:41 5 Garrick. Would you help explain to this Court what you
6 mean by the paramount chief's staff that were looted
7 from the --

8 A. These were the official sign of authority.

9 Q. The official symbol of authority?

12:06:00 10 A. Symbol of authority for the paramount chiefs, yes. So
11 they went around with it and Gbokambama claimed that he
12 now is the chief of Bonthe.

13 Q. Do you know of any other particular name involved in this
14 looting exercise?

12:06:26 15 A. There was also -- I went down the Fisheries Department
16 and I met this young man called Rambo and his Kamajors
17 inside the building.

18 Q. What building?

19 A. The Fisheries Department building.

12:06:45 20 Q. The Fisheries Department?

21 A. Yes. And I pleaded with them to leave the things intact,
22 but they said they are only going to take the fuel -- to
23 remove the fuel from there and then they will move from
24 the place.

12:07:05 25 Q. Okay. Now, you've witnessed all these lootings, Father
26 Garrick. Did you do anything as a result?

27 A. Yes. On Sunday, after church, the whole congregation, we
28 went to hear the Kamajors have moved their headquarters
29 in the house of one Mr Koroma. We went there and, after

1 singing some traditional church hymns, I spoke to them
2 about the situation - the harassment and all the looting
3 that is going; I desire to come and talk to them in the
4 name of God, to control their men with regards the
12:08:06 5 looting and harassing of people.

6 Q. Did he make any response to that request?

7 A. Yes, they promised to do so. And after that, I made a
8 personal call on Mr Morie Jusu Kamara, the battalion
9 commander.

12:08:27 10 Q. Yes?

11 A. I told him he's a young man, all that is happening will
12 some day come to an end, sanity will return to this
13 country. Now is a time for him to make a good name for
14 himself, or a bad name. He should not stand by and look
12:08:51 15 at these Kamajors behaving in this matter -- in this
16 manner. He promised to do something.

17 Q. What was that promise?

18 A. He said he would do all he can to try to control them.
19 That same day I was called upon by one Samuel Coker, the
12:09:27 20 nurse that was in charge of the Catholic Mission clinic.

21 I went to see him and he was in the middle of the
22 Kamajors, the group headed by Lamina Gbokambama, forcing
23 him to hand over all the keys to the mission clinic. And
24 I went -- well, I tried to talk to him, but he did not --
12:10:04 25 to this Gbokambama, but he did not listen to me. So I
26 went straight and reported the matter to the battalion
27 commander.

28 Q. Are you referring to Morie Jusu?

29 A. Morie Jusu, yes. He came with some of his men.

1 Q. Take your time, Father Garrick. Morie Jusu Kamara came
2 with some of his men to the scene?
3 A. Yes, to the scene.
4 Q. So what happened at that scene?
12:10:26 5 A. He attempted to speak gently to him to hand over the keys
6 -- to Lamina to hand over the keys, but he couldn't. And
7 there was almost a fight between them before he could
8 hand over the keys.
9 Q. Eventually the keys were handed over?
12:10:41 10 A. Handed over.
11 Q. To Morie Jusu Kamara?
12 A. Yes, and then he gave the keys back to me.
13 Q. Now, Father Garrick, I want to take your mind to a
14 general situation during this period in Bonthe. You've
12:10:57 15 testified that the Kamajors had said "Now we are in
16 charge of Bonthe"?
17 A. Yeah.
18 Q. It is of interest to us to know how was justice
19 administered in Bonthe. Do you know?
12:11:15 20 A. Yes. They now became the law enforcement officers, and
21 what was happening --
22 Q. Take your time.
23 A. Yes. They were calling upon anybody they have something
24 to do with, and they will call up a court case against
12:11:37 25 the person -- against the civilian -- against the
26 ordinary civilians, and they'll be the judges; and
27 normally it is people having to pay them something. And
28 what they normally do was to tie them with a rope
29 attached to a very short stick, which they called the FM.

1 Q. The rope was called FM rope?

2 A. Yes. I was called upon on some of these occasions, and
3 on some occasions I had to pay some money; on occasion I
4 had to plead with the people to release them.

12:12:17 5 Q. Why did you have to pay money?

