



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 30 JANUARY 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Momodu Tarrwallie

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Nicholas Koumjian
Ms Maja Dimitrova
Ms Ula Nathai-Lutchman

**For the accused Charles Ghankay
Taylor:**

Mr Courtenay Griffiths QC
Mr Morris Anyah
Ms Haffie Haffner

1 Friday, 30 January 2009

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.30 a.m.]

09:31:24 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, your Honours and counsel
8 opposite. For the Prosecution this morning, Brenda J Hollis,
9 Mohamed A Bangura, Maja Dimitrova and also Ula Nathai-Lutchman.
09:31:48 10 Thank you.

11 MR GRIFFITHS: Good morning, Mr President, your Honours,
12 counsel opposite. For the Defence today myself Courtenay
13 Griffiths, my learned friends Mr Morris Anyah and Ms Haffie
14 Haffner, who has been with us before, and also our intern Rosie
09:32:10 15 Stewart, again who has been with us before.

16 PRESIDING JUDGE: Thank you, Mr Griffiths. I note that
17 Mr Taylor is not in court today. We have been given previous
18 notice by his counsel, Mr Griffiths, that he would not be
19 attending today. The situation is that Mr Taylor is represented
09:32:35 20 by counsel and he has expressly waived his right to be present
21 today and therefore, in accordance with Rule 60, the trial will
22 proceed in his absence.

23 Mr Witness, you remember yesterday you took an oath to tell
24 the truth?

09:33:08 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: I am just reminding you that you are
27 still bound by that oath. Is that clear with you?

28 THE WITNESS: Yes, sir.

29 WITNESS: ALUSINE CONTEH [On former oath]

1 EXAMINATION-IN-CHIEF BY MR KOUMJIAN: [Cont.]

2 Q. Good morning, Mr Conteh, are you getting me clearly? Are
3 you getting the interpretation clearly?

4 A. Yes, sir.

09:33:28 5 Q. Sir, I'm wondering if it might not help the interpreters if
6 we could move you a bit closer to the microphone.

7 A. Okay.

8 Q. Sir, we're going to continue where we left off yesterday
9 and I would just ask you - remind you and remind myself that we
09:33:56 10 both need to speak slowly and clearly. We have plenty of time
11 and our words are being interpreted, so we should speak slowly so
12 that the interpreters understand everything. Also, sir, if you
13 could - when you answer if you could look at the judges because
14 they would like - they are the ones you are speaking to.

09:34:22 15 Sir, when we left off --

16 A. Okay.

17 Q. Thank you. Sir, when we left off you were talking about a
18 man you saw sitting on a bonnet who you said was called Highway
19 and you said --

09:34:38 20 A. Yes.

21 Q. -- when I asked you if this person was known to people in
22 Kissy area you said, "The entire Freetown, I know that the entire
23 city knows him." How was it, sir, that the entire Freetown knew
24 this person called Highway?

09:35:00 25 A. You know, why he was well known was because he was one of
26 the well-known man - men in the town.

27 Q. What was he known for?

28 A. You know, why he was well-known, it was because he was a
29 bad man.

1 Q. Were any things that he had done well known to the people
2 in Freetown?

3 A. Yes, of course.

4 Q. Can you explain that to us?

09:35:44 5 A. You know, why people knew him was that even the governor of
6 the Bank of Sierra Leone, he was the one who killed him, so he
7 was notorious for that. And after that there was a doctor whom
8 he also killed. That was why people knew him to be notorious.
9 That doctor played a gamble, he went to the casino and he killed
09:36:23 10 him there. That was why he was notorious for bad things.

11 Q. Thank you, sir, and thank you for speaking so slowly and
12 clearing. That is perfect. Please continue like that.

13 Mr Conteh, you also said that when you first saw this man you
14 said he was tying a red piece of cloth. Can you explain what you
09:36:46 15 mean by that?

16 A. On that January 6th or 7th, because that was the time I was
17 able to go down, and when I was passing going to the New Road I
18 passed through the Old Road, I met some squat and I saw him,
19 because I knew him personally, I saw him sitting on a bonnet
09:37:16 20 having on a red headband. He was sitting on the bonnet of a
21 vehicle, but I just passed through to get my palm wine.

22 Q. Thank you. Could you tell whether Highway was armed or
23 unarmed?

24 A. He had arms.

09:37:43 25 Q. Thank you. Now, sir, you explained to us that you had gone
26 down by the Shell Company in order to get palm wine for your bar
27 from home at Falcon Street. That route that you took from Falcon
28 Street to Shell Company, what is that road or route that you
29 took?

1 A. When I came from the Falcon Street area I passed through
2 Leaden Hall Street and came down through the market and I
3 approached the Old Road around the roundabout.

09:38:29 4 Q. Thank you. That route that you took towards the Shell
5 Company, were you going towards the centre of Freetown or away
6 from the centre of Freetown or in what direction when you go from
7 Falcon Street to the old Shell Company?

8 A. I came from the Parsonage Street and I --

09:38:57 9 THE INTERPRETER: Your Honours, can the witness repeat
10 this.

11 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
12 all of your answer. Can you please repeat your answer. You
13 started off saying "I came from the Parsonage Street". Can you
14 go on from there, please.

09:39:20 15 THE WITNESS: When I came from Leaden Hall Street, because
16 that is where our house is located, I passed from Leaden Hall
17 Street to Parsonage Street, then I came down to Shell Company. I
18 used the Parsonage Street and I came down to Shell Company.

09:39:49 19 MR KOUMJIAN: Your Honour, one spelling. The witness is
20 saying when I came from Lenol Street, our spelling is L-E-N-O-L:

21 Q. Did you go when you went from Falcon Street to Shell
22 Company in the direction of the centre of Freetown or away from
23 Freetown? Which was it, or was it something else?

24 A. It is not central Freetown; it is around the Kissy area.

09:40:27 25 Q. If one is going from Kissy to the centre of Freetown what
26 roads would they take?

27 A. If we came from that end to go to central Freetown we can
28 even use that Leaden Hall Street and you will come down to Shell
29 Company. Then you will get transportation there at the junction.

1 JUDGE SEBUTINDE: What was that street name?

2 MR KOUMJIAN: That was - I heard Leaden Hall Street and let
3 me just clarify because I'm not sure if that's the same street or
4 different:

09:41:09 5 Q. Sir, is Lenol Street, I understood you to say once Lenol
6 street and once Leaden Hall Street. Is that the same street
7 you're talking about or two different streets?

8 A. It is not a different street. Maybe it's the way I
9 pronounced it. It is Leaden Hall Street.

09:41:31 10 JUDGE SEBUTINDE: He keeps saying Leaden Hall Street.
11 Mr Interpreter, could you speak clearly. Which street?

12 THE INTERPRETER: Leaden Hall Street. Leaden Hall.

13 MR KOUMJIAN: My colleague Mr Bangura has a spelling for
14 Leaden Hall. Perhaps I had understood something different in
09:41:51 15 proofing. Leaden Hall, L-E-A-D-E-N H-A-L-L.

16 JUDGE SEBUTINDE: And that would also replace the Lenol
17 that you'd given us before.

18 MR KOUMJIAN: Thank you. Yes, your Honour.

19 Q. When you went to the Shell Company and came back, besides
09:42:20 20 Highway and besides the man who stopped to see what you were
21 carrying and looked at your palm wine, did you see any other
22 armed men on your journey to Shell Company and back home?

