



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 25 SEPTEMBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Teresa Doherty, Presiding
Justice Richard Lussick
Justice Julia Sebutinde
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr Simon Meisenberg
Ms Doreen Kiggundu

For the Registry:

Ms Advera Kamuzora
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Christopher Santora
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

1 Thursday, 25 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:28 5 PRESIDING JUDGE: Good morning. Mr Santora?

6 MR SANTORA: Good morning, Madam President, good morning
7 your Honours, good morning counsel. For the Prosecution this
8 morning is Brenda Hollis, Alain Werner, Maja Dimitrova and
9 myself, Christopher Santora.

09:28:49 10 PRESIDING JUDGE: Thank you, Mr Santora. Mr Griffiths?

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today are myself, Courtenay
13 Griffiths, and my learned friend Mr Morris Anyah.

14 PRESIDING JUDGE: Thank you. Now I see there is no witness
09:29:08 15 on the stand, Mr Santora.

16 MR SANTORA: That is correct, Madam President. Before
17 calling the next witness the Prosecution would like to make an
18 application regarding this witness's protective measures. The
19 next witness that is scheduled to testify will be the 45th
09:29:27 20 witness which is currently TF1-459. The witness - after
21 consultation with this witness he has expressed his willingness
22 to testify openly. This witness is currently covered on the
23 three separate decisions of 23 May 2003. These were prejoinder
24 decisions in the three cases of the Prosecutor versus Issa Sesay,
09:30:07 25 Prosecutor versus Morris Kallon and Prosecutor versus Augustine
26 Gbao.

27 Pursuant to this Chamber's ruling on Tuesday, when the
28 Chamber found two to one that certain provisions of that decision
29 apply in that case to that particular witness, this witness is in

1 the same situation and so the Prosecution is applying that
2 provisions B, C and E be lifted for this particular witness.
3 Those provisions are identical in all three of these prejoinder
4 decisions from the 23 May 2003 decision and that is Trial Chamber
09:30:51 5 I.

6 PRESIDING JUDGE: As before, Mr Santora, you have referred
7 to our previous decision. We note your light is still on,
8 Mr Griffiths, but I understood you agreed with the application.

9 MR GRIFFITHS: As always we welcome such.

09:32:39 10 PRESIDING JUDGE: Yes, that's fine.

11 MR ANYAH: Madam President, if it please your Honours, this
12 matter that was ruled on by the Chamber on I recall Tuesday we
13 may very well say might be the subject of subsequent pleadings
14 before your Honours. That being the case, although we agree and
09:33:04 15 welcome the invitation for rescission, we do not waive our rights
16 to challenge the substantive issue that your Honours would recall
17 was the subject of a majority decision of the Chamber.

18 PRESIDING JUDGE: I do recall the reservation you made at
19 the time and I was going to merely restate that by the same
09:33:26 20 majority, for the same reasons and with the same reservation
21 mentioned by Defence we grant the rescission of the protective
22 measures that apply to TF1-459. This is without prejudice to
23 what you have already said, Mr Anyah, on Tuesday. So those
24 protective measures are now rescinded, Mr Santora, on the same
09:33:49 25 terms.

26 MR SANTORA: Thank you, Madam President.

27 JUDGE SEBUTINDE: Justice Sebutinde dissenting.

28 MR SANTORA: Thank you. And the witness will be testifying
29 in English and will be swearing in, but not - without the Bible.

1 Just swearing in and taking the oath pursuant to Rule 90.

2 PRESIDING JUDGE: A declaration.

3 MR SANTORA: Yes, Madam President. So at this point the
4 Prosecution would like to call TF1-459, which I will now call
09:34:23 5 Emmanuel Bull.

6 WITNESS: EMMANUEL BULL [Affirmed]

7 PRESIDING JUDGE: Please proceed, Mr Santora.

8 MR SANTORA: Thank you, Madam President.

9 EXAMINATION-IN-CHIEF BY MR SANTORA:

09:36:26 10 Q. Good morning, witness.

11 A. Good morning.

12 Q. Can you please state your full name for the Court?

13 A. My name is Emmanuel Bull.

14 Q. Mr Witness, I'm going to ask you a series of questions. I
09:36:36 15 would remind you before though to try to speak slowly. I know
16 you are testifying in English, but there are still people trying
17 to take down what you say and so try to speak slowly to the
18 questions.

19 A. Okay, I will.

09:36:49 20 Q. When were you born?

21 A. I was born in 1979.

22 Q. Do you know the day and the month?

23 A. I was born on 2 March 1979.

24 Q. Okay. So how old are you right now?

09:37:06 25 A. I'm 29 years of age.

26 Q. And what do you do for work?

27 A. What do I --

28 Q. What do you do for work, yes, for employment? What's your
29 employment?

1 A. I'm an engineer. I'm employed by a telecoms company and
2 I'm the building administration manager at the moment.

3 Q. So, where are you currently residing? Where do you
4 currently live?

09:37:31 5 A. I'm residing in Freetown, Sierra Leone.

6 Q. And you've been to school? You have an education?

7 A. Yes.

8 Q. What level of education have you reached?

9 A. I am a graduate from the University of Sierra Leone.

09:37:47 10 Q. What's the name of that university?

11 A. Fourah Bay College.

12 Q. When did you graduate?

13 A. I was graduated in the year 2006.

14 Q. And did you have any particular degree?

09:38:04 15 A. Bachelor degree in electrical and electronics engineering.

16 Q. Do you speak any other languages aside from English?

17 A. I can speak Krio.

18 Q. Now, where are you originally from? Where's your family
19 from?

09:38:19 20 A. My family, they're from Kono.

21 Q. What area of Kono?

22 A. My mother comes from Njaiama Nimi koro and my father from
23 Yengema Motema.

24 Q. But you yourself, where did you grow up as a child?

09:38:41 25 A. I grew up in Freetown.

26 Q. So do you speak Kono?

27 A. Not so perfectly.

28 Q. During the war in Sierra Leone where were you living?

29 A. During the war in Sierra Leone I was living in Freetown.

1 Q. Okay. Now, are you familiar with what was called the AFRC
2 regime?

3 A. Yes, I'm familiar with what was called the AFRC regime.

4 Q. And during that time where were you living?

09:39:12 5 A. During the time of the AFRC rule I was in Freetown.

6 Q. Okay. What were you doing there?

7 A. Well, the regime started and we were going to school and I
8 was doing a telecoms engineering course in the Freetown Technical
9 Institute.

09:39:28 10 Q. And did you remain in Freetown during the AFRC junta
11 regime?

12 A. I did not remain in Freetown because during the AFRC it
13 turned out to be that education was not much respected as such
14 and, well, there was a standstill in education when I was in

09:39:53 15 Freetown by then, so by November/December there was no schooling,
16 I can say, no schooling by that time, so I decided to go
17 upcountry to Kono precisely, yes.

18 Q. And that's of what year? November/December what year?

19 A. 1997.

09:40:13 20 Q. What did you mean when you said that education was not much
21 respected during the AFRC?

22 A. Of course those of you who knew what was going on, the
23 government, there was a lot of problems in there politically and
24 there was no political stability in Freetown by then and because
09:40:34 25 of so many - well, experiences, bad experiences with regards to
26 the Alpha Jet and then bombardment and a lot of issues with
27 security, so the government by then decided to close down
28 schools.

29 Q. Okay. So after that you said you went up to Kono,

1 upcountry to Kono, where exactly did you go?

2 A. Well, I went upcountry to Kono. I went to meet my father
3 because of course my father requested that I should go and join
4 him and I went to Motema precisely.

09:41:12 5 Q. Who is your father? Who was your father? Yes, who is your
6 father?

7 A. The name of my father is Tamba Emmanuel Bull.

8 Q. And just to be clear, your full name is Emmanuel Bull. Is
9 that correct?

09:41:26 10 A. My name is Emmanuel Bull.

11 Q. So, you're named after - you're named the same name?

12 A. Yes.

13 Q. When you left to go to Motema did you go alone, or --

14 A. No, no, no, no, I didn't go alone.

09:41:43 15 Q. Who did you go with?

16 A. I went with --

17 MR SANTORA: And I should - perhaps just before I ask this
18 question, I know there was an issue yesterday about certain names
19 being called. I've spoken with counsel opposite, who has agreed
09:42:01 20 that the same procedure could be followed in this regard.

21 PRESIDING JUDGE: Mr Santora, is that in relation to the
22 two persons referred to as "A" and "B" yesterday?

23 MR SANTORA: Yes. Yes, Madam President:

24 Q. Mr Witness, just in terms of two individuals in your
09:42:24 25 family, from this point on - well, when we get to that point I'd
26 like you not to call their names, okay?

27 A. Okay.

28 Q. Now, just go ahead and continue though. Who else --

29 PRESIDING JUDGE: Just for purposes of record, Mr Santora,

1 when you come to that point we will deal with it and record it in
2 the proper procedural way.

3 MR SANTORA: Thank you, Madam President:

4 Q. Let me just move then. So you yourself went up to Motema.

09:42:51 5 Is that correct?

6 A. Yes, that is correct.

7 Q. What was your father doing in Motema?

8 A. My father was doing businesses. He was doing mining and
9 also there was some timber work going on. He was doing business

09:43:04 10 in Kono.

11 Q. Where in Motema was your father?

12 A. Where in Motema?

13 Q. Yes, where was he residing?

14 A. He was residing in his own house.

09:43:16 15 Q. Where is that house in Motema?

16 A. The house is along the highway. If you got to Motema
17 junction - there is a place called Motema junction and there is a
18 junction that leads into the town, right, and you have the police
19 station and there's a fuelling station. In front of that

09:43:38 20 fuelling station, my father's house is.

21 Q. Can you describe your father's house?

22 A. It's a big house. It's a two-storeys building. Down we
23 have shops and up we have the rooms and the parlour. We were
24 using the parlour for a church.

09:43:57 25 Q. Now this location called Motema, can you describe this
26 location? About how big is Motema?

27 A. Motema I can say - well Motema, because Motema and Yengema
28 is sort of a joint - they are now joined. In the olden days it
29 had been a separate town, but I mean except you have described

1 that you are told that this is Motema and this is Yengema, but I
2 mean visually you can see that it's one town, right, and I can
3 say it's about a hundred houses.

09:44:41

4 Q. And are these houses stretched along the highway, or are
5 they concentrated in one area?

6 A. Well, it has some interception along the highway. The town
7 is intercepting the highway. There are some few houses. Like,
8 for my father's house it's about just the third to last or so
9 house to the forest.

09:44:56

10 Q. Okay, so your father's house is at the edge of Motema?

11 A. Yes, it is at the edge.

12 Q. And Motema, where is it in relation to Koidu Town?

13 A. Motema is about the last town. You have so many other
14 small towns, but conventionally it's about the last town to Koidu

09:45:18

15 Town --

16 Q. When you say "the last town" --

17 A. -- to my own understanding, what I know.

18 Q. What do you mean when you say "last town to Koidu Town"?

09:45:32

19 A. If you look - I believe if you look at the map
20 conventionally, Yengema Motema is the last town. You have some
21 other small small villages, but in identity Motema is the last
22 town to Koidu.

23 Q. Are you saying before you arrive to Koidu? Is that
24 what you are --

09:45:48

25 A. Yes.

26 Q. And from which direction?

27 A. You're coming from let's say the Makeni highway. The
28 Makeni highway.

29 Q. So how far is away is that, the edge of Motema from Koidu

1 Town?

2 A. It's about 45 minutes or one hour drive.

3 Q. Now, did you eventually arrive in Motema then during this
4 November/December time?

09:46:16 5 A. I eventually arrived in Motema.

6 Q. And describe what you saw when you arrived?

7 A. Well, what I saw - well, I just arrived in Motema and my
8 father took me up the house. And what was going on, I think the
9 presence of the AFRC and RUF guys were there. They were doing
10 all the minings, but the situation was calm as I could say, you
11 know.

12 Q. Now, did there come a time when that situation changed?

13 A. Pardon?

14 Q. Did there come a time when --

09:46:52 15 A. Yes, the situation changed. There came a time when the
16 situation changed. There came a time.

17 Q. When was that?

18 A. The situation changed, security I'm talking about, when we
19 heard of the invasion - the intervention of the ECOMOG troop in
20 replacing the government. The Tejan Kabbah's government was
21 restored, we heard of that, and I was following up that. That's
22 the time the reflection of that invasion, or intervention. We
23 had a reflection in Motema - in Kono as a whole, you know, so
24 that was when everything changed.

09:47:31 25 Q. So how did you - first of all, how did you hear about the
26 intervention?

27 A. Well the intervention of course we all knew of course, as
28 you may know, about the restoration of the Tejan Kabbah's
29 government, when it's a democratic government, and the AFRC and

1 the RUF they were forced to leave the country, right, and this
2 was being done by the ECOMOG troops.

3 Q. But how did you actually hear about the news?

09:48:08

4 A. How did I actually hear about the news? I was following up
5 the news over the radio station BBC.

6 Q. Okay. Any particular programmes?

7 A. Focus on Africa, to be precise.

8 Q. And after you heard this news, what did you do?

09:48:32

9 A. Well we heard this news of this intervention and of course
10 everything changed, right. By that I mean, well, the guys who
11 were there were being threatened about the security situation and
12 we heard about the hunter militia men, the Kamajors, and there
13 were some other group called the Donsos which were the Kono group
14 of militia men. They were residing, or they gathered themselves

09:49:01

15 - they were resettling in one part of Kenema end coming towards
16 Kono. So we heard of these guys approaching, right, the Kono
17 area. I also heard of the civilians going after these AFRC and
18 RUF guys, right, and there were some sort of security - what can
19 I say? Some small movement, right, around. Then that gave rise
20 for civilians to go after these guys and they ran. They fled the
21 town, actually. And the Kamajors and the Donsos guys, hunter
22 militia in general, they took over the town at that time.

09:49:32

23 Q. So do you know when that was, when they took over the town,
24 the Donsos and the Kamajors?

09:49:50

25 A. They took over the town when?

26 Q. Yes, do you know?

27 A. Ah, yes, it was about late February.

28 Q. And did they remain there?

29 A. Yes, they remained there - well to my knowledge, or to what

1 I saw, there were a lot of things going on also. Like they were
2 identifying some rebels who were in hiding, some of them were in
3 the houses, some of them were residing somewhere, so a lot of
4 movement took place and then exactly that was what was happening.

09:50:24 5 Q. Now, did there come a time when that situation changed?

6 A. Yes, the situation changed. It changed when one morning of
7 course - of course, I was following up the news when the ECOMOG
8 guys were advancing from Freetown, you know they took over
9 Freetown and they were advancing towards the provinces, right.

09:50:47 10 And there came a time I heard of them reaching Makeni, which is
11 one major town to Kono, and of course I was actually anxious to
12 see or to hear these guys coming to Kono. Until one morning,
13 right, I heard gunshot, right. I heard a gunshot coming from
14 Bumpe area.

09:51:13 15 Q. Okay, where is Bumpe in relation to - first of all, where
16 were you when you heard this gunshot?

17 A. I was in my father's house.

18 Q. In Motema?

19 A. Yes.

09:51:20 20 Q. Where is Bumpe in relation to --

21 A. Bumpe is the last town to Yengema Motema, coming from the
22 Makeni end.

23 Q. Okay, so coming from the Makeni end?

24 A. Yes.

09:51:31 25 Q. So coming from the west to the east?

26 A. Yes, of course. Yes.

27 PRESIDING JUDGE: Mr Santora, before we go much further can
28 we clarify some of the "they"s and the "guys".

29 MR SANTORA: Yes, I am sorry.

1 PRESIDING JUDGE: For example, "Everything changed for
2 these guys there".

3 MR SANTORA: I will clarify.

09:51:51

4 PRESIDING JUDGE: And "They ran. They fled the town", if
5 we could clarify those.

6 MR SANTORA: Thank you, Madam President. Let me just find
7 the reference. Madam President, I would just enquire on your
8 page because it may help to make sure I hit the --

09:52:19

9 PRESIDING JUDGE: I'm actually looking partly at my own
10 notes as well. "They fled the town actually" is at page 13, line
11 6/7, on my font, and then earlier on there was something about,
12 "The guys who were there were being threatened", that's page 11,
13 line 20, and "They were residing, or they gathered themselves",
14 and that's line 23/24 of the same page.

09:52:46

15 MR SANTORA: Okay. We definitely are on different fonts,
16 but I will find the reference. Well, let me ask Mr Witness.

17 PRESIDING JUDGE: My learned colleague tells me it's page
18 12 on the smaller font.

19 MR SANTORA: Okay:

09:53:02

20 Q. First of all, Mr Witness, you said, "They were residing, or
21 they gathered themselves. They were resettling in one part of
22 Kenema and coming towards Kono". Who were you referring to when
23 you say "they"?

09:53:23

24 A. I am referring to the Kamajors, the hunter militia men who
25 were for the democratic government, the Tejan Kabbah's
26 government. They were fighting on behalf of the government,
27 Tejan Kabbah's government.

28 Q. And then later on I asked about these Kamajors and I
29 believe you said Donso guys, whether they remained there, and you

1 said to your knowledge or what you saw and later on you said,
2 "Also like they were identifying some rebels who were in hiding.
3 Some of them were in the houses. Some of them were residing
4 somewhere". Who is "them", when you're saying "them"?

09:54:04 5 A. "Them" referring to the AFRC/RUF guys. Referring to
6 AFRC/RUF guys.

7 MR SANTORA: I believe there's one more reference, Madam
8 President. I'm just finding it. I apologise.

9 PRESIDING JUDGE: Yes, "They fled the town".

09:54:28 10 MR SANTORA:

11 Q. Okay. And then later on, Mr Witness, you said that, "Some
12 small movement, right, around. Then that gave rise for civilians
13 to go after these guys and they ran. They fled the town,
14 actually. And the Kamajors and the Donso guys, hunter militia in
09:54:52 15 general, they took over the town at that time". First of all
16 when you said, "They fled the town actually", who were you
17 talking about when you said "they"?

18 A. I'm talking about the AFRC/RUF.

19 Q. And then you said, "They took over the town at that time"?

09:55:08 20 A. The Kamajors, hunter militia, they took over the town after
21 the AFRC/RUF guys fled the town.

22 MR SANTORA: I hope that clarifies it, Madam President.

23 PRESIDING JUDGE: I think that's all the ones I noticed,
24 but I'm sure if others notice they will raise it.

09:55:23 25 MR SANTORA: And I will be a little more attentive to it as
26 we continue:

27 Q. Mr Witness, just a reminder too. I know it's sometimes
28 difficult to remember, but if you could try to call out names --

29 A. Okay.

1 Q. -- as opposed to using pronouns. As opposed to using
2 references like "they" and "them", if you can try to use the
3 names.

4 A. Okay, I will.

09:55:54 5 Q. Thank you. So, Mr Witness, I was just talking to you about
6 when you first heard this gunshot from the Bumpe direction and
7 you were in Motema. Is that correct?

8 A. Yes, I was in Motema.

9 Q. And do you remember the day that you heard this, what day
09:56:18 10 this was?

11 A. I can't remember the exact date.

12 Q. Do you remember the month?

13 A. It's in February.

14 Q. Of what year?

09:56:26 15 A. 1998.

16 Q. Okay. So after you heard this gunshot from the Bumpe
17 direction what did you do?

18 A. We heard the gunshot coming far from the Bumpe direction,
19 right, and of course I was listening to the Focus on Africa and
09:56:54 20 was following up what was happening in Freetown and then exactly
21 I understood that the guys - the AFRC/RUF guys were being pushed
22 out of Freetown and they were advancing towards the provinces,
23 you know. So I just thought of that that morning and then I
24 thought of this firing must have been these AFRC and RUF guys,
09:57:26 25 you know, and logically I thought that the RUF - the Kamajors and
26 the Donsos are in charge of Motema, there will be no sort of gun
27 firing and bombs and so and so forth. If it would have not been
28 with the guys - the opposite side of it, sort of the RUF and the
29 AFRC guys, right, so that came to my understanding that morning

1 and then I suggested to my father and said, "We have to flee this
2 place". So me, my father and the rest of the other family we
3 fled Motema that morning.

4 Q. How many of you fled Motema that morning?

09:58:15 5 A. Counting me and my father and four of my other family
6 members and then my elder brother's family, you know, it's about
7 21 of us in that house. About that.

8 Q. Who is your elder brother?

9 A. My elder brother is Samuel Bull.

09:58:42 10 Q. Okay. Now, you fled that morning. What did you take with
11 you?

12 A. What did we take?

13 Q. What did you take with you, yes?

14 A. We took some food items and then some of our valuables.

09:58:59 15 Like, for me, I took my bag that contains some of my electronics,
16 you know, gadgets and money. We took money. We took money. I
17 myself, I took some money. My brother, of course, he was a
18 businessman. He took a lot of money along with him.

19 Q. Now your father at this time, how old was he?

09:59:23 20 A. By that time?

21 Q. Yes.

22 A. My father now is early 70s. My father now is early 70s.

23 Q. But at that time?

24 A. He's about late - mid-60s or early 60s.

09:59:40 25 Q. Now, did you know which direction you were going to flee
26 to? Did you have any idea where to go?

27 A. Where we were going?

28 Q. Yes.

29 A. Yes, we were heading towards a village called Fakoyia. In

1 fact they said it. They said, "Okay, now we are leaving for
2 Fakoyia. A place called Fakoyia."

3 Q. And why did you pick that place?

4 A. That used to be my father's village, sort of. He has a
10:00:12 5 large - very big land there and he was doing some mining
6 activities there and most of his relatives were residing in that
7 area, in that village, so that was why I believed they thought of
8 we going there.

9 Q. And Fakoyia, first of all what chiefdom is Fakoyia in?

10:00:36 10 A. Fakoyia is that same Nimi koro Chiefdom. It's in that same
11 area. I don't know much about chiefdom and blah, blah, blah in
12 that place, but it's within that vicinity, Nimi koro Chiefdom.

13 Q. Okay. So if I'm standing in Motema, which direction is
14 Fakoyia? Do you know if it's the south, the north, the east, the
10:00:58 15 west?

16 A. Southwest. Now, you have the direction going to Koi du
17 Town, right. It's about - Fakoyia is about a whole 90 degree
18 away the direction of Koi du Town.

19 Q. You said southwest?

10:01:14 20 A. Yes, when you are - if you are in Motema, you are
21 approaching - let's say you are going to Koi du Town, it's like a
22 90 degree direction away from the direction leading to Koi du
23 Town.

24 Q. Okay. So you started - one moment, please. Now, when you
10:01:35 25 said that the decision was to go to Fakoyia, who actually said,
26 "We are going to Fakoyia"?

27 A. My father. My father insisted that we should go there.

28 Q. So did you end up going to Fakoyia?

29 A. We ended - yes, we went to Fakoyia.

1 Q. About how long did it take you?

2 A. Fakoyia is about one-and-a-half to two hours by foot.

3 Q. By foot?

4 A. Yes.

10:02:05 5 Q. So you went by foot?

6 A. Yes, sir.

7 Q. Did you follow a particular road?

8 A. We used a footpath. We used a footpath. It's a place that
9 cannot be - you cannot get there on car or vehicle. You can get
10 there on foot.

10:02:22

11 Q. So what happened after when you arrived in Fakoyia?

12 A. We arrived in Fakoyia and then we stayed for some hours in
13 the Fakoyia village and then my uncle was killed later on, and
14 then my brother and my father they decided that we go and settle
15 in a cave - in a cave which is away from Fakoyia.

10:02:42

16 Q. What do you mean when you say your uncle was killed later
17 on?

18 A. That uncle is - his name is Aiah Sandy. His name is Aiah
19 Sandy and he was killed later.

10:02:59

20 Q. Okay. Well, we will come to that later on. I just want to
21 follow chronologically. Just for clarity, to make sure we're
22 consistent, do you know how to spell Aiah?

23 A. A-I-A-H.

24 Q. Okay. Now you said that, "My brother, my father, they
25 decided that we go and settle in a cave." Let's start from you -
26 the point you arrived in Fakoyia, did you remain there?

10:03:28

27 A. Before we --

28 Q. I'm sorry, I should say when you arrived in Fakoyia, did
29 you remain in Fakoyia village?

1 A. We did not - we stayed there for few hours, right, trying
2 to gather things, waiting for - you know, it's like we were
3 walking in the whole - as a whole group, but like some people who
4 were very slow to walk, they were behind, so we were waiting for
10:04:04 5 everybody to come, you know, to see that everybody is there and
6 most of our things that we came with are okay. Then later we
7 decided to go under the cave - in the cave.

8 Q. Now, what do you mean by "the cave"?

9 A. There was a cave. Of course this - I mean, my father used
10:04:20 10 to say they used to go there a long - in the long years, you
11 know, and their great grandfather they used to use that place as
12 a hiding place, you know, during some kind of war that took place
13 way back and it's a very good hiding place.

14 Q. So where is this cave in relation to Fakoyia village?

10:04:43 15 A. Fakoyia village, it's also an hour. An hour's walk away
16 from Fakoyia on foot.

17 Q. Now initially you said there were approximately 21 of you
18 who took the trip from Motema to Fakoyia. When you left Fakoyia
19 village to go to this cave, about how many people were there with
10:05:06 20 you?

21 A. It's about - yeah, it's about 21 of us, up to 30 people.

22 Q. Were there anybody else besides your family?

23 A. Yeah, there were. We had one pastor. The pastor that was
24 the pastor of the church in my father's house, you know, it's a
10:05:25 25 pastor of Free Gospel Mission, he and his family was with us and
26 somebody else. And like my brother, my elder brother Samuel, his
27 own wife's relatives were there. His own in-laws were there.

28 Q. Now, why were you hiding?

29 A. Why we were in hiding?

1 Q. Yes.

2 A. Of course we had no trust for the security situation there,
3 right, in Motema, and we also thought of these guys coming to the
4 villages, right. We also thought of these guys coming to the
10:06:10 5 villages to look for civilians, taking property and so on and so
6 forth, so it was a wise decision by them - by my father and
7 others - for us to go out of Fakoyia, even though Fakoyia is far
8 away from Motema, but for us to still take some other secured
9 decision to leave Fakoyia and go to the cave. That was the
10:06:32 10 reason why we decided to go to the cave.

11 JUDGE SEBUTINDE: Mr Santora, what guys?

12 MR SANTORA: Thank you, Justice Sebutinde:

13 Q. You said, Mr Witness, that - when I asked you why you were
14 in hiding you said that, "We had no trust for the security
10:07:03 15 situation in Motema and we also thought of these guys coming to
16 the villages"?

17 A. The AFRC/RUF.

18 Q. Okay. Thank you, Mr Witness. So let me just pick up where
19 I was, I'm sorry. So while you were hiding in this cave area,
10:07:35 20 what did you do for food?

21 A. Initially for a few days we took - as I said, we had some
22 rice and palm oil we used for a few days, but it never lasted for
23 long and then we started using something called bush yams. We
24 also ate rat and some other food, you know.

10:08:04 25 Q. And how long did you remain in this cave area outside of
26 Fakoyia?

27 A. We stayed in the cave area for long, over a month. I - my
28 birthday 2 March met me there and we were there for long, for
29 over a month.

1 MR SANTORA: Okay. I would request that now the map that
2 was pre-distributed be shown to the witness and it's - just so
3 the Court is clear, this is the enlarged portion of the map under
4 the map book S11. It's an enlarged portion of the centre of that
10:08:57 5 map. I'm going to be asking the witness to mark it and so I
6 don't know if it's preferable that he sits by the projector.

7 Just to note, this map has not been marked at this point at all:

8 Q. Mr Witness, do you see that document in front of you? What
9 is it? What is that document in front of you?

10:09:44 10 A. It's a map.

11 Q. A map of what? Take a look at it first. Take a look at
12 it.

13 A. Yes, it's a map of - I can see that there are some towns
14 here named. It's a map of some part of Kono.

10:10:03 15 Q. Okay. Do you see the location on that map which says
16 "Koi du"?

17 A. Yes, I can see Koi du.

18 Q. Do you see anywhere on this map a place called Motema?

19 A. There is no place called Motema.

10:10:23 20 Q. Can you mark with a number 1 where Motema is located on
21 this map?

22 A. Motema is located here.

23 MR SANTORA: For purposes of record, the witness has made a
24 number 1 at a location just below the word "Yengema":

10:11:04 25 Q. Maybe, Mr Witness, if you can make that number 1 a little
26 more prominent?

27 A. Pardon?

28 Q. If you can make that 1 a little bigger, just to make sure
29 it's clear. Now you've spoken about a village called Fakoyia.

1 Do you see it on that map?

2 A. Fakoyia is not on the map.

3 Q. Can you identify where approximately Fakoyia would be if it
4 did appear on this map?

10:11:31 5 JUDGE LUSSICK: It is on the map.