6 A. Well, sometimes they will say this person had to pay them
7 such an amount for such a thing, and which he failed --
8 which he or she failed to pay. There are also women who
9 were also tied. And so I will say, "Well, how much was
12:12:36 10 the money?", and then I pay.

11 Q. How many such occasions do you recall, when you have
12 cause to pay money for the release of persons from the
13 Kamajors?

14 A. Two of those occasions and the others I only pleaded.
12:13:04 15 And this matter again was reported to the battalion
16 commander.

17 Q. Did he do anything following that report?

18 A. He told me he'll not be able to control these men. The
19 only thing is that I should find way, first of all, to
12:13:27 20 feed the Kamajors, because they are hungry, they don't
21 have anything to eat, that is why they are causing the
22 trouble. If I be able to provide some food for them,
23 that will calm them down a bit.

24 Q. So were you able to provide food for these Kamajors?

12:13:48 25 A. Yes, at first I provided rice for them, and after some
26 time that got finished. I started providing gari for
27 them.

28 Q. And Father Garrick, out of interest, where did you get
29 the money to make all these provisions?

1 A. More than half of that money came from myself and my own
2 people. I was to build our family house, which was an
3 old wooden building which has survived over 120 years.
4 So I knock that down, I was to build a house for our
12:14:40 5 family house. And, apart from that, some people later on
6 came with their moneys to me for safekeeping.
7 Q. All right. Yes, continue?
8 A. I explained to him, and I was feeding the people, but it
9 came to a point I saw that I will not be able to continue
12:15:08 10 feeding these Kamajors in their hundreds, upon bags of
11 gari every day. So I went and consulted with the
12 battalion commander. I said, "This one is too much on
13 me. There is no I'm going to continue again." He said
14 he has already send messages to Base Zero to Kondewa
12:15:35 15 about the situation in Bonthe, and, indeed, some people
16 were sent to come and investigate the matter.
17 Q. Do you know who those people were that were sent?
18 A. Well, the first set, I can't remember their names now.
19 There was a first set that came. Each time they came,
12:15:58 20 they will always go to me and they will ask me to bring
21 out all those that are still with me; and, after that, I
22 had to pay for some of those people.
23 Q. Are you telling this Court that this set of investigators
24 will order you to bring outside all the people that were
12:16:18 25 with you?
26 A. Yes.
27 Q. And you said pay, pay for what?
28 A. Well, they will ask me to pay for them. Like, for the
29 police officers and the prison officers, those who had

1 relationship with soldiers, and some of the chiefs that
2 are with me.

3 Q. And if you failed to pay, what will happen?

4 A. Well, they threaten to -- the threat was that they are
12:16:43 5 going to be killed.

6 Q. Okay.

7 A. The second group was headed by a young man called
8 Vanjawai.

9 Q. Vanjawai. Your Honours, the spelling is V-A-N-J-A-W-A-I.
12:17:07 10 And that group led by Vanjawai was from where?

11 A. Base Zero.

12 Q. They came from Base Zero?

13 A. Talia.

14 Q. Talia, they came from Talia, thank you. And do you know
12:17:20 15 on whose instructions they were acting?

16 A. Well, that of Kondewa; they came from him. The
17 letters -- the messages were sent by battalion commander
18 to Kondewa himself.

19 Q. Now tell us about this Vanjawai, what was his mission in
12:17:46 20 Bonthe?

21 A. His mission was to -- according to the battalion
22 commander, was to go and see what the Kamajors were
23 doing, and then to somehow talk to them. But he, too,
24 ended up forcing me to bring out those that were staying
12:18:06 25 with me and then, for some of them, paying money.