23 A. I did not get that clearly.

24 Q. When you went to the Shell Company and came back with the
09:42:41 25 palm wine, did you see any other armed men, men with guns,
26 besides Highway and the man that stopped you to look at your
27 wine?

28 A. Yes, there were many there, but they were just passing
29 around, everybody going its own way.

1 Q. Thank you. Can you tell us what you remember. Were these
2 armed men or armed persons, were they in uniforms or in civilians
3 clothes or how do you recall them being dressed?

4 A. Some people had on uniforms and the others did not.

09:43:22 5 JUDGE SEBUTINDE: Uniforms meaning what, Mr Koumjian?

6 MR KOUMJIAN:

7 Q. Sir, can you describe - when you say uniforms, can you
8 describe what they were wearing?

9 A. Something like combat, military uniform.

09:43:37 10 Q. Thank you, sir. Now after 7 January, after that day, what
11 was going on for the next few days on Falcon Street where you
12 lived?

13 A. After those seven days, on the 8th they started harassing
14 us, they said they wanted peace, so everybody should tie a white
09:44:14 15 piece of cloth on his door and if you don't do that you would
16 have a problem, and they were - we were burning tyres on the
17 street, singing that we wanted peace. That was what they told us
18 to do and if nobody did that you would be punished.

19 Q. Thank you, sir. Now, you told us that they starting
09:44:35 20 harassing, they said they wanted peace. Can you describe these
21 people for us a bit? Who were the people that were harassing and
22 saying they wanted peace?

23 A. It was those who came from the bush, the combatants.

24 Q. Were these people armed or unarmed?

09:45:01 25 A. Some of them had arms and others did not.

26 Q. What were they wearing?

27 A. Some of them had plain clothes on and some others had on
28 uniforms.

29 Q. You said that they told us everybody should tie a white

1 piece of cloth on his door and if you don't do that you would
2 have a problem. Did they explain anything about why you should
3 do that?

09:45:44 4 A. Well, the only explanation they gave to us was that they
5 needed peace, they did not come for anything else other than
6 peace.

7 Q. Now, in the following days, did they ask people to go
8 anywhere?

09:46:14 9 A. From the 9th was - they said everybody should mobilise to
10 go to PZ and they should tie a white headband and you should go
11 and sing for peace. I did not go, but when they went, whatever
12 happened there was --

13 THE INTERPRETER: Your Honours, can the witness repeat this
14 part.

09:46:33 15 PRESIDING JUDGE: Can you repeat what you said, please,
16 Mr Witness. The interpreter did not hear everything you said.
17 The last thing recorded is, "I did not go, but when they went
18 whatever happened there was --" and could you go on from there,
19 please.

09:47:00 20 THE WITNESS: I did not go there, but those who went there,
21 I think they came from the place disgracefully because Alpha -
22 the Alpha Jet dropped a bomb and I think about 17 people died and
23 some others had serious injuries.

24 MR KOUMJIAN:

09:47:17 25 Q. Sir, did you have a radio in your home?

26 A. Yes, sir.

27 Q. Were you listening during this period of time to the radio
28 at any times?

29 A. Yes, I used to listen to 98. That was the only station

1 that was functioning.

2 Q. Was there any particular reason you were listening to the
3 radio?

09:47:57

4 A. You know, if something happens in the country, you wouldn't
5 be there without a radio, you would have to have a radio to know
6 what is going on.

7 Q. On the radio programmes you listened to - by the way, what
8 language was being spoken on that Radio 98 that you just
9 mentioned?

09:48:14

10 A. The language which they spoke was they spoke Krio and they
11 spoke English and they spoke local languages.

12 Q. Did you ever hear people from the Kabbah government talking
13 on the radio during that period of time?

14 A. He was the one who had the station, 98; he owned it.

09:48:45

15 Q. Sir, did the government give any instructions to the people
16 during these first few days after 6 January 1999 about what the
17 people of Freetown should do?

18 A. The government - you know, when the combatants came and
19 they said they were tired of being in the bush and they wanted
20 peace, when they went there he said he didn't want to talk to
21 animals from the bush.

09:49:17

22 Q. Did the government say anything to the people about being -
23 whether there was any curfew or whether they should be out on the
24 streets or not?

09:49:36

25 A. That is why Tejan Kabbah said he did not want to talk to
26 anybody who is an animal from the bush.

27 Q. You said that people were asked to go to the PZ to
28 demonstrate for peace. Just so we're clear, who told them or
29 asked them to go to PZ to demonstrate for peace?

1 A. It was the combatants who came. They were the ones who
2 mobilised us, the civilians. They said everybody was to go to
3 PZ. Whoever did not go, if you were met at home, there would be
4 a problem for you.

09:50:18 5 Q. And did the government - do you recall, and if you don't
6 say so, whether the government was saying anything about people
7 going out to demonstrate?

8 A. No.

9 Q. Now, sir, in these first few days, 6, 7, 8 January, during
09:50:44 10 this time, was any group of outsiders saying on Falcon Street?

11 A. Yes, there were people around passing. They were asking
12 who was living here, who is lodging here. That was the
13 harassment we were having.

14 Q. At any point did a group come and actually stay on Falcon
09:51:16 15 Street?

16 A. Yes, sir.

17 Q. Approximately when was that? How many days after 6 January
18 approximately?

19 A. I cannot recall the date now because we were in that
09:51:34 20 problem. I cannot recall the date now.

21 Q. Okay. Well, can you tell me was it a long time after 6
22 January, was it immediately after 6 January? Can you give us any
23 estimate of days or weeks?

24 A. When they came, because they came on the 6th and on the 7th
09:52:03 25 they were in the town. On the 8th we saw some people harassing
26 us wherever we were, but it took some days before they started
27 the harassment.

28 Q. Sir, the group that you said finally came to stay for a
29 while on Falcon Street, where did they stay exactly?

1 A. I was in between Falcon Street and my own place. I was
2 sitting in my hut when I saw a gang of people came to us and they
3 said, "Who is here?" and I said, "I am the one." And they said,
4 "Who owns this house?" And I said, "I am the caretaker." And
09:52:58 5 they said, "Is there anybody else in here?" And I said, "No,
6 it's only myself and my family." And they said, "You have
7 strangers, we want to be here, we want to live here with you."
8 And, you know, when I looked at the kind of people I wouldn't
9 have to refuse them. We just had to accept them because we knew
09:53:14 10 they hadn't any good intention, and I opened the door because the
11 door was closed and they said, "Who is in here?" And I said, "A
12 lady was here" and they went to another room. There was an old
13 man there, but the old man had died, he had been buried. It's a
14 small room. And they said, "Who is in this middle room?" And I
09:53:43 15 said, "That's mine", and they said, "Can you open it?" And I
16 said, "Yes, sir", and I opened the room.

17 The man was called Tommy. I think he was the leader of
18 that gang who brought them. And he said, "I am going to take
19 this suitcase to your room. If this suitcase gets missing please
09:54:03 20 get - you yourself should get missing." And I did so. I put it
21 into the room and I locked the place and I came out and sit in
22 the hut.

23 Q. Thank you. Now, this person that you believed was the
24 leader, you said his name was Tommy, how was he dressed?

09:54:23 25 A. He brought a pair of jean trousers and a pair of jean
26 jacket.