6 MR SANTORA: I can clarify, first of all:

7 Q. The Fakoyia you spoke of, Mr Witness, which chiefdom is it
8 in?

9 A. As I said, the Fakoyia I spoke of is around the Nimi koro
10:11:45 10 Chiefdom. Around the Nimi koro Chiefdom.

11 Q. Now, you notice in the Tankoro Chiefdom there's a Fakoyia;
12 is that the Fakoyia?

13 A. Yes, of course. That's not the Fakoyia. That's not the
14 Fakoyia.

10:12:00 15 Q. So can you please make a marking to the Fakoyia you were
16 referring to when you spoke earlier?

17 A. Yeah, Fakoyia is around this area.

18 Q. And I need to you to make a number 2.

19 A. Okay.

10:12:17 20 Q. Now, to the best of your recollection - sorry, for the
21 record, the witness has made a marking of a number 2 just to the
22 northwest of a location marked as Tongbodu in the Nimi koro
23 Chiefdom. Now, Mr Witness, can you, to the best of your ability,
24 trace the route you took from Motema to this location known as
10:12:58 25 Fakoyia.

26 A. Okay. We left Motema, as I said. We came through this
27 town called Bandafada, right. We didn't go inside the town of
28 course but it's like near the village called Bandafada. There is
29 a route that leads to Fakoyia. It's like this.

1 MR SANTORA: Thank you. Just for purposes of record the
2 witness has made a marking from a highlighted - I believe it's
3 green highlighter from number 1 to number 2:

4 Q. You also, Mr Witness, then said that you and your family
10:13:49 5 went to a cave outside of Fakoyia. Could you mark approximately
6 where that would be if it appeared on this map?

7 A. Approximately the cave would be somewhere about here.

8 Q. You can use a number 3 for that marking.

9 A. Okay.

10:14:19 10 MR SANTORA: For purposes of record, the witness has made a
11 number 3 marking almost directly north of Tongbodu and to the
12 east of Bandafada on the border of the Nimi koro and Tankoro
13 chiefdoms:

14 Q. And can you then just for completeness draw a line
10:14:47 15 representing the route you would have taken from the village of
16 Fakoyia to the cave. For purposes of record, the witness has
17 highlighted in orange from the number 2 to the number 3 on that
18 map and at this point the map can be removed and he can return
19 back. Thank you, Madam Court Attendant.

10:15:44 20 Now I'm not going to actually ask for an MFI number at this
21 point because the same map will be used again and I think it's
22 appropriate to request marking after it's completely marked.

23 Okay, Mr Witness, so about how long did you stay then - I
24 may have asked you this but just to pick up - about how long did
10:16:11 25 you stay in this cave area outside of Fakoyia?

26 A. We stayed there - as I said, we stayed there for over a
27 month.

28 Q. And what happened while you were there?

29 A. We were there and then I was following up, as I said, I had

1 a radio with me and I was listening to news and the Sierra Leone
2 broadcasting station also was broadcasting over a short wave. I
3 also tuned my radio to short wave and get news about what is
4 happening in Freetown by then and we were then hiding and I was
10:16:45 5 waiting for the time for ECOMOG to reach Kono. That was our
6 dream and we were anxious to hear that ECOMOG has reached Kono
7 and we had nowhere to go and of course we had little children
8 with us and we thought of being there until the ECOMOG people
9 reached Kono before ever we leave that place and we were just
10:17:16 10 feeding on rats, bush yams and other - I mean bush foods. And
11 that was our activity every day. We had to pray together and
12 then the rain would come and we would get wet and in the morning
13 we dried up our things and then - life is like not good under the
14 cave really, but we were just waiting, you know. I was waiting
10:17:46 15 to hear that ECOMOG is now in Kono and the security situation is
16 now safe before one can get out of that cave.

17 Q. So continue then. What happened while you were waiting?

18 A. Yes, we were there, and one day me, my elder brother Samuel
19 and a guy - I mean a guy who has now been killed, Thomas Kobie,
10:18:16 20 he used to work for my father, he is a miner, a very experienced
21 miner, he has worked for my father for over 10/15 years and three
22 of us would go out to get these bush yams, you know. We would go
23 out miles and miles away to look for bush yams and then we would
24 go in the morning and then come somewhere in the evening,
10:18:43 25 somewhere around in the evening, and then the ladies - few of the
26 ladies would just go few metres away from the cave to get the
27 leaves, you know, we used some of these leaves as part of the
28 food we were eating, you know.

29 So one day me, my elder brother and Thomas, we went out to

1 get these bush yams. On our way coming down, because the cave is
2 like - it is surrounded by a small hill, right, and there you
3 have the cave. So underneath - inside the cave we put some of
4 our belongings and we were just - we put some small shelters
10:19:28 5 around so of course the size of the cave is not enough to host
6 all of us there, so we just put some of our things there and then
7 outside we were - I mean lying on the floor. And what I'm saying
8 is that the cave is surrounded by a hill, so you have to climb
9 the hill, go down the other side and then you can take a walk to
10:19:51 10 somewhere else.

11 So we - after taking the bush yams for the whole of the
12 day, coming down it's about 4 o'clock and we were just coming
13 down and I heard a gunshot, right. I heard a gunshot. So it was
14 a shock for me and my brother. See, we looked at ourselves like
10:20:12 15 this, "What?" Because we never dreamed of a gunshot coming from
16 that place, right. It's like we were not expecting that. We
17 said what? And my brother said "Jesus" and then I said "Let's go
18 back." So we ran up the hill again and take coverage in one
19 area. So we were there. We were just praying. I was just
10:20:35 20 praying, saying, "God what is happening? What is happening with
21 my people?"

22 And then we stayed there for some time and then we - for
23 just about 30 minutes and I said, "No", you know, "we have people
24 there, I have my relatives there, I have my younger ones there,
10:20:52 25 we need to go. Whatever may happen, let's go there. I will go."
26 And then I stood up and my brother and Thomas followed me and
27 then we reached. Fortunately we reached there, the guys had left
28 already. So we - I was there then --

29 Q. When you say the guys had left already, what do you mean?

1 A. The AFRC/RUF guys and I saw the things were scattered, you
2 know. All our things were scattered, you know. They went into
3 our bags, take - like for me, they take some of my electronic
4 gadgets, my camera, few other things, money and then I came to
10:21:38 5 realise - somebody told me that "A" was taken, has been taken.
6 And then I didn't know how I felt at that time, you know. I
7 didn't know how I felt because it was a shock. Everything was
8 like - I don't know how I felt that time.

9 I was holding the machete in my hand and I just hit one of
10:22:03 10 the wood - there was a wood we used to hold small rope, I hit it
11 and everything dropped and my brother was afraid. He thought
12 that I'm going to destroy somebody and then I fell on the ground.
13 You know, I cried. I shouted and then I said, "No, I'm going to
14 go after these guys", the AFRC guys and RUF. I said, "I'm going
10:22:27 15 to go after them. It will not happen to me." And then I started
16 running and my brother - my elder brother and father saying,
17 "Emmanuel, why are you going? Don't go there. These guys have
18 guns. They have guns. They have weapons with them. Don't go
19 there."

10:22:43 20 I said, "No, whatever is going to happen, let it happen,
21 I'm going there." And I started running and then my elder
22 brother and father also started running after me and I heard my
23 father saying, "Emmanuel why are you going?" He said, "Emmanuel,
24 don't go. You want to kill me? If you go then I'm dead." He
10:23:00 25 said, you know - I heard him crying and then I decided to stay
26 back and then --

27 Q. I don't mean to interrupt you, Mr Witness, but you made a
28 reference to "A" and I know that during the course of your
29 testimony you have said that various - you went - there were

1 various people with you. Now I would request at this point to
2 have an application that what was yesterday marked as a
3 confidential exhibit - I believe we can just use the same exhibit
4 in this instance as opposed to creating a new exhibit. I

10:23:41 5 think --

6 PRESIDING JUDGE: No. I would not - I haven't invited a
7 reply but my initial reaction, Mr Santora, is the evidence must
8 be adduced from the witness rather than presented with another
9 witness's evidence.

10:23:56 10 MR SANTORA: Okay. I understand. I'm hesitating just
11 because I know only one was mentioned at this point and
12 without --

13 PRESIDING JUDGE: Well, you can ask the witness - I'm not
14 telling you how to run your case - but you can ask the witness if
10:24:17 15 there are members of the group that he was with whose names he
16 wishes to protect and let him explain why he requires that
17 protection.

18 MR SANTORA: Okay. Thank you, Madam President:

19 Q. I guess, Mr Witness, during the course of your recounting
10:24:33 20 of these events, are there certain members of your family -
21 people that you know or are acquainted - whose names you wish not
22 to call out? Are there certain people that you don't want to
23 call out their names?

24 A. Yes, of course. I have --

10:24:49 25 Q. You don't have to tell me who they are exactly, but are
26 there people who you are acquainted with in some way that you
27 wish not to call out their names?

28 A. I have two people that I don't want to call their names.

29 Q. And why is that?

1 A. The reason why is - well, I guess this is an open court and
2 then people may be hearing what I'm saying, it's open, and they
3 are already full-grown people and it's embarrassing for a woman,
4 you know, for you to be saying things like that, some of his
10:25:34 5 friend or his own - her own spouse may hear things like that.
6 Probably the spouse has never heard of this and all of a sudden -
7 you know, it's like, I can't.

8 MR SANTORA: Okay. At this point I would ask that the
9 witness be given a blank piece of paper.

10:25:55 10 PRESIDING JUDGE: Just let me ask the Defence if they have
11 any objection to this procedure or this evidence being adduced in
12 this way having heard the witness.

13 MR GRIFFITHS: Nothing to add.

14 PRESIDING JUDGE: Very well, Mr Griffiths. Yes, please
10:26:06 15 give Mr Witness some paper and a pen.

16 MR SANTORA:

17 Q. Mr Witness, can you please write the letter "A" - you said
18 there were two people, is that correct? Can you please write the
19 letter "A" and "B" and correspondingly next to each letter write
10:26:38 20 the respective names of those people. Okay. Now before you hand
21 that back, can you please write your name and sign that piece of
22 paper and put today's date. I don't know if you know today's
23 date, which is 25 September. Also, please put next to your name
24 - if you can put TF1-459. I'd ask that the Defence be able to
10:27:35 25 examine that.

26 PRESIDING JUDGE: Please proceed, Mr Santora.

27 MR SANTORA: So at this point I'd ask that that be given a
28 marking as MFI-1.

29 PRESIDING JUDGE: This is a one page document with

1 handwriting by the witness and it becomes MFI-1.

2 MR SANTORA:

3 Q. Mr Witness, now you were just describing what happened when
4 you came back from your food gathering mission and back to your
10:30:29 5 camp by the cave and you said that these guys were the AFRC/RUF
6 guys who had been at the camp. First of all, how did you know
7 that?

8 A. The rest of the other members of the family explained to
9 us. They said, "The AFRC/RUF guys have attacked our place of
10:31:03 10 residing, our refuge, and sent the men in the cave where we are
11 hiding", right. They were - they actually came to know that
12 place, according to what they explained to me, when "A" and "B"
13 and somebody else that were residing with us in that cave went to
14 get these leaves that we were using for food and they heard - the
10:31:37 15 guys, the AFRC/RUF guys, were passing by on the footpath and they
16 heard these voices and then all of a sudden they went there and
17 get hold of them.

18 Q. Of who?

19 A. Get hold of "A" and "B" and also somebody who was with us
10:32:00 20 and they raped them, right. They raped them and then they were
21 taken along and then "B" was released, but "A" was taken along.

22 Q. Who raped them?

23 A. The AFRC/RUF guys.

24 Q. And how do you know that? How do you know that?

10:32:21 25 A. "B" said it, right. "B" explained and she was crying
26 bitterly, right. She was crying and then it was very deplorable
27 anyway. She was so pale and I mean I could not imagine how she
28 was feeling by then. She was crying bitterly when we went there
29 and she was crying that "A" has been taken along, she was never

1 been allowed to be released, but they have released her.

2 Q. So just to clarify, you said "A" and "B" and somebody were
3 outside of the cave area. Is that correct?

4 A. Yes, outside of the cave area.

10:33:08 5 Q. Who was the somebody, this third individual, do you know?

6 A. It's one of the ladies who were - I could not remember the
7 names of all of us who were there, but it's one of the relatives
8 who was with the family by then.

9 Q. And then you said that "A" and "B" were both raped. Is
10:33:30 10 that correct?

11 A. They were raped. Yes, they were raped.

12 Q. And you learned this when you returned back to the camp.
13 Is that correct?

14 A. I learnt that when I returned back to the camp.

10:33:43 15 Q. Okay. Now you also said that "A" was taken. Was "A" the
16 only person taken at this point?

17 A. At that point, yes. I think this fellow - this Thomas
18 Kobie - had a son that was with us. His name is Emmanuel Kobie.
19 He himself was taken along.

10:34:07 20 Q. At this point when you returned to the cave?

21 A. At the time when "A" was and "B" were taken along by the
22 AFRC/RUF guys.

23 Q. Okay. And just to clarify and we'll move on, but you just
24 said "A" and "B" were taken along, but earlier you said that "A"
10:34:28 25 was taken only?

26 A. Only "A" was taken to the camp.

27 Q. Okay, so what happened to "B"?

28 A. "B" was released. She was raped and released.

29 Q. Okay. Now, you also said your father and yourself were -

1 you were telling your father that you wanted to go back to get -
2 to go --

3 A. I wanted to go after the RUF/AFRC guys who took {Redacted}
4 along.

10:35:02 5 Q. And your father responded and he said, "Emmanuel" --

6 PRESIDING JUDGE: Mr Witness, please avoid saying the
7 relationship between you and the person who was abducted. We
8 will redact that reference to the relationship, please.

9 MR SANTORA:

10:35:19 10 Q. Yes, Mr Witness, if you can just refer to letters. You
11 don't have to refer to what relationships are. Do you understand
12 that?

13 A. Yes.

14 Q. Okay. Now, you said that your father - when you told him
10:35:32 15 you wanted to go after them he told you, "Emmanuel, don't go.
16 You want to kill me? If you go then - Emmanuel don't go. You
17 want to kill me. If you go, then I'm dead". Do you know what he
18 meant by that?

19 A. My father was just expressing some kind of bitterness. I
10:35:51 20 mean after having a great shock that "A" has been taken away and
21 again a boy son, Emmanuel, also is going and probably something
22 may happen to him, you know. It's like having a great shock of
23 something happen to "A" and also Emmanuel, you know, that would
24 bring an end to his life. He may rather - I mean out of shock or
10:36:23 25 heart attack he may die, something like that. That was exactly
26 what he was saying.

27 Q. So after this happened, when you returned to camp what
28 happened next?

29 A. So my father, of course, was crying. I heard him crying.

1 You know, he was saying something and underneath he was crying
2 and then that gave me the urge to stay back and say, "Okay". So
3 I just fell on the ground, starting crying bitterly, you know,
4 rolling up and down, and then I was just taken back to the cave.
10:36:58 5 We were there. Everybody was crying, crying bitterly, and then
6 we gathered the remaining of our belongings and we prayed
7 together. So the whole of the night I was awake. I could not
8 sleep. I could not sleep and I was disturbing everyone,
9 disturbing my father. I said, "No, this should not happen. I
10:37:20 10 need to go there. You need to allow me to go. This should not
11 happen". I was disturbing everyone. I could not sleep that
12 night.

13 And then in the morning my father said, "Okay, what we will
14 do is you alone will not go. We will have to gather all the
10:37:42 15 males - the men who are around". About six or seven of us we
16 ourselves and then we said, "Okay, let's go to this area.
17 Probably we can see what we can do. Something may happen". You
18 know, incidentally something can happen, because that was what I
19 was telling them. "I'm not going there to fight, I'm not going
10:38:02 20 there to challenge the guys, but I will just go there, you know,
21 just be around. Probably I can manoeuvre one or two ways so that
22 I can have my way, you know."

23 Q. To what area?

24 A. To Motema. The AFRC and RUF fellow came from Motema. They
10:38:19 25 were based in Motema.

26 PRESIDING JUDGE: Just before you go any further,
27 Mr Santora, to any members of the public who are in the public
28 gallery and to any monitors who are listening, the witness a few
29 moments ago made a statement of a relationship between him and a

1 person and that relationship must not be repeated outside the
2 Court for reasons of security of victims. That is not to be
3 repeated. It has been redacted from the record. Please proceed,
4 Mr Santora.

10:38:52 5 MR SANTORA:

6 Q. So when you said you were going - you were going to go
7 because six or seven of you gathered together and you said,
8 "Let's go to this area", and you said that area was Motema. Is
9 that correct?

10:39:07 10 A. Yes, yes, yes.

11 Q. And then you said, "I'm not going there to fight, I'm not
12 going there to challenge the guys". Who did you mean by "the
13 guys"?

14 A. The AFRC/RUF that took along "A".

10:39:19 15 Q. And then what do you mean when you said, "Probably I can
16 manoeuvre one or two ways so that I can have my way, you know."

17 A. What I meant is that logically speaking if I go to - if I
18 want something here, right, I can manoeuvre myself in a sense. I
19 was thinking of one way like going and befriend with the people,
10:40:01 20 you know, discover {Redacted} and then try to play around things
21 so that I can just hide away --

22 PRESIDING JUDGE: Mr Witness, again that relationship is
23 not to be repeated to members of the public. Again that will be
24 redacted, please. Proceed, Mr Santora.

10:40:17 25 MR SANTORA:

26 Q. Go ahead, Mr Witness. You said you were going there to
27 manoeuvre around. Is that correct?

28 A. Yes, yes, yes.

29 Q. Okay. And you said to befriend?

1 A. One way I thought of - one way of thought of is to befriend
2 with them, locate "A" and find a way a hide away with her. That
3 was one way. The meaning that I mean manoeuvre, that is one of
4 the reasons.

10:40:48 5 Q. So who went with you? You said six or seven of you?

6 A. Yes, six or seven of us. Yes.

7 Q. Who was it?

8 A. My father agreed to come with us. My elder brother Samuel
9 and pastor - Pastor Alyiu. There was a guy called James, who is
10:41:09 10 the husband of my elder brother's in-law and I think two or three
11 other people.

12 Q. So what happened when you went there?

13 A. We were on our way and it was like halfway journeyed to
14 Motema we just - you know, it's like a footpath, it was a
10:41:35 15 footpath, you know, you have the bush or the forest very close to
16 the road, you know. So when you are taking a turn probably you
17 may - you cannot even know that somebody is coming until you come
18 closer. Do you understand what I'm saying? You know, so it was
19 a footpath and we just coincided to meet, you know. It's just a
10:41:57 20 coincidence that we meet with this AFRC/RUF. There were about
21 five of them. About five of them, right. We just - it's a
22 coincidence that we just met and what happened --

23 Q. Before you explain what happened, you've referred several
24 times saying these AFRC/RUF. What do you mean when you say this?

10:42:17 25 A. AFRC/RUF, I know very well that the AFRC were the condemned
26 or - of the Sierra Leone Army. You know, the Tejan Kabbah
27 government uttered a statement when he was being overthrown by
28 the AFRC regime and of course the AFRC guys are made up of the
29 Sierra Leone Army that was disbanded, right. And the RUF are of

1 course the followers and these people who were with the dead man
2 now, Foday Sankoh. Of course, we all know the Revolutionary
3 United Front, so they had a kind of combination. They merged to
4 be one group. We used to call them the junta.

10:43:16 5 Q. Okay. So you said you ran into these AFRC/RUF about five
6 of them?

7 A. Yes, five of them. They were well-armed. They had very
8 big guns and it was a shock. They themselves, they thought that
9 these guys are some other people. Like, guys, I mean that we are
10:43:37 10 some other people who are armed. But I mean, I saw it because I
11 was second - second or so, second or third - I was second or
12 third from the front, right. So I saw it on them. Like --

13 Q. What did you see?

14 A. They had a shock. You know, they wanted to get back but
10:43:57 15 like they saw it that none of us are armed so they started
16 threatening us. "Don't run, don't run, don't run." All the
17 other guys ran. Me and my father - my father ran to the bush, he
18 was in the hiding, and the guys, one of the guys, the AFRC/RUF
19 saw him and said, "Come out, come out" and then my father and my
10:44:15 20 brother Samuel and myself was captured. I could not run by then
21 and then they said, "Come here, come here" and then of course it
22 was a close path, right, so they walked with us under gunpoint to
23 a clear area, right, just a clear field, so there they placed us
24 and then they put the guns on us and then said, "What do you have
10:44:38 25 in your pockets? Take it out." And then I was having a wallet.

26 They took my wallet, took the money and gave me back all the
27 remaining things. I had ID cards, my church membership card and
28 everything was there, and they took my gold ring and I was having
29 a talking watch, and they took it away from me and then all other

1 belongings from my father and my brother was taken away and then
2 they start threatening us. "You are hiding from us, you are
3 hiding from us, we are going to kill you."

4 Q. Who was saying that?

10:45:10 5 A. The AFRC/RUF. One of the - all of them were saying - all
6 of them were saying these words, threatening remarks. They were
7 giving threatening remarks. All of them. Each of them were
8 pointing the gun at us and everybody - myself, I was just
9 pleading, "Oh, my friend, don't kill me." You know, "I like you
10:45:28 10 guys. Don't kill me. Don't kill me. I like you, don't kill me.
11 I'm just a keyboardist, I'm just an organist, I'm not a gunman,
12 I'm not a government man" blah, blah, blah. So everybody was
13 just pleading and then defending and so on and so forth. My
14 brother was crying, "Don't kill me, I have children. Don't kill
10:45:43 15 me." My father also, everybody was just saying these kind of
16 words, pleading, pleading, pleading, "Don't kill me, don't kill
17 me", and the guys were just like that. "We'll kill you today."
18 Making the gun like this, you know.

19 Q. You said there were about five of them, they were heavily
10:46:03 20 armed. Did you recognise - I apologise because I think I'm
21 speaking too fast myself.

22 PRESIDING JUDGE: Yes. We just had a note, Mr Witness,
23 from the people that are actually transcribing, everything you
24 say is written down. They have asked please speak a little
10:46:17 25 slower and remember too that everything you say is being
26 translated and broadcast.

27 THE WITNESS: Okay.

28 PRESIDING JUDGE: So if you could speak slower.

29 Mr Santora.

1 MR SANTORA: Thank you, Madam President. And just for the
2 purposes of record, and I'm making sure that counsel opposite saw
3 that when the witness was describing the men that were yelling at
4 him he also said they were pointing guns and he, for the record,
10:46:43 5 he moved his left arm up and his right arm to his side indicating
6 --

7 THE WITNESS: Yes, I was indicating somebody holding the
8 gun and we were on the floor, right. They said, "Sit on the
9 floor" and all of us were down there. "We're going to kill you
10:47:01 10 today."

11 MR SANTORA: Okay, so just for purposes of record the
12 witness was holding his arms in such a position. I will just
13 make sure counsel across saw.

14 PRESIDING JUDGE: Counsel for Defence, you have noted this?

10:47:12 15 MR GRIFFITHS: I noted it, Madam President. Thank you.

16 PRESIDING JUDGE: Thank you. We'll have it on record as
17 described by Mr Santora.

18 MR SANTORA: Thank you, Madam President:

19 Q. Now, after this was happening to you - now initially you
10:47:30 20 said there were about seven of you, is that correct?

21 A. Yes, about seven of us.

22 Q. How many of you were actually being held at gunpoint?

23 A. Three of us.

24 Q. So what happened to the other four?

10:47:39 25 A. They ran. They ran.

26 Q. So after that happened --

27 A. Yes, and they threatened us and one of them - I heard one
28 of them saying, "This guy looks like one of the girls we took
29 yesterday", you know, and categorically I pronounced - you know,

1 I pronounced the relationship between me and the person they were
2 referring to. So - and they said, "He looks like her. The lips,
3 the face." And I pronounced the relationship. And then the guy
4 said, "We killed her. In fact we killed her. She was about to
10:48:25 5 run, to escape and we killed her" and my father raised his hands
6 like this. "Okay, if you have killed her, glory be to God."
7 That was the exact words he used. But within myself, you know, I
8 have that up in me, I have that kind of character in me that if
9 somebody says something if it is not true, I mean, I have some
10:48:46 10 feelings in me, you know, and I thought that it was a lie, you
11 know, and I was not moved by that word, you know, and my brother
12 also started saying, "Eh, what have you done? Have you killed
13 her? Have you killed her? Oh, Jesus." Like that, you know.

14 Q. What did you mean when your father - why did he raise his
10:49:06 15 hands and say, "Glory be to God"?

16 A. Well, my father is a strong religious man, you know. He
17 just believes that if something happened to him, whether it's
18 positive - whether it's optimistic or pessimistic you need to say
19 thanks to God. She was, you know, it's like a final blow, right.

10:49:27 20 PRESIDING JUDGE: Just for purposes of record, the witness
21 demonstrated that the father raised his hands by putting both
22 hands straight above his head.

23 MR SANTORA: Thank you, Madam President.

24 Q. Just to be clear are you referring to, this person that was
10:49:44 25 killed - are you referring to "A"?

26 A. Yes, referring to "A".

27 Q. Okay. Now, you said you didn't believe, that you had some
28 feelings in you that you thought it was a lie. Is that correct?

29 A. Yes, yes.

1 Q. So after you heard this what happened?

2 A. So after I heard this, the guys continued to threaten and
3 they said, "Okay, get up. Let's move." So my father felt
4 discouraged, my brother also felt discouraged and I was just

10:50:13 5 pleading because I thought we were about to die that moment, the
6 way these guys were threatening us, you know. So I was just
7 pleading, "Don't kill us. Don't kill us. We are for you. I
8 like you. Don't kill us. You know, look at my ID card." I had
9 my ID card, my church ID cards and my college - technical
10:50:34 10 institute card in my possession by then. I said, "Look at my
11 cards. I'm just a church member. I'm just a keyboardist. I'm
12 just an ordinary man. Don't kill us. You know, we have
13 responsibilities." My father, you know, we were just pleading
14 and they said, "Come on, just walk", you know, so we walked.

10:50:50 15 They were behind us, you know, with the guns behind us.

16 Q. Sorry to interrupt you, but I was going to ask you: You
17 said they were heavily armed and with guns. Do you, did you know
18 what kind of guns they had?

19 A. Well, I, later I came to know the different weapons, so I
10:51:05 20 can say some of them had AK-47, AK-58 and one guy was carrying a
21 G3 weapon, and they were having knives. They had a jacket, they
22 have knives, you know, with military gadgets and so on and so
23 forth.

24 Q. And again, I'm just going to remind you again, I know it's
10:51:28 25 sometimes difficult but try to slow down when you're speaking to
26 make sure we can get all the words that you're saying correctly.
27 Okay?

28 A. Okay. Okay.

29 Q. So what happened then after they told you - after these

1 AFRC/RUF guys told you to move, what happened?

2 A. Yeah, they started listening. You know, I came to
3 understand that they surveillanced the bushes, or they raid the
4 bushes by listening to sound, right. They would just sharply
10:51:58 5 listen to some sound coming from afar and then try to know that
6 there are people residing in that area and they will follow the
7 sound. So I observed them. They were going like this slowly,
8 walking, walk, walk and they were holding their guns looking up
9 and down, looking up and down and listening. You know, sometimes
10:52:22 10 when they go up a small hill they will look far to see whether
11 smoke is coming from somewhere else.

12 Q. Do you know what they were looking for?

13 A. They were looking for people. They were looking for where
14 people are hiding. They very well knew that people are in
10:52:39 15 hiding, right. They very well knew that people were in hiding so
16 they were looking for where people are hiding, where they could
17 locate people.

18 Q. And before, you said that you later - I apologise for
19 interrupting what you were saying - but before you said you
10:52:58 20 learned what these kind of guns they were carrying, you learned
21 what they were later?

22 A. I learned that later.

23 Q. How did you come to learn later what those guns were?

24 A. If we go further, there was a time when the guys - the
10:53:14 25 AFRC/RUF guy put us on training.

26 Q. Okay. I'll come to that point later on. But continue now.
27 You were saying that they were looking for - I'm sorry, let me
28 make sure I get it correctly. They were looking for where people
29 are in hiding.

1 A. Yes, yes, they were looking for people who were in hiding.

2 Q. How do you know that? How do you know that's what they
3 were looking for?

4 A. As time goes on, you know, I came to realise that that was
10:53:47 5 their aim. That's what I have concluded now or I am concluding
6 now that they were looking for people who were in hiding because
7 that was what it resulted to, right.

8 Q. Do you know why they were looking for people in hiding?

9 A. They were looking for people in hiding because they want to
10:54:02 10 take their belongings from them, their valuables and they wanted
11 to take women. They were taking property and they were taking
12 young girls, raping them or taking them along to be their wives.

13 Q. Now bringing you back to when you were being led by these
14 five, approximately five AFRC/RUF men, where were they taking
10:54:30 15 you?

16 A. We were going back, you know. We left Fakoyia end, we were
17 approaching Motema, right. So when we met on the way they got us
18 back again. It's like reversing to where we were coming from.

19 Q. So you were walking in the direction towards Fakoyia at
10:54:52 20 this point?

21 A. Yes, we were walking in the direction towards Fakoyia.

22 Q. Okay. So continue. What happened then?

23 A. Yes, and they heard a sound coming from afar, right, and
24 then they started following the sound and one guy was so
10:55:08 25 sensitive, Teddy P, I think I mentioned it in my statement, Teddy
26 P was so sensitive.