26 Q. He demanded money from you for the release of those
27 persons?

28 A. Yes.

29 Q. Now, Father Garrick, if we could move on. I want to take

1 you to the period of the 29th of February 1998. Where
2 were you during that time? Were you still in Bonthe?
3 A. Yes, but there was a last group of Kamajors that came to
4 the situation -- to deal with the situation.
12:18:59 5 Q. Which last group was that?
6 A. Kondewa himself. Allieu Kondewa himself came.
7 Q. Okay. He came to Bonthe?
8 A. Yes.
9 Q. What was the purpose of his visit, do you know?
12:19:14 10 A. Well, on the request of the battalion commander, on their
11 complaining about the attitude of the Kamajors against
12 the civilians, and also especially with regards one chief
13 whom I had staying with me.
14 Q. What is the name of that chief?
12:19:40 15 A. Lahai Ndokoi Koroma.
16 Q. Your Honours, it's spelt as L-A-H-A-I N-D-O-K-O-I,
17 Koroma, K-O-R-O-M-A. When you say chief, what kind of
18 chief was he?
19 A. The chiefdom speaker.
12:20:04 20 Q. He was a chiefdom speaker?
21 A. Of Sittia Chiefdom.
22 Q. Of Sittia Chiefdom. How would you relate the visit of
23 Allieu Kondewa to this chiefdom speaker Lahai Koroma?
24 A. All those -- the groups of Kamajors that were coming --
12:20:30 25 not the ones that were sent to the investigate the
26 matter, but those that were coming, were kept on
27 demanding that I shall hand over the chiefdom speaker to
28 them, but I kept telling them that, "I don't have the man
29 with me." And they were moving -- telling -- saying

1 that, "We are going to kill the chiefdom speaker." So I
2 hid him in one of the vestries of the church.
3 Q. And do you know why they were threatening to kill him?
4 PRESIDING JUDGE: Please wait.
12:21:03 5 MR KAMARA: Sorry, Your Honour.
6 THE WITNESS: I don't know.
7 MR KAMARA:
8 Q. Yes, you were trying to relate the visit of Allieu
9 Kondewa to Chief Speaker Koroma?
12:22:11 10 A. Yes, I explained the matter to him myself about Chief
11 Koroma.
12 Q. Are you referring to Kondewa -- you explained to Allieu
13 Kondewa, himself?
14 A. Yes.
12:22:23 15 Q. And did he give you any advice or suggestions?
16 PRESIDING JUDGE: What did he explain to --
17 MR KAMARA: Allieu Kondewa.
18 PRESIDING JUDGE: Yes.
19 MR KAMARA:
12:22:39 20 Q. What was the explain to Allieu Kondewa?
21 A. That I had a chief with me and I will not be able to
22 continue to guarantee his safety, but even before that --
23 Q. Take your time.
24 A. -- yes. I had wanted to --
12:22:55 25 Q. Wait, wait.
26 PRESIDING JUDGE: You mean, this chief, is it? Is this a
27 chiefdom speaker?
28 MR KAMARA: Yes, that is a chiefdom speaker.
29 PRESIDING JUDGE: Chiefdom speaker, not a chief?

1 THE WITNESS: Yes.

2 PRESIDING JUDGE: That's Lahai Koroma?

3 THE WITNESS: Yes.

4 MR KAMARA: Yes.

12:23:10 5 PRESIDING JUDGE: Yes. You told Kondewa that?

6 THE WITNESS: Yes.

7 PRESIDING JUDGE: What did you tell Kondewa, Reverend Father?

8 THE WITNESS: That I will not be able to continue looking

9 after him under this situation, every now and then

12:23:17 10 Kamajors coming to ask for him. There is one part which

11 I jumped. I wanted to say something how he was

12 discovered in my premises.

13 MR KAMARA:

14 Q. How who -- Lahai Koroma was discovered in your premises?

12:23:41 15 A. Yes.

16 Q. Okay, let's leave that for the time being. Let's finish

17 with this incident. We've got to keep the records

18 straight and comprehensive. What did Allieu Kondewa say

19 to you after you've explained to him?

12:23:54 20 A. He, himself, mentioned or spoke about some of the

21 atrocities caused by the Kamajors, and he said the only

22 way to solve that problem is for him to get the chiefdom

23 speaker out of Bonthe.

24 Q. He suggested to you to get Lahai Koroma out of Bonthe?

12:24:30 25 A. Out of Bonthe, yes.

26 Q. Were any arrangements made with regard to that?

27 A. Yes. I was asked to provide some money for his upkeep

28 and his security, by Kondewa, himself, that he will take

29 him along with him. But I should pay some money to take

1 care of his feeding and then his security.

2 Q. So did you give that money to Kondewa?

3 A. Yes, the money was handed over -- not directly to him,

4 but he was there when the money was handed over.