27 Q. The other people in that group, how were they dressed?

28 A. Some had on civilian clothes because there were children
29 and women. There were women amongst them, there were boys

1 amongst them, and there were adults amongst them. Some of them
2 had on civilian clothes.

3 Q. Now, do you recall what this group would call each other?

09:55:20

4 A. Well, they called them junta, and the others will say, "My
5 meh, are you there?"

6 Q. Among that group, do you recall any particular member of
7 the group besides Tommy?

09:55:47

8 A. Yes, because, you know, I am a Limba by tribe. There was a
9 name that they called. There was a small boy amongst them who
10 was called Kelle and when they called out that name I said, "This
11 name must be a Limba person", and when he was less busy I called
12 him and I asked him, "Are you a Limba?", and he said, "Yes". I
13 said, "Where were you born?", and he said, "Kamagbengbe". I
14 said, "How come you came with these people?", and he said,

09:56:16

15 "Brother, I was captured", and he said when he was captured he
16 had been with them for over eight years. I said, "Why have you
17 been with them right up to this time?" I said, "Couldn't you
18 escape?", and he said, "Brother, if you ask me too many questions
19 I will be annoyed", and I forgot about him.

09:56:39

20 MR KOUMJIAN: Let me first give a spelling to the Court.
21 Kamagbengbe is K-A-M-A-G-B-E-N-G-B-E:

22 Q. Sir, what area is Kamagbengbe in? What district, if you
23 know?

24 A. Well, Tonkolili - no, Bombali District.

09:57:14

25 Q. What house or houses did this group stay in?

26 A. They stayed in my house 37A and they stayed at another
27 man's place, Mr Ontah. He was at the back of my house. They
28 occupied two houses.

29 MR KOUMJIAN: Your Honours, our spelling is O-N-T-A-H:

1 Q. Did this group do anything to the people from Falcon Street
2 during the time that they were there?

3 A. They never did anything bad to us. The only thing they did
4 was that they were harassing us for food and there was an old
09:58:12 5 woman who had sacrificed a sheep. She was called Mammy Kasim.
6 Mammy Kasim had a sheep which they had sacrificed and they said
7 they wanted to cook. They needed meat. They went to Mammy Kasim
8 and they took the sheep and the sheep was slaughtered, so they
9 were going around taking people's chickens and asking the boys
09:58:41 10 around to take people's chickens around and they killed them.

11 MR KOUMJIAN: Your Honours, Kasim is K-A-S-I-M:

12 Q. Sir, how long did this group stay on Falcon Street?

13 A. It was two days and on the third day the Alpha Jet came and
14 they were panicked. After they were panicked they took their
09:59:23 15 wares and they said they were going, and in fact they wanted to
16 give me a bag of rice to help them go to Calaba Town. I said, "I
17 cannot go with you, because look at my family. How can I go with
18 you?", and Tommy said I should leave it and I did and they went.

19 Q. Thank you. Now, sir, after the group with - your Honour, I
09:59:51 20 don't believe I've spelt Kelle which the witness had said
21 earlier, the name of the Limba boy, and that is K-E-L-L-E. Sir,
22 after the group with Tommy and Kelle had left Falcon Street, did
23 any other group of outsiders come to Falcon Street?

24 A. Well, it took about two days and then some other two or
10:00:17 25 three combatants came at let's say around 9 going to 10 at night.
26 They came and asked, "Who are the people who are staying here?",
27 because at that time the door was shut. When they knocked they
28 asked, "Is there anybody here?" I didn't want to respond, but
29 there were people who said "Open". Then I opened the door and

1 they asked, "Did you see any ECOMOG around?" I said, "No, there
2 are no ECOMOG around. We are all civilians here". They said,
3 "Are you sure?", and they said, "Okay, we're going to search all
4 of you", and we said, "Okay", because they had weapons.

10:00:54 5 So I was behind them. They went into the other room. They
6 didn't see anything. They went into the other room and didn't
7 see anything. They said, "Who is upstairs?", and I said, "There
8 was one policeman there". They said, "Would you lead us up?",
9 and I said, "Okay, let's go". Then I opened the other room and
10:01:11 10 they did not see anybody there. They went into the other room
11 and did not see anybody there. There was a late Pa there whose
12 belongings were still there. I think the policeman who had seen
13 this thing took his uniform and put them in a polythene bag and
14 placed them where these things were. He had a torchlight and
10:01:33 15 they pointed it and I said --

16 PRESIDING JUDGE: Mr Witness, the interpreter is doing his
17 best, but you really are talking too quickly. Could you please
18 remember what I mentioned to you.

19 THE WITNESS: Okay.

10:01:45 20 PRESIDING JUDGE: Yes, go ahead.

21 THE WITNESS: Yes, sir. So they pointed the torchlight and
22 they saw a black polythene bag. They told me to go and take this
23 black polythene bag and I said, "I did not place it there". They
24 asked me why shouldn't I take that black plastic bag there and
10:02:13 25 they asked me, "Are you arguing with us?" One of them took that
26 black plastic bag and saw a uniform - a police uniform - and a
27 boot, so he was trying to test the boot to see if it would fit.
28 He said, "But you said you are not a policeman", and I said, "I
29 am not a policeman. I am staying downstairs. Upstairs was

1 occupied by a policeman". They asked me where the policeman was
2 and I said I did not know where he went. Then they said, "You
3 are in problem", and I said, "What kind of problem?"

10:02:45

4 JUDGE SEBUTINDE: Mr Witness, slow down. You're running
5 again. Slow down.

6 THE WITNESS: Okay, that's my tongue.

7 JUDGE SEBUTINDE: Continue.

10:03:03

8 THE WITNESS: Then I said, "It's not me", and I said, "I
9 have my ID card that I'm working with. Here it is. I am a
10 steward. I am not a policeman". They said from that moment if I
11 did not say the truth, or if I do not bring out money to give to
12 them, I'll be in trouble with them. So they cocked the gun at my
13 back. I had 50,000 in my pocket. I pleaded with them and so
14 they took the 50,000, then the two of them went out and the other

10:03:24

15 one commanded me to close the door. I said, "Just go. You've
16 done what you wanted to do", and he said, "Are you arguing with
17 me?", and I said, "No, sir". Then I shut the door and then they
18 went away.

19 MR KOUMJIAN:

10:03:38

20 Q. Now, sir, this group, these people that came that night and
21 took the 50,000 - well, first let me ask you 50,000 what? What
22 did you give them? 50,000 what?

23 A. Leones.

24 Q. How were these - were these men, or women?

10:03:59

25 A. Three men came.

26 Q. How were they dressed?

27 A. They were combatants.

28 Q. When you say "They were combatants", how were they - what
29 does that mean exactly? How were they dressed?

1 A. They were dressed in military uniform.

2 Q. Thank you, that's very clear. Now, sir, what happened
3 after you - that night after you had been forced to give them the
4 50,000 leones?

10:04:41 5 A. Well, they went.

6 Q. Did you remain in your house?

7 A. Yes, we were still at the house. We were at the house
8 because everywhere they were present. You went by Crazy Yard,
9 they were there. You went by the bus station, they were there.

10:05:04 10 If you go by the Parsonage Street area, they were there.

11 Q. Now, sir, you said that this group were in soldier uniforms
12 and that these were combatants. I want to go back to the group
13 with Tommy and Kelle for a moment.

14 A. Yes, sir.

10:05:25 15 Q. Do you know what group or faction they belonged to, the
16 group with Tommy and Kelle?