27 Q. First of all who is Teddy P?

28 A. Teddy P is one of the AFRC/RUF guys who we met along.

29 Q. Now earlier you said that - you referred to the AFRC as ex

1 - as SLA, former SLAs and the RUF as the Revolutionary United
2 Front followers of the now deceased Foday Sankoh. Was Teddy P -
3 could you tell which particular --

10:55:46 4 A. Teddy P, I could not say. I can't give you a definite - I
5 can't know whether he was RUF or - but he is a young looking -
6 good-looking guy and he was wearing a civilian clothes, right, no
7 uniform, no combat. And he had a jacket, a jacket - the brown
8 jacket and then he was holding - I think he was the guy who hold,
9 who was holding the G3.

10:56:13 10 Q. Okay. So continue. What happened? Teddy P, you said --

11 A. Teddy P, yes, he was so sensitive to hear. He was the one
12 who heard the sound. He heard the sound far, far away. I was
13 observing them. You know, I'm so observant. He said, "I heard
14 a sound coming from afar". He said, "Let's go this side. Let's
10:56:33 15 go this way".

16 Q. Who said that?

17 A. Teddy P. And then he started going, going, going. Finally
18 they were able to know that there were people who were living in
19 that site, right. And they said, "Okay, just stay behind", and
10:56:47 20 they left Ngobeh to look after us.

21 Q. Before you continue, who is Ngobeh?

22 A. Ngobeh is also one of the AFRC/RUF who we met along and
23 Ngobeh - for me I can say Ngobeh to what I saw, you know, like on
24 sight, judging on sight, he was an RUF guy because his appearance
10:57:14 25 was shabby, rugged and the facial - you know, the eyes are so
26 red, a lot of marks, you know, the hair so bushy. You know what
27 I mean, their appearance? And of course I was observing by then
28 that some of these SLA guys, their appearance may be so good
29 somehow, right, and the RUF fellow they are so rough. They

1 cannot be clean. Not all of them, but a good number of them.
2 They cannot be clean. They can't even wash. You understand?
3 You know, so facially or visually I can take a judgment on them
4 that Ngobeh - as I'm saying, Ngobeh is an RUF guy.

10:58:04 5 Q. So, you made an assertion that this person was RUF?

6 A. Yes.

7 Q. But did you actually have anything that you learned - did
8 you learn any - did you have any information otherwise that he
9 was in a particular faction aside from your own impression?

10:58:20 10 A. Yes, that is what I'm saying. The information I have, the
11 RUF people they are rough and they are violent, right. They are
12 violent compared to the SLA guys.

13 Q. Well, let me ask - I guess we can - at this point though
14 you just surmised that Ngobeh was RUF, but you didn't have any
15 other information aside from your observation of him. Is that
16 correct?

17 A. If I don't have any information?

18 Q. You didn't have any other information at this point aside
19 from your own observation of his appearance?

10:58:55 20 A. No, no other information.

21 Q. Okay, so continue. So you said that they had heard this
22 sound and Ngobeh was left back with you?

23 A. Yes, yes, he was left.

24 Q. And they went towards the sound?

10:59:06 25 A. Yes, they went towards where the people were in hiding and
26 we heard them saying, "Don't run, don't run, don't run. If you
27 run, I will shoot you". Then they were able to capture one lady.
28 They were able to capture one lady and take their belongings and
29 then they called Ngobeh. They said, "Come with the guys here",

1 and then we went and joined them and he said, "Okay, catch all
2 the chickens", because there were chickens around. "Catch all
3 the chickens", so we were I mean --

4 Q. Who said, "Catch all the chickens"?

10:59:45 5 A. One of the - I could not remember the exact one that said
6 that, but one of the AFRC/RUF guy.

7 Q. And you said they captured one lady?

8 A. Yes, they captured one lady.

9 Q. Do you know who that was?

10:59:58 10 A. I don't know her. I've never met her before.

11 Q. Could you - from your observation, could you describe her?

12 A. Yes. The lady was bright in colour and the age about
13 18/19, but she was a full grown lady. Very much so, yes.

14 Q. Now, you said Ngobeh remained back with you?

11:00:23 15 A. Yes.

16 Q. Okay. What happened then?

17 A. And then the guys communicated to Ngobeh and said, "Bring
18 them. Bring them along", and then we went and joined them and
19 they said, "Catch all the chickens". We started fighting to

11:00:35 20 catch these chickens. Put them in one - they have something they
21 call coop. Fowl coop.

22 Q. Did you say coop?

23 A. Yes, yes. Then we put all the chickens - we forced them in
24 there. They said, "Just put them in there", and then we were

11:00:51 25 forcing them. You know, well usually we used to have about dozen
26 or six in one coop, but then we overpacked them there and then
27 the guy said, "Okay, take along - take this", and then we were
28 looking in search of the properties, you know. We go under the
29 trees and look for - you know, in the corner, you know, we looked

1 for things there and they take the palm oils, the barks - scatter
2 the barks and look for things, you know. They were just looking
3 out for things and then they asked us to take and I had one fowl
4 coop and a gallon of oil on my head.

11:01:27 5 Q. Who asked you to take these things?

6 A. I could not remember who said it, you know, but one of the
7 AFRC/RUF.

8 Q. Did you have a choice? What if you didn't want to take it?

9 A. If I had?

11:01:42 10 Q. Did you have a choice in the matter? If you didn't want to
11 carry it, could you have said no?

12 A. One wouldn't say, "I won't carry it", because you know what
13 was going on. They are about to kill you and it's like you have
14 to succumb to whatever they said or else you decide to die.

11:01:58 15 Q. So what happened then?

16 A. What happened then we took all these loads and then we left
17 that area and they were coming, coming, coming slowly, coming
18 slowly and then they asked my father to leave, right. They asked
19 my father to leave. I could mention that they asked him. They
11:02:21 20 said, "We don't want old people here", and they asked him to
21 leave.

22 Q. Who asked him to leave?

23 A. One of the AFRC/RUF guys.

24 Q. And so what happened then?

11:02:34 25 A. Then it was only me, my elder brother and this lady that
26 they captured and all of them - the AFRC/RUF. Then they also
27 heard somebody knocking something from afar and they started
28 approaching the sound and they discovered that it was a palm wine
29 tapper, right. They discovered that it was a palm wine tapper

1 and then they approached and then they exactly went under his
2 palm tree, right. You know, we usually walk in that kind of a
3 straight line, you know, and I was very close to them and my
4 older brother was at the back. So, all of their attention -
11:03:22 5 usually Ngobeh used to be something like a guard for us. He
6 would usually be at the back to see that nobody, you know, run.
7 And then they asked the guy - they point the gun on him, "Come
8 down".

9 Q. Could you see the palm wine tapper from where you were?

11:03:37 10 A. Yes, I could see him. He was up - right up there and then
11 they ask him, "Come down". The guy --

12 PRESIDING JUDGE: Please pause, Mr Witness. Just for
13 purposes of record, the witness has made an indication as though
14 holding a gun and pointing upwards. Continue, Mr Santora.

11:03:54 15 MR SANTORA:

16 Q. So after you said that the guys pointed a gun up towards
17 the palm wine tapper in the tree, what happened?

18 A. And then the guy pointed the weapon and the guy just left
19 up there without - because they usually have something they use
11:04:13 20 to climb, you know, that helps them to climb. The guy didn't
21 even use that thing. He jumped from that place.

22 Q. I am sorry, who jumped from that place?

23 A. The palm wine tapper. He jumped from that place and fell
24 on the ground, and immediately Ngobeh lost focus on us and

11:04:31 25 approached this palm wine tapper, right. You know, I was so
26 observing. I saw my brother. My brother was looking at me like
27 this.

28 MR SANTORA: Just for the record, I believe the witness was
29 - can you just --

1 PRESIDING JUDGE: I noticed the witness winking. Please
2 turn the other way and let Defence counsel - repeat that same
3 gesture so Defence counsel can see.

4 THE WITNESS: What should I repeat?

11:05:00 5 PRESIDING JUDGE: You were doing this. Just do it again so
6 that the others can see you clearly.

7 THE WITNESS: Okay.

8 PRESIDING JUDGE: Thank you. Mr Santora?

9 MR SANTORA:

11:05:12 10 Q. So just for purposes, the face that the brother was making
11 to you?

12 A. Yes, yes, my brother was making like this. He was making
13 like this. You know, I didn't know. It was later that I knew
14 that he was telling me to run, we need to run, because all of
11:05:25 15 their attention was on this palm wine tapper, right. Then all of
16 a sudden I heard my brother running and then they say, "Hey, one
17 man has run away. One man has run away". And then they said,
18 "Who is that guy?", and Ngobeh said, "It's his brother". He was
19 pointing at me saying that it is my brother who has ran away. I
11:05:50 20 said, "Oh, you are going to suffer for him". Ah, another plead.

21 Another plead. I started pleading, pleading and pleading. I
22 said, "Please, please, my friend, don't kill me. That guy is
23 just a brother, he is just a blood relation. Me and him, we
24 don't have the same heart. I love you. I like you. Don't kill
11:06:08 25 me. Don't do me anything. You are going to suffer for him."

26 And they were all pouncing on me, sort of trying to threaten me,
27 pointing the gun at me, as if they wanted to kill me, you know.

28 I was pleading, "Don't kill me, please. That guy is just a
29 brother. Don't kill me." I said, okay, well at the end of the

1 day they decided that I should carry the load that he was
2 carrying. That was the last thing they decided on. So
3 eventually, Ngobeh started hitting this palm wine tapper. He
4 used the gun butt. He was hitting this guy aggressively. He
11:06:39 5 variously was hitting this guy and the guy was bleeding all about
6 his body.

7 MR SANTORA: Then again for the record, in referring to
8 Ngobeh hitting the palm wine tapper with a gun butt, the witness
9 was holding his arms over his right shoulder.

11:06:55 10 PRESIDING JUDGE: Thank you, Mr Santora. Counsel for the
11 Defence were able to see that?

12 MR GRIFFITHS: Yes.

13 PRESIDING JUDGE: Very good.

14 MR SANTORA:

11:07:00 15 Q. So first of all you said that Ngobeh started hitting this
16 palm wine tapper. Why? Do you know why?

17 A. Well, I don't know exactly why, but I can presume that
18 this Ngobeh - of course Ngobeh is a Mende man. Mende is one our
19 main tribes in Sierra Leone, and then the palm wine tapper,
11:07:31 20 usually we used to have the Limba people. Of course the Limba
21 people are those who are doing this palm wine tapping all over
22 the country. It is known, right. So I came to think about that,
23 that this is just a tribal thing. Probably they have already
24 concluded that this guy is a Limba man and so they are, you know,
11:07:55 25 trying to beat him because - I mean, to what I understood or to
26 what I saw, like we were captured but we were not hit like that,
27 right.

28 Q. Okay. But you didn't hear anything specifically about --

29 A. No, nothing. No statement specifically. It was just - the

1 guy was just hitting the guy.

2 MR SANTORA: For the record, the witness repeating the same
3 motion as just prior.

4 PRESIDING JUDGE: Quite forcefully on three occasions.

11:08:25 5 MR SANTORA: Thank you, Madam President:

6 Q. Now, what happened to this palm wine tapper?

7 A. He lay there unconscious. We left him there and the guys,
8 the AFRC/RUF guys asked me to take the load off my brother. So I
9 was carrying the palm oil. I had the rice because my brother was

11:08:48 10 taking the bag of rice so I had the rice and I had this palm oil
11 on top, right, and I had the fowl coop was hanging on this other
12 side.

13 Q. Just to clarify, at this point when this happened to this
14 palm wine tapper, where were you in terms of your location?

11:09:06 15 A. Not too far. Just about this distance.

16 Q. I meant to say where were you in terms of vicinity, in
17 terms of Fakoyia and --

18 A. It's not exactly Fakoyia, it's around the vicinity. About
19 the area of Fakoyia. Because we came from the Fakoyia area. Of
20 course I showed you the cave. We left the cave and we were
21 approaching Motema and then on the way we met the AFRC/RUF guys
22 and then they took us back. It's like reversing. So we never
23 went back to Fakoyia area. It's just about that same area.

11:09:24 24 Q. And you said that you left him there. Could you describe
25 what he - when you left the palm wine tapper, can you describe
26 what he looked like when you left him?

27 A. Very unconscious. I could not say that he was dead but
28 very unconscious. I can say he was dead, but I had never
29 performed a medical test on him by then but very unconscious,

1 bleeding.

2 Q. And where was he bleeding from?

3 A. The head. The nose, the ear, the mouth. More - the guy
4 was hitting the mouth - the head. He was actually hitting the
11:10:14 5 head. You understand what I'm saying? No other part of the
6 body, just the head. Hitting the head so hard.

7 MR SANTORA: Again for the record the witness did make one
8 strike with the gun. One movement imitating the gun butt:

9 Q. So continue. As you're moving back towards Fakoyia what
11:10:37 10 happened?

11 A. Yes, and we - I took the load of my brother. It was not
12 easy, really. It was not easy. I will perspire and perspire,
13 exhaust and exhaust over, exhaust, wanted to die and I will just
14 persist. I say, "Okay, let me continue." But luckily for me we
11:11:06 15 were resting as we were going along. We reached somewhere, we
16 rest, and I started making some friendship with one guy called
17 Pikin, right.

18 Q. Who was Pikin?

19 A. Pikin is - he was about the same age, my own same age
11:11:23 20 group, and he was part of the AFRC/RUF guys that we met along.

21 Q. Now earlier I asked you about if you could distinguish
22 between either whether they were AFRC or RUF. With Pikin could
23 you make a distinction?

24 A. Yes. Pikin of course, these are - Pikin, according to the
11:11:43 25 age of Pikin by then, he was about the same age as I was by then,
26 18, 19, very small. In fact I'm a little bit taller. I was a
27 bit taller than him. I profess that these are the voluntary
28 civilians, because by then civilians may decide to join them, you
29 know. You may decide to join them. These are the voluntary

1 civilians that may join them probably partaking in some of the
2 wickedness and so they actually - I mean endorsed that this guy
3 must be with us, so I could not say, or I cannot say that Piki n
4 is SLA because the age of Piki n, or the height of Piki n by then
11:12:28 5 was not to warrant him, or I mean qualify him to be a soldier, or
6 the appearance cannot - I cannot even judge for him to be an RUF.
7 He was a young looking boy, you know. He was speaking Krio and
8 the Krio was good and sound, you know. And of course I cannot
9 say he is an SLA or RUF, but voluntary - voluntary civilians that
11:12:59 10 joined them.

11 Q. Now, you said that he - you started befriending him. Is
12 that correct?

13 A. Yes, yes, I befriended him. You know, I started making
14 some kind of good conversation with him, you know.

11:13:12 15 Q. About what?

16 A. Things like, "Guys, I like you, I want to be with you",
17 because I was thinking - and later on, if I could go back, later
18 on they said to us that "A" was not actually killed.

19 Q. When did you --

11:13:28 20 A. They confessed that.

21 Q. Who told you that "A" was not actually killed?

22 A. Teddy P said that.

23 Q. And when did you learn this?

24 A. When?

11:13:36 25 Q. When did Teddy P tell you --

26 A. He said that when we went and captured the first group,
27 that the lady, the other lady, yes. Before my father ran away
28 they said - Teddy P said, "Don't worry, don't worry", because by
29 that time they were both a bit happy, you know. They saw the

1 cooperation, you know. Even when they say, "Catch all the
2 chickens" everybody was cooperating and then he said, "Don't
3 worry. I mean 'A' was not actually killed. She's alive."

4 Q. So after, why were you trying to befriend Piki n?

11:14:13 5 A. I was trying to befriend Piki n because I really wanted to
6 go to the camp. I wanted to see "A". I want something to be
7 done. I wanted something to be done so that "A" would be freed,
8 right. So I was thinking of a lot and lot of things. I even
9 thought of sacrificing myself. In fact, I was not even seeing
11:14:47 10 myself to secure myself by then, because "A" is my beloved, you
11 know. For her to be suffering somewhere and I'm conveniently
12 living somewhere, no, no, no.

13 Q. So what happened then after you - as you are continuing on
14 and after you're talking with Piki n, what happened then?

11:15:02 15 A. Yes, yes. Piki n actually liked the conversation. I was
16 talking to her. I said, "Okay. Well, no problem, you are my
17 friend." You know, we are saying all of these politic things,
18 you know, and then we reached an area where the guys actually
19 asked me to leave. They said, "Okay. Now you can put everything
11:15:25 20 down. Don't worry, we'll call people to come and collect" and
21 then I said, "No." I pleaded. I said, "No, guys, I want to be
22 with you" because I thought of going to see "A", right. I was
23 actually pressing to see "A". I said, "Don't worry. I mean, I
24 don't have nowhere to go. I don't know where my father is. I
11:15:49 25 don't know where my brothers are. Please just allow me to be
26 with you. I can do anything for you." I was just sort of
27 craving their indulgence, you know, so that I can be with them.
28 And the guys said, "Okay, no problem, you can come with us."
29 See, later I convinced Piki n - I said, "Piki n, can you please

1 just let me see 'A'?" And he said, "Okay, no problem, I will do
2 that for you, you know. I will do that for you, don't worry."

3 Q. So where were you when --

4 A. Very close to Motema. Very, very close to Motema.

11:16:33 5 Q. Okay. And just to clarify, initially you said you were
6 walking back towards Fakoyia, but now you're saying you're very
7 close to Motema?

8 A. Yes. It's like after they captured the first people, and
9 then it's like we made a turn. We made a turn. It's a different
11:16:52 10 route, not the same route. You know the bush path, you have so
11 many, many, many, many routes. So it was not the same route that
12 we came along with. It was a different route that I never knew
13 in fact.

14 Q. Okay. So after this - now you said you're having this
11:17:08 15 conversation with Pikin and he had agreed to let you see "A". Is
16 that correct?

17 A. Yes, yes, yes, he agreed so that I can see "A".

18 Q. And were you able to see "A"?

19 A. Yes.

11:17:20 20 Q. And just before you describe that, I do remind you again to
21 just refer to this person as "A" and that's it. So describe what
22 happened then, when you saw "A"?

23 A. Okay. Pikin allowed me - he said, "Okay, I'm going to
24 allow you to see 'A' and then we came just to the entrance of
11:17:47 25 Motema and he said, "Okay, you can sit here. Wait here. You are
26 not going there. I am going to call her." So we sat there and
27 then not all of them went. Few of them went to the town and then
28 called some civilians to come and take the loads and then all of
29 a sudden I saw "A" coming, right. I saw "A" coming. I saw her.

1 She was actually pale, right. She was pale. I never knew - I
2 can't even imagine how I felt that moment, especially that I
3 understood that these guys - the AFRC/RUF guy would not allow me
4 to take her along. For her, she never knew that I am - probably
11:18:42 5 she was thinking that I'm there to take her along. Somehow
6 anxious to see me or to come to me, then she came, and I hugged
7 her. So pale.

8 I never knew what or how I felt by then. And I asked her
9 to pray along with me. I hold her hands and then we prayed and I
11:19:12 10 was having a pocket Bible. I was having a pocket Bible and then
11 I gave her, I said, "Be reading your Bible. For no reason
12 compromise. Whatever they may do to you, just agree with that.
13 Forget about that. Just pray and ask God to be with you."
14 Right. And the guys were - they allowed me to actually talk with
11:19:46 15 her. They were not interfering with the conversation I had with
16 her. Piki n was far away, just about that distance, you know, so
17 I encouraged, I said, "No matter what they may do to you just
18 agree", I said, "But just pray. Don't compromise in whatever
19 they may ask you to do that you think you can't do it, right?
11:20:08 20 You cannot do it. But then you compromise and do it."

21 I gave her that advice and then one of the lady that was
22 taken along with us, that lady, I said very much "Oh lady", and I
23 called her, I said, "Please come", I said, "Look at me. This is
24 my - please don't forget her. If all goes well after the war I
11:20:42 25 will not ever forget you" I said, "But please look after her for
26 me." And then I don't know how - I don't know how I felt by then
27 leaving "A", you know.

28 Q. When was the next time you would see "A". After this
29 encounter when was the next time you saw "A"?

1 A. Over one year four months.

2 Q. Now after this encounter with "A" - after this meeting with
3 "A" what happened?

11:21:32

4 A. After the meeting with "A" then I decided to leave because
5 the guys asked me to leave.

6 Q. And just before I have you continue I just want to make
7 sure it's clear. You said it was one year and four months until
8 the next time you saw "A". Could you say approximately this
9 encounter that you had with "A" that you've just described for

11:21:49

10 the Court, can you describe within what month and year that was?

11 The encounter outside of Motema. The one you were just
12 describing?

13 A. It was about April. About early April, that's all.

14 Q. Of what year?

11:22:07

15 A. Of 2000 - 1998.

16 Q. Okay. And then you said it was not until one year and four
17 months later that you saw "A" again. Is that correct?

18 JUDGE LUSSICK: Actually, he said over one year and four
19 months.

11:22:19

20 MR SANTORA: I apologise. Over one year and four months:

21 Q. Now after this encounter what happened --

22 A. This guy asked me - the AFRC guys - Piki n precisely asked
23 me to leave and I left. It was late in the evening. The place
24 was dark. I didn't know where to go. It was so discouraging,
11:22:54 25 you know. I starting walking, walking, walking in the forest. I
26 don't know. I don't know. I've never been to that place Kono.
27 I don't know the routes. I don't know the roads. I started
28 walking, right. I walked, walked, walked, walked and I
29 discovered myself entering because I know Bandafada, right. I

1 know Bandafada. I have been there when my father used to take me
2 down to his mining area. I know Bandafada. So I discovered me
3 being to Bandafada.

4 Q. Where is Bandafada?

11:23:26 5 A. Bandafada is just 30 minutes or 45 minute walk on foot from
6 Motema.

7 MR SANTORA: Now I'd just ask again at this point if the
8 previously marked map can be shown to the witness:

9 Q. Mr Witness, you said you were walking from the edge of
11:24:09 10 Motema and you arrived at a location called Bandafada. Do you
11 see that location on the map in front of you?

12 A. Yes, of course.

13 Q. Can you put a number - 4 I believe is the next number, 4.
14 For the record the witness has put a number 4 next to the village
11:24:30 15 on the map called Bandafada in the Nimi koro Chiefdom.

16 Before you leave that map, Mr Witness, earlier you were
17 describing this incident with relation to this Limba man, this
18 palm wine tapper. Could you approximate on this map where that
19 occurred?

11:24:52 20 A. That occurred around - of course it's not exactly Fakoyia,
21 right. It occurred around this end.

22 Q. I'd ask you to put a small number 5 next to that location.
23 For the record, the witness has marked a location that appears to
24 be between Bandafada and Tongbodu, just to the southeast of
11:25:26 25 Bandafada. That's all for the map at this point.

26 So what happened when you arrived in Bandafada?

27 A. I arrived in Bandafada and the town was a ghost town by
28 then. Nobody could be found, the place was dark and I started
29 walking around and I noticed small lights from afar and then I

1 approached that light. It was a lamp in a house and I tried to
2 go in the house and I discovered that there was an old woman -
3 there was an old woman living in that house and I tried to talk
4 with her, but she was speaking Kono and I could not hear Kono
11:26:37 5 properly. So I just forget about her and then just rest. So
6 discouraged, tired, everything. I don't know myself by then.
7 And I just lay in one of the rooms when the bed had no foam or
8 mattress on it, just a bare board and I laid on it.

9 PRESIDING JUDGE: Mr Santora, we've been notified that the
11:27:05 10 tape has just, I think, run out or about to run out.

11 MR SANTORA: Okay.

12 PRESIDING JUDGE: Mr Witness, this is the normal time when
13 we have a mid-morning break of half an hour. We are going to
14 start court again at 12 o'clock. Please adjourn court until 12.

11:27:23 15 [Break taken at 11.30 a.m.]

16 [Upon resuming at 12.00 p.m.]

17 PRESIDING JUDGE: Mr Santora, please proceed.

18 MR SANTORA: Just to note, Madam President, we do have a
19 change of appearance on the Prosecution Bar.

11:59:34 20 PRESIDING JUDGE: Indeed, I see Mr Bangura has joined you.

21 MR SANTORA: Yes. So Brenda Hollis has left the
22 Prosecution Bench and we are joined by Mohamed Bangura.

23 PRESIDING JUDGE: Thank you. I will note that.

24 MR SANTORA:

11:59:50 25 Q. Mr Witness, I am going to ask you some more questions about
26 the events you were describing. Again, I want to remind you to
27 try to speak slowly and to try to call out, not use "they" and
28 "them" if you can. Try to use the actual - call out the names
29 and when it comes to some individuals "A" and "B" to only refer

1 to them as "A" and "B", okay?

2 A. Okay, yes.

3 Q. Now, you were describing before the break about when you
4 had the opportunity to meet "A" on the edge of Motema and you

12:00:25 5 said that after you had this encounter with her and you left you
6 said, "I don't know how I felt." Can you just describe, how did
7 you feel after that encounter with "A"?

8 A. This is a situation wherein I am thinking of somebody,
9 right, I love really. And I know the kind of nature that person

12:01:03 10 has, nature in the sense she is cool, she is not the kind of
11 person who has an active way of doing things, so cool and a kind
12 of tender-hearted somebody who will find it very difficult to go
13 through certain tough situations, right. And we all grew up in
14 Freetown and have got used to some of these tough situations and

12:01:42 15 even myself, right. And when I was young, coming up just after
16 the war I started having some mind to do certain things, right.
17 But all of us, you know, in the family, you know, and we have not
18 got used to such a kind of a tough situation, you know.

19 Q. So, how did you feel at that moment then?

12:02:07 20 A. I felt so discouraged. It was so discouraged.
21 Discouraging, and why I said that I did not know how I felt, it
22 was a situation wherein I could not even imagine myself by then.

23 I cannot even realise myself by then. I had gone, you
24 understand? My mind gone, so I can't even - it is like
12:02:32 25 unconscious in some way. I cannot even imagine how I was feeling
26 by then, you know. I was gone, you know. And - because it is so
27 discouraging. These are things that you will even feel - it is
28 even more than death, you know. For somebody to suffer in such a
29 way, especially that she has not got used to - "A" has not got

1 used to such a situation, she has never met a man before, you
2 know. She is just a virgin. And then all of a sudden things
3 like this happen to her by these - I mean brutal guys. I don't
4 know, you know. I mean, I don't know. That was my thought, you
12:03:25 5 know. I am sorry.

6 Q. Okay. Now, you said that you then started moving back in
7 the direction of Fakoyia alone and you came to a location called
8 Bandafada, is that correct? And you encountered what you
9 described as a ghost town, but you did find a house with a light
12:03:48 10 in it and an old woman who spoke Kono?

11 A. Mm-hmm.

12 Q. And you spent the night there, is that correct?

13 A. Yes, I spent the night there.

14 Q. What happened after that?

12:03:58 15 A. After that I left. In the morning I woke up and then came
16 out of the house and then I discovered also that nobody is living
17 else in that town and I picked some fruit, guava, I remembered, I
18 picked some guava in one guava tree that was in front of the
19 house, and then I ate that guava for my breakfast and then I
12:04:25 20 started walking. I left, you know, but geographically, you know,

21 I knew that I have to take a particular direction, you know, but
22 even when we were in the cave, when we were in the cave the night
23 "A" was taken, we were deciding that we have to go towards
24 Tongbodou and go to Kangama, right, it's like there is in my heart
12:05:03 25 of course the knowledge or the idea that Kangama is in this
26 direction.

27 Q. Which direction is that?

28 A. It is like towards Tongbodou. I can't say south or east, I
29 don't know, I can't remember, but Tongbodou is, as I said, is also

1 about a 90 degree direction away, if you are in Motema, direction
2 away from the direction to Koidu Town.

3 Q. Okay, why were you --

4 JUDGE SEBUTINDE: Mr Santora, if you look at the LiveNote
12:05:34 5 transcript it is "Tombodu". I am not sure that that is what the
6 witness means.

7 MR SANTORA: The witness earlier - and I will clarify:

8 Q. The transcript hear says "Tombodu". What did do you say?
9 What was the village you just said, the name of that village?

10 A. We were - it is like going to Kangama right, but we are
11 going to go through Tongbodu.

12 Q. Say that slowly.

13 A. Tongbodu.

14 Q. Okay.

15 JUDGE SEBUTINDE: That is not Tombodu, but Tongbodu.

16 MR SANTORA: Yes.

17 JUDGE SEBUTINDE: As previously spelt, I think.

18 MR SANTORA: Yes. That is the previous spelling from
19 yesterday and earlier today:

12:06:19 20 Q. So, Mr Witness, why did you say you had to go in this
21 direction, this direction towards Tongbodu?

22 A. Because, well, I knew that we were to approach Kangama
23 because all our intention was to go to Kangama. Kangama, we
24 heard of - that is a place where the Kamajors are and they are
12:06:46 25 securing there and it is a safe zone, right. So, all of us, our
26 intention, since we know that the AFRC and RUF guys are now going
27 out into the forest to look for people, now we have to flee that
28 area, and the safest area for us to go is to Kangama.