12:25:33 5 Q. Okay. Father Garrick, are you in a position to tell the

6 sum involved? Not really as to the exactitude of the

7 sum, but if you can approximate, we would appreciate

8 that.

9 A. Yes, that -- when I was going for that meeting, I took

12:26:00 10 along a million Leones with me, but out of that money --

11 Q. Take your time, Father Garrick. Their Lordships are

12 taking note of what you say.

13 A. I went round, talking to some Kamajors, and give them

14 something out of that as well.

12:26:36 15 Q. Out of the million Leones you had?

16 A. Yes, the remaining one, either 600 or so, that was what I

17 presented?

18 Q. And what year are we referring to here, Father Garrick?

19 A. 1998.

12:27:04 20 PRESIDING JUDGE: You said 600.

21 THE WITNESS: Yes.

22 PRESIDING JUDGE: Is it 600 or 600,000?

23 THE WITNESS: 600,000.

24 MR KAMARA: 600,000, yeah.

12:27:14 25 Q. Are you referring 600,000 Leones?

26 A. Yes, about that. I can't really -- after giving, what

27 the remainder was.

28 Q. Yes.

29 JUDGE BOUTET: And did you give a date or just a year?

1 MR KAMARA:
2 Q. Do you recall the date of this incident or the year --
3 just the year?
4 A. Well, 1998.
12:27:37 5 MR KAMARA: It was in 1998, Your Honour.
6 Q. So was Chief Lahai eventually taken --
7 A. Yes.
8 Q. -- along with Kondewa?
9 A. Yeah, the next day Kondewa called --
12:28:00 10 PRESIDING JUDGE: Why are you calling him "chief"? Don't
11 confuse the records. Is he a chief or a spokesman?
12 MR KAMARA: Your Honour --
13 THE WITNESS: No --
14 MR KAMARA: -- sometimes chiefdom speakers are referred to --
12:28:03 15 [Overlapping speakers]
16 THE WITNESS: The chiefdom speakers are chiefs, the second in
17 command.
18 PRESIDING JUDGE: I see. They're the second in command, so
19 they are chiefs?
12:28:13 20 THE WITNESS: Yes.
21 MR KAMARA: They are chiefs, yes, Your Honour.
22 PRESIDING JUDGE: Oh, well, okay. So he's not only a chiefdom
23 speaker, but a chief himself?
24 THE WITNESS: Yes.
12:28:22 25 MR KAMARA: Yes, Your Honour.
26 THE WITNESS: So that morning, the next day, I contacted
27 Mr Kondewa, and he told me to wait when many of the
28 Kamajors are not around the seaface, "Then I will take
29 the man to the boat," and then they will leave.

1 MR KAMARA:
2 Q. Did you comply with those instructions?
3 A. Yes.
4 PRESIDING JUDGE: So he was to board a boat?
12:29:50 5 THE WITNESS: Yes.
6 MR KAMARA: Yes.
7 PRESIDING JUDGE: For what destination?
8 THE WITNESS: Talia, Base Zero.
9 MR KAMARA:
12:30:17 10 Q. Father Garrick, did you have cause to pay money for the
11 release of any other persons during that period?
12 A. Yes, many people. There were also other chiefs who were
13 brought in whom I paid for. The Chief of Mania, Chief
14 Bureh Kalo.
12:30:43 15 Q. Spell Mania for us?
16 A. M-A-N-I-A.
17 Q. Chief of Mania, and his name is Bureh -- Chief Bureh?
18 A. Bureh Kallon.
19 MR KAMARA: The spelling for Bureh, Your Honours, is
12:30:56 20 B-U-R-E-H, and Kalo, K-A-L-O.
21 Q. So what happened to Chief Bureh Kalo?
22 A. He was brought in and, in fact, the Kamajors -- the
23 Kamajor elders were meeting in my compound, in the Barri.
24 And he was brought there, and he was accused of
12:31:24 25 collaborating with the junta forces.
26 Q. And is that why you had to pay money for him?
27 A. Yes, I intervened on his behalf and then I asked them to
28 hand him over to me, but they said they will only do that
29 if I pay a certain amount, which I don't remember now how

1 much I paid.