17 A. Well, I can say they were the RUF.

18 Q. Why do you say that?

19 A. Because they weren't wearing uniforms. They came in plain
10:05:50 20 clothes and I saw some small girls with them.

21 Q. Now, you said Kelle told you he had been captured eight
22 years before. How old approximately did Kelle look to you at
23 that time? How old do you think he was?

24 A. Well --

10:06:11 25 Q. At the time you saw him, how old was he?

26 A. Well, I did not know. I never knew his age, but he was a
27 small boy.

28 Q. You said you remained in your house after the 50,000 leones
29 was taken from you.

1 A. Yes, sir.

2 Q. Did anything happen to cause you to leave your house?

3 A. Yes, sir.

4 Q. What happened?

10:06:56 5 A. What happened was that after they had taken the 50,000 from
6 me and had gone, we were there for about two days to three days.
7 We saw some other groups coming. All of them were going by
8 Looking Town. So then I said, "These people are going away". We
9 saw that when they had passed between 7 o'clock - around 7
10:07:31 10 o'clock I saw fire around Crazy Yard area by the Methodist
11 church.

12 Q. Thank you, sir. And then what happened?

13 A. We saw fire blazing. There was a woman with whom we were
14 all sitting in the living room. I think she wanted to peep at
10:08:02 15 the window. When she went there she said, "Mr Alusine, there is
16 fire at that other house". So when I peeped I saw fire at her
17 house. Then we came out. All of us dispersed. Where my hut
18 was, I looked there. I looked at Mr Lahai's house and that one
19 too was on fire. So I got up and I took Marie, and that Fullah
10:08:36 20 Barrie took one of his children and left the other one and I took
21 that child and Marie and we entered into a bathroom.

22 Q. Okay, thank you. Now, sir, you've mentioned a Fullah named
23 Barrie. Who was Mr Barrie?

24 A. Barrie was my tenant. We were staying together at the
10:09:09 25 house.

26 Q. What is his full name, if you know?

27 A. He was called Boi Barrie. His surname was Barrie. His
28 first name is Boi. He was Fullah.

29 MR KOUMJIAN: Your Honours, our spelling would be Boi B-0-I

1 and Barrie B-A-R-R-I-E:

2 Q. So after you picked up Marie and you went into the room,
3 what happened there?

10:09:44

4 A. We sat there for a while around 12. After they had been
5 burning houses surrounding that area and after they'd burned to
6 Mr Ontah we were sitting at our house, but there was fire on the
7 other neighbours' houses. I had a hut that I had built with
8 tarpaulin, so I came out of the bathroom and I said, "Marie,
9 don't come out". Then I took water and sprinkled it on the
10 tarpaulin, but the tarpaulin did not burn. The houses burnt. So
11 I was praying to God that, "May God spare this house from
12 burning".

10:10:05

13 We were there and these people were going up and down
14 pointing torches around. So we were in this bathroom and then I
15 heard two other groups. Then they asked, "Why haven't they burnt
16 this other house?", and they said, "The house is too long. They
17 want to see fire". Then one of them said, "Don't burn this
18 house. Is this not the place that we normally drink alcohol?"
19 Then the other one said --

10:10:27

10:10:43

20 THE INTERPRETER: Your Honours, can he kindly repeat this
21 last part of his answer.

22 PRESIDING JUDGE: Mr Witness, once more the interpreter
23 could not keep up with you. Please bear in mind that this is
24 being not only interpreted, but it's being written down, and so
25 could you please temper your pace when you're speaking.

10:10:58

26 THE WITNESS: Okay.

27 PRESIDING JUDGE: Now the last recorded words of yours were
28 one of the people saying, "Is this not the place that we normally
29 drink alcohol?" Now go on from there, please.

1 THE WITNESS: He said, "This is where we used to drink
2 alcohol. Why should we burn it down?" He said, "Leave that
3 place alone." Then the other one said, "If you go and check
4 there, right there, there would be alcohol there" and indeed
10:11:38 5 there was alcohol there. They went and knocked at the door, but
6 there was nobody there. I was not there. I was in the bathroom.
7 But the back door was open. So when they knocked on the front
8 door and nobody opened it up, and they said, "If the person is in
9 there and he's not responding to us we will destroy this place."

10:11:56 10 Then the other one said, "Please don't waste time. Harm
11 the place." And indeed they harmed the place and the door
12 opened. They went in there and they searched and they said there
13 was nothing of value here, it's a poor man's house. And they
14 said, "That middle room has something." And, indeed, when they
10:12:17 15 went there, they found rice there that my wife had cooked that
16 she had kept for my son Karim. They took the rice and they said
17 they were going to eat that rice and the other man said, "It may
18 be poisoned" and the other man said, "No, I know that man, this
19 is where he stays." So there was --

10:12:37 20 JUDGE SEBUTINDE: Mr Witness, slow down again please. I
21 don't know why you're rushing. Why are you rushing? Please slow
22 down.

23 THE WITNESS: It's my tongue, it's my tongue.

24 JUDGE SEBUTINDE: Make an effort. You are telling us your
10:12:49 25 story and we want to hear it all. But it will not help if you
26 run and you rush and we don't hear what you're saying. So please
27 slow down.

28 THE WITNESS: Okay.

29 JUDGE SEBUTINDE: Now, you were saying that they thought

1 the rice was poisoned. Continue from there.

2 THE WITNESS: Okay. He said, "Don't eat this rice. It may
3 be poisoned." And he said, "No, I know that man. He won't put
4 poison in this." Then they ate the rice. They took the alcohol
10:13:27 5 that was on the table. The other one wanted to take the tape
6 recorder that used six batteries that I normally listened to the
7 news on and he said to him, "If you take anything from this place
8 I'll shoot you." He asked him not to take anything there. He
9 said, "If you want to take alcohol you can" and they took that
10:13:47 10 and they came and sat to Marie across by Haja Kasim. Mammy Haja
11 Kasim. That was where they sat.

12 And later there was a dispute among them. One wanted to
13 take four and the other said, "No, we should share it equally"
14 and they compromised and they shared it and everyone had two
10:14:15 15 each. Then they drank that there. So they were there laughing
16 and they said, "This house, let's burn this house. It's too
17 long." And this other man said, "Leave this house alone. This
18 is an old house. It's made of board." He said, "It's an old
19 house." Then they kept quiet.

10:14:36 20 I was in the bathroom and hearing them but they were not
21 seeing me, and the place was dark, and it was at the back. After
22 some time the other one said, "Set this house on fire." Then the
23 other one said, "Leave that house alone. It looks like this
24 house belongs to your uncle or they've paid you for that house."
10:14:57 25 Then the other one said, "Whether they paid me or it's my uncle's
26 house set fire to it. Fire Force, take over the house." And
27 indeed, the Fire Force went in there. They took the pieces of
28 cloths that were there and some rubber bowls. I did not know
29 whether they sprinkled kerosene or petrol and they set fire using

1 a match.

2 I was in the bathroom and I saw them put the fire and they
3 opened the door and one asked, "Have you set it on fire?" And he
4 said yes. So these two children were in the bathroom, Marie and
10:15:39 5 the other one, and I peeped at the back of the compound. There
6 was a bucket of water there that we were using. There was a drum
7 there and I took this water, I went to the back yard and I
8 sprinkled the water in there and the fire went out, and I went
9 back into the house and they said, "A board house like this, we
10:16:03 10 set fire to it and it did not - it was not ablaze. Maybe there
11 is a devil in there. Maybe those who are in the house should
12 die."