29 Q. Okay. So, you were describing how you were walking

1 yourself now after --

2 A. Yes, I was walking myself.

3 Q. From Bandafada and you were walking in the direction -
4 which direction were you walking? Towards where?

12:07:28 5 A. Pardon?

6 Q. You were walking in which direction, towards Tongbodou?

7 A. Yes, Tongbodou going to Kangama area.

8 Q. Okay. So what happened, continue?

9 A. Yes, and I was walking alone and I even don't know - I
12:07:43 10 didn't know where I was going, but I was actually keeping myself
11 on sight directing towards that end, Kangama end. I have never
12 been there, but what they have saying, you know, direction is
13 going this way, you know.

14 Q. How did you keep your orientation?

12:08:03 15 A. How did I keep my orientation? I kept looking at the sun,
16 where the sun was coming from and where it's going to end. That
17 was my point of direction there.

18 Q. So, continue. What happened?

19 A. And I walked and walked and walked, imagine I left in the
12:08:22 20 morning, I was just walking the whole of the day. Some time
21 about 4 o'clock I reach an area where I was so tired really, you
22 know. After walking sometimes I just missed the road, you know.
23 I missed the road, after going to the forest, you know, finding a
24 way until I arrived somewhere else, because I was just - I don't
12:08:48 25 want to - I didn't want to miss my orientation, so I was just
26 heading for one particular direction. So I will go and go and
27 miss the road. You know, this is a footpath. I would miss the
28 road and then I would find a way going through the forest, bush,
29 and then I would find a way down to another footpath and then I

1 will continue to walk. And I reached an area where I heard some
2 noise.

3 Q. Okay.

4 A. Somebody knocking something, okay. I heard somebody
12:09:19 5 knocking something and I approached that sound. I approached the
6 sound and finally I raised up my voice and said, "Is anybody
7 there?" The guy was testy. "Can you give me water to drink?"
8 And then eventually my brother Samuel, they were now in hiding in
9 that area, right. He ran away, left me with the AFRC/RUF guys
12:09:51 10 that captured me for the first time and then he went and discover
11 where the family were and then he gathered them together and then
12 they headed for - they were heading too for that Kangama end. So
13 they themselves sort of retired around that area where I arrived,
14 Samuel and the rest of the family. So upon me shouting, right,
12:10:19 15 "Is anybody there? Please can you help me. I want to drink",
16 and then he heard my voice.

17 Q. Who heard your voice?

18 A. Samuel Bull. He heard my voice and he said, "Ah, is this
19 not Emmanuel?" Then they approached, his pastor and one other
12:10:40 20 fellow, James, one other guy that was with us. The three of them
21 approached me and then they came and they located me and they
22 said, "Wow, Emmanuel". At that time I felt so overtired. In
23 fact that was the time I felt overtired, I dropped down on the
24 ground. You know, they felt so sorry for me. Everybody was
12:11:00 25 kind, everybody was feeling so sorry for me. Because if you look
26 at my appearance, you know, after walking for these guys the
27 other day, having a lot of loads on my head, you know, it was so
28 - and I then fell on the ground and then they took me up and they
29 carried me to one place. We were there --

1 Q. Where did they take you to?

2 A. It was a forest. Just a kind of a clear - it was not a
3 shelter, no cave, no nothing, just a clear place. We retired
4 there for that evening, you know. I fell to sleep and then the
12:11:40 5 next morning we started walking towards Kangama.

6 In fact "B", as I said earlier on, was released when "A"
7 was taken along. Well, in the event of me being with the
8 AFRC/RUF guys to go and locate where "A" was, behind my back "B"
9 was again captured by another group of AFRC/RUF guys.

12:12:15 10 Q. So when you were reunited with your - you said your brother
11 after walking, and you found your brother and some of your family
12 and some other people you knew, was "B" there?

13 A. What?

14 Q. Was "B" there?

12:12:36 15 A. "B" was not there. In fact that was the time they in fact
16 told me that "B" has been taken again.

17 Q. Who told you that?

18 A. My brother, Samuel. He told me that "B" has been taken
19 away again. That was double discouragement.

12:12:50 20 Q. And did he tell you the circumstances of that?

21 A. Of course, I felt so - I was even not able to eat something
22 that day.

23 Q. Did he tell you who took "B" away?

24 A. The RUF/AFRC fellow.

12:13:03 25 Q. And did he say anything else as to where that happened?

26 A. Yes, they informed me. They said they were somewhere in
27 another location hiding at the time I was encountering all these
28 - I was having experience with the AFRC/RUF guy on my way to
29 relocate "A", they said they were in a hiding and these AFRC/RUF

1 guys came again looking around, not the same group that I was
2 with, but this now is a different group. They came around, the
3 AFRC/RUF guy came around and located them and then captured "B"
4 again for the second time.

12:13:49 5 Q. Did they capture anybody else besides "B"?

6 A. Yes, they captured Kobie. Kobie, yes. They captured
7 Kobie. I was not there, but Kobie was captured.

8 Q. Who is Kobie?

9 A. Kobie is Emmanuel. Emmanuel Kobie is the son of one of the
12:14:07 10 men that used to work for my father, Thomas Kobie.

11 Q. So this happened while you were not there?

12 A. I was not there. I was not there.

13 Q. Okay.

14 A. I was not even listening to details and details. You know,
12:14:25 15 just the first statement put me off. The first statement that
16 "B" has been captured. Oh, I went off. I went off.

17 Q. Did you ever - did you ever see "B" again?

18 A. Yes, I saw "B" later. I saw him together with - I saw her
19 together with "A" after about one year. After about one year and
12:14:50 20 four months.

21 Q. I just want to make sure I picked up the last - okay. Did
22 you say after one year and a month, or one year and --

23 A. About one year four months.

24 Q. Okay. So after you reunited with your brother, first of
12:15:11 25 all was your father there too?

26 A. Yes, my father was there.

27 Q. Okay. So what happened then after this?

28 A. Yes, and we said, okay, we have to - because for more
29 things to happen it will not be good, so we have to leave this

1 area. We have to leave this vicinity and then head for a safer
2 area. So we started walking again and the other day in the
3 morning we started walking. We walked and walked and walked and
4 walked the whole of the day.

12:15:47 5 Q. Now you are saying "we" again. Can you describe how many
6 of you were walking?

7 A. We were over - it is about 25 to 30. Those of us who were
8 under the cave - in the cave, right, just about that, with the
9 absence of "A", "B" and Kobie, Emmanuel Kobie.

12:16:07 10 Q. Okay. So you said you were walking all day?

11 A. Yes, we walked all day. All day.

12 Q. In which direction were you walking?

13 A. We were heading for Kangama. We were heading for Kangama.
14 We reached I think one or two, three villages on the way which I

12:16:22 15 could not remember the names, but just few houses were in that
16 village. And I could remember that on the way we met few hunter
17 militia men. You know, that gives us the hope that indeed we are
18 now reaching the safer areas.

19 Q. Why did that give you the hope that you were reaching the
12:16:43 20 safer areas?

21 A. We saw these guys, these Kamajor people. I saw them. A
22 few of them were in the villages and they were carrying these one
23 barrel guns.

24 MR SANTORA: And for the record again the witness was
12:16:57 25 holding up his arms in front of him with his left arm extended
26 and his right arm at his side when he described holding a one
27 barreled gun.

28 PRESIDING JUDGE: Thank you.

29 MR SANTORA:

1 Q. So when you said you were walking and you encountered some
2 of these Kamajor people did they do anything to you?

3 A. No, they didn't do anything to us. On the way I remembered
4 we were searched. You know, we were searched. There is one

12:17:29 5 location where we were searched and of course all of my relatives

6 can speak - my father can speak Mende and Samuel can also speak

7 Mende, right. So they were speaking Mende as they go along as a

8 sign of an identification. And they saw it actually. The

9 entourage, they saw it that we were civilians and so they allowed

12:17:55 10 us to go.

11 Q. So what happened then?

12 A. Yes, we reached Mamboma, a town called Mamboma. Mamboma is

13 not too far away from Kangama, according to what they were

14 saying, because I never reached Kangama.

12:18:10 15 Q. In terms of where Mamboma is, could you - actually I will

16 ask that the map again be shown to the witness. I believe we are

17 up to the number 6. Mr Witness, do you see. Mamboma on that

18 map?

19 A. I cannot see Mamboma here.

12:18:59 20 Q. If Mamboma were depicted on this map, could you point out

21 where it would be?

22 A. Mamboma - Mamboma would be around this area, because it's

23 around coming down this point.

24 Q. So could you --

12:19:30 25 A. I don't know the towns called Sawako or Gbatema, I don't

26 know, but it is leaving this point coming down this end. It is

27 approaching the - coming down this side approaching the Kenema

28 area.

29 Q. Okay. Could you put an indication of a number 6 as to

1 approximately where you think Mamboma would be if it was depicted
2 on this map?

3 A. I have placed an arrow there meaning that our direction was
4 coming down this point, right. And 6 is like the area where I
12:20:11 5 think Mamboma would be.

6 Q. Okay, so you are not exactly - are you not sure where
7 Mamboma is?

8 A. No.

9 MR SANTORA: For the record the witness the drew an arrow
12:20:22 10 in the direction southward from Tongbodou and put a number 6 in
11 the area where he believes Mamboma is, but not indicating a
12 precise location. Okay, thank you. That's all.

13 JUDGE SEBUTINDE: Mr Santora, could we get a time frame
14 when this trek is happening?

12:20:50 15 MR SANTORA: I will clarify that, your Honour:

16 Q. Mr Witness, earlier you described your encounter with "A"
17 as being in April 1998. Now you have described a journey after
18 your reunion with your brother and father and other family
19 members and you were heading in a direction southward and you
12:21:16 20 arrived at a place called Mamboma.

21 A. Yes, sir.

22 Q. Can you give an approximate time frame as to when you
23 arrived in Mamboma?

24 A. I left "A" in Motema and I slept one night in Bandafada. I
12:21:32 25 spent the whole day walking and I discovered my brother Samuel
26 again and we spent the night again and then in the morning we
27 started walking and we reached Mamboma that same day in the
28 evening. So it is approximately three days.

29 Q. So could you then put a month and year to that?

1 A. The month and the year?

2 Q. Yes. Is it within the same April '98?

3 A. It is within the same April.

4 Q. Okay. Now describe what happened when you arrived at
12:22:10 5 Mamboma and again I remind you to speak slowly and try not to use
6 "they"?

7 A. Okay. When I arrive - we arrived in Mamboma, okay. What
8 happened? We arrived there in the evening the same day we left,
9 you know, and we reached Mamboma. It was a very populated
12:22:40 10 village/town. A very populated town. People were there,
11 business people, you know, and of course I saw the hunter militia
12 men, namely the Kamajors, and the Donsos also were there.

13 Q. What do you mean by business people?

14 A. Now, when we were in hiding, we used to have a problem of
12:23:03 15 getting salt and this seasoning, we call it Maggi, you know,
16 which if you don't have it on your food, cooking your food, you
17 won't have a proper taste. So, we usually have a problem of
18 getting salt and this Maggi thing. Then normally we used to know
19 that people are coming far from this Kangama end buying these
12:23:33 20 things.

21 I remember we bought I think a small plastic tied with salt
22 of about 5,000 leones, can you imagine? The normal price used to
23 be 100 leones or so. 5,000 leones we bought it at that time.
24 So, people used to go to Kangama. There are people who were
12:23:54 25 involved in business during the war. There are people, actually
26 their whole life is they go and get themselves, befriend
27 themselves with the rebels and they jump again go over to, you
28 know, there were people who were involved in business. Some of
29 them were even buying diamonds and so on and so forth.

1 So there are some people who actually go to Kangama, get
2 these food items, important food items, come fight their way down
3 to where people are actually in need of this, you understand.
4 So, everybody in that town was, you know, you can see that people
12:24:26 5 are busy at that time. A lot of people - a lot and lot of
6 people, yes.

7 Q. Okay. So, continue. What happened after you arrived in
8 Mamboma?

9 A. So we arrived in the evening and then it was a bit calm,
12:24:43 10 right. It was a bit calm. The situation was cool. The security
11 of course I had rest at that time, regardless of the fact that I
12 am a bit discouraged about "A" and "B", you know. So, we arrived
13 there and I just decided to go and take a shower. I decided to
14 go down the stream and get some shower. So I took off my shirt
12:25:10 15 and I was only left with a short pair of trousers and I took the
16 towel around my neck and went down the stream while leaving the
17 women preparing some bush yams for us to take a meal. I haven't
18 eaten anything for the past days.

19 And after the shower I came up. I wanted to sit down with
12:25:44 20 some other people to have these bush yams and then we sat down.
21 The place was getting dark by then. We sat down and I placed my
22 arm right in the bowl to take a first arm of bush yams. Upon
23 taking these bush yams, this first arm of bush yams up into my
24 mouth, I heard people saying, "Don't run. Don't run. Don't go
12:26:06 25 anywhere. Don't run." Whoa. To my conviction that something is
26 happening. So, I took off. I took off and then ran. I said I
27 am going to run to anywhere.

28 I took off and ran and also Thomas. Thomas, this is Thomas
29 Bull, the son of my elder brother Samuel Bull was with me. He

1 was following me. We run, run, run, run. And we run. We fled
2 that town Mamboma. We heard no gunshot, right. We heard no
3 gunshot. We fled Mamboma and then reached somewhere, another
4 village after Mamboma, and we met some guys there. They were
12:26:53 5 around the fire playing together. We said, "Are you guys sitting
6 here? There is something happening in the town." They say,
7 "What are you coming here with? What have you come with? You
8 want a problem?" I said, "Man, I am saying something fruitful.
9 We were in Mamboma and we heard something like a movement. There
12:27:13 10 were some guys who were saying 'Don't run. Don't run.' I think
11 something is happening in Mamboma" and the guys I think felt it.
12 They realised that I am saying the truth and they say, "Okay,
13 let's go there." So they mobilised themselves and they said they
14 were going to check, right.

12:27:28 15 Q. So who were you with? You said your nephew?
16 A. My nephew, my nephew.
17 Q. Okay. Just you and your nephew.
18 A. Thomas Bull.

19 Q. What about the rest of your family?
12:27:35 20 A. I left them there, right.
21 Q. So, continue.
22 A. I left them there and then of course being in the village
23 some other guys came and joined me there and then we fled that
24 particular village. We went right up a hill. We went right up a
12:27:52 25 hill and then we were there observing what is happening down.
26 Then I started seeing flames of fire coming from Mamboma Town by
27 then.
28 Q. How far away were you from this hill? From the hill, where
29 were you in relation to this village?

1 A. It is like three to four or five hundred metres.

2 Q. What exactly did you observe from that vantage point? What
3 did you see?

4 A. What I saw is flames of fire, that houses are being burnt,
12:28:24 5 right, indicating that these are houses that are being burnt.

6 The place was dark obviously. You know, I could not even see the
7 roofs of the houses, but I very well knew that these flames are
8 coming from houses. So we were there. Right up the hill the
9 place was so cold without shirt and late at night because we were
12:28:47 10 observing, observing, hearing the banging of the pans, you know.

11 All of rushing. I was actually getting the sound from afar,
12 everything that was happening. The houses that were burning, the
13 sound of the burning flames, you know.

14 So I was not even happy actually, but we stayed there on
12:29:09 15 the hill, me and Thomas, and few other guys, and the place was so
16 cold. So I took off the towel round my neck and then put it
17 around Thomas and then like cover him like that. He was actually
18 shivering and then I covered him, you know, and we were there
19 until the morning. The place was so cold, so cold, perfectly
12:29:35 20 cold, and we were there until morning. Of course a few hours or
21 minutes later I decided to come down and I heard these guys
22 saying, "Oh, man, let's don't go back there. Let's go to
23 Kangama."

24 Q. Who was saying that?

12:29:52 25 A. The other fellows that were with me. There were some guys
26 we ran with, but we all fled the town, Mamboma, right. I don't
27 know them. I have never seen them before or even seen them
28 after, but they fled. We fled the town together. So they are
29 saying, "Let's go to Mamboma. I will not go there any longer. I

1 will not go there." And somebody is saying, "You are going to
2 Kangama, sorry? If you go there without an identity then you
3 will have a problem."

4 Q. Who said that?

12:30:21 5 A. Somebody, one guy that we fled the town together. If you
6 go there without an identity, such as ID card, like for me I
7 can't speak Kono or Mende, if I go there without an ID card then
8 I will be hurt. Of course precisely I heard them saying, "If you
9 go there then you can't identify yourself, then you will be used
12:30:41 10 for medicine. Of course we used to hear that these Kamajor
11 people, if you are not with them they will put you in the pot,
12 they will cook you alive, so that kind of remarks came to my
13 knowledge. Oh, I am not going there. I am not going there.

14 Q. Did you have any identification with you?

12:31:01 15 A. Yes, I had by then in my possession, I didn't have then,
16 but when we came to Mamboma, for me to get up and go for the bath
17 or the shower, I took all of my belongings and put it in the bag,
18 so of course I fled Mamboma without a thing except the short pair
19 and the towel, right. So, I left everything in the bag there, so
12:31:29 20 I had no form of identification by then.

21 Q. Okay. So, what did you decide to do?

22 A. Then we decided to go down. Of course, the guys, I left
23 these guys down there and I said, okay, probably they have gone,
24 because that is the usual thing they do. They come --

12:31:50 25 Q. Who is "they"? Who is "they"?

26 A. The RUF and the AFRC guys. They usually come and attack a
27 place. After that causing all their havocs and then go back.
28 That is what they usually do, especially those areas which are
29 more or less - I mean concentrated with the Kamajor guys, right.

1 So I had the thought that these guys probably they have gone,
2 because, I mean, at that time I didn't hear any sound.

3 Q. Sound coming from --

4 A. No sound, no gun, no nothing.

12:32:26 5 Q. Coming from where?

6 A. From that Mamboma Town.

7 Q. Okay.

8 A. So I actually assumed that they have gone. So - and I
9 said, "Okay, let's go down." I called Thomas, I said, "Let's go
10 down. Let's walk slowly and slowly" and approached Mamboma
11 again, so we started walking slowly, slowly, looking and watching
12 and all of a sudden, and then I heard somebody saying, "Where are
13 you going? Don't move." And then my nephew said, "Hey,
14 Emmanuel, these are the guys." He was referring to the RUF/AFRC

12:33:02 15 guys. "They are. They are. There they are." I said, "Don't
16 run. Don't run", you know, because the guys' weapons were all
17 pointing towards us, me and Thomas. Then he said, "Come, come,
18 come here." They were all in hiding, like an ambush.

19 Q. Where - you said - describe where they were exactly?

12:33:23 20 A. They were out of Mamboma, just a few yards away from the
21 main Mamboma Town, at the edge of the town. It was like a forest
22 around the edge - around the town. They laid ambush around
23 waiting for somebody to come or any --

24 Q. What do you mean they were pointing their weapons towards
12:33:41 25 us. Could you see them?

26 A. Yes, I saw them immediately. I heard the sound and I
27 looked and I saw them and they said, "Come here".

28 Q. So what happened after they - one of them said to you "Hey,
29 you, where are you going?" What happened then?

1 A. Okay, can I take an excuse. I want to ease myself quickly.

2 PRESIDING JUDGE: Please assist the witness.

3 MR GRIFFITHS: Madam President, I wonder if I could take
4 advantage of the hiatus to ask that Mr Taylor be excused as well,
12:34:29 5 please.

6 PRESIDING JUDGE: Yes, he may be escorted out.

7 Mr Santora, please proceed.

8 MR SANTORA: Thank you, Madam President.

9 THE WITNESS: Thank you very much.

12:39:05 10 MR SANTORA:

11 Q. Mr Witness, just before we continue, I just want to clarify
12 one thing that you said a little while ago. The reference here
13 from my LiveNote is page 80, line 23. You said that when you
14 were outside of Mamboma from the hill and observing and you could
12:39:23 15 hear things and one thing that it says you said here was that,
16 "So we there. Right up the hill the place was so cold without
17 shirt and late at night because we were observing, observing,
18 hearing the banging of the pans, you know." What did you say?
19 The banging of the what?

12:39:47 20 A. It is like they were some houses in the villages of course
21 built with the zinc, right, and of course the roofs of most of
22 the houses and shelters in Freetown and in Sierra Leone in
23 general they are made with zinc. So when they are burning these
24 houses, they are breaking down these houses, the guys actually
12:40:12 25 were involved in violently, brutally breaking down things, you
26 know, destructions. That is all you can say.

27 Q. So the word "pans" refers to?

28 A. To zinc.

29 Q. To zinc, okay. And "the guys", you are referring to who?

1 A. RUF/AFRC.

2 Q. Okay. Now I want you to continue where you left off where
3 you were describing that you as you approached Mamboma and just
4 on the outside you encountered these men pointing guns at you.

12:40:53 5 A. Pointing guns at me and they said, "Where are you going?"
6 And then they said, "Come here". And I saw them, their guns were
7 pointed at me and Thomas and of course I approached them.
8 Immediately as I realised that these are the AFRC/RUF I started
9 pleading again. Another plea started.

12:41:21 10 Q. How did you know it was the AFRC/RUF guys?

11 A. Their appearance. They had the guns. Their appearance of
12 course will actually tell you that this is an RUF/AFRC or a
13 Kamajor. The Kamajors and the hunter militia men in general,
14 their dresses are in this traditional something, like traditional
12:41:44 15 medicine man. They had some usual dress to put on. They call it
16 ronko in local language, right.

17 Q. What was the word you just used?

18 A. Pardon?

19 Q. What was the word you just said?

12:41:59 20 A. Ronko, ronko. It is a traditional dress used by these
21 medicine men or somebody who is playing with this --

22 MR SANTORA: Just for spelling purposes, R-O-N-K-O:

23 Q. So continue, Mr Witness. So you encountered these men with
24 guns. These particular people that you - how did they appear?

12:42:25 25 A. They appeared as I know the RUF and AFRC guys usually
26 appear.

27 Q. Describe the appearance of these people.

28 A. They wore some of them a half combat, right. They are half
29 combat. And some of them plain. Their faces, their eyes, some

1 of them are hide - their eyes are so red and they have different
2 rifles and on most cases I know that the Kamajors and the - the
3 Kamajors and Donsos in general, the hunter militia men, will not
4 have these automatic rifle.

12:43:05 5 Q. Okay. You just said that, "Some of their faces, their eyes
6 some of them are hide." Did you say "hide" in referring to their
7 - you said, "Their faces, their eyes, some of them are hide."
8 What did you say?

9 A. What I said, some of them, their faces, their eyes are red,
12:43:28 10 right.

11 Q. Why were their eyes red?

12 A. I don't know, because some of them do take this marijuana,
13 drugs, and so on and so forth. So their appearance seems to be
14 very rough generally.

12:43:41 15 Q. Okay. So continue. What happened after now, from this
16 point?

17 A. Yes, after that later on I came to know this guy called
18 Kallay Amara. He was the one who actually captured me. He held
19 me by the hand and then he said, "Where are you going?" And I
12:44:05 20 starting pleading. Kallay Amara called - later on I came to know
21 his name, but he was a guy who actually captured me and started I
22 pleading to him. "My friend" - in fact Kallay Amara is a young
23 looking guy. His appearance is good, right. I started pleading.
24 I say, "Man, in fact I was looking for you. I was looking for
12:44:30 25 you".

26 Q. Who said that?

27 A. I. I said to Kallay Amara and his men. I said, "In fact I
28 was looking for you. There is no reason for me to hide from
29 you".

1 Q. Why did you say that to them?

2 A. This is a situation wherein you want to please, disguise
3 and prevent them from harming you in whatever way. It is like a
4 kind of - well, I was just trying to crave their indulgence, you
12:44:59 5 know, trying to let them please satisfy their - I mean just to
6 satisfy them at the moment for them not to hurt me.

7 Q. About how many gunmen were around. You mentioned one
8 Kallay Amara, but how many were there with guns?

9 A. There were about 11. About 11 - 15. There were not too
12:45:19 10 much that in that ambush.

11 JUDGE SEBUTINDE: Spell Kallay for us, please.

12 MR SANTORA: Yes, your Honour. The spelling I have is
13 C-A-L-L-I-E.

14 THE WITNESS: Kallay is K.

12:45:33 15 MR SANTORA: Okay, why doesn't the witness spell it in that
16 case:

17 Q. How do you spell Kallay?

18 A. K-A-L-L-A-Y.

19 Q. And the last name was Amara?

12:45:43 20 A. Amara.

21 Q. Okay. So you said there were about 11 to 15?

22 A. Yes.

23 Q. Continue then.

24 A. Just a handful of them. And then they said. "Okay, follow
12:45:55 25 us". Do you understand? So they gave me a bag and one two
26 gallon rubber of palm oil and I held both of them and we walked
27 for just few yards and then we entered the Mamboma.

28 Q. What did you see when you entered Mamboma?

29 A. When I entered Mamboma I could not by then identify Mamboma

1 again. I didn't know even that this is Mamboma, because all the
2 houses were burnt down. All the houses were burnt down. Only
3 one single house was left, right. And I saw dead bodies. I saw
4 dead bodies and I saw a head cut off and placed on a stick.

12:46:50 5 Q. Where did you see this head on a stick?

6 A. It was - there is a road. There is a road out of the town.
7 At the edge of the road the stick was there and one of the guys
8 was saying, "You, that's the way we are coming to cut your head".

9 MR SANTORA: Just for the record the witness indicated with
12:47:11 10 his hand a slashing movement.

11 THE WITNESS: "Guys, look, look, that's the way we are
12 coming to cut your head". And I said, "Man, don't do that. I
13 love you. I like you, man. I want to be with you".

14 MR SANTORA:

12:47:21 15 Q. Who said that to you?

16 A. I did not remember his name, but one of the AFRC/RUF guys.

17 Q. You said you also saw bodies. Where did you see bodies?

18 A. Where?

19 Q. Yes, where?

12:47:37 20 A. Mamboma Town of itself is like the houses are surrounding
21 it's like a circle. You know, in the centre there is a field,
22 you understand? So it is like where the field - the small field
23 was - there people were and all the destruction you can see them
24 and I saw the bodies by the broken houses or the burnt houses. I
12:48:00 25 saw the bodies.

26 Q. Do you know how many bodies you say approximately?

27 A. I can not presume to say. I was not able to count the dead
28 bodies.

29 Q. What else did you see?

1 A. Yes, immediately I saw my father among the group of people
2 held. They were bound together. I saw my father and my brother
3 Andrew and Titus.

4 Q. So there were people there you said bunched together?

12:48:24 5 A. Yes, they were bunched together. They had these properties
6 - they had the properties that were taken away from people, they
7 packed all of them in one side.

8 Q. Who packed all of them?

9 A. The AFRC/RUF guys and then the civilians were near these
12:48:46 10 things, so I saw my father and my brother Andrew and Titus.

11 Q. Besides your father, your brother - did you say your
12 brother Andrew?

13 A. Yes, I saw Andrew and Titus.

14 Q. And Titus?

12:49:04 15 A. Yes.

16 Q. Did you see - were there other people with them?

17 A. There were a lot of other people, but these are the only
18 people I identified as my own people.

19 Q. So how many people were with them approximately?

12:49:15 20 A. Approximately it's about - maybe about 25 to 30 people.
21 About that approximately.

22 Q. What was the composition of this group?

23 A. The composition, there were women, right.

24 Q. Okay.

12:49:33 25 A. There were a few old people, old Pas. Then there were
26 children. There were suckling mothers.

27 Q. So what happened then?

28 A. Well, the first thing my father told me was, "Emmanuel,
29 they have killed Thomas". He quietly said that to me. He said,

1 "Emmanuel, they have killed Thomas" and I saw blood coming down
2 my father's head, right. You know, at that time it was like a
3 dream for me now. I saw blood coming down my father's head.

4 Q. Did he say who had killed Thomas?

12:50:18 5 A. My father said that - my father said, "They have killed
6 Thomas". You know, my father used to love that guy so much
7 because he is very hardworking. He used to say that to me. He
8 say, "Even if I'm gone don't forget Thomas or his own child,
9 don't forget them". He is very grateful to him. You know, so he
12:50:38 10 felt it so much. That was the first statement he said. He was
11 not even complaining about the blood coming down his head, just
12 to say that they have killed Thomas.

13 Q. What happened after he said that?

14 JUDGE SEBUTINDE: Thomas who?

12:50:54 15 MR SANTORA: I'm sorry, I will clarify that:

16 Q. When he said - do you know who he meant when he said they
17 had killed Thomas, who is Thomas?

18 A. Thomas Kobie. Thomas Kobie is one of the guys who worked
19 for my father in the mining company.

12:51:07 20 Q. Did you learn how he was killed?

21 A. He later on told me that they fired somebody and the
22 bullet, well, hit him on his leg and later on they machete - one
23 guy used a machete and killed him.

24 Q. Who used a machete to kill him?

12:51:28 25 A. The RUF and the AFRC, one of the AFRC/RUF guys, because
26 they were in one place when they killed him, but I was not there.