2 Q. But, again, you paid for him?

3 A. Yes.

4 Q. For his release?

12:32:11 5 A. Yeah.

6 Q. Okay. Now, Father Garrick, I'm moving you further on.

7 After the departure --

8 A. There were other people, as well.

9 Q. Yes, we're okay with those that you've mentioned.

12:32:26 10 A. All right.

11 Q. After the departure of Kondewa, did you have cause to go

12 to Freetown?

13 A. Yes.

14 Q. And in what year was that?

12:32:46 15 A. 1998.

16 PRESIDING JUDGE: You mean, going to where?

17 MR KAMARA: To Freetown, come to Freetown.

18 PRESIDING JUDGE: Freetown?

19 MR KAMARA: Freetown, yes, Your Honour.

12:33:07 20 Q. And will you tell this Court why you came to Freetown?

21 A. When I saw that the food I had with me, and the money,

22 will not be able to continue -- I'll not be able to

23 continue giving out to these Kamajors, I decided to find

24 a way to come to Freetown to make our situation known,

12:33:44 25 but there was no fuel around and things were difficult.

26 So I decided first to go to Sierra Rutile and beg from

27 the security forces there some fuel, and to make our

28 situation known, and then I will make the trip to

29 Freetown.

1 Q. All right, Father Garrick. You came to Freetown to see
2 whom?
3 A. To see the Attorney General.
4 Q. When you say Attorney General, Attorney General of what
12:34:26 5 government?
6 A. The SLP Government. By then the Attorney General was
7 Mr Solomon Berewa.
8 Q. And did you have audience with the Attorney General?
9 A. Yes, I did.
12:34:45 10 Q. What did you have to say to him?
11 A. I reported to him the situation in Bonthe, especially the
12 kangaroo courts that were on -- that were set up by the
13 Kamajors. Something needs to be done by the Government
14 to stop those courts.
12:35:34 15 Q. Did you get a response from the then Attorney General?
16 A. Yes, he promised to prepare a document, which he will
17 give to the officer in charge of police to take down to
18 Bonthe.
19 Q. So did you get anything as a result of that visit?
12:35:58 20 A. Yes, the next day I call upon him, and he told me he has
21 already prepared a document and he has given that to the
22 officer in charge of police to take to Bonthe, but he
23 also gave me a copy of what he has done.
24 Q. Were you acquainted with the steps he indicated to the
12:36:20 25 Bonthe police officer?
26 A. Well, I can't get you clear.
27 Q. Were you acquainted -- did he tell you what necessary
28 steps he had put in place?
29 A. He told me he has given this letter to the officer in

1 charge of police, who was Mr Moinima [phon], and he's
2 supposed to leave for Bonthe with the letter.

Q. And you said you had a copy of this letter?

A. Yes.

12:36:47 Q. You were given a copy?

A. Yes.

Q. Did you go to Bonthe thereafter?

A. From there I went to A-Janet where my boat was, and there
I met the officer in charge of police. I ask him whether
12:37:06 he received the letter from the Attorney General. He
agreed, but he said he will not go to Bonthe because
going to Bonthe would be suicidal for him.

Q. So did you do anything then?

A. Then I said, "All right, I will see what I will do." I
12:37:33 moved from there and I went to Sentinal House and copied
my own copy -- I made many copies out of it -- about more
than 50 copies out of it, and I went to Bonthe with it.

Q. Upon your arrival in Bonthe, what happened?

A. I was met by the battalion commander, Morie Jusu Kamara.
12:37:59 He called me and said, "They have discovered the
paramount chief himself, Chief George Brandon, where you
hid him, and they are maltreating him. Go now, go and
meet them straight, and try to get him from them."

Q. And this was a battalion commander saying this?

12:38:20 A. Yes, saying he's not able to control them.

Q. So where did you go?

A. I went to the other headquarters of the Kamajors, the
house of Mr Koroma, and there I met the chief sitting on
the ground.

Q. This is Chief Brandon III?

A. Yes.

Q. And did you do anything?

12:38:54 A. I explained to them that they should leave the Chief
alone, and that I'm just coming from Freetown and I have
an important message for them from the Government.

Q. And what was that message?

12:39:19 A. The message was the document from the Attorney General
prevent -- stopping them from the court -- those courts
that they were putting up.