13 They came back there. They went, I think they went into my
14 room, took the mattress, put petrol there and set fire to it.
10:16:29 15 After some time I saw black smoke billowing from the house and I
16 said, "Oh, Marie", because at the time the bathroom had not been
17 sealed, so I climbed up and I took her and threw her over the
18 other compound because there was an empty compound at our back.
19 Then I took the other child and I told Marie to hold onto the
10:16:51 20 child. Then I came down.

21 Then we went among the banana trees. We went there and
22 hid. We hid there until the fire completely engulfed the house.
23 We were still trying to hide among the banana trees. Later a
24 group of people who had come there to hide came.

10:17:18 25 MR KOUMJIAN:

26 Q. Thank you, sir. Now I have a few questions to make sure we
27 understand your answer. By the way, when you give a longer
28 answer it just helps to pause every few seconds because sometimes
29 the judges too are writing down and making notes of what you say.

1 So, sir, you talked about your bathroom. Was your bathroom
2 inside your house or separate from your house?

3 A. You know, it's - it's a hole that is dug. It's normally
4 not in the house, it's at the back of the house.

10:17:55 5 Q. So in your house on Falcon Street was it outside of your
6 house?

7 A. Yes, that was where the toilet was and the bathroom.

8 Q. Now, sir, I want to ask you some questions to see if you
9 have any information if you could help us find out a little bit
10:18:17 10 more about the people that were setting the fires. First of all,
11 the ones who were inside your house, did you see them?

12 A. Those who set the fire?

13 Q. Yes, sir.

14 A. No, I did not see them because it was at night. I did not
10:18:35 15 recognise any one of them. But the other one said he knew me.

16 Q. What language were they speaking?

17 A. Krio.

18 Q. Now, sir, these - you've mentioned that one of them said
19 something about, and what the transcript said is Fire Force. Did
10:18:57 20 one of them say something to someone else using the word fire?
21 Can you explain that?

22 A. Yeah, because when they were speaking, the other one said,
23 "Don't burn the house because it's a bad name because the house
24 has been there for long" and the other one said, "Bo, maybe this
10:19:18 25 - maybe I have connection to the house or they've paid me money
26 for the house", and he called the other man, because there were
27 two of them, and he said, "Well, Fire Force, take it over."

28 Q. Did you understand --

29 JUDGE SEBUTINDE: Sorry, maybe I'm interrupting. I was

1 wondering whether Fire Force is a name of somebody?

2 THE WITNESS: I think the man who sets the fire is the one
3 they call Fire Force.

4 MR KOUMJIAN: Thank you:

10:19:50 5 Q. Now you talked about other structures being burned around
6 your neighbourhood. Did you ever see any of the people that were
7 setting those fires?

8 A. I did not see anyone. We just saw fire blazing, because
9 the area surrounding us, one of my house - one of Mr Lahai's
10:20:16 10 house and one of my neighbour's house, I think about four houses,
11 and Mr Conteh's house that were burnt there.

12 Q. How much of the Kissy area was burnt, if you know, at that
13 time?

14 A. Before the incident happened, the one I knew was one to us,
10:20:39 15 one Mr Lahai. There was another Pa, he too had a board house.
16 Three. And Mr Ontah, four.

17 Q. Besides those four houses were any other houses or
18 structures, buildings, burned in Kissy that you know of?

19 A. Yes, many.

10:21:01 20 Q. What did Kissy look like that night?

21 A. Well, on that day it should never come. That day was a
22 problem day for us. Everybody was finding his or her own way.

23 Q. So you said that you went to where there was some banana
24 trees and you said some other people came. Who were these
10:21:32 25 people?

26 A. Well, the same civilians who were running away trying to
27 escape, all of us met there.

28 Q. Can you tell us approximately how many people were hiding
29 there?

1 A. We were over 30 or 40, including children.

2 Q. While you were in the banana bush, did you hear or see
3 anything else happen?

4 A. Well, I think towards daybreak I heard among the banana
10:22:13 5 trees that we were, by Blackhall Road, we saw some men passing
6 by. Then I heard one of my neighbours around that Blackhall Road
7 whom they called --

8 THE INTERPRETER: Your Honours, can he kindly repeat this
9 name.

10:22:31 10 PRESIDING JUDGE: Mr Witness, the interpreter did not
11 understand that name you just mentioned. Could you repeat the
12 name of your neighbour.

13 THE WITNESS: Livington.

14 MR KOUMJIAN: Your Honours, our spelling is
10:22:56 15 L-I-V-I-N-G-T-O-N:

16 Q. And what happened to this - what did you hear happened at
17 Blackhall Road?

18 A. Well, we were there, we were hiding in the banana trees,
19 then I heard Livington, "Is that not your house they are passing
10:23:14 20 by?" He said, "That's it. What do we do? We've set fire there,
21 why should we leave that house? Shouldn't we burn it?" And
22 he --

23 THE INTERPRETER: Your Honours, can this witness kindly
24 repeat his answer slowly.

10:23:32 25 PRESIDING JUDGE: Mr Witness, you'll have to backtrack.
26 The interpreter did not understand everything you said. You've
27 said that you heard some people saying, "We've set fire there,
28 why should we leave that house? Shouldn't we burn it?" Now,
29 what did you say after that?

1 THE WITNESS: Well, the man said that was their house, that
2 was their father's house, then he said, "Set it on fire."

3 MR KOUMJIAN:

4 Q. Did they set it on fire?

10:24:15 5 A. They set it on fire.

6 Q. What did you hear then?

7 A. I heard some people say, "Oh, my children, my children."
8 Then they said, "Let Tejan Kabbah give you dollars."

9 Q. The people that were saying, "Oh, my children, oh, my
10:24:38 10 children", the voices that you heard, were they - could you tell
11 if they were male or female?

12 A. Some of them were women and others men, the boys.

13 Q. Could you tell where those voices were coming from?

14 A. They had come by 1st Street, up 1st Street.

10:25:08 15 Q. Where was that in relation to this house on Blackhall Road?
16 My question is: The voices that were calling about oh my
17 children, oh my children, where were those voices coming from in
18 relation to the house --

19 A. From that house.

10:25:28 20 Q. From the same house that was being set on fire?

21 A. Yes, sir.

22 Q. And then you said you heard other voices, you heard voices
23 saying, "Let Tejan Kabbah give you dollars."

24 A. Yeah.

10:25:45 25 Q. What can you tell us about those voices?

26 A. It was Livingston, because he was the leader of the house.

27 Q. Who was Livingston?

28 A. Livingston was an SLA and the house was owned by his father.

29 Q. Now, sir, I want to ask you another question that may not

1 have concerned what happened right at this time, but during those
2 first few weeks after 6 January did you ever hear any of your
3 neighbours or friends talk about anything that happened to their
4 children? Just answer yes or no.

10:26:45 5 A. Yes, I heard one of them called {Redacted}. They captured
6 his children, but I was not there. When I came from town they
7 told me that two girl children had been captured, {Redacted}
8 children, they've taken them away. Then I asked, "Where have
9 they taken them?", and they said, "It was done by these men who
10:27:13 10 came. They took them".