27 Q. Okay. And who actually told you that?

28 A. My father told me it.

29 Q. Now, when you saw your father and he told you this and you

1 saw the blood on his head how did you feel?

12:52:01 2 A. I felt so bad. I felt so bad. The blood was actually
3 coming down, but he was actually - I mean he was actually
4 thinking too much discouraged about the death of Thomas, you
5 know. I felt so bad about everything. But it was - the
6 environment was so violent, I mean. For me to look and see dead
7 bodies - I turned and I saw a head cut off and then somebody is
8 telling me, "You, we are going to make your head like this" and,
9 you know, I thought that I am dead already, you know. I thought
12:52:25 10 I was dead.

11 Q. Okay. Continue then. What happened after that?

12 A. So the guys were there and then they were taking all of
13 this property like the sheeps, the goats.

14 Q. I'm sorry again, just who --

12:52:38 15 A. The AFRC/RUF guys were taking the sheeps, goats, the
16 belongings, the properties all about, packing them, packing them,
17 and then all of a sudden I observed there was one guy called
18 Cobra. He was so active, moving up and down, "Hey, hey, hey",
19 you know. The guy called Cobra, Cobra, he was speaking actually
12:53:05 20 the Liberian English, right. And then later on, when I was with
21 them, I understand that he is an RUF and he is a Liberian man,
22 right. But he was actually speaking perfectly Liberian English.

23 Q. So what was Cobra doing?

12:53:33 24 A. Cobra was violent. In fact, he is the number 1 on that
25 operation. He was the number 1 violence man, because he will go
26 there threaten people, hit people. He was the number 1 violence
27 man, right. He was going up and down, so active.

28 Q. How do you know this?

29 A. I saw it myself.

1 Q. What do you mean he was going up and down? What was he
2 exactly doing?

3 A. Now he was like - he was - it is like he was a kind of in
4 control. He was a kind of in control of things. He is like an
12:54:05 5 authoritative somebody among these guys. He was actually being
6 authoritative in all what he was doing.

7 Q. How do you know he was RUF?

8 A. Later I was with them, as I told you, and I was actually
9 observing them, observing what they are doing, asking questions
12:54:25 10 and I know and I knew that he is an RUF guy.

11 Q. And what do you mean he was actually being authoritative in
12 all that he was doing? What do you mean when you say he was
13 actually being authoritative?

14 A. He was commanding other rebels, other RUF and AFRC guys.
12:54:45 15 He was saying, "Hey, move there, check this thing. No, this is
16 government property." I heard that word. They said it. "This
17 is government property. No, not yours. No, don't do it. Hey,
18 if you do it", like that. These words. "If you don't do it move
19 from this point. Hey, you, move there." It was like that.
12:54:59 20 "Move, you move. You stay there."

21 Q. Okay.

22 A. He was very authoritative, as I said.

23 Q. And were the people he was speaking to, were they listening
24 to him?

12:55:11 25 A. Yes, they were listening to him. They were listening to
26 him.

27 Q. So, continue then. What happened at this point?

28 A. We finally had an instruction from - we had an instruction
29 from them that we have to move, right. So they started

1 allocating this stolen property.

2 Q. When you say stolen properties, why do you call them stolen
3 properties?

12:55:44

4 A. Things that were ours by then, our food items, the sheeps
5 and goats that were in that Mamboma Town, they are not theirs.
6 Theirs, I mean the AFRC/RUF guys. And then all our belongings,
7 clothings and other items, you know.

8 Q. Okay. So, continue. You said there was an instruction
9 from them that we have to move, so they started allocating the
10 stolen property?

12:56:11

11 A. They started allocating the stolen property for us to carry
12 them.

13 Q. Okay.

12:56:25

14 A. And then I was given a gallon, a whole rubber of palm oil
15 and one radio set and a fowl - and a whole coop. I mentioned
16 earlier about the fowl coop, yes.

17 Q. What do you mean a radio set?

12:56:44

18 A. A radio set, like you have these radio cassette player, you
19 know. The radio cassette player. It was a red one in colour, I
20 could remember, you know, I was given it. They said, "Take it"
21 and I hold it one hand and the fowl coop was hanging on this
22 shoulder and I get hold of the gallon.

23 MR SANTORA: Just for the record, in describing that the
24 witness pointed to his right shoulder and then on top of his head
25 in referring to the palm --

12:57:01

26 Q. Is it palm oil?

27 A. The palm oil. A rubber, a gallon of palm oil.

28 JUDGE SEBUTINDE: When the witness says a gallon, what
29 exactly?

1 THE WITNESS: Sorry about that. Saying a gallon, sorry
2 about that, saying a gallon, I can say a whole container. It is
3 like five gallons. That container is used for the cooking oil.
4 You usually use it to store that palm oil, but it's exactly five
12:57:29 5 gallon in capacity.

6 MR SANTORA:

7 Q. How big is it?

8 A. Five gallon capacity is about this length and the width is
9 about this.

12:57:39 10 Q. Perhaps it is better you do that so everyone can see. Can
11 you describe the length again?

12 A. Okay. The length - the height of a five gallon is like
13 this, right. Just like this. And the width is about this.

14 JUDGE SEBUTINDE: That looks like a container of 20 litres
12:57:58 15 or something. A 20 litre container.

16 THE WITNESS: I can't --

17 MR SANTORA: I have to admit that I completely --

18 THE WITNESS: I know very well. I know very well that it
19 is a five-gallon container. We used to use that for our - the
12:58:15 20 palm oil. They used to buy it - they used to sell the cooking
21 oil in it, right. If you go to buy the cooking oil in the shop
22 you will get it and somebody will probably use all the cooking
23 oil and they will reuse it for the palm oil. That is five
24 gallon.

12:58:32 25 MR SANTORA: Just for the record on the dimensions, and I
26 will ask for a stipulation unless counsel disagrees with my
27 estimates, that the length described was approximately --

28 PRESIDING JUDGE: We do have a tape measure I think, don't
29 we, Madam Court Officer, and we will get that fairly - as

1 accurately as we can. Can we have the measurements, please,
2 Madam Court Officer?

3 MR SANTORA:

12:59:31

4 Q. Mr Witness, can you just again indicate the height and
5 width of the item you were carrying?

6 A. Okay. The container is - it has a width, a height and a
7 breadth. They are of different dimension. It is not a square.
8 It is not a cube. It is not a cube.

9 Q. Is it circular?

12:59:50

10 A. It is not a cube. It is not circular. It is a kind of -
11 it is not four square-sided figure. You understand what I am
12 saying? The height is like this.

13 Q. What is that measurement?

14 A. Is this in metres? 6.0.

13:00:25

15 PRESIDING JUDGE: Is that 60 centimetres?

16 THE WITNESS: 60, sorry.

17 MS KAMUZORA: 60 centimetres.

18 MR SANTORA:

19 Q. Can you just go ahead and measure - sorry?

13:00:35

20 PRESIDING JUDGE: That is the height, Mr Santora, is it?

21 THE WITNESS: Yes, that is the height, yes. That is the
22 height of a five gallon.

23 MR SANTORA:

24 Q. Can you just put the width?

13:00:45

25 A. The width is like --

26 Q. Indicate the width with the tape measure?

27 A. The width is this, yes.

28 MS KAMUZORA: 36 centimetres, my Lord, your Honour.

29 PRESIDING JUDGE: 36 centimetres, yes.

1 MR SANTORA: That I think is sufficient for - unless you
2 said --

3 PRESIDING JUDGE: There are three dimensions.

4 MR SANTORA: I am sorry.

13:01:13 5 THE WITNESS: It is a three-dimensional object, definitely.

6 MR SANTORA:

7 Q. Okay. What is the third dimension? I apologise.

8 A. The breadth is like this. Yes, the breadth is like this.

9 MS KAMUZORA: 26 centimetres, your Honour.

13:01:30 10 PRESIDING JUDGE: Sorry, I didn't hear clearly.

11 MS KAMUZORA: 26 centimetres.

12 PRESIDING JUDGE: Thank you.

13 MR SANTORA:

14 Q. And that would be to indicate the breadth of the container?

13:01:41 15 A. The breadth of the container, yes.

16 Q. So continue. What happened after you were --

17 A. So I hold up this five gallons of palm oil, and I got the
18 fowl coop packed with chickens and then the radio cassette
19 player, right. I started walking. I was in front of my father.

13:02:09 20 My father and the other children Titus and Andrew. They were at
21 the back. Of course to mention, Andrew he is handicapped. He
22 cannot walk properly. That was one of the things that actually
23 made me to feel discouraged again, because he cannot walk

24 properly and they have to ask him to walk. He was also carrying
13:02:30 25 something, right. Titus and I - everybody was heavily laden. I
26 was given this thing and we started walking. We were walking and
27 then this Cobra fellow came and said - because he actually saw
28 that everybody was tired. For me I was actually tired, bare
29 footed walking, on thorns walking and jumping, going - it was a

1 really, really, really, really, sad experience.

2 Q. So what were the people, the AFRC/RUF guys - what were they
3 doing as you were walking?

13:03:16

4 A. They were on the side. You know, like they were moving
5 going up and down, going up and down, "Come on, keep on walking".
6 They were not in the same line as we were, but they were on the
7 side.

8 Q. Were they carrying anything?

9 A. They were not carrying anything except their guns.

13:03:26

10 Q. Okay.

11 A. Nothing except their guns.

12 Q. So, what happened as you were walking?

13:03:43

13 A. Yes, we were walking and then Cobra said, "If anybody close
14 your eyes on us, if you close your eyes on us, we are going to
15 close our eyes on you". That was the exact words he said. "If
16 you close your eyes on us, we are going to close our eyes on
17 you", and that implies definitely that, "If you say you are
18 tired, then you will be executed. You will not be let go free".
19 That was what he was saying. Then everybody started doubling up.
20 At that time I was tired, I perspired so much tired, but I
21 encouraged myself, you know.

13:04:07

22 Q. So, continue. As you were walking - well first of all,
23 just to clarify, which direction were you walking now?

13:04:25

24 A. Well later, because I never knew where we were going, by
25 then I was lost - completely lost, right. But later we arrived -
26 I will come there and we arrived in Njaiama Nimikoro, but I never
27 knew. By then we were just going climbing the long hill,
28 mountains and mountains, you know, and we never rested. We never
29 rested really. It was later in the day about 4/5 that we had a

1 rest in one town, but we were going and the Alpha Jet was
2 actually moving up and down. The Alpha Jet belongs to the
3 ECOMOG, you know. It is a jet and it was actually moving up and
4 down and they used to hear the sound of it.

13:05:06 5 Q. The sound of what?

6 A. The Alpha Jet. You know, you used to hear it and when they
7 started hearing it they would say, "Everybody take cover.
8 "Everybody take cover. Dudu bird. Dudu bird".

9 Q. What was the last word you said?

13:05:17 10 A. Dudu bird. It is like the Liberian language they called
11 the bird, bird.

12 Q. Can you spell - oh, dodo bird?

13 A. Dudu bird. Yes, dudu is - they call dudu and dudu is a
14 vulture, right.

13:05:36 15 Q. Okay.

16 A. So, it is like a nickname. It is like a name they give to
17 the Alpha Jet, yes.

18 Q. So when they hear the jet coming, what would happen?

19 A. They would ask everybody to take cover and then we all go
13:05:54 20 under the trees around and wait for the jet to go. After the
21 sound disappeared, then we continue our journey.

22 Q. Now, you said when you were in Mamboma you said there were
23 civilians gathered in one area.

24 A. Yes.

13:06:08 25 Q. Now you are describing a journey that you were - the
26 civilians that were in Mamboma, were all of them with you at this
27 time?

28 A. Yes, all of them. Nobody was left.

29 Q. Okay.

1 A. Nobody was left.

2 Q. So, what else happened along this journey?

3 A. So this Cobra guy was up and down, "Don't close your eyes
4 on us. If you close your eyes on us, we are going to close our
13:06:32 5 eyes on you". That was his statement going up and down. And
6 then I came to realise that a lady, a suckling mother, was tired,
7 right. She gave up. Then I saw the AFRC/RUF guy holding this
8 lady, "taking her in back of me, but then I couldn't see. I was
9 just walking, right. And then a few minutes later I heard a
13:06:58 10 gunshot, which I learnt from my father - my father saw it - that
11 the lady was fired at, right. The lady was fired at. I heard
12 the gunshot. Just one gunshot. Just one gunshot.

13 Q. Now, you said she was a suckling mother. Where was the
14 baby?

13:07:21 15 A. She was carrying the baby, but I learnt from my father that
16 the baby was not hurt. I also learnt from later on that the baby
17 was taken by somebody else, but the woman herself was killed.

18 Q. And did you learn who shot her?

19 A. I did not know who shot her really. I did not know who
13:07:43 20 shot her.

21 Q. You learnt, though, from your father that she was fired at?

22 A. Yes, I learnt that from my father. I learned that from my
23 father.

24 Q. About how long after you --

13:07:56 25 JUDGE SEBUTINDE: "Fired at" means what exactly?

26 MR SANTORA: Yes, I should actually:

27 Q. You said that you learned from your father, "My father saw
28 it, that the lady was fired at, right. The lady was fired at".
29 What do you mean? Explain what when you say "the lady was fired

1 at", what do you mean exactly?

2 A. They shoot him with a gun.

3 Q. And who?

4 A. The AFRC/RUF, one of the AFRC/RUF guy, right. I do not
13:08:25 5 know, but to my own assumption I know that that Cobra guy,
6 because he was the one insisting on that - I did not hear anybody
7 else. Nobody said that word and nobody was actually I mean
8 insisting on that, except Cobra. So to my assumption I believe
9 Cobra did it.

10 Q. But you didn't personally see it. You just heard the
11 gunshot?

12 A. I heard the gunshot.

13 Q. Okay. And you also said the woman herself was killed. How
14 do you know she was killed?

15 A. My father - one evidence that my father told me that the
16 lady was fired at, they shoot him, and then later my brother
17 Samuel informed me that they came around that area and they
18 discover the woman, right. Later my brother Samuel told me that;
19 that they discovered that woman. It was later after everything,
13:09:05 20 we met, he told me.

21 Q. And how did Samuel know that woman? How did he know her?

22 A. He was around. They were in hiding. Samuel was around.
23 According to what he told me, he was around, he saw the movement
24 while we were moving. They were in some place and they saw while
13:09:28 25 we were moving around.

26 Q. So just to clarify, at this point your brother Samuel was
27 not with you?

28 A. He was not with me.

29 Q. Okay.

1 A. He was not with me.

2 Q. Okay. Now, continue then. After this incident with this
3 suckling mother, what happened?

4 A. We continued our journey. We started - everybody doubled
13:10:01 5 up. By doubled up I mean walking so fast and being cooperative.
6 It was very exhausting. And of course for me I really suffered;
7 barefooted, no food. I mean I don't know if you can imagine what
8 I am saying. And we walked and walked and walked and we reached
9 one village. I can't remember. I know that village. And the
13:10:31 10 guy said, "Okay, let's rest in this place". We rested and the
11 guys decided to take - the get some coconuts, right. They saw
12 fresh coconuts and they decided to take some coconuts and then
13 they said, "Okay, you guys, you climb up". They were referring
14 to me, the AFRC/RUF. They said, "Climb up". It was a fun
13:10:57 15 because for me, you know, I don't know how to climb a tree and
16 they saw it that I was a bit reluctant, you know --

17 Q. They saw that you were what? "A bit reluctant". I'm
18 sorry. Go ahead?

19 A. I was a bit reluctant and the guy said, "Okay, just move
13:11:13 20 you spoilt child".

21 Q. Who said that to you?

22 A. The AFRC/RUF guy. He said, "Just move away, you spoilt
23 child" and one guy - one fellow - one civilian - captured
24 civilian like myself volunteered. He was so, I mean, zealous to
13:11:29 25 volunteer to climb and then he climbed and he got some coconuts
26 for them and they were splitting this coconut and eventually what
27 happened - one of the guys, the AFRC guys, like borrow a spoon
28 from his colleague to get the - you know, the inner part of the
29 coconut like to remove it and eat, so he used the spoon and on

1 the event the spoon break, right.

2 The spoon got broke and then he said - the guy who he
3 borrowed the spoon from started, I mean, quarrelling with him.
4 He said, "Why are you broken my spoon? Why have you broken my
13:12:13 5 spoon?" So they started arguing. They started arguing with
6 themselves and then starting saying all sort of rough languages
7 to themselves. And then all of a sudden it's like a parting
8 spirit, the RUF and the AFRC group, it is like a parting -
9 because the statements they were uttering, like the SLA guy was
13:12:32 10 saying, "You RUF people, look at what you have - you are so
11 rough, you don't know how to behave, you don't know how to talk".

12 You know, they were saying a lot of things against
13 themselves. They started quarrelling and quarrelling and they
14 said, "Okay, now let's put all the civilians on one side, we are
13:12:48 15 going to kill all of them and then we will go ahead with what we
16 are doing". They were actually quarrelling.

17 Q. So just to understand, you said there was a quarrel that
18 developed over a broken spoon and you said then some of the RUF
19 and AFRC guys started arguing.

13:13:02 20 A. They started arguing.

21 Q. Just to understand, could you tell at this point - you said
22 there was a group of 11 to 15, could you - in terms of
23 composition can you recall about how many were RUF and how
24 many --

13:13:12 25 A. No, it's not 11 to 15 guys. The 11 to 15 number I'm saying
26 is the guys who were in the ambush. It was just a fraction of
27 them that I laid an ambush outside Mamboma. But when we came up to
28 Mamboma Town I met a whole lot of them there.

29 Q. The group you were travelling with, with Cobra and the

1 people with him, how many gun - how many AFRC/RUF --

2 A. About 40. About 40 of them.

3 Q. Okay. I apologise.

4 A. 30 to 40.

13:13:42 5 Q. And could you roughly estimate about how many were RUF and
6 how many were AFRC?

7 A. I could not, but like half.

8 Q. Okay.

9 A. You hardly see one group overpower over the other.

13:13:53 10 Q. You said they were quarrelling and then, "They said, 'Okay,
11 let's put all the civilians on one side. We will kill all of
12 them'."

13 A. Yes, they actually said that and in fact they put all of us
14 - they said, "You come over here" and one guy was holding an RPG

13:14:09 15 against us.

16 Q. Who said that?

17 A. I did not remember who said that, but the statement came
18 from one of the AFRC/RUF guys.

19 Q. So after - at that point did the quarrel continue?

13:14:17 20 A. Yes, the quarrel continued. It continued and I heard
21 somebody, I could not remember who said it again, say, "Okay, now
22 let's forget everything. We are now fighting for a common goal.

23 Let's forget about everything. Don't quarrel. Don't argue. We
24 are fighting for a common goal. Let's forget about everything

13:14:34 25 and then let's continue where we are going". And then all of a
26 sudden I saw that the situation was calmed, right. The situation
27 was calmed and then they said, "Okay, take off all what you are
28 carrying" and then everybody - as for myself I took my one bag of
29 rice and the five gallon of palm oil and the radio set and

1 started moving again.

2 Q. So you have mentioned that there was a threat to kill all
3 the civilians. This did not happen though at this point?

13:15:04

4 A. It did not happen, no, at this point. It was just at
5 threat.

6 Q. So continue then, what happened?

7 A. So we walked and walked just about an hour's walk and we
8 reached Njaiama Nimi koro. I would say Njaiama Nimi koro because I
9 know Njaiama Nimi koro, right. So we reached the town called

13:15:22

10 Njaiama Nimi koro.

11 Q. And again at this point I would ask that the map be shown
12 to the witness. Can you see Njaiama Nimi koro on that map?

13 A. Yes, I can see it clearly.

13:16:03

14 Q. Can you go ahead and indicate - and I am just checking the
15 number we have here.

16 A. Number 7.

17 Q. Can you indicate with a number 7 where that is?

18 For the record the witness has put a number 7 on the
19 location indicated on the map as Njaiama and within the chiefdom
20 of Nimi koro which looks directly - well, it's slightly to the
21 north and to the west of the previous marking of 6. Okay, that's
22 all for this point with the map.

13:16:24

23 Now, what happened when you arrived at Njaiama Nimi koro?
24 First of all let me ask you how long was this whole trip from
25 Mamboma?

13:17:11

26 A. It's a whole day. A whole day's walk.

27 Q. From Mamboma to Njaiama Nimi koro?

28 A. Yes, to Njaiama Nimi koro.

29 Q. And again just for time frame references is this still

1 April 1998 or has it moved?

2 A. Yes.

3 Q. Okay. Now what did you see in Njaiama Nimi koro?

13:17:36 4 A. We reached Njaiama Nimi koro and I noticed that they used -
5 at that time they used my grandfather's house which I know and
6 they used it as a kind of a headquarter.

7 Q. Who is "they"?

8 A. Pardon?

9 Q. Who is "they used"? Who is "they used"?

13:17:47 10 A. The AFRC/RUF guy. They used - the guys, they used that
11 building as a kind of a head office, because when we reached
12 there it was in that compound they guarded all of us, off-load
13 yourself and then they put all of us in one gathering. Everybody
14 - the AFRC/RUF guys ask us to sit on the floor and everybody sat
13:18:13 15 on the floor and they were just taking these belongings away from
16 us, packing them in the house and a few of them - a lot of them
17 were left outside and somebody said, "Now, we have the Papay.
18 The Papay is around". They used the word "Papay". Now I saw
19 somebody coming out of part of my grandfather's house and then he
13:18:42 20 came out. Later on I learnt that the guy's name is Bai Bureh.
21 He is Bai Bureh.

22 Bai Bureh came out and then started looking at us, looking
23 at us, walking up and down. He was wearing a short pair of
24 trousers. And then looking at us and then he started addressing
13:19:04 25 us. The statements that he said: "This country we have a lot of
26 riches. We have a lot of gold and diamond. We should not be
27 suffering at this time, but the politicians are the people who
28 are not good. That's why we are fighting against them. They are
29 not good for us. That's why they have - the people who are

1 causing us to suffer and they themselves are not" - they
2 themselves referring to the AFRC/RUF - "They are not actually in
3 the position to harm us, but to fight for the benefit of all of
4 us and we should give them all the support. We should be with
13:19:51 5 them. They have good intentions for the nation". These were his
6 statements, right, in brief, and then --

7 Q. What did you think when you heard these statements?

8 A. For me I know it was a whole mess, because for me - some
9 people were actually, well, reckoning good, saying like -

13:20:16 10 responding in a good way for what he was saying. Some people
11 were shaking their heads. I never knew that probably he is an
12 hypocrite, you know, so. But some of them were responding well
13 and for me, within me, I thought it's a whole rubbish.

14 Q. Why did you think that?

13:20:36 15 A. Because the political situation as somebody - by then I was
16 19, you know, so I know what was going on. I would never think
17 of somebody fighting for something good. At the end of the day
18 going and attacking the civilian, the poor civilian, taking away
19 "A" from me, you know, it's nonsense. It's rubbish. I can't
13:21:03 20 imagine that to be good. I would not even - I didn't even want
21 to hear what he was saying. It's rubbish. For me it sounded as
22 I mean rubbish to me. I can't even imagine what was going on.

23 Q. Now can you describe this individual Bai Bureh in terms of
24 his appearance?

13:21:21 25 A. Bai Bureh is about 40s, aged 35/40, a middle-aged man
26 really, and fair in complexion. Something - he has a brown skin,
27 he is a brown skinned guy and middle height as yourself.

28 Q. When he addressed you what language was he speaking?

29 A. He was speaking Liberian, Liberian English. Perfect

1 Liberian English.

2 Q. And aside from - you said also that this was coming out of
3 your grandfather's house?

4 A. Yes, yes.

13:21:57 5 Q. Explain what you mean by that?

6 A. He was in the house, right. Upon our arrival they invited
7 him to come out to address us. That was what happened. Bai
8 Bureh - I mean he, Bai Bureh, was in the house. Upon our arrival
9 they invited him to come out - "him" I mean Bai Bureh - to
13:22:18 10 address us and after the address - if I could continue?

11 Q. Yes, continue.

12 A. After the address they took most of these things that we
13 brought, the sheeps, the goats, the rice, the palm oil, they were
14 calling it government property. I heard them saying that. They
13:22:39 15 were calling all of these items that they took away from us
16 government property. This is government property.

17 Q. Do you know what that meant?

18 A. Of course to my understanding by then it's like they have
19 the boss and they have their own government. And later I learnt
13:22:56 20 that Bai Bureh was in charge of the whole operations in Kono. He
21 was actually - you can see it that he was a boss.

22 Q. How could you see that he was a boss?

23 A. That was the first time I saw him and since then I never
24 see him and how could I say that Bai Bureh is a boss is by the
13:23:18 25 works of these AFRC/RUF guy that I was around. They were
26 actually mentioning him all around, mentioning him all around,
27 saying, Bai Bureh - "If you do this, Bai Bureh will not allow you
28 to do this. If you do it before Bai Bureh he will just point the
29 gun on you and fire on you on sight".

1 Q. Who was saying this?

2 A. The RUF/AFRC guys that I was with later. So in their - by
3 their own statements, what they were saying all about, all about,
4 it's like saying things that will let me know or somebody to know
13:23:51 5 that there is a Bai Bureh somewhere and they are all afraid of
6 him. He is a boss.

7 Q. So continue after - you said that after you - these remarks
8 by Bai Bureh, what happened then after the remarks?

9 A. After the remarks by Bai Bureh he then left with some of
13:24:14 10 the things that we brought, most of the things that we brought,
11 right. He had a carrier van - they carried a van.

12 Q. Who carried a van - I'm sorry, who had a carry van?

13 A. Bai Bureh. He came from Koidu. He was residing in Koidu
14 Town.

13:24:32 15 Q. How do you know that?

16 A. Well, they told me later. When I was with them they said
17 Bai Bureh is in Koidu. And at that time he left to Koidu. He
18 came from Koidu, he is residing in Koidu, and then he came for
19 this operation and then after which that evening he left.

13:24:46 20 Shortly after he delivered the statement he left.

21 Q. What do you mean he had a carrier van? What is a carrier
22 van?

23 A. He was moving up and down with a van and a few other
24 vehicles, because I saw them taking these belongings to this van
13:25:00 25 and there were other vehicles parking around, not trucks, not
26 small cars, but high vans, vehicles, I can say, right. And they
27 packed these things that they took away from us into these vans
28 and then they left. Bai Bureh himself went into the van and then
29 they left.

1 Q. Who else was with Bai Bureh, do you know?

2 A. Who was with Bai Bureh?

3 Q. Yes.

4 A. The AFRC and RUF guys were with them.

13:25:30 5 Q. How many of them left with Bai Bureh?

6 A. They were about - a convoy of about 15 men. About 15 men.

7 Q. Okay.

8 A. About 15 men, yes.

9 Q. So after they left, Bai Bureh and these 15 men, what
13:25:42 10 happened then?

11 A. So they left and then all the other rebels and RUF and the
12 AFRC guys who were with us, they were now going into - going
13 around and then saying, "Oh, I want this fellow. Come and be
14 with me. I want this woman. Come and be with me. I want this
15 child". So they were now about taking who and who you want, who
16 and who they want. "They" refer to the AFRC/RUF guys and they
17 were just picking out people from among us. Picking out people
18 from among us.

19 Q. What do you mean when you say they were picking out people
13:26:02 20 from among you?

21 A. Around them it's like if you - they were looking at us and
22 interestingly select somebody from among us to be with them.

23 Q. Do you know for what purpose?

24 A. Like I can give an example of one lady who is the sister of
13:26:41 25 my - it's like my brother's - my elder brother Samuel.

26 Q. You don't have to call a name. Please don't call any
27 names, but please just go ahead.

28 A. Okay. My brother is my brother, my elder brother's in-law,
29 a lady, right. My eldest brother's in-law was also with us from

1 Mamboma to Njaiama Nimi koro. She was taken by one guy, AFRC/RUF
2 guy, right, and obviously she was using her for his wife.

3 Q. Did you say "she was using her"?

4 A. Yes, of course.

13:27:21 5 Q. Who was using her?

6 A. One of the AFRC/RUF guys.

7 Q. So did you say she or he?

8 A. He was. Sorry. He was using her. He was using her.

9 Q. How do you know that?

13:27:36 10 A. I was in the camp, in the Njaiama Nimi koro camp. I usually
11 even had a will to go and speak with her. I usually sit down
12 with her and advise her, right. So of course I know everything
13 that was going on. She was again a virgin. She was deflowered
14 by this AFRC/RUF guy.

13:28:00 15 Q. Were there other women with your group?

16 A. A lot, a lot, a lot. One rebel, one AFRC/RUF man will have
17 four or five women.

18 MR SANTORA: I am going to move into a new area. I don't
19 know if I can ask a few questions about this to clarify. I know
13:28:21 20 the tape is running out usually early.

21 PRESIDING JUDGE: We are actually very, very close to the
22 time for the lunchtime adjournment, Mr Santora, so I think it
23 would be appropriate to start a new area after the break.

24 Mr Witness, this is the time we usually take our lunchtime
13:28:37 25 break. We take a one hour break and we will resume court at
26 2.30. So please adjourn court until 2.30.