Q. Did you present to them the letters that you say you
copied?

12:39:31 A. Yes, that I did. Anyone who comes forward and identify
himself as a commander, I present him one copy of a
document. In the end, they ask me what they were to do
with the paramount chief. I ask them to hand him over to
me again.

12:40:03 Q. All right, and our final question to you, Mr Witness, as
a round up, did Allieu Kondewa himself punish anyone, to
your knowledge, after all these reports that were made to
him?

A. Not to my knowledge.

MR KAMARA: That is all for this witness, Your Honours.

12:45:19 JUDGE BOUTET: Thank you, Mr Prosecutor. We're sorry. Yes,
Mr Prosecutor.

MR KAMARA: [Microphone not activated]

JUDGE BOUTET: You had concluded your examination-in-chief?

MR KAMARA: Yes.

JUDGE BOUTET: Yes. We were just trying to determine if we

12:45:41 would proceed now with cross-examination, given it is ten to one and it is Wednesday and we are not proceeding to hear any evidence on Wednesday afternoon. So that was some of our discussion, and the decision is we will not proceed to any cross-examination, otherwise it would be too little, too late, I would think.

12:45:58 But we do have some other information we would like to convey. We have been informed by the Principal Defender that she has prepared the report that she was asked to prepare as a result of comments and observations that you had made, Ms Whitaker, about legal contracts and problems that existed. Remember when you raised that particular issue. She has informed us that she has prepared a report, and we are now asking her to file this report and obviously to give copies to the parties. We may hear arguments if need be about that tomorrow, but we will be asking her to file this report, now she's informed us that this report is now ready, and if there is any necessity to hear anything, we may call her to come in Court tomorrow, after this witness has completed his evidence.

12:46:33 MS WHITAKER: Unfortunately, I haven't discussed any of these matters with her, but I look forward to reading the report.

12:46:44 JUDGE BOUTET: Well, we haven't seen the report either, so we will receive the report at the same time you'll be receiving it. That is why we are saying that we think it should be filed now, so at least you have the report, indeed, to look at it. Then we will see and hear what

needs to be heard or seen after that.

MS WHITAKER: I'm grateful for that. Your Honour, could I
raise two short matters briefly for clarification.

JUDGE BOUTET: Yes.

12:47:07 MS WHITAKER: Entirely separate, not connected with the
evidence. One concerns an issue that arose at the Status
Conference, regarding cross-examination of the expert
witness, and whether a notice of intention to
cross-examine had been filed on behalf of the first
12:47:22 accused.

JUDGE BOUTET: Yes, my recollection -- yes, you may raise it.

MS WHITAKER: Thank you. My understanding is we filed a
conditional -- when initially the report was served on
us, we filed a conditional notice of intention to
12:47:36 cross-examine saying in the event of leave being granted
by the Court for the Prosecution to rely on it we
intended to cross-examine, but as leave at that stage
hadn't been granted, it was phrased as a conditional
notice to cross-examine. I don't know whether
12:47:52 Your Honours -- I had thought that that would stand as a
notice of intention to cross-examine, but I don't know
whether Your Honours require us to re-file that as a
definitive notice.

JUDGE BOUTET: It's a little bit more than that, because you
12:48:06 should be aware that we have issued a consequential order
to this decision, and we issued that on the 1st of
October, saying that if you want to, you had to file --
that was addressed to those who had filed a conditional
response, that they had to file on or before the 15th of

October 2004. I have a copy here. Orders of defence for the three accused to file on or before the 15th of October 2004 a notice to the Trial Chamber regarding whether it accepts the expert's report and whether it wishes to cross-examine the expert witness, and in preliminary to this order, as such, we had said, noting the notice conditionally indicating wish to cross-examine. So, in other words, the conditional response had been taken into consideration when we issued that consequential order.

To my knowledge, nothing has been filed, and you had to file that by the 15th of October as a result of our decision at that time. And we were asking that - I can read to you - a notice to the Trial Chamber indicating whether it accepts the expert's report or whether it wishes to cross-examine the expert witness, and, two, submissions concerning the admissibility of the said report. As to what I know, nothing has been done. Now you are out of time. There is a procedure. You may seek permission in writing to file, if you feel that it may be justified and appropriate.