11 MR KOUMJIAN: Your Honours, I would ask that the name be
12 redacted. The witness had indicated earlier that he did not want
13 to say the name in public session and so I would ask that that
14 remain confidential. If we can go into private session, I'll
10:27:28 15 just spell the name for just - just to spell the name of the man
16 whose children were taken.

17 PRESIDING JUDGE: Was this the first time that's been
18 mentioned, Mr Koumjian, or was that mentioned earlier?

19 MR KOUMJIAN: Yes, this sounds similar, but it's a
10:27:45 20 different name. It's a different person.

21 PRESIDING JUDGE: I just don't understand what is the point
22 of redacting? Is there some threat to this other person?

23 MR KOUMJIAN: No, it's privacy of victims of sexual
24 assault.

10:28:01 25 PRESIDING JUDGE: Yes, I see. I understand. Any problem
26 with that, Mr Griffiths?

27 MR GRIFFITHS: None whatsoever.

28 PRESIDING JUDGE: All right. Madam Court Manager, do you
29 know the name we're referring to? Yes. We'll order that be

1 redacted.

2 MR KOUMJIAN: Perhaps just to clarify the name, if I can go
3 into a very brief private session.

10:28:55

4 PRESIDING JUDGE: All right. Members of the public, we're
5 going to go into a very brief private session. That means that
6 you'll still be able to see the proceedings, but you won't be
7 able to hear them. The reason we're doing this is to protect the
8 identity of a person who has been sexually assaulted. Madam
9 Court Manager, could you please put the Court into private
10 session.

10:29:21

11 [At this point in the proceedings, a portion of
12 the transcript, page 24016, was extracted and
13 sealed under separate cover, as the proceeding
14 was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: If there's any member of the people
4 sitting in the gallery who did that hear that name, you're

10:30:48 5 ordered not to repeat the name of the person that we've just
6 redacted from the record.

7 Mr Witness, you are obviously in a passage of evidence now
8 that will make you be very wary of mentioning that name again, so
9 please think before you answer Mr Koumjian's questions.

10:31:15 10 MR KOUMJIAN:

11 Q. Sir, without again saying the name, don't mention the
12 name --

13 A. Okay.

14 Q. -- the two children that you said were taken away, were
10:31:24 15 they male or female?

16 A. Female.

17 Q. Do you know approximately how old they are, or were at that
18 time?

19 A. Well, I think they could be around 17 years, or 18 to 16.

10:31:43 20 Q. When they were taken away, do you know if they were ever
21 seen again?

22 A. Well, after Tejan Kabbah had come in, after the peace, they
23 announced that if anybody had captured anybody's child they
24 should bring them to the stadium and indeed they brought them.

10:32:07 25 Q. Are you talking about they were seen again after
26 disarmament?

27 A. Yes.

28 Q. Thank you, sir. Now, sir, I want to go back to where we
29 left off where you and other civilians were in the banana bush.

1 Can you tell us, first of all, the night your house was burned
2 down, can you give us now any idea of when that was, or how many
3 days or weeks after 6 January it was that your house was burned
4 down?

10:32:43 5 A. That took a long time when they came before they burnt down
6 houses. When they came it took about two to three weeks.

7 Q. Okay, thank you. Now after your house was burned down, how
8 long were you in that banana bush with the other civilians
9 hiding?

10:33:02 10 A. Well, we were there for about two days and on the third we
11 pulled out. Somebody cried there.

12 Q. Take your time and explain to us what happened that caused
13 you to leave the banana bush. And, Mr Conteh, just remember that
14 the judges are writing and it's being interpreted, so pause a bit
10:33:28 15 during your answer and explain slowly what happened.

16 A. Okay.

17 Q. Go ahead, tell us what happened in the banana bush.

18 A. Well, this banana bush that we were, they burnt down the
19 house and we found ourselves in the banana bush. The next
10:34:00 20 morning we slept and we woke up and the next morning I saw this
21 same man who had taken this 50,000 from me, that soldier, but he
22 hadn't any clothes any longer. He just was wearing a pair of
23 trousers and a pair of shirts. He had a cutlass and a gun.

24 Then he asked me, "Hey, Mr Alusine", he said, "Have they
10:34:29 25 burnt this house?", and I said, "Yes, sir". He said he was not
26 on duty. He said if he had been on duty they wouldn't have burn
27 down this house. He said, "In any case, when something has
28 happened it has happened". He said, "Bear it up". He said,
29 "Have you got anything to eat here?", and I said, "No, I'm not

1 hungry. At the moment I am so panic stricken. If you can take
2 me here up to Shell Company so that we can get away from the
3 enemies". Then he said he himself if he joined us, the civilian
4 group, they will say they've betrayed him - he has betrayed them
10:35:05 5 and they will kill him. He said we shouldn't make noise where we
6 were and he said if we make any noise and if they found us out
7 that would be a problem, and I said, "Okay".

8 He wanted to go away and I said, "Don't go away. Since
9 this morning we've not had water to bathe". He asked us if we
10:35:23 10 had a bucket and I told him to look where the house had been
11 burnt. He asked for my wife, I said here she was and they went
12 out and took two buckets by the bathroom. They took water there
13 from the water well. We drank and we used it to wash our faces.
14 He asked us if we had anything to eat and we said, "The house has
10:35:46 15 been burnt. What would we have to eat? We have nothing". He
16 said he will go and find something for us to eat, but he said we
17 should stay quiet. Then I said, "Yes, sir".

18 Indeed, he went and brought six cups of rice and he brought
19 four tins of corned beef. He brought Maggi cubes and pepper. No
10:36:05 20 salt. He asked for a pot and we said that the pots were where
21 the house had been burnt. Then he took the pot and brought it.
22 I cooked the rice, but the women were all afraid. Where the
23 house was burnt, that was where I took fire and cooked the rice.
24 The rice was boiling when he brought a chicken. Mr Jalloh killed
10:36:37 25 the chicken and I plucked the feathers and we cooked one pot. We
26 shared it. He took his to his own group and we ate the rest.

27 I said, "Pa, this thing that you are doing for us, try and
28 get us out of here. Maybe we would come across ECOMOG". Then he
29 himself said, "I won't tell lies to you because the roads are all

1 blockaded. This place that you are, if God saves you there then
2 you won't have any problem". So we too sat there in confidence.
3 We slept there and the next morning we did not see him.

4 The next morning, making three, we were sitting there when
10:37:26 5 one child screamed. Then the girl, the child, said --

6 THE INTERPRETER: Your Honours, can the witness kindly
7 repeat.

8 PRESIDING JUDGE: Mr Koumjian, can you please do something
9 with your witness. I've run out of words to ask him to slow
10:37:43 10 down.

11 MR KOUMJIAN: I'm happy to do that:

12 Q. Mr Witness, I'm going to stop you there and we're going to
13 continue the story and every once in a while when I want you to
14 stop I'll say something just to - and then just pause, because I
10:37:58 15 want to make sure we get the full interpretation before I ask my
16 next question. Now, you were saying that it was the morning
17 making three. Now when you were saying it was the next morning,
18 making three, are you talking about the third morning after your
19 house was burnt?

10:38:20 20 A. It was not the house that was burnt. It was the place
21 where we were hiding in the banana bush. The house had been
22 burnt.

23 Q. No, I'm sorry, let me try my question again. You said,
24 "The next morning, making three, we were sitting there when one
10:38:40 25 child screamed", and so this morning when the child screamed was
26 how many mornings after your house was burnt?