27 [Lunch break taken at 1.30 p.m.]

28 [Upon resuming at 2.30 p.m.]

29 PRESIDING JUDGE: Yes, Mr Santora, please proceed.

1 MR SANTORA: Thank you, Madam President:

2 Q. Good afternoon, Mr Witness.

3 A. Good afternoon, sir

14:29:10

4 Q. And just again to remind you to speak slowly and clearly so
5 they can record what you are saying, okay?

6 A. Okay, sir.

7 Q. Now, before we left for the lunch break you were describing
8 the time when you arrived in Njaiama Nimi koro.

9 A. Yes.

14:29:26

10 Q. And you described the speech or the talk given by an
11 individual called Bai Bureh and then you said, "They were picking
12 people among us".

13 A. Yes, they were.

14:29:42

14 Q. Now earlier you described the composition of your group
15 that was moving to Njaiama Nimi koro - and just for purposes of
16 reference this is from page 90, lines 20 to 21 of my LiveNote.
17 You describe the composition of your group as "Women, a few old
18 people, old Pas and children". Now when you said that, "They
19 were picking people, the AFRC/RUF guys were picking people among

14:30:14

20 us", and you described them picking out a woman, what about the
21 children and the older people? Let's start with the children.

22 A. The children were being selected. Like, for example, my
23 own - my own brother, Titus, was selected by somebody.

24 Q. How old was your brother at this time?

14:30:51

25 A. At the time Emma was 16, but he was about 11 years by then.
26 About 11/12 years.

27 Q. Just to make - was he 16, or was he 11 at that time?

28 A. No, no, Emma was 16 years and then Titus about 11/12 years
29 by then. Titus, yes.

1 MR SANTORA: Okay. I'm going to request --

2 PRESIDING JUDGE: [Microphone not activated] I don't know
3 whether it necessarily --

4 MR SANTORA: We can just continue, I think:

14:31:29 5 Q. Now the other children that were in your group, can you
6 estimate their ages?

7 A. Yes. Well, my brother was about the least boy among the
8 group. He was about the least boy among - the least child among
9 --

14:31:49 10 PRESIDING JUDGE: When you say "least", Mr Witness, do you
11 mean the youngest?

12 THE WITNESS: I am referring to the youngest, sorry. I am
13 referring to the age.

14 MR SANTORA:

14:32:00 15 Q. Now you also said that there were older people, a few old
16 Pas --

17 JUDGE SEBUTINDE: Mr Santora, the witness said Titus was
18 picked by somebody. Who?

19 MR SANTORA: Oh, I apologise.

14:32:14 20 Q. Who picked Titus?

21 A. One guy called - he is a medical doctor to their own
22 specification. It was the guy who was actually taking care of
23 them. He was taking care of their medical issues, so they
24 usually called him a doctor. His name was Matia - his name was
14:32:36 25 Matia, yes, I could remember - but he is a guy who was actually
26 taking care of their medical issues.

27 Q. When you say "medical doctor to their own
28 specifications" --

29 A. To their own specifications. I couldn't determine whether

1 it's an actual medical doctor that we consider in these days, but
2 he was actually taking care of their medical issues, right,
3 administering drugs, you know, and taking care of their wounds.

4 Q. And do you know why Titus was --

14:33:10 5 JUDGE SEBUTINDE: Mr Santora, who is "they"? Perhaps you
6 know, but we don't know.

7 MR SANTORA: I will clarify, Justice Sebutinde:

8 Q. When you say, "He was taking care of their medical issues",
9 who is "their"?

14:33:26 10 A. Their is the AFRC/RUF guys.

11 Q. Now, do you know what Titus was picked for?

12 A. I do not know why Titus was picked for, picked up by that
13 Mr Matia, but he was picked up and he was with him. Titus was
14 with him until one day they took Titus away from us and from the
14:33:59 15 Njaiama Nimi koro. First Matia, the medical man I am referring
16 to, took Titus to Koidu Town. From that day then I never saw
17 Titus.

18 Q. Did you ever see Titus again?

19 A. After which about the same time we saw "A" and "B".

14:34:24 20 Q. Okay. Now you also said there were a few old people, old
21 Pas. What happened to them?

22 A. These old Pas were never being selected by any of these
23 AFRC and RUF guys. They stayed in that house - my grandfather's
24 house - and so they were all there in one room. One room on
14:34:45 25 the - if you had the back at the right side there is one side,
26 the room on the side of the house, they were all there, including
27 my father. They were all sleeping in that room.

28 Q. How long were you at Njaiama Nimi koro for, approximately?

29 A. Approximately, it's about a week. Not too long than a

1 week. We were there for about a week, a few days.

2 Q. And during the course of that time you were there, what did
3 you observe? I know that - well, let me rephrase the question.

4 You were there approximately, you said, a week, a few days. What

14:35:31 5 were you doing during the course of this time?

6 A. We were there and I remember that one day we went out to
7 look for food. We used a road approaching the Tongo Field area.

8 There is a road from Njaiama Nimi koro that leads towards the
9 Tongo Field, right? So we approached that end and there was a

14:35:54 10 palm - a palm right up the hill. We went there and then we were
11 able to get some rice.

12 Q. Who is "we"?

13 A. We, the AFRC/RUF guys, you know, who captured me, we were
14 able to get some rice there and we brought everything down to the

14:36:15 15 Njaiama Nimi koro base; we referring to I and the AFRC/RUF guys.

16 Q. Now, you said earlier that Bai Bureh after he spoke left?

17 A. Yes, he left.

18 Q. Who remained, in terms of AFRC and RUF guys?

19 A. Who remained there? The authority at that time was this

14:36:43 20 Kallay Amara and one Foday Bangura, also. Foday Bangura was
21 residing in the house of my grandfather - my grandfather's house.

22 We were there and then there was one other rebel guy called Daddy

23 Lumba. Daddy Lumba was there. Cobra was there in that house

24 and, of course, I said earlier on that the old Pas were there

14:37:10 25 also in that house.

26 Q. Any other names?

27 JUDGE SEBUTINDE: Spelling of names, please.

28 MR SANTORA: I am sorry.

29 JUDGE SEBUTINDE: Probably that last name. All the others

1 we have, except that last name

2 MR SANTORA:

3 Q. What was the word you used?

4 A. Daddy Lumba.

14:37:35 5 Q. Can you spell that?

6 A. L-U-M-B-A.

7 Q. What happened to the old Pas?

8 A. They were just there idling. They were just there idling.

9 If I can continue? There is a day, one day come, that the guys,

14:37:54 10 the AFRC/RUF guys, usually have a muster parade in the morning

11 and this parade is held in the compound - the back compound - of

12 my grandfather's house, right? And one day, okay, they would ask

13 us to leave the area whenever they wanted to have this meeting.

14 We would go to the front of the house and there is another small

14:38:16 15 field, so we would be there until when they are finished with

16 their meetings.

17 Q. Who was asking you to leave?

18 A. The AFRC/RUF guys who were there. So they would ask us to

19 leave the area. So we would go to the front of the house. There

14:38:33 20 we ourselves would try to say certain things amongst ourselves.

21 Well, if we had chance in fact it's just because of the whole

22 area, the Njaiama Nimi koro, Bumpe, has been taken over by the

23 rebels and RUF. But if we have any presence of like for example

24 the ECOMOG guys coming closer we would see how we could escape

14:38:54 25 from the camp. So these were the times we had discussions among

26 ourselves what and what we should do, right. So later on they

27 would call us then we would join them back, right.

28 So they used to have their own meetings together and one

29 day they just decide to say okay - "they" referring to the

1 AFRC/RUF, they decided to say, "We want all the old Pas to move
2 down to Bumpe. We don't want them here". That was what they
3 said. It was because - they gave a reason. They gave a reason
4 that Njaiama Nimi koro is sort of a base for them. It's their
14:39:35 5 headquarter. They might not want - "they" referring to the
6 AFRC/RUF may not want any grandpa or old person around.
7 Everybody must be active. So they have to move the old men to
8 Bumpe. There old men and old women are. So that was what they
9 decided to do.

14:39:59 10 So they said okay - "they" said they referring to the
11 AFRC/RUF guys said, "Okay, let's move them over" and later there
12 was one lady called Esther Koroma who was with the AFRC/RUF. She
13 was also carrying a gun. So I can conclude that she was part of
14 the AFRC/RUF group, right. And Esther used to be, I mean, my
14:40:28 15 friend. She liked me so much. She was giving me - Esther Koroma
16 I am referring to, giving me food, you know, giving me some good
17 hospitality. So she came to me and said, "Have you heard that
18 they" - referring to the AFRC/RUF guys - "are about to take the
19 old men to Bumpe?" I said yes. She said, "Well, let me tell you
14:40:56 20 something. They are not actually taking them to Bumpe, but they
21 are going to kill them". She informed me because she knew that -
22 "she" I refer to Esther Koroma. She knew that my father was
23 among the old Pas. So she said, "They are about to kill them",
24 she said, "But it's a secret. So what I will do, I will help you
14:41:18 25 out. I'm going to take out your father and he will be safe". I
26 said, "Please, do that for me".

27 So she manoeuvred by going there and take among the Pas. I
28 went down and informed my father. I said, "Now, something
29 happened - going to happen. We have to find away out". I said,

1 "But Esther is saying that she will help, so now we must be
2 ready". So we waited and waited until all the attentions are
3 away from us. Then Esther went and took my father from the place
4 where the Pas were, the old Pas. As I said the old Pas were in
14:42:00 5 one room at the side my grandfather's house. And then she took
6 my father away and then hid my father in one of the kitchens,
7 right.

8 At the back of the house, you have the main house, there is
9 a small field, an open field, and we have the small houses at the
14:42:18 10 back, which we normally call boys quarters, and then there you
11 have a kitchen, right. The kitchen has a two partition house,
12 right. You have one kitchen there, another kitchen. And so
13 Esther was able to hide my father in one of these kitchens,
14 right. He was there and then all of a sudden we saw - this guy
14:42:46 15 Cobra was actually in the front of this operation, right. Cobra
16 was in the front of this operation.

17 Q. What do you mean when you say he was in the front of the
18 operation?

19 A. In the front is that he was taking the lead. He was taking
14:43:01 20 the lead. One other fellow called Bobby - there was one other
21 guy called Bobby. Bobby was also among the guys, the AFRC/RUF
22 guys who took along these old Pas, about seven of them.

23 And then of course I started observing and I saw. I know
24 where Bumpe is, right. If you are leaving Njaiama Nimi koro you
14:43:28 25 want to go to Bumpe it's like I am now in my father's house, I
26 take a right turn to Bumpe, right. And then what happened, I saw
27 them going this way.

28 Q. Which way are you indicating?

29 A. It's indicating it's like a different route, right. They

1 took a different route that for me logically is not the Bumpe
2 road. So that gave the indication to me clearly that they were
3 not going to Bumpe, right. So after three minutes - three, four
4 minutes or so I heard a gunshot. I heard a gun. It was twice.

14:44:04 5 I heard another gunshot and then shortly - if somebody is go to
6 Bumpe you have to walk about 30 minutes or so. 20 to 30 minutes'
7 walk to Bumpe.

8 Less than - less than ten minutes, the guys AFRC/RUF
9 preferably or precisely Bobby, I mentioned that Bobby and Cobra,
14:44:34 10 they returned back from the Bumpe they said they were going. And
11 according to what I saw, their countenance was as if something
12 had happened. I had that conviction strongly that something had
13 happened.

14 Q. So describe what you saw in terms of the old Pas leaving
14:44:52 15 the area? How many people did you see leaving?

16 A. It was about seven people. Six to seven people leaving.

17 Q. When you say people, you mean in terms of old Pas?

18 A. They were all old Pas. In fact, among them my father - one
19 of my father's friend, there was one Pa called Pa Mansaray. He
14:45:14 20 used to be my father's friend. In fact when they met together
21 they reminded themselves of the past when they were working
22 together some years ago. He was taken along.

23 Q. Did you ever see him again?

24 A. Never, never ever. I never saw him.

14:45:28 25 Q. Now aside from, you said Bobby and Cobra were two of the
26 AFRC/RUF people that walked with the old Pas, any other AFRC/RUF?

27 A. Yes, there were few others. I think about five of them
28 accompanied these Pas to Bumpe as they said.

29 Q. How long were they gone for?

1 A. I said it's about five minute walk and I heard two
2 gunshots. Again another five minutes they are here.

3 Q. So you heard two gunshots?

14:46:06

4 A. Yes, of course I heard two gunshots. And later they are
5 frankly speaking some of the things they do, right.

6 Q. Who is "they"?

7 A. "They" referring to AFRC/RUF guys. Later they said they
8 put these guys, the Pas - "they" referring to AFRC/RUF. They put
9 the Pas on the straight line right, two different row, right.

14:46:29

10 Two different rows. And then they put the gun - "they" referring
11 to the AFRC/RUF guys - in front of the first person, one shot.
12 And the other row one shot. So it's like the one bullet going
13 through the whole line. That was what they said.

14 Q. When you said "they said", who exactly told you this?

14:46:56

15 A. We heard that in the camp some time later. That was what
16 they said. Of course, it was confirmed that they killed the Pas.
17 "They" referring to the AFRC/RUF. It was confirmed right from
18 the word that Esther told me that they are going to kill them,
19 from what I saw and a story that was actually around at that
20 time. Like comments like, "Your father would have been killed".

14:47:18

21 Q. Who said that?

22 A. One or two of the other rebels who were around, but they
23 saw very well that that was my father and that is my father and
24 then Esther was a sort of protective kind of a shield, or a
25 protective person, somebody who is actually protecting me and my
26 father, so my father was not hurt. It was something like a news
27 than around. "So you are lucky that your father was not killed",
28 right.

14:47:41

29 Q. About how long after you arrived in Njaiama Nimi koro did

1 this incident with the old Pas occur?

2 A. It's not - it's about three days, three days issued between
3 the first day and the third day. It's about the third day or
4 fourth day or so.

14:48:15 5 Q. Thank you. Now, you said that one of these people was your
6 father's friend?

7 A. Yes, yes.

8 Q. And you said you never saw him again?

9 A. Never.

14:48:30 10 Q. Did you ever see any of the other old Pas again?

11 A. Never, ever.

12 Q. Now during the time - you said you were in Njaiama Nimi koro
13 for about a week, right?

14 A. Yes.

14:48:48 15 Q. What caused you to leave?

16 A. We were there in Njaiama Nimi koro and I never, well,
17 relaxed in listening to my news on the BBC to follow up to see
18 what is happening, to hear what is happening, because I was
19 longing for ECOMOG. I wondered in fact why it took very long
14:49:12 20 time for ECOMOG to reach Kono.

21 Q. How were you able to listen to the BBC?

22 A. I was listening to the BBC through radio. The AFRC/RUF
23 guys had a radio. They had their radio set and, in fact, they
24 were using solar panels stolen from Sierratel. Sierratel was
14:49:35 25 using - it's a telecoms company and they were using solar panels
26 from all their sites in the provinces to other their devices.

27 Q. How do you know that?

28 A. Of course I know that I worked - when I was doing my
29 telecoms course I worked for few, I mean, holiday course in the

1 telecoms company and I saw the marks, the labels from the solar
2 panels.

3 Q. What do you mean when you say you saw the labels on the
4 solar panels?

14:50:05 5 A. It's like their logos. The company logos on the solar
6 panel.

7 JUDGE SEBUTINDE: Did the witness say Sierratel company?

8 THE WITNESS: Yes, Sierratel. S-I-E-R-R-A-T-E-L.

9 MR SANTORA:

14:50:27 10 Q. So you were describing - you were saying you were listening
11 to the radio and longing for ECOMOG to come.

12 A. Yes, I was longing for ECOMOG to come.

13 Q. And I asked you initially what caused you to leave Njaiama
14 Nimi koro?

14:50:45 15 A. As I said, I was longing or, I mean, waiting for the time
16 for ECOMOG to take over Kono. One evening - one evening we
17 started hearing the gun sound from far, right. It's like the
18 Alpha Jet was actually roaming about the area, hidden, I mean
19 dropping down bombs. And eventually, the guys, the AFRC/RUF
14:51:15 20 guys, mobilised some few men. The commanders in that operation
21 in Njaiama Nimi koro, they mobilised - like Cobra went. I
22 remember Cobra went and few other men from the AFRC/RUF group
23 there, they went to that Njaiama Sewafe area to see what is
24 happening.

14:51:41 25 So upon returning later at night they came with the news
26 that they saw - actually saw the ECOMOG guys, ECOMOG troops,
27 advancing to Kono. They saw them in their combat and they saw
28 the armoured vehicles advancing to Kono. So that made them to
29 flee from that Njaiama Sewafe area and they came - referring to

1 AFRC/RUF when I said "they". They came and informed us that
2 ECOMOG is advancing.

3 So everybody, everybody, was actually in a state of alert.
4 So we started preparing. Like Esther, I was with Esther, so
14:52:30 5 Esther started packing her things, you know, and my father came
6 to me and whispered a word that, "Emmanuel, this is the chance
7 for us to escape". He said that to me. And everybody was like
8 that. Movement here and there, here and there.

9 And Esther said this to me. She said, "Emmanuel, I don't
14:52:54 10 want you to go anywhere". She said, "Just be with me. I have
11 money" and of course I saw the money that Esther was having.
12 Esther had a lot of dollars in one of her bags. She was carrying
13 a black bag, you know. She had a lot of money and she said,
14 "Don't go anywhere, come and be with me. We will go to Liberia.

14:53:17 15 We will enjoy there". I need to inform you that Esther said it
16 to me that she is the sister of Johnny Paul Koroma. That was
17 what she said to me. Well I never proved that to be right, but
18 she said it. And, well, if you look at her, the appearance, her
19 facial, you know, she looks like Johnny Paul, the eyes, the
14:53:43 20 colour, the lips, and I know Johnny Paul very well.

21 Q. When you refer to Johnny Paul Koroma, just for the record
22 who are you referring to?

23 A. Johnny Paul Koroma is one of the - he is one of the top
24 officers in the Sierra Leone Army that rebelled against the Tejan
14:54:08 25 Kabbah's government.

26 Q. Now, you said that this group with Cobra went to Njaiama
27 Sewafe area?

28 A. Sewafe.

29 Q. Just for clarity, you were based in Njaiama Nimi koro?

1 A. Njai ama Nimi koro, yes.

2 Q. Where is Njai ama Sewafe in relation to Njai ama Nimi koro?

3 A. Njai ama Sewafe is along the line, the highway. It's a town
4 along the highway from Makeni. It's a town along the highway
14:54:38 5 from Makeni.

6 Q. And so when they returned with this news about ECOMOG's
7 advance and you said a lot of people were moving around, what
8 exactly was happening?

9 A. People were actually packing their things, setting
14:54:53 10 themselves. You know, some of the people are going because to
11 there because normally people would be out of their own house
12 where they are staying and somebody will run and say, "Let me go
13 and take my bag. Let me go and take ..." - they were even
14 packing foams.

14:55:08 15 Q. I am sorry, they were packing what?

16 A. They were taking their foams, the foams they used to spread
17 on the ground and lay down to sleep. Some of them actually fold
18 up their foams. It's like a mattress, right? They fold up their
19 foams - their mattresses, you know - so that they will take it
14:55:27 20 along. Some of them actually did that.

21 Q. So, Mr Witness, you were describing as people were packing
22 up their things. What happened then?

23 A. And then we started going.

24 Q. So, who is "we"?

14:56:51 25 A. We, I am talking of myself and the AFRC/RUF. And Esther
26 actually got hold on to me. She was very close to me. She gave
27 me that bag that had this lot of money and she was holding my
28 clothes, like this.

29 MR SANTORA: For the record, the witness is holding his

1 jacket on the right side.

2 PRESIDING JUDGE: Yes, I noted he held - Mr Griffiths, did
3 you see that?

4 MR GRIFFITHS: I did.

14:57:22 5 PRESIDING JUDGE: Thank you.

6 MR SANTORA:

7 Q. What about the other civilians in Njaiama Nimi koro?

8 A. Later, I understand - I understood that a few other guys
9 who were civilians ran away. They escaped. They managed to
10 escape. But me and my father and Thomas, because me, my father
11 and Thomas, Thomas is Thomas Bull the son of - it's my nephew. I
12 am talking of my nephew. We were the only people who were there
13 at that time as members of my family.

14 Q. Okay.

14:58:02 15 A. So, we were not able to escape. As I said, my father was
16 actually waiting to see how I could escape. He would not. He
17 said that to me. He said he had the chance to escape, but he was
18 waiting for me and Esther was actually holding on to me.

19 Q. So, aside from the three of you, can you estimate about how
14:58:21 20 many civilians were with you trying to escape?

21 A. It was a whole group. We were about 100. We were about
22 100.

23 Q. How many AFRC/RUF?

24 A. Half of that.

14:58:35 25 JUDGE SEBUTINDE: Mr Santora, I need to understand. When
26 Esther was holding the witness like he demonstrated, was that to
27 forcefully prevent him, or was she saying, "Don't go without me"?
28 What was the meaning of this holding on to you?

29 THE WITNESS: That is it. That is it. She was holding on

1 to me like, "Don't go. Don't leave me. I want you to stay with
2 me". She presented the case earlier on peacefully, not in that
3 forceful manner. She said, "Don't go away. Stay with me. We
4 are going to Liberia. I have a lot of money. We will enjoy it.
14:59:12 5 Don't go". That was what she was saying to me. She said that to
6 me.

7 JUDGE LUSSICK: Just out of interest, Mr Witness, what did
8 you say to her? Did you accept her offer, or not?

9 THE WITNESS: I just kept quiet, which means "I am okay
14:59:26 10 with that", but I was actually definitely looking for a way to
11 escape. I never had the chance to escape, because she was
12 holding on to me and she was very close and she was also carrying
13 a rifle. She was carrying a rifle.

14 MR SANTORA:

14:59:41 15 Q. Do you know what kind of a rifle she was carrying?

16 A. She was carrying an AK-58. An AK-58 rifle.

17 Q. So after you packed your items in this group, at some point
18 did you leave them?

19 A. Pardon?

14:59:55 20 Q. Did you leave after all the belongings were packed?

21 A. Yes, everybody packed their belongings, their things -
22 talking of their that is like the AFRC/RUF - and the AFRC/RUF
23 said, "Let us move", and then we started moving as a whole group.
24 We walked and in fact in just about 30 minutes there was a heavy
15:00:18 25 rainfall, so the rain was coming heavily, and then we reached a
26 particular town, which I could not remember the name of that
27 town, that night. So, we spent the night in that town.

28 Q. Which direction?

29 A. We referring to myself and the AFRC guys, including my

1 father and Thomas.

2 Q. I am sorry, which direction were you moving in?

3 A. We were moving towards Koidu, right, but it's not the main
4 highway. It's like a bypass. It is a bypass. I can indicate

15:00:53 5 that later on on the map, the route we were heading towards. But

6 later we reached - what happened that morning, because after we

7 slept in that town in the morning, we referring to I myself and

8 the AFRC guys, after we fled Njaiama Nimi koro, we slept in one

9 town, we spent the night there and in the morning we started

15:01:16 10 going towards Koidu. We actually sense it that the ECOMOG troops

11 were actually advancing towards us, using the main road to Koidu,

12 because as we go along we were hearing all the big guns. You

13 know, all the machine guns we heard them. So, every one of us

14 know. We knew it that ECOMOG was advancing. They were using the

15:01:41 15 main highway while we were using the bypass road.

16 Q. So, continue then. Where did you go?

17 A. We arrived in Baima. Baima is the back of Koidu Town. By

18 then we heard a whole lot of gunshots and, you know, the dropping

19 of bombs in Koidu Town, right? So we arrived in Baima and then

15:02:06 20 the guys, referring to the AFRC/RUF, said, "Let's go to Woama",

21 so we went Woama. All the other AFRC/RUF guys who were in Koidu

22 Town, they also fled Koidu and they themselves we converged. It

23 was a whole lot of rebels and AFRC - a lot of them. So, we

24 converged. We converged at Woama. We were there that evening

15:02:37 25 and --

26 Q. Where is Woama? Did you say Woama?

27 A. Woama. Woama.

28 Q. Where is that in relation to --

29 A. Woama is back of Koidu Town.

1 Q. How close to Koidu Town?

2 A. I never use the route from Koidu Town, main road to Woama,
3 but the distance between Woama and Koidu Town is like the
4 distance between Yengema Motema and Koidu Town.

15:03:08 5 Q. I will bring you to the map just to show you the route, but
6 I would like you to just complete what you were saying. You said
7 you converged. Who exactly converged?

8 A. We, referring to myself and the AFRC/RUF guys that captured
9 me were moving, and the other group of AFRC/RUF guys who fled
10 Koidu Town because --

11 Q. How did you know they were coming from Koidu Town?

12 A. Of course, Bai Bureh and his men - because Bai Bureh didn't
13 reach Woama. He was actually fighting. According to what they
14 said, he was confronting the - what they, referring to the
15:03:50 15 AFRC/RUF guys, said earlier and later on they said, "Bai Bureh is
16 actually confronting the ECOMOG". He was fighting them, but most
17 of his men - even the wounded - were being transported from the
18 war front to Woama. And all of the fellows, the guys referring
19 to the AFRC/RUF guys, actually said it there from Koidu and they
15:04:14 20 were describing the battle there that the battle is tense and the
21 Alpha Jet, you know, that is giving them problem. You know, they
22 were saying all of these things.

23 Q. So from the time you left Njaiama Nimikoro to this
24 convergence, about how much time had passed between when you left
15:04:31 25 Njaiama Nimikoro to when you met this larger group - this other
26 group - coming from Koidu?

27 A. It was later in the evening. We reached Woama late in the
28 evening. It was about 7 o'clock. The place was getting dark by
29 then.

1 Q. Was that the same day?

2 A. The same day, yes.

3 JUDGE SEBUTINDE: Mr Santora, before you go too far we will
4 need you to spell the two locations of Baima and Woama please.

15:04:56 5 MR SANTORA:

6 Q. Mr Witness, can you spell Baima?

7 A. Baima, B-A-I-M-A.

8 Q. And the place you referred to, the second one?

9 A. Woama. Woama is - I can't give you an exact spelling, but
10 it like W-O-A-M-A or W-O-Y-A-M-A. It is one of the two.

11 Q. So after you converged with this group, how big was your
12 total group then?

13 A. A whole lot of people. Over 500. Over 500. A whole lot.
14 So many people, both civilians and AFRC/RUF guys.

15:05:37 15 Q. And at this point what were you thinking?

16 A. At that time, actually, the situation was I was not secured
17 and I was looking for a way to escape, but I was actually getting
18 the second thought that if I escaped and somebody captured me,
19 one of these AFRC guys also captured me, now I am in the safest
20 hands for me with them. It was like the whole lot of the group

15:06:02 21 of Esther, they have grown some kind of interest in me. You
22 know, if I am going to escape I will make sure that if I am
23 escaping from these hands I'm going to be in a more safest hand,
24 right? So, that was my thought. I never thought of escaping at
25 that time because everything was like so mixed up, fighting here
26 and there, gun sound, the Alpha Jet is moving up and down,
27 throwing bombs. So, I mean, I just saw myself to remain where I
28 was at the moment.

29 Q. Now, just to - just for clarity, initially you said when

1 you left Njaiama Nimi koro there was approximately 50 AFRC/RUF
2 fighters with you.

3 A. Yes.

4 Q. Was there anybody in command of that group, or who were the

15:07:00 5 --

6 A. Kallay Amara and Foday Bangura. They were the high ranking
7 sort of in terms of authority among them. They were leading the
8 group.

9 Q. Any other?

15:07:10 10 A. Yes, like one fellow, there was one commander called Jah
11 Spirit.

12 Q. Who is that?

13 A. Jah Spirit. I learnt later on that his name is Massaquoi.

14 MR SANTORA: Actually, just for the record I realise it

15:07:30 15 didn't come up:

16 Q. The name you said was Jah Spirit?

17 A. Yes, Jah Spirit.

18 MR SANTORA: Jah is J-A-H and Spirit common spelling:

19 Q. This Jah Spirit, do you know if he was - could you

15:07:50 20 distinguish whether he was AFRC or RUF?

21 A. Jah Spirit according to what I gather was - he was an RUF.

22 Q. How do you know that?

23 A. As I said earlier on, I was able to discriminate or
24 differentiate between the AFRC/RUF by their looks and by the way

15:08:12 25 they do things. Jah Spirit was - normally he wore combat, or
26 half combat, and the Krio in his mouth is not very clear. He
27 speaks a lot of Mende and even if he speaks Krio he would mix it
28 up with Mende, right? And he was also very wicked.

29 Q. Why do you say that?

1 A. He demonstrated that later, when they were training us.
2 They were giving us some training and I said to him that, "Man, I
3 am sick". He wanted me to do something. I said, "Man, I'm sick.
4 I'm sick of malaria". At that time I was heavily sick with
15:08:53 5 malaria. The guy took the magazine from the gun and throw. It
6 was heaven that saved me. If that magazine would have hit my
7 head I would have been damaged, you know. And a lot of things
8 happened - he was wicked. He was part of the group of men I saw
9 that were wicked.