MS WHITAKER: Certainly, I discussed it with your learned staff and it was suggested that perhaps orally I could ask for leave to apply out of time if it was necessary.

JUDGE BOUTET: I don't think we would be prepared to grant leave on this orally. You can file for --

MS WHITAKER: So be it, Your Honour. We shall do that. And the other matter was whether Your Honours were able to give any indication when you're able to give the ruling

on the issue of the indictment. I would be very grateful if you were able to give me the opportunity to discuss this in person with the chief prior to me leaving Sierra Leone. I appreciate my convenience is a minor --

12:50:11 JUDGE BOUTET: When are you leaving?

MS WHITAKER: I'm leaving on Friday, Your Honour.

JUDGE BOUTET: I can tell you with absolute certainty that it will not be ready by Friday, unfortunately. We would like to, but --

12:50:22 MS WHITAKER: Can Your Honours give an indication when it might be. I think it would be of great interest to the chief to at least know when he might be expected to hear. It was filed, I think, almost two months ago.

PRESIDING JUDGE: We shall deliver it when it will be ready.

12:50:40 MS WHITAKER: Your Honours aren't able to give any --

PRESIDING JUDGE: No, we shouldn't. It's a judicial decision and we shall deliver it when it will be ready.

MS WHITAKER: So be it, Your Honour. I was just wondering if you could give me any indication, but clearly not.

12:50:48 PRESIDING JUDGE: Sorry, no indication. I'm afraid we can't, because it's a matter that is still under examination -- under consideration. So we're sorry, we can't give a timeframe.

MS WHITAKER: So be it, Your Honour.

12:51:08 PRESIDING JUDGE: As to when we can.

JUDGE BOUTET: So, Mr Witness, we've not forgotten about you. We have now completed examination-in-chief of your evidence. We will be adjourning until tomorrow morning at 9.30. At that time it will be for the Defence to

proceed to cross-examination, so you're going to be questioned by the counsel for the three accused as of tomorrow morning at 9.30. Yes, Mr Prosecutor?

12:51:37 MR KAMARA: Yes, Your Honours, I wish to give notice to the Bench and my colleagues on the other side that the next witness will be TF2-071, so they could have time to prepare for that witness.

PRESIDING JUDGE: [Microphone not activated] addition to that?

MR KAMARA: In addition to TF2-071 will then be TF2-008.

12:52:00 PRESIDING JUDGE: Okay. Because you remember the policy of the Chamber is to have at least a stand-by witness, so at least let counsel be informed in time.

MR KAMARA: Very well, Your Honour.

PRESIDING JUDGE: So that we can proceed.

12:52:12 JUDGE BOUTET: May I, Mr Presiding Judge -- can you repeat the witness identification number again, please?

MR KAMARA: TF2-071 will be the next one immediately following Father Garrick.

JUDGE BOUTET: Yes.

12:52:25 MR KAMARA: And thereafter we're getting back to TF2-008.

JUDGE BOUTET: Thank you very much.

MR KAMARA: Thank you.

12:52:46 PRESIDING JUDGE: Right, Father Garrick, you will retire home and we'll be meeting you here again tomorrow at 9.30 for a continuation of your testimony, this time under cross-examination. So you'll have a nice day. The Court will rise and we shall resume tomorrow at 9.30.
[Whereupon the hearing adjourned at 12.56 p.m., to be reconvened on Thursday, the 11th day of November 2004, at

9.30 a.m.]

WITNESSES FOR THE PROSECUTION:

WITNESS: JOHN EMMANUEL WILLIAM GARRICK	1
EXAMINED BY MR KAMARA	1

C E R T I F I C A T E

We Ella K Drury and Roni Kerekes, Official Court Reporters for the Special Court for Sierra Leone, do hereby certify that the foregoing proceedings in the above-entitled cause were taken at the time and place as stated; that it was taken in shorthand (machine writer) and thereafter transcribed by computer, that the foregoing pages contain a true and correct transcription of said proceedings to the best of our ability and understanding.

We further certify that we are not of counsel nor related to any of the parties to this cause and that we are in nowise interested in the result of said cause.

Ella K Drury

Roni Kerekes