27 A. After two days, the one making it three.

28 Q. Thank you, that's very clear. Now this child that
29 screamed, who was the child?

1 A. She was a girl child.

2 Q. Why was she screaming, if you know?

3 A. She said she was hungry, because for two days there had
4 been no food.

10:39:18 5 Q. And what happened after the girl screamed?

6 A. Then I said - I said, "Suckling mother, take care of this
7 child so that they will not hear us here, because if they do we
8 would be in trouble". Then the child said - the woman said she
9 hadn't plaster to plaster the girl's mouth.

10:39:46 10 Q. Okay, thank you. Now, after that what happened?

11 A. Well, the girl shouted again and this time it was very
12 loud.

13 Q. After the girl shouted, did you hear anything else?

14 A. Well, I think they were at the back of us. They were not
10:40:14 15 knowing that we were in the bush and they said, "Oh, you are
16 there hiding from us", and they started using invectives. They
17 said, "Bastards, you are hiding from us? Get out here. If you
18 don't come out, we will kill you". So we became - we were panic
19 stricken.

10:40:29 20 Q. Okay, thank you. Now these voices that were telling you,
21 "If you don't come out, we will kill you", where were these
22 voices coming from?

23 A. At the back of us where we were. At the back of Blackhall
24 Road, where we were hiding.

10:40:49 25 Q. Could you see the people there that were shouting this?

26 A. They came in person to us. In fact, they shot one shot and
27 they said, "Get out of here".

28 Q. Can you describe them to us?

29 A. They were combatants.

1 Q. And when you say "They were combatants", what were they
2 wearing?

3 A. They were wearing uniform - military uniform.

10:41:22

4 Q. Thank you. So after these people shouted at you and said,
5 "If you don't come out, we will kill you", what did the people in
6 the banana bush do?

7 A. Well, everybody went their separate ways.

8 Q. Who did you go with?

9 A. Well, I went between Leaden Hall and Parsonage Street.

10:41:46

10 Q. Who did you go with at that time?

11 A. Well, Boi Barrie was with me, a tenant, and I had one of my
12 friend who was with me.

13 THE INTERPRETER: Your Honours, can he kindly repeat the
14 name of this friend.

10:42:02

15 MR KOUMJIAN:

16 Q. Sir, the interpreter didn't get the name of the other
17 friend besides Boi Barrie, so I want to go back to that. You
18 said Boi Barrie was still with you, a tenant, and I had one of my
19 friends who was with me. What was that friend's name?

10:42:21

20 A. He was called Julius.

21 Q. Was anyone else with you besides Boi Barrie and Julius?

22 A. Marie was with me.

23 Q. Is this the Marie, the sister of your wife, that you
24 mentioned at the beginning of your testimony?

10:42:39

25 A. Yes.

26 Q. Anyone else with you?

27 A. And my wife Aminata.

28 Q. Thank you. Anyone else?

29 A. And Abdul Karim.

1 Q. Is Abdul Karim the full name of your son Karim?

2 A. Yes.

3 Q. Now, you said you went to, I believe you said Parsonage
4 Street and Leaden Hall Street. Is that correct?

10:43:19 5 A. Yes, it's correct.

6 Q. Can you give us an idea of where that is? What is that
7 area called?

8 A. Well, it's Kissy. All of that area is Kissy.

9 Q. And what is it near, Parsonage Street and Leaden Hall
10 Street?

11 A. It's between Blackhall Road. After Blackhall Road you go
12 to Leaden Hall Street. After Leaden Hall Street you meet
13 Parsonage Street.

14 Q. Do you know approximately how far that is from the Kissy
15 mental home that is sometimes called Crazy Yard?

16 A. Yes. Kissy is up and we are down between - by the bus
17 station.

18 Q. Well, the intersection you went to, Parsonage and Leaden
19 Hall Street, how close is that, if you know? If you don't, say
20 so, to the mental home?

21 A. No, Crazy Yard is up.

22 Q. What happened when you got to Parsonage and Leaden Hall
23 Street? First of all, about what time of day was this?

24 A. I think it should be Friday, 20 January.

10:44:44 25 Q. I'm sorry, I'm not asking you the date. I'm just asking
26 you the time of day. Was it morning, afternoon, night-time?

27 A. It was at 9 o'clock in the morning.

28 Q. What happened when you got there?

29 A. When we were driven out from where we were, they said we

1 should come out from hiding, so we were scared and we were going,
2 that was when we went to Shell Company in order for us to come to
3 town.

10:45:24 4 Q. When you got to Parsonage and Leaden Hall Street did you
5 see anyone else besides those in your group?

6 A. Well, we met one Pa who had been shot. There was a lamp
7 this one and a bag the other way. He was dead. We went past
8 him. Julius wanted to take the lamp because he didn't know where
9 he was going. He wanted to take the lamp, and I said, "Hey,
10:45:46 10 don't take that lamp. There is a corpse here and you want to
11 take that lamp to go? Don't take it." He refused and he took it
12 because he did not know where he was going, but we were trying to
13 go to Parsonage Street.

14 Q. Thank you. Now this Pa who had been shot, how was he
10:46:02 15 dressed?

16 A. He was wearing civilian clothing.

17 Q. Did he appear to be alive or dead?

18 A. He was dead. Blood was oozing from him.

19 Q. After you passed this corpse what happened?

10:46:23 20 A. Well, as we were approaching between Parsonage Street, we
21 saw about five men. We met face-to-face. They were coming back
22 from downwards and we were approaching them and they halted us.

23 Q. How did they halt you?

24 A. They just said, "If you move from there we would shoot you.
10:46:50 25 Come this way."

26 Q. How were these five men dressed?

27 A. There were four soldiers there and one civilian who was
28 among them.

29 Q. When you say there were four soldiers, can you just explain

1 what you mean about how they were dressed?

2 A. They wore combats.

3 Q. How was the civilian dressed, the person you called a
4 civilian?

10:47:18 5 A. The civilian was wearing a polo T-shirt and he disguised
6 himself. He had a black cap like a net.

7 Q. Now, when they ordered you to stop, what did those in your
8 group do?

9 A. Well, Julius said, "Uncle, it looks like I won't go." He
10:47:51 10 was trying to escape and I said, "Well, if you are going, go. If
11 you can escape, then escape, but I won't leave my children here
12 and run away. Even if I go at home who would I be thinking
13 about?" And he too tried to escape. So he went. So Mr Boi
14 Barrie was the first person who appeared to them with his two

10:48:12 15 children that he had. When he appeared and they asked him, 'What
16 do you have there?' and he said, "Children and water" and, "What
17 is this?" Then he said, "Children's clothes" and they asked him
18 to place them down and he said, he pleaded with them in the name
19 of God, and they asked him, "Do you know God? Do you see God?"

10:48:32 20 And he said no and they asked him to put them down. He was still
21 standing. He was still pleading with them in the name of God and
22 they repeated to him that "You do not know God. You say you are
23 talking to God." And he put the water down and the clothes and
24 they said he should go down, but he was still reluctant.

10:48:57 25 Then the other soldier said, "You are wasting time with
26 this man and time is running out. Do what you want to do with
27 this man." And the man said, "Well, I am not a joker" and he
28 opened up his combat clothes and he said his name was Captain Two
29 Hand No Mercy. And he commanded the civilian. He said, "Chop

1 off his hand."

2 Q. I want to slow down and go back over what you said at this
3 point. Now you said you had - earlier you had told us you were
4 with your tenant Boi Barrie and now you've just mentioned

10:49:38 5 children. Did Boi Barrie have children with him?

6 A. He had children. I was holding onto the other one. He was
7 holding on to one and I was carrying the other one.

8 Q. Were the children of Boi Barrie boys or girls?

9 A. Girl children.

10:49:55 10 Q. How old were they?

11 A. One was six and the other five. The other one I can say
12 was his stepchild.

13 Q. Where was your son Karim?

14 A. Well, my child, at the time he was four years old and he
10:50:16 15 was strapped on his mother's back.

16 Q. Now, you said they placed him down. He said - he pleaded
17 with them in the name of God. Who pleaded in the name of God?

18 A. It was Boi Barrie.

19 Q. And then you said, "And they asked him, 'Do you know God?
10:50:44 20 Do you see God?'" Who said that?

21 A. It was the combatants, the soldiers.

22 Q. You said Boi Barrie was still reluctant. What did the
23 soldiers or the civilian do then to Boi Barrie?

24 A. Well, the soldiers said, "You are wasting time with this
10:51:03 25 man. We are not here to waste time. Deal with the man so that
26 we can go."

27 Q. How did they deal with Boi Barrie?

28 A. Well, they ordered the civilian saying, "Captain Two Hand,
29 take over this man."

1 Q. Now when you said Captain Two Hand, earlier I interrupted
2 you and you were talking about someone who opened his combat
3 clothes and said his name was Captain Two Hand No Mercy. Who did
4 that?

10:51:44 5 A. It was one of the soldiers.

6 Q. And when he opened his combat clothes can you explain what
7 you mean?

8 A. When he opened up his combat clothes, when the other man
9 said, "Let's finish with this man and let's go." Then he opened
10:52:01 10 up his shirt and took the combat - he had a T-shirt under it,
11 white in colour, and he said, "Look at me here. I am Captain Two
12 Hand No Mercy. Now we're coming to chop off your hands."

13 Q. Now, sir, when we began you told us that you haven't had
14 the opportunity to go to school and do not read. So do you know
10:52:24 15 what was written on that T-shirt?

16 A. I can't read. He read it to us that his name is Captain
17 Two Hand because he showed it to us. He said his name was
18 Captain Two Hand No Mercy. I did not read it.

19 Q. You said it was on the T-shirt. What did the T-shirt -
10:52:45 20 what did it look like was used to write on the T-shirt?

21 A. Well, I did not know whether it was a red paint or blood,
22 but it was something stained.

23 Q. So after he had said that he was Captain Two Hand No Mercy,
24 what happened?

10:53:11 25 A. Then he commanded the civilian.

26 Q. Where were Boi Barrie's children then?

27 A. The children were by him. They were standing close to him.

28 Q. What happened then?

29 A. Then Boi was still pleading with them. When he got tired

1 they were smoking something, I didn't know what they were
2 smoking, and they clutched it on his arm, and I saw Boi going
3 down on the slab and they put his arm down and the civilian had a
4 bag that was strapped on his back. He opened the bag and he took
10:53:56 5 out an axe, a new axe, and he hit first his left hand once, and
6 the second time one of the children went by him and the soldier
7 kicked her and he fell, she fell. And they hit him again on the
8 other arm and they said, "Bring the other one", and they hit that
9 again twice. There was flesh here and there was flesh here. He
10:54:20 10 just got up and he said - they told him, "Go and tell Tejan
11 Kabbah no more politics, no more votes." And he said, "Go." So
12 he left his two children there and went.

13 Q. Now, sir, you were talking about them hitting Boi Barrie
14 and you had earlier talked about an axe. Just so we're clear,
10:54:46 15 what were they hitting his hands with?

16 A. It was an axe.

17 Q. And what - when Boi Barrie, when they finished, what were
18 the conditions of Boi Barrie's hands?

19 A. Well, they were all hanging on. There was no bone. Just
10:55:05 20 flesh.

21 Q. Now, you said one of the children went by him and the
22 soldier kicked her and she fell?

23 A. Yes.

24 Q. Do you know which soldier that was?

10:55:25 25 A. Well, I can't tell. It's - I cannot identify them because
26 two were on this side, two on the left and two on the right hand.
27 There was a civilian in the middle.

28 Q. What happened after Boi Barrie got up with his hands cut?

29 A. Well, then they told him he should go to Tejan Kabbah and

1 say, "No more vote, no more politics."

2 Q. What happened then?

3 A. Well, then they called me too. They said, "Mister, you too
4 come." Then the only thing that I asked of them was, "What have
10:56:10 5 I done?" And he said, "Oh, you're asking? Haven't you seen how
6 we've treated your companion?" And I did not say anything any
7 longer.

8 Q. What did you do then?

9 A. I placed my left hand.

10:56:24 10 Q. What were you putting your hand on?

11 A. On a slab. Something like a small gutter and there was a
12 slab there.

13 Q. What happened then?

14 A. So, the civilian raised the axe and hacked once and making
10:56:47 15 it two. Then my child screamed and said, "Soldier, don't cut off
16 my father's hand" and they said the child was causing noise.
17 Then they loosened the child from the mother's back and I said,
18 "What?" I said, "This was my child. Why should you cut his
19 hands off?" And they said, "Oh, you stopping here? You not
10:57:05 20 going?" And I said, "I'm not going. I would rather you cut off
21 both hands. As long as I have even a little, I don't mind."
22 "Oh", they said, "Oh, is that what you're saying?" And I said,
23 "Yes" and they said, "Put it" and I placed my right hand and they
24 hacked it twice.

10:57:23 25 Q. Now, just so we're clear, when you say your child was
26 causing noise, who were you speaking of?

27 A. Karim.

28 Q. And what did the soldiers say about Karim making the noise?

29 A. He said they should untie him from - loosen him from the

1 mother's back.

2 Q. Now at that point they had chopped one of your hands. Is
3 that correct?

4 A. Yes.

10:58:00 5 Q. And what did you say to them then?

6 A. I said, "Instead of you chopping off his hand then chop
7 both mine."

8 Q. How old was Karim then?

9 A. Four years.

10:58:19 10 Q. What were the conditions of your hands - sorry --

11 A. Well --

12 Q. After you said that, after you told them not to cut
13 Karim's, better to cut your hand, what happened then? What did
14 you do?

10:58:47 15 A. Well, then they said I should place it, now that I have
16 said so and I said yes.

17 Q. And what did they do?

18 A. And indeed, they cut it off.

19 Q. And what were the conditions of your two hands then?

10:59:08 20 A. Well, at that time it was just bleeding, blood was just
21 oozing out. I wanted to take - I wanted to go. Then I saw them
22 take Marie, saying they would cut off her hand, and I said, "If
23 you cut off Marie's hand there is nobody who will be taking care
24 of me. Instead, kill me right away." And I started using
10:59:34 25 invectives against them and one soldier said, "Leave them, let
26 them go." Then they released us. I was at the back and they
27 were in front. I was using invectives against them as we went
28 along.

29 Q. Did they say anything to you before they left?

1 A. They said, because their mother was beautiful, if I even
2 insult her they don't care, as long as they've done what they
3 want, let me go to Tejan Kabbah and tell him that I was a
4 messenger, that that was what they did. Because we've refused to