15:09:11 10 Q. Now, I will come to your training portion, but for now
11 after this convergence of this group, where did you go?

12 A. Yes, we reach Woama and the whole of that night the senior
13 men, referring to the senior men of the AFRC/RUF guy, those big
14 guys who were with big officers, or big men who were with the
15:09:38 15 group I was with, the AFRC/RUF group I was with, they had a
16 meeting with the other AFRC/RUF top officers that night.

17 Q. Where was that meeting?

18 A. Woama.

19 Q. And were you at that meeting?

15:09:56 20 A. Pardon?

21 Q. Were you present at that meeting?

22 A. I was not there, but we got the information that they are
23 having some meeting. And in the morning - you know, everybody
24 was just indoor, no sleeping. They were just there talking and
15:10:10 25 talking, blah, blah, blah. And in the morning we heard the
26 information that our own group should move towards Baima again
27 and have a base there.

28 Q. Who do you mean when you say "our own group"?

29 A. The group that left Njaiama - the AFRC/RUF group that left

1 Nj ai ama Ni mi koro.

2 Q. Where did you get this information that they were having a
3 meeting?

4 A. We got the information - obviously, I used to be among
15:10:42 5 them, right. And like Esther, everything that happens she will
6 inform me. And Esther said you know, like a conversation broke
7 up everywhere and there and then the information came to me that
8 somebody said that they having a meeting, the top guys, the top
9 AFRC/RUF guys from Koidu, they are all here and they are now
15:11:04 10 having a meeting. And we were there, you know, saying a lot of
11 things. How this ECOMOG, these ECOMOG guys they are now
12 attacking us. In fact the only advantage is the Alpha Jet, you
13 know.

14 Q. Who was saying that?

15:11:20 15 A. The AFRC/RUF guys.

16 Q. And before I ask you about that, but what do you mean when
17 you say, "They were saying in fact the only advantage is the
18 Alpha Jet, you know". What do you mean by that?

19 A. What do I mean by that? They were precisely laying
15:11:38 20 emphasis on the Alpha Jet, you know, involved in the battle,
21 right. It's like the Alpha Jet was actually throwing bombs on
22 them, right. The jet was actually throwing bombs on them and,
23 well, to our own - I mean to my own observation by then I
24 actually saw that they were afraid of the Alpha Jet. Whenever
15:12:01 25 they hear the Alpha Jet they would take cover somewhere and sort
26 of they are afraid. I actually saw that they were afraid of the
27 Alpha jet.

28 Q. When you say "they" again who are you referring to?

29 A. Referring to the AFRC/RUF.

1 Q. And you said that you heard about this meeting taking place
2 with some of - you referred to with big officers or big men who
3 were in the group you were with. Do you remember any of the
4 names of those big officers or big men?

15:12:30 5 A. Kallay Amara, Foday Bangura, Jah Spirit. They were the big
6 men among the group I was with.

7 Q. So continue. What happened then?

8 A. So in the morning we gathered ourselves and then we said
9 okay, let's - we listened to the instructions that they give.

15:12:55 10 Jah Spirit was in charge of that instruction. He came with
11 instruction, he made the announcement and said, "Some of you have
12 to go down to Baima end. We are going to have a base there".

13 In fact the group I was with, I mean the AFRC/RUF group
14 that I was with, we divided into halves, right. Then one part
15 that was led by Jah Spirit himself advanced directly towards
16 Baima. In fact this group was the one that carried my father.
17 My father was with this group, because by then we never knew.
18 Everything was so like that; mixed up.

19 Q. So you said Jah Spirit led one group?

15:13:34 20 A. One group yes.

21 Q. To Baima?

22 A. To Baima. And the other group led by Kallay Amara, where
23 Esther was and I myself was, we just advanced like halfway
24 between Woama and Baima. We advanced - I mean the AFRC/RUF guys,
15:13:56 25 including myself, we advanced. As I said, we divided into halves
26 and then we advanced halfway between Woama and Baima.

27 Q. Why were you divided, do you know?

28 A. They said it was like they were going to set something like
29 - I mean they were just setting some - it's like a security

1 measure they decided on. They very well knew that they had been
2 attacked by ECOMOG from all front, so they are spreading out
3 their wings, sort of securing themselves. That was why they
4 decided to do that.

15:14:29 5 Q. Now, just to clarify. You said that your father went with
6 the group under Jah Spirit, is that correct?

7 A. Yes.

8 Q. And you yourself went with Kallay Amara's group?

9 A. Kallay Amara's group, yes.

15:14:42 10 Q. The other civilians that were with you at this point, can
11 you describe how they were divided?

12 A. It was like a whole half. It was like a half. Everything
13 was divided into half, right. Because how the rebels were
14 moving, at that time it was just an unfortunate circumstance that
15:14:58 15 my father, I mean, slipped to be with the Jah Spirit group,
16 because that night I could not see him, you know, everything was
17 mixed up, and in the morning also. So it was just a coincidence
18 that my father joined the Jah Spirit group.

19 Q. So after the group was divided about how many people were
15:15:21 20 with your group under Kallay Amara?

21 A. It was about- all of us were about 50 of us.

22 Q. And can you break that down in terms of --

23 A. Men, young men I am saying of course, and children. There
24 were children.

15:15:37 25 Q. Okay. What about women?

26 A. There were women. A lot of women.

27 Q. Just in terms of the groups that were divided --

28 A. Yes.

29 Q. -- describe the composition of that division, in terms of

1 the civilians that were with you when you were one larger group.

2 A. It was a ratio of 1:1, right. I cannot exactly say but
3 it's like if one can imagine or even make an assessment of it, it
4 was a ratio of 1:1.

15:16:08 5 Q. And you said you --

6 PRESIDING JUDGE: Mr Santora when you said composition I
7 thought you meant men, women and children, but you're talking
8 about the civilians and the fighters.

9 MR SANTORA: I actually probably confused the issue,
10 because you're right. In earlier reference I was referring to
11 the group of civilians. So let me just clarify:

12 Q. Mr Witness, in terms - well, let's start out in terms of
13 the two groups that were divided, okay. First of all in terms of
14 the AFRC/RUF fighters, the division - what was the composition of
15 that division in terms of those that went with Jah Spirit and
16 those that went with Kallay Amara?

17 A. Jah Spirit went - as I said, he went with my father and few
18 other gunmen, other AFRC and RUF gunmen. And usually when the
19 AFRC/RUF gunmen would move they would move with all the women
20 that they had. And all these women had children, you know. Like
21 somebody - what happens in most cases is that these children are
22 attached to each of the men, referring to the AFRC/RUF men. It's
23 like, "I like this boy". It was like an interest at that time.
24 "I like this boy. I want this boy to be with me". So at all
25 times - it's the same case with me and Esther.

26 Q. Okay, I know you are speaking generally. I know you are
27 speaking generally, but at this particular time when the group
28 was divided into two can you describe - first of all in terms of
29 the AFRC/RUF fighters you said - how was the division?

1 A. The division was not sort of - it was not done on equal
2 base, right. It's like Jah Spirit selected few of the men that
3 was very close to him and then these guys decided to leave. And
4 when they are going they take along - it's like not half, not
15:18:13 5 half, and not more than what we had, the men we had with us, the
6 group with Kallay Amara.

7 Q. So which group was bigger.

8 A. Our group. Kallay Amara's group.

9 Q. Now in terms of the civilians that were with you when you
15:18:30 10 were one larger group, describe what happened after the division.
11 Where did the civilians go? With which group?

12 A. There were some civilians with the group of Jah Spirit,
13 right. There were some civilians but not - I cannot say even not
14 50 per cent of the civilians that were with us, with the whole
15:18:49 15 group as one, but there were some civilians with Jah Spirit's
16 group. And also there were some civilians, as myself, with
17 Kallay Amara's group.

18 MR SANTORA: I don't know if that clarifies it, Madam
19 President.

15:19:04 20 PRESIDING JUDGE: I think so. We will proceed.

21 MR SANTORA: At this point I would ask that the witness be
22 shown the map again:

23 Q. Mr Witness, now earlier you marked a number 7 next to the
24 location Njaiama Nimi koro. Do you see that?

15:19:40 25 A. Yes, yes.

26 Q. Now, you said you ended up between Woama and Baima, is that
27 correct?

28 A. Yes, yes.

29 Q. And the other group under Jah Spirit ended up at Baima, is

1 that correct?

2 A. Yes.

3 Q. First of all can you trace out the route that your group
4 took from Njai ama Nimi koro --

15:20:13 5 A. Okay.

6 Q. -- with the highlighter. First trace it to the point where
7 you stated that the larger group converged with you from Koidu,
8 if you can.

9 A. Okay. First of all let me show you the route we took. We
15:20:34 10 came from Njai ama Nimi koro and then we followed this path. As I
11 said, we were using the highway. We used the highway. We were
12 like following up the highway to Koidu, right. So this was the
13 path that we took. We were hearing the gun sound. It's like
14 coming down here to Baima, right. And then we also get another -
15:21:00 15 we continued our journey to Woama. Here is Woama.

16 And then later, when the division took place, we then moved
17 from Woama. One group moved from Woama. Our group - I mean the
18 Kallay Amara's group, we moved from Woama. We settled here
19 somewhere between Woama and Baima. And then the other group -
15:21:36 20 the other group moved down to Baima. That is Jah Spirit's group.

21 MR SANTORA: Now, for purposes of record - may the record
22 show that the witness indicated - from Njai ama Nimi koro traced
23 out a path in pink highlighter to a location that he indicated as
24 Woama:

15:22:11 25 Q. So can you indicate with the number 8 when you arrived in
26 Woama?

27 A. Woama is 8.

28 MR SANTORA: Just to clarify the record, the witness has
29 indicated a route out from Njai ama Nimi koro running northeast

1 across into the Tankoro Chiefdom and then proceeding southeast to
2 Woama, which is indicated on this map with the number 8. Then,
3 the witness - I am sorry, and then the witness used an orange
4 highlighter to indicate the group that went between Woama and
15:23:18 5 Baima, which he said that was his group under Kallay Amara, and
6 then indicated with a yellow highlighter the group that went with
7 Jah Spirit:

8 Q. Mr Witness, can you put a number 9 to the location where
9 your group under Kallay Amara ended up. For purposes of record,

15:24:05 10 the witness indicated a region between Woama and Senehun. Can
11 you now put a number 10 next to the location where Jar Spirit's
12 group ended up. For the purposes of record, the witness has put
13 a number 10 under the village indicated on the map as Baima in
14 the Tankoro Chiefdom. Now again just to put you in a timeframe

15:24:54 15 here, do you recall when it was that you arrived at this location
16 between Woama and Baima?

17 A. When we arrived in --

18 Q. In the location that you have referred to when you were
19 with Kallay Amara's group?

15:25:07 20 A. We arrived there about midday.

21 Q. In terms of month and year, do you recall?

22 A. Pardon?

23 Q. In terms of the month and the year?

24 A. It is in the same month of April.

15:25:17 25 Q. And what year was that?

26 A. 1998.

27 Q. Now, what happened after you arrived at this location
28 between Woama and Baima?

29 A. We arrived there in about one hour or so. In about one

1 hour time we saw the guys coming back.

2 Q. Who is these guys?

3 A. The group - the AFRC/RUF group - that went along with Jah
4 Spirit. We saw them coming back and they said, "We had an
15:25:55 5 attack. Some Kamajors attacked us", and of course I was never
6 able to locate my father and Thomas since then.

7 Q. So, when the group under - when Jah Spirit came back, was
8 your father with him?

9 A. My father was not with them.

15:26:13 10 Q. Who was with him?

11 A. A few other civilians and all of the AFRC/RUF guys that
12 went there. Of course, we never heard of any casualty.

13 Q. So, do you know what happened to your father?

14 A. Later on my father told me that he escaped. They actually
15:26:34 15 heard a gunshot from the bush and then all of the AFRC/RUF guys
16 scattered and then he was able to escape and hid himself in the
17 bush.

18 Q. What happened then after this incident when Jah Spirit came
19 back?

15:26:51 20 A. Jah Spirit came back and then he said, "Okay, gentlemen,
21 this is the place we are going to settle", and then we --

22 Q. Who said that?

23 A. Kallay Amara. Kallay Amara said, "Gentlemen, this is the
24 place we are going to settle up. Let's settle in this place".

15:27:09 25 The place I am referring to as location number 9 you can call it
26 a village, but it's just one house that we were staying in that.
27 It's along the road. It's a road that can be - you can use a car
28 to go there, right? It's a fairly big road. So there is one
29 house in the village I can call it, I don't know it's name, but

1 opposite the one house on the other side of the road there is a
2 big coffee farm, right? A very big coffee farm. So under this
3 coffee farm there the guys asked us to settle down, because by
4 then they were afraid of staying in an open place where the Alpha
15:27:48 5 Jet would come and see how there are people here and then drop
6 some bombs. So they said, "Let's settle under the coffee farm".

7 MR SANTORA: Actually, the map can be taken away from the
8 witness at this point:

9 Q. Now, describe the entire composition of the group that is
15:28:23 10 now located in what you indicated as this location between Woama
11 and Baima. Describe the composition of the whole --

12 A. The composition is about - we were about 100, right, and
13 then there were young girls middle aged women, but no older
14 women, and children. There were children.

15:28:51 15 Q. First of all, describe it in terms of AFRC/RUF people
16 versus civilians. First describe that.

17 A. It was like half. It was a 1:1 ratio. It was like a 1:1
18 ratio.

19 Q. So, approximately how many AFRC/RUF?

15:29:09 20 A. There were about 50 of them. 40 to 50 of them.

21 Q. And approximately how many civilians?

22 A. Civilians, about 50 of them.

23 Q. And in terms of the civilians you just said there were some
24 women, but no older women?

15:29:20 25 A. No older women.

26 Q. What about other civilians aside from women?

27 A. We had young women and middle aged. I can see there were a
28 few of them, three or four middle aged women, but most of them
29 were young girls.

1 Q. And what about - were there men?

2 A. Men, yes of course. Not of course no Pa - there was no Pa
3 there - and there were boys, small boys, and of course the young
4 guys like myself were there.

15:29:57 5 Q. What do you mean by small boys?

6 A. The small boys in the age of 13. You know, 13, 15. Small
7 boys.

8 Q. Describe what happened to you at this location?

9 A. We were there. We were there in that base and we started
15:30:18 10 making shelter for the guys - for the AFRC/RUF guys. Like we go
11 and get the palm leaves, get some logs, some wood. Some local
12 shelter, put some wood, do some structural design and then put
13 the palm leaves and so there they will be under this shelter.

14 That was what we started doing for about one or two days and then
15:30:45 15 later we got an information. The guy said, "We have young guys
16 in this place". By then we are still hearing the bombardment and
17 firing coming from afar, the Alpha Jet would also come around and
18 we got the information that, "There are young guys among us and
19 so we need to train some of these guys".

15:31:08 20 Q. Who said that?

21 A. The word actually came from Kallay Amara. Kallay said this
22 word, but we got the information that Bai Bureh ordered that
23 because Bai Bureh was in charge of the battle. He was actually
24 fighting the ECOMOG.

15:31:28 25 Q. How did you know this came from Bai Bureh?

26 A. How did I know that he said it? They said it. In fact,
27 sometimes when they tried to tell us about some things, "You must
28 do it", they would say, "Bai Bureh says", so you will actually
29 notice that it is the word from the highest authority. "You must

1 do it. If you don't do it, you are dead".

2 Q. So you said that, "We got an information. The guy said,
3 'We have young guys in this place'", and then that, "We got
4 information that, 'There are young guys among us, so we need to
15:32:05 5 train some of these guys' ". What do you mean?

6 A. What I mean is that they were actually looking for more
7 gunmen, according to what happened and what I gathered. They are
8 looking for more gunmen and I knew and understood that they were
9 losing some men way in Koidu Town. They, referring to AFRC/RUF
15:32:28 10 guys, were losing some men way in Koidu Town in the battle
11 between the ECOMOG and themselves.

12 Q. How did you get that information?

13 A. They informed us. In fact, this fellow was wounded. This
14 fellow - I mentioned one fellow, Daddy Lumba. We heard that
15:32:46 15 there was a bomb that actually damaged him and he was at the
16 point of death. I never hear of him dead or I never saw him
17 later on, but we heard that he was wounded down in Koidu Town.

18 Q. So what happened after this information came in?

19 A. After this information came, then this fellow, Kallay
15:33:10 20 Amara, and one guy they called Anthony - Anthony - Anthony also
21 and with Jah Spirit, they were the head of the training team and
22 they started training us. They started training us.

23 Q. Who were they training exactly?

24 A. They were training us, about a handful of us. About 16 to
15:33:36 25 20 of us were being trained by them about that.

26 Q. Who was being trained actually?

27 A. Like for myself I am probably - by then I was 19 years.
28 The eldest boy would be about 24 by then and we had small boys.
29 They were calling Small Boy Units. They had small boys in the

1 age 13, 14 and so on and so forth. They were small small boys,
2 really.

3 Q. And when you say they were being trained, what do you mean?

15:34:13

4 A. We were trained. It was a two weeks programme. By then we
5 were in the morning no food. This I am saying no food.

6 Sometimes we go to the bushes and then look for banana, look for
7 uncommon food and then have a meal, but the training was about
8 two weeks, as I said. We had - the first week was weaponry.

15:34:49

9 Kallay Amara and Anthony were in charge of weaponry, right? They
10 actually trained us to assemble and disassemble the weapons -
11 different weapons AK-47, AK 58, you know, and these bigger guns.

15:35:19

12 I actually turned out to be the best recruit, they were
13 saying. Amara was saying, "This guy is the best recruit",
14 because when it came to weaponry I paid so much attention. I
15 paid so much attention because I wanted to know how to fire this
16 gun. In case there was any emergency, I had that in me. I
17 actually paid attention - since I had some technical background I
18 paid attention how to assemble this weapon or disassemble it, and
19 I understood how to manipulate these weapons, right, and we went

15:35:41

20 through the weaponry. While doing that we were - on a daily
21 basis we will come for training in the morning and probably in
22 the middle of the day they will send us on food-finding mission;
23 they referring to the AFRC/RUF guys.

24 Q. What is a food finding mission?

15:35:57

25 A. Food finding mission is like there is no food in the camp.
26 Most of these top officers had their women they were with, right,
27 and they have to feed on something, so they were asking us to go
28 out and get food. So we will go out to some other places, we
29 will go and walk and walk and probably discover some farm where

1 we can get some food, gather some food, put them in some
2 containers, or some bags, and then bring them to the base where
3 we were.

4 Q. Who would go on these food finding missions?

15:36:31 5 A. We would go with a few gunmen, we the trainees. The
6 trainees and some of the gunmen would be by us.

7 Q. And you said also that, "... when there is no food in the
8 camp. Most of these top officers that had their women they were
9 with and they had to feed on something". When you referred to

15:36:57 10 "top officers", who did you mean?

11 A. Referring to like Kallay Amara group, the Jah Spirit and
12 the other guys.

13 Q. And what do you mean that "they had their women"?

14 A. Of course, they had their women. You know, these women
15:37:14 15 were with them and they were virtually doing nothing. They were
16 virtually doing nothing in the place, so it was just like
17 feeding, eating and eating and being with their guys, their
18 husbands, or their so-called husbands, right?

19 So most of the time, according to what I saw, when in fact
15:37:33 20 we go out to get food, as soon as we arrive in the place they
21 will forcefully take the food. Like Kallay Amara's wife -
22 so-called wife - and Jah Spirit's so-called wife they will
23 forcefully, "This is mine. Give me", and you have nothing to do.

24 Q. When you refer to them as "so-called wife", what do you
15:37:54 25 mean by that?

26 A. Well I never knew of them having some marital ceremony or
27 so, but it was like they were having that kind of status
28 presenting themselves as they are the wives of Jah Spirit and the
29 wife of that man. "If you want to do anything against me, you

1 will not succeed because I am the wife of ..." They themselves
2 exercised some kind of authority against us, the male guys; they
3 referring to the women of these top AFRC/RUF guys. They
4 sometimes, I mean, tried to exercise some authority against us.

15:38:29 5 Q. Now, you talk about going on food finding missions at this
6 time. Did anything particularly happen on these food finding
7 missions that you recall?

8 A. Well, there was one day we went on a food finding mission.
9 We went together with one guy called Hosana. Hosana used to be -
15:38:54 10 okay, later I learnt that he is an SLA. His name is Lamin. He
11 actually speaks very clear Krio. So we went out for this food
12 finding mission and --

13 Q. Who went exactly?

14 A. We - some of the gunmen that were with that group, the
15:39:18 15 AFRC/RUF group in that location, and some of the civilians like
16 myself who were on training. So we went out. We actually
17 approached - I remembered we approached the same route we used
18 from Njaiama Nimi koro to Bai ma.

19 Q. Okay, before I ask you just to clarify for the record, the
15:39:37 20 name you said was Hosana. I know there are two ways of spelling
21 Hosana. Mr Witness, do you know hoe he spelt?

22 A. Hosana is H-O-S-A-N-A.

23 Q. Okay. Now what happened on this particular mission with
24 Hosana?

15:39:56 25 A. We went and Hosana was leading this group of food finding
26 mission. Hosana - there was one name, I could not remember that
27 name, but it is an Islamic name. The interpretation of that name
28 is, the angel that takes away life. That's the meaning of the
29 name.

1 Q. Of which name?

2 A. I don't know the name. I could not remember the name but
3 it's an Islamic sounding. They say that it's an Islamic name.
4 That's the angel that takes away life. He was using that name.
15:40:28 5 Some people were calling that name. And all I was calling him
6 was Lamin. I mean, Hosana or Lamin. His other name - his real
7 name is Lamin. Of course I learnt from him that he is from Daru.
8 Daru is - there is a military base in Daru, so I learnt that he
9 was there. He is SLA man. So we went on - if I can continue?

15:40:49 10 Q. Yes, you can continue.

11 A. We went - referring to the group that went, the AFRC/RUF
12 guys, including myself, we went on the food finding mission and
13 then we reached to a location where they were able to get a lot
14 of food, right. And they captured some civilians. Two guys were
15:41:10 15 captured. And we were coming on our way returning back to the
16 base, the location between Baima and Woama, and "we" referring to
17 the AFRC/RUF guys.

18 And there was one area we reached, Hosana said, "Oh, my
19 man", because eventually in that place they know very well that I
15:41:36 20 am educated, because in many cases I tried to present myself as
21 an intelligent person. I am somebody who is educated.

22 Sometimes, you know, like one common thing that do happen:

23 Whenever they have - every morning they will have their muster
24 parade. They had what they called muster parade. I had never
15:41:54 25 heard that word before, I heard that in that place. "They"

26 referring to AFRC/RUF guys. So they had this muster parade and I
27 managed to be their so-called man of God. They called me - some
28 people called me pastor.

29 Q. What was the word they said?

1 A. Man of God or pastor, right. So what happened is like, it
2 started - all started one time we had - I am coming back to the
3 Hosana area.

4 Q. Okay.

15:42:27 5 A. And they started it one day and they said, "Okay, we have
6 to say some Muslim prayers and some Christian prayers", right.
7 Somebody volunteered and said some Muslim prayers. And they said
8 we need somebody who is a Christian. So I volunteered to say
9 okay I will say the Christian prayer. And the way I said the
10 prayer was so impressive, you know, so they started calling me
11 pastor, man of God. Pastor, man of God. So most of the time I
12 speak English when saying these prayers. So of course they know
13 that I am educated.

14 And one day again Kallay Amara met me. He say a guide you
15 know to work hard, work hard in this group. He tried to actually
16 give me some conviction of their vision, how we should fight.
17 You know, "Like you are an educated man, you will rise up to be
18 one of the great commanders. You are the people who would push
19 before to talk to these people over BBC, to go", you know. He
15:43:31 20 was actually trying to convince me and from that day they know
21 that I am educated, so --

22 Q. So now you were describing this food finding mission?

23 A. Yes, food finding mission. So Hosana asked me, he said,
24 "My man, come, come. Come and write some letter for me". So he
15:43:52 25 had a book in his possession. He removed some pages and then
26 gave me a pen. He said, "Now write". He said, "To Mr Tejan
27 Kabbah and ECOMOG. We are still in the jungle". He used that
28 word "jungle". "We are still in the jungle and we will fight to
29 the last drop of our blood". That was the statement of the

1 letter and I closed it and give her the paper.

2 Q. Gave who the paper?

3 A. Gave him the paper.

4 Q. Who?

15:44:22 5 A. Hosana. I gave him the paper and then we continued our
6 journey, meaning the AFRC/RUF group and myself, for the food
7 finding mission. So these guys were with us, two guys were with
8 us, and then we reached a location wherein Hosana hold one of the
9 guys that was captured.

15:44:46 10 Q. Who were these - okay, these two guys that were captured.

11 A. Yes, that was captured. They hold on to his arm and then
12 Hosana was carrying - all the time Hosana carried this sharp,
13 heavy, long knife. It's like a sword, right. He used to carry
14 that sword everywhere. You know, so he hold on to this guy and
15:45:05 15 then hit the guy's hand, one arm, and then take the other arm
16 again, hit it and then, for me, you know usually even when I was
17 small if I see blood my heart would begin to palpitate. My heart
18 would begin to beat. So I never wanted to see what was
19 happening, so I just left that area.

15:45:26 20 Q. First of all you said Hosana had a sharp object. He
21 carried a sword.

22 A. Yes. It was very, very sharp.

23 Q. What specifically did he do to this individual?

24 A. Amputated the arm of this guy.

15:45:37 25 Q. How do you know that?

26 A. He did it and I saw it, right. He did it and I saw it. I
27 never, I mean, knew what happened later on if the guy died or
28 not. But I saw it. In fact he put the letter that I wrote in
29 the pocket of this man. The guy was not wearing any shirt. He

1 put it in the pocket, the trousers, and then drew the guy's hand
2 like this. Placed it. There was a log on the floor. It was
3 like an old timber log, something like that. He placed it and
4 then hit and then take the other and draw it and hit again. So I
15:46:14 5 saw the blood coming out and then I just turned my face and then
6 continued.

7 Q. After that did you see what happened to his arm?

8 A. Yes. I saw the arms were actually amputated. Completely
9 halfway amputated.

15:46:27 10 JUDGE LUSSICK: I though you are referring to singular arm
11 and the witness is mentioning both arms.

12 MR SANTORA:

13 Q. What did you actually see in terms of his arms?

14 A. The arms were completely amputated. They were cut off and
15:46:40 15 blood was coming out. So I mean I never wanted to see such a
16 thing, so I turned my head.

17 Q. What did the man do when this happened?

18 A. The guy was actually screaming, screaming. Highly
19 screaming and he was sort of highly shivering, shaking a lot.

15:46:57 20 Highly shaken.

21 JUDGE SEBUTINDE: The witness did indicate exactly where
22 the arms were amputated. Could we see that again, please?

23 MR SANTORA:

24 Q. Can you describe again where exactly the arms were --

15:47:09 25 A. The arms were amputated around this area. Half.

26 MR SANTORA: Just for the record the witness is now
27 indicating with his left hand on to his right arm just below his
28 right elbow:

29 Q. And how about the other arm?

1 A. The same thing happened here.

2 MR SANTORA: Again for the record the witness is indicating
3 below his left elbow. With his right hand indicating a spot just
4 below his left elbow:

15:47:37 5 Q. You said the man then was shaking. What do you mean? What
6 was he doing exactly?

7 A. He was highly shaken, as I saw. I saw the first event and
8 the second event. I could not bear anything and then I - he was
9 actually shaking, shaking. I don't know whether he wanted to run
15:47:51 10 away or so, but Hosana is a very huge guy and of course he was
11 able to handle the guy. He drew the guy like this, place his
12 hand like that and hit. Like take the other hand and hit. That
13 was what happened.

14 MR SANTORA: Again for the record the witness indicated
15:48:06 15 with his left hand pulling and then taking his right hand and
16 hitting twice:

17 Q. What happened to this individual?

18 A. I never knew what later happened. Like the other guy was
19 fired at, as I heard later. Because actually I heard gunshot
15:48:28 20 later when I left. The other rebels guys said they fired him,
21 they actually fired him. They shoot him and he lay dead.

22 Q. You said after you saw this you turned away. After you saw
23 these arms get cut off, is that correct?

24 A. Yes, yes.

15:48:46 25 Q. But what did you hear after you turned away?

26 A. I heard the guy screaming definitely. I heard the guy
27 screaming and all the other guys were talking blah, blah, blah.
28 Everybody was saying his own comment. But at that time - you
29 know normally when I see things like this my head - I don't know

1 exactly what was happening to me by then. I was - you know, I
2 have never seen such a thing in my life. You know, for you to
3 see such a thing I was frightened. So much frightened, you know.

4 Q. And how far away were you when this happened to him?

15:49:19 5 A. It's not too far. It's like this happened like a distance
6 between me and that of my young man.

7 Q. Which young man are you referring to? The young man next
8 to me?

9 A. Yes, next to you.

15:49:31 10 MR SANTORA: For the record the witness pointed from
11 himself to the Prosecution bench at the front.

12 JUDGE SEBUTINDE: Mr Santora, I am not sure who was shot.

13 MR SANTORA: I can clarify that:

14 Q. Now you also said somebody else - well, initially you said
15:49:43 15 there were two people captured with you at this point.

16 A. Yes, two people captured.

17 Q. And you described what happened to one of them. Then you
18 also said somebody was shot. Who were you referring to?

19 A. The second person.

15:49:54 20 Q. And how do you know that happened?

21 A. They said to me and I heard the gunshot, right. I heard
22 the gunshot. I think they wanted to do the same thing to the guy
23 according to what I heard. They wanted to do the same thing to
24 this fellow and he was about fighting here and there, so they
15:50:11 25 fired him. He was about to run away and they opened fire on him.

26 That was what exactly happened.

27 Q. In terms of when the first incidents - the incident with
28 the amputation happened --

29 A. Yes.

1 Q. And when did this incident with the firing happen in
2 relation to that?

3 A. After the amputation of the first man, the complete
4 amputation of the first man, the second one followed.

15:50:34 5 Q. About how long after?

6 A. That's about not even one minute or more than minute.
7 About that. About one minute. In one minute time. It's an
8 interval of one minute when I left the area.

9 Q. Now, after this incident did you return to the base where
15:50:57 10 you were?

11 A. Yes, we returned to the base where we were and the training
12 continued.

13 Q. And you said it was a two week training?

14 A. Yes, two weeks training.

15:51:10 15 Q. And aside from weaponry what else did you train in?

16 A. There were some military manoeuvres. That was very, very,
17 very - in fact a bad experience for me, because that was the most
18 bitter part for me during the training.

19 Q. Why was this the most bitter part for you?

15:51:27 20 A. I was sick with malaria. Highly sick with malaria. I will
21 have fever, every - three times every day. My head was aching,
22 no better food and these guys were actually pressing on us all
23 sort of hard exercise. You have to carry somebody, climb up the
24 hill, come down, you have to do push-ups. I mean, it was a sad
15:51:55 25 experience anyway. I can't - I don't want to even remember
26 myself doing such things again. It was a hard experience.

27 I mean, I am a young man, I can do such exercise, but with
28 such situation wherein I've not eaten anything better for days,
29 no good food, you know that malnourishment, I was very skinny at

1 that time. Really skinny. It was a bad and sad experience. The
2 training was a bad and sad experience.

3 The guys would do all sorts of wicked things to us. Like
4 if you were doing the push-ups probably you are not doing it
15:52:33 5 properly that fellow Jah Spirit would use the machete - he would
6 use the back of the machete and then hit you hard on your back.
7 "Do it properly. Do it properly". And they will come and - they
8 will stand on top of your back and then you are pushing up. Can
9 you imagine those kind of things?

15:52:49 10 No better energy. No good energy. No food. Man, really
11 it was difficult. For the Small Boys Units they were taking it
12 easy with them, right. But for us, the young, the youths, I can
13 say, we actually suffered.

14 Q. Now you've earlier talked about that 16 of you were being
15:53:11 15 trained at this point. About how many of those were small boys?

16 A. It was about five/seven of them. It's about that.

17 Q. Now, after your training - before we leave this area I just
18 have one more question. You described this amputation incident
19 and you described the letter that you wrote, but did you ever
15:53:36 20 learn why Hosana did this to this individual?

21 A. Due to his statements and the letter I wrote, it was like
22 they want to actually let the government or the ECOMOG people
23 realise that these guys, referring to the AFRC/RUF, that they are
24 still fighting and they will not give up. And he specifically
15:54:04 25 made a mention of that, you know. "That they have to call us -
26 if there is anything important or anything pressing let them call
27 us to the table. We have to sit down". That was what he was
28 saying. "But if they said they are going to fight us with
29 ECOMOG" - in fact they were very against this ECOMOG thing.

1 Q. First of all you said, "Let them call us to the table".
2 Who are you referring to?

3 A. Referring to the Tejan Kabbah's government and the AFRC/RUF
4 group.

15:54:38 5 Q. So just explain your answer again. What did you mean by
6 that?

7 A. Like Hosana said that, right. After I wrote the letter,
8 these small statements behind what happened. He said, "They said
9 they are going to send the ECOMOG guys". Referring to Tejan
10 Kabbah's government, "He's sending the ECOMOG guys to fight us".

11 "Us" meaning the AFRC/RUF guys. "They are going to send the
12 ECOMOG guys. If that is the case then we will fight to the last
13 drop of our blood and then civilians will suffer". That was the
14 statement he was saying. He was saying that categorically. "The
15 civilians will suffer. We will suffer the civilians and then
16 they will finally call us to the table". That was what he
17 categorically said. I can remember.

18 Q. After your two week training programme what happened?

19 A. After the training programmes we started hearing of the
15:55:51 20 operation. In fact during the training programme we used to hear
21 of operations that had been launched by the AFRC/RUF guys. You
22 know, they sometimes converged. Because never mind there was
23 some groups - the groups that we were with. There were some
24 other groups when I left at Woama and along Woama to Koidu there
15:56:15 25 were groups.

26 Q. Groups of what?

27 A. There were groups of the AFRC/RUF guys. They were
28 deploying in so many strategic positions. So they usually have a
29 network of communication. They usually have of a network of

1 communication.

2 Q. How do you know that?

3 A. A network of communication I mean like for a day you would
4 have four or five of the rebel guys - the RUF guys who were with
15:56:38 5 us in the base between Woama and Baima, four or five guys would
6 be sent to Woama to check what is happening or to get anything or
7 to get arms and ammunition. And then the network would then
8 continue to Koidu Town where Bai Bureh was fighting, right. So
9 they usually gather themselves like a combination of four groups
15:57:07 10 - probably four groups from the AFRC/RUF guys who were with us
11 and probably another four men from Woama base and four, four,
12 four. It's like a contribution. They would merge together and
13 then go for a common operation.

14 That we used to hear and like one operation that was
15:57:27 15 launched, there were some guys - like there was one guy with us
16 called Fuckya. Fuckya, he was with us and this Anthony, Jah
17 Spirit, they went for one operation that they killed one
18 journalist, a BBC journalist, right. The operation was between
19 Woama and Bumpe Highway.

15:57:49 20 Q. And you said the name - what was the name?

21 A. Fuckya. Fuckya.

22 Q. Do you know how to spell that?

23 A. F-U-C-K-Y-A.

24 Q. And that's one word?

15:58:15 25 A. One word. One word. Sorry for the language. It's like
26 -well, it's like one of our local language, but it has some rude
27 meaning, right.

28 Q. Now you said you heard about operations that were being
29 conducted, is that correct?

1 A. Yes, yes, yes.

2 Q. Now just to clarify first of all, when you finished your
3 two week training period can you recall approximately the time of
4 year it was?

15:58:53 5 A. It is inside of May by then. We were in May. I can
6 approximately say that we were in May.

7 Q. And what year is that?

8 A. It's 1998.

9 Q. Now you said you heard of operations - you said you heard
15:59:08 10 of them actually during your training and then after your
11 training, is that correct?

12 A. The operations, yes. We heard of operations during and
13 after the training.

14 Q. Do you remember any of the operations you heard of?

15:59:19 15 A. As I said, that operation that they killed the BBC
16 journalist and I heard of many operations No Living Thing. Every
17 day we would hear of there are some guys who have gone to Kenema
18 area, there is a village there, they have attacked the village.
19 Of course there are some guys - like Foday Bangura left our base
15:59:40 20 with some other guys, AFRC/RUF guys. They headed for the Kenema
21 area and they attacked one village. That particular attack we
22 got over the BBC.

23 Q. What did you mean when you said you heard of Operation No
24 Living Thing? What was that?

15:59:57 25 A. The Operation No Living Thing was actually launched by this
26 AFRC/RUF group. But, as I said, it's a combination of few men
27 from our side, few men from the other side. They combined
28 themselves and then they head for these operations.

29 Q. What did you understand that operation?

1 A. Operation No Living Thing as they said, they were saying -
2 they were insisting that if you go and attack that town don't
3 leave any breathing thing in that village. Sort of take away
4 every life that you meet in that village.

16:00:30 5 Q. Who said that?

6 A. The command was coming directly from Bai Bureh. Bai Bureh
7 was giving orders for this operation.

8 Q. How do you know?

9 A. The guys were saying that. As I said earlier on this, when
16:00:45 10 they were about to launch an operation they would say, "Now,
11 ladies and gentlemen, we are about to go for an operation. It is
12 a command from Bai Bureh that we go for an operation. This is
13 what we should do: We have to go and no human being, no living
14 thing should be left behind or should be left in that village".

16:01:09 15 Q. Who do you recall saying that specifically?

16 A. Like Jah Spirit and Kallay Amara. They are the guys who
17 pronounced these things to us. "They" referring the AFRC/RUF
18 guys.

19 Q. What happened to you after this training period?

16:01:28 20 A. Well, we were there, we heard of this operation, No Living
21 Thing, and that a lot and lot of other things. Like one
22 operation they did, as I said, in that Kenema end with Foday
23 Bangura himself came and informed me. He say, "Man, we did one
24 good operation". He was saying, "Good operation. It was very
16:01:53 25 good". He was describing it; how they went there, it was an
26 Operation No Living Thing and what they do to women. You know,
27 what he said they did. And some other people, like one trainee
28 was with them --

29 Q. One who, I'm sorry.

- 1 A. One trainee. One young man guy like myself who was
2 actually trained as myself was with them. His name was called
3 Ibrahim and he actually confirmed it saying that kind of thing to
4 me, that what they did to women in that village and they killed
16:02:31 5 everybody in that village.
- 6 Q. What village was that, do you know?
- 7 A. What day?
- 8 Q. What village?
- 9 A. I don't know the name of the village. I don't know the
16:02:39 10 name of the village.
- 11 Q. And you referred to the Kenema end?
- 12 A. Yes, Kenema end.
- 13 Q. What do you mean by that?
- 14 A. The Kenema area. You know, we have Kono and then the
16:02:48 15 Kenema area.
- 16 Q. So you yourself did not go on this operation?
- 17 A. I did not go on this operation. I did not go on this
18 operation.
- 19 Q. Did you yourself go on any operations?
- 16:02:59 20 A. Well, yes. There was an operation after the training, I
21 think the next day, they had one operation also they called -
22 it's the same No Living Thing. And Foday Bangura said, "Man, you
23 are going to be my bodyguard". That was what he said. And he
24 said, "Come with me". He said, "Come with me". But by then I
16:03:27 25 had no weapon, right. No gun. So he said, "Okay. Come and
26 carry my ammunition bag". He had a small - a bag that is filled
27 with bullets, right. And then he said, "Come and carry my
28 ammunition bag". And then I followed him. We were in that - we
29 walked for the whole day and the other day. We reached there

1 around the village. It was a very far distance.

2 Q. Where? Where were you walking?

3 A. To Kenema. It was Kenema. The Kenema end. Most of the
4 operations they had was in that Kenema side where the Kamajors

16:04:07 5 were and they got the information that in that particular village
6 there are some - a lot of Kamajors there, so they are going to
7 attack that place.

8 Q. Do you know the name of that village?

9 A. I don't know the name of that village.

16:04:19 10 Q. So what happened?

11 A. So we reached there at night and we were around - we
12 reached there about 5 o'clock in the morning. The guys said,
13 "Okay, let's stay around until the morning when the place is
14 getting clear". So in the morning when the place is getting
16:04:40 15 clear the guy said, "Okay now. Get up now. We have to attack".

16 So we actually entered the village. We entered and we saw
17 some Kamajors, hunter guys, they were around the fire. Of course
18 what we gathered later on that the guys heard - they got the
19 information that there were some men who were coming to the
16:05:02 20 village, right. So we met there no civilian. All the property,
21 everything was taken out from the village. Only these few men,
22 about four of them, they were around the fire, right, and the
23 guys started firing, started firing at them. They ran away.

24 Q. Who started firing?

16:05:20 25 A. The AFRC/RUF guys. They started firing at the guys but
26 they ran away. They were not able to hit anyone, right. So the
27 guy started going to the houses, set fire on the houses. Like
28 this Fuckya guy - this Fuckya guy went and burned the church.
29 There was a church there. He set fire on the church.

1 And then they said, "Okay, let's go after them. Let's go
2 after them". And then we started moving towards the direction
3 that these guys took, the Kamajor guys that were in the village,
4 right. So we started going towards the direction that they took
16:06:01 5 and all of a sudden we reached an area where we heard gunshot.
6 The Kamajor guys were actually laying ambush, open fire, if they
7 are lucky to hit anyone and then they would run away. That was
8 their method of fighting, you know.

9 Q. That was whose method of fighting?

16:06:21 10 A. The Kamajor's method of fighting. They would lay ambush
11 and if they see you coming they open fire on you. Like they have
12 this one barrel. Of course if they had - in fact that was the
13 statement I was saying. "You guys were lucky". I am referring
14 to AFRC/RUF guys. I said, "We were lucky. If these guys had
16:06:37 15 like an RPG then we are all gone". You know, so the guys were
16 like - like this one barrel, like firing, pop, pop, pop, pop.
17 Just four, five shots and then they would run away. If they are
18 lucky to hit somebody then - okay. And then they continue and
19 say, "Ah, these guys are cowards".

16:06:54 20 Q. Who said that?

21 A. I mean the AFRC/RUF guys. They said, "Ah, these guys are
22 cowards. Let's go after them". So we were going after them.
23 There was one location where --

24 Q. Okay, let me just slow you down for a second. You said,
16:07:09 25 the guys one barrel firing and I believe you said, "Pop, pop,
26 pop", is that right?

27 A. Yes, the sound of the gun.

28 Q. Okay. And then you said, "They would run away. If they
29 are lucky to hit somebody then" --

1 A. If they are lucky to hit somebody. That is referring to
2 the Kamajor guys, they are lucky to fire at somebody or the
3 bullet hit somebody.

4 Q. Okay. So continue. What happened then?

16:07:41 5 A. So what happened, there was one location like coming down
6 the hill in the valley, the Kamajor guys laid an ambush there.
7 And then we were just coming down a hill. All of a sudden I
8 heard a gunshot. Many gunshot. Fuckya was in front of me and I
9 heard him saying, "Lawakubar".

16:08:05 10 Q. What did he say?

11 A. "Lawakubar". It's an Islamic word. I don't know the
12 meaning of it but it's an Islamic word, "Lawakubar".

13 Q. And you wouldn't have any inclination as to how to spell
14 it, would you?

16:08:17 15 A. Lawakubar?

16 Q. Yes.

17 A. It's like L-A-W-A-K-U-B-A-R, or something like that.

18 Q. What does that mean?

19 A. I don't know, it's an Islamic word. Muslim people usually
16:08:37 20 say that kind of word.

21 Q. So, what happened after he yelled this? I don't know if
22 maybe it's the pronunciation, because I understand what was being
23 said but I certainly don't want to - can you just say it slowly
24 what he said.

16:08:57 25 A. Lawakubar.

26 Q. Okay, so continue.

27 MR GRIFFITHS: It sounds suspiciously like Allauh Akbar to
28 me.

29 MR SANTORA: I didn't want to put that words into the

1 witness's mouth. That is what I thought I heard too, but that is
2 why I asked him to repronounce it:

3 Q. But you don't know what he meant when he said this phrase?

4 A. But I knew that something had happened. What I discovered
16:09:28 5 that happened is like Fuckya was fired at in four places: one
6 bullet on the stomach, one here and two on this other legs.

7 MR SANTORA: Just for the record, the witness pointed to
8 his stomach, his right arm and then to his left leg.

9 THE WITNESS: So he dropped, right, and I heard somebody
16:09:51 10 saying behind me, "Pick him up. Pick him up". Then I heard
11 Fuckya saying, "Kill me now. Just kill me now so that I will die
12 now". They said, "No, no, no", and somebody said, "Remove the
13 weapon from him". Then I took the weapon that he was carrying
14 from him and then said, "Take him out. Take him out", and then I
16:10:09 15 took him on my back and then ran to the back, right, to the other
16 side of the hill. And these guys, like I came by - I left Fuckya
17 there and then I came back to meet Bangura because Bangura was
18 shouting my name - was shouting my name. Then he said, "Come
19 with me. Come with me", and they started firing all of a sudden
16:10:33 20 all about everywhere.

21 Q. Who started?

22 A. The AFRC and RUF guys were fighting with the Kamajors. It
23 was a whole confrontation, right, firing here and there,
24 everybody falling down, raising up. Like the Papay, Foday
16:10:51 25 Bangura, was saying, "Come, follow me. If you hide I will shoot
26 for you to die at once. Just come. Just follow me". I was
27 behind him like this. I was behind him like this.

28 MR SANTORA: Just for the record, the witness indicated his
29 head movement to the left and to the right:

1 Q. What do you mean "behind him like this"?

2 A. Well, I was like protecting myself. He was like my own
3 refuge for that moment, I can say. You know, he said he was
4 giving me the assurance, "Just follow me". He was saying, "Just
16:11:21 5 follow me", and so I was following him while taking some refuge
6 behind him like this, because that was my first experience,
7 right? So they were able to overpower the Kamajor guys, no other
8 injury or casualty, and we returned to where Fuckya was. He was
9 just saying that word "Lawakubar. Lawakubar", you know, and he
16:11:47 10 said, "Okay, take this guy".

11 Q. Who said that?

12 A. Foday Bangura said, "Take this guy".

13 Q. To who did he say that to?

14 A. To me. I then carried him on my back and then started
16:11:59 15 walking again, so everybody was like this because they were
16 expecting the guys to lay another ambush on the way and so they
17 were like this. And Foday Bangura was behind, was at the rear,
18 and every two or three steps we fired two or three gunshots like
19 letting the guys know that we were around. Then we started
16:12:18 20 moving, moving, moving, moving. There was a place where we
21 reached and they asked us to make something like we call it - we
22 call it something like a camp bed, but you use a long wood and
23 you take a big cloth like this.

24 MR SANTORA: For the record, the witness indicated his
16:12:38 25 jacket.

26 THE WITNESS: A big cloth. You tie it one side of the wood
27 and the other side you tie it and then you can put something in
28 the middle. So, we lay Fuckya in the middle and then somebody at
29 one side of the wood and another person another side of the wood.

1 So, I was at the back of the wood and one other fellow was in
2 front and we took Fuckya to the base. We went back to the base.
3 Fuckya was there, no medicine, no attention. He was just there
4 deteriorating, deteriorating.

16:13:14 5 A few days - because before that happened I will mention
6 the attack that took place - I want to come back to the attack
7 that took place between Bumpe and Njaiama Sewafe.

8 MR SANTORA:

9 Q. I am not sure you referred to - which attack are you
16:13:35 10 referring to? Which attack are you referring to?

11 A. The attack where the BBC journalist was killed.

12 Q. Let's finish, first of all, with after you returned back -
13 well the incident with the BBC journalist, who are you referring
14 to?

16:13:51 15 A. Eddie Smith. Eddie Smith. Because I followed the news
16 over the BBC and I actually followed and knew it was Eddie Smith.

17 Q. Did you go on the operation that involved this BBC --

18 A. I was not there, but it was like I was partly deployed for
19 security because when normally they go for operation they send
16:14:14 20 some guys off. They will deploy some security around the bases,
21 right, and so I was deployed for security. What they did is they
22 used to have what they called guards, so I was - in fact, I was
23 made the guard detail commander. I think I mentioned that in my
24 statements. The guys asked me to be detailing men for guards
16:14:40 25 guarding the base. So, for a night all of them will not come and
26 sleep in one place. For a night you would deploy four/five men
27 all around the base to actually alarm whatever may happen.

28 Q. This is again the base that you referred to earlier, right?

29 A. It's the location between Woama and Baima.

1 Q. Okay.

2 A. So that night I was - of course, the guys left about three
3 days. They were out for three days. They led the ambush for
4 over a day, about a day and a half, when they saw - according to
16:15:14 5 what they were explaining to me, I was not there, they saw - they
6 heard this armoured vehicle coming, the sound of the vehicle
7 coming, and then they were all alert and they saw this war tank
8 and eventually --

9 Q. Are you referring right now to the --

16:15:32 10 A. AFRC/RUF guys.

11 Q. But which operation are you referring to?

12 A. The BBC journalist operation.

13 Q. And where did that took place?

14 A. It took place along the Njaiama Sewafe highway.

16:15:43 15 Q. And you were not on that operation?

16 A. I was not in the operation.

17 Q. So what you are describing right now, where did you learn
18 it from?

19 A. Well I want you to know that after the operation they
16:15:55 20 brought some diamonds, right? I didn't see the diamonds, but
21 they asked me to write something on the report book. They had
22 something they called a report book. They asked me to write a
23 report on that book as an evidence. What I saw that actually
24 there the people who attacked the ECOMOG was that they brought
16:16:19 25 some of the uniforms that they took away from the ECOMOG. They
26 brought some of the uniforms and they brought the guns that these
27 ECOMOG guys were carrying. Precisely, the G3 weapon.

28 Q. And you observed this from your standpoint --

29 A. Yes.

1 Q. -- as working on guard duty?

2 A. Yes, I was on guard duty.

3 Q. Now, how long did you remain at this camp - this base?

4 A. I was with them for about one month, three days.

16:16:57 5 Q. Okay.

6 A. About one month, three days.

7 Q. And what happened then?

8 A. What happened then is there is a day that they asked - I

9 was again highly - I was really feverish, really feverish, highly

16:17:13 10 sick with malaria, sick of malaria, and Bangura came - Foday

11 Bangura came. He said, "My friend, I want you to be with me. I

12 want you to be my bodyguard again". I said, "Man, I am sick",

13 and then he shouted at me. He said, "No, you have to come with

14 me. There is no sickness in this place. Nobody is sick", so I

16:17:37 15 have to go. I followed him and we walked from - we walked with a

16 few other guys. We walked from that base and we approached

17 Baima, right? We didn't reach Baima itself. There is an open

18 field before Baima and there we met some other guys waiting for

19 us. So, it was a group that was selected. The selection was

16:17:59 20 about 61 of us, right? 61 of us were selected for an operation.

21 The operation was to take place in the Tefeya village. I have

22 never been there, but they were calling that place Tefeya

23 village.

24 MR SANTORA: That has been spelt before for the record and

16:18:19 25 so it will be picked up.

26 THE WITNESS: So, they asked us to go for this. We went to

27 that place. We moved from the base; we referring to the AFRC/RUF

28 guys - from the base headed by Foday Bangura. We moved from the

29 base and then we approached an area by Baima and then we met some

1 other guys there. Kallay Amara was there and there was one other
2 guy called Major Amara, apart from Kallay Amara. He was in the
3 Woama base. He was with the Woama AFRC group. Right.

4 So we met him there and a few other guys that I never saw
16:19:06 5 before, right, and they were there and they asked us to assemble.
6 They said, "Okay, these are the guys who are going for the
7 operation", referring to myself and a few other AFRC/RUF guys,
8 and they said, "Now you are going on operation. I want you to go
9 and cut the hands of 100 ..." - Amara mentioned that. Major
16:19:34 10 Amara mentioned that. He said, "100 hands". He said, "Cut the
11 100 hands and then I want you to put these arms in a bag and
12 bring them to me". That I heard him saying.

13 Q. And where were you when he said that? Where did this take
14 place?

16:19:52 15 A. It's a place, an open field between the base by Woama and
16 down to Baima, but not Baima. It is a few kilometres or a few
17 metres away from Baima.

18 Q. And who exactly did he say this to?

19 A. He was saying it to us, 61 of us, AFRC/RUF group that was
16:20:12 20 selected to go on this operation.

21 Q. Was anything else - did he say anything else?

22 A. He said, "Cut the hands of 100 people", right? "Take as
23 much property you can and then put it on the heads of the
24 civilians. And all other civilians you think, you can kill them
16:20:32 25 all". That was what he was saying. It was an operation, they
26 call it. It was a mad operation, "Clear the way". They named
27 it, "Clear the way" and "No Living Thing". They mentioned it. I
28 heard them saying, "Operation clear the way" and "No Living
29 Thing", what they were doing that for. The guy categorically

1 described what the operation was for. It was like ECOMOG was
2 concentrating Koidu Town. They were paying attention Koidu Town.
3 Along the highway from Koidu Town to Njaiama Sewafe and Makeni,
4 no deployment was there.

16:21:14 5 Q. No deployment of what?

6 A. ECOMOG was there. The guys said, "Okay, Tefeya is about
7 Bumpe. It is between Bumpe and Njaiama Sewafe. Now, you must go
8 and cause some problem there. If you cause some problem there
9 you will draw the attention of the ECOMOG troop that is in Koidu
10 Town so that we may have some other men who will be engaging them
11 to take over Koidu Town. That was their mission". So, they sent
12 61 of us to go on this operation and then we left. Before we
13 left, there was something we call it's like I can say a
14 sacrifice. We call it - in our local language we call it Sara.

16:21:59 15 It's like an offering - a sacrificial offering. We call it Sara.

16 Q. Do you know how to spell that?

17 A. It's S-A-R-A.

18 Q. Do you know what language that is?

19 A. I don't know what language that is really, but it's in our
16:22:16 20 local language.

21 Q. Okay. So, what do you mean? What happened then?

22 A. So what happened is they said they said, "Now, everybody
23 should come and dip his hands in this water". There was water in
24 the bowl. I don't know what kind of water was there. "Dip your
16:22:30 25 hand there and then wipe it on your face". That is what they
26 asked us to do, right? They had seven kol as that was put on the
27 floor.

28 Q. Seven what?

29 A. Kol as. Kola nut. Kola nuts, yes, and then they asked -

1 they put these kola nuts in the water and they asked everybody to
2 come and dip your hand. But they were not even paying attention
3 to me, so I refused to put my hand there and wiped it on my
4 face. Nobody noticed that. And then later they said, "Okay, now
16:23:06 5 we should pray." We have a Muslim prayer and we have a Christian
6 prayer and somebody else prayed. And when they said Christian
7 prayer, they said, "Oh, we have a pastor here." They said,
8 "Pastor, pray for us" right and these were the words that I said.
9 I will never forget these words. I said, "God, we are going on a
16:23:27 10 mission. Let your will be done and let your angels be charged
11 over us." And they all shouted "Amen." And everybody just - I
12 mean, dispersed with us. So we started going.

13 Q. What did you mean by that prayer?

14 A. My prayer was very logically, I thought. In all of my
16:23:46 15 prayers with these guys, like praying wisely, so that everything
16 that will happen may be the will of God. My prayer was
17 something, meant something within myself, that they never knew
18 because for me, I am a spiritual man. I know that God's will
19 will not be the bad thing for me or for anybody else, right.
16:24:09 20 God's will, I know God's will is the best for every man. So I
21 said a prayer that they were never able to understand what I was
22 saying. Let your will be done and let your angels be charged
23 over us. That was my statement.

24 Q. Let your angels be charged - I am sorry?

16:24:28 25 A. Be charged over us. And I said "In Jesus name" and
26 everybody said "Amen." They forget about that, right, so we
27 started going. We started --

28 Q. Before you get to that. Just to clarify. When Major Amara
29 mentioned to cut off 100 hands --

1 A. 100 hands.

2 Q. -- what other commanders do you recall, what other people
3 you recall being there? Do you remember the names of any
4 other --

16:24:54 5 A. Kallay Amara was there, Jah Spirit was there and, of
6 course, Foday Bangura was there and this fellow was always there,
7 this Cobra fellow.

8 PRESIDING JUDGE: Mr Santora, we have just been alerted to
9 the fact that the tape is almost just about finished. Before I
16:25:11 10 actually adjourn, there was one point I wished to clarify. The
11 witness has said that he was there at the camp for one month and
12 three days, I think I remember correctly. Is that inclusive or
13 exclusive of the training session?

14 THE WITNESS: Not inclusive of the training session.

16:25:26 15 PRESIDING JUDGE: Thank you. That was just a small point
16 of clarification.

17 JUDGE SEBUTINDE: One last thing: The witness I think said
18 that, when you asked him who else was there, he said Kallay Amara
19 and the word appears Kamara, in the transcript. It should be
16:25:46 20 Kallay Amara was there. Jah Spirit was there and, of course,
21 Foday Bangura.

22 MR SANTORA: Thank you, Justice Sebutinde.

23 PRESIDING JUDGE: Now, Mr Witness, this is the time we
24 normally finish for the day. We will re-continue with your
16:26:00 25 evidence tomorrow. I must advise you now that you have taken the
26 solemn declaration you should not discuss your evidence with any
27 other person. Do you understand?

28 THE WITNESS: Yes, I understand.

29 PRESIDING JUDGE: Please adjourn Court until 9.30 tomorrow.

1 [Whereupon the hearing adjourned at 4.30 p.m.
2 to be reconvened on Friday, 26 September 2008
3 at 9.30 a.m.]
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I N D E X

WITNESSES FOR THE PROSECUTION:

EMMANUEL BULL	17243
EXAMINATION-IN-CHIEF BY MR SANTORA	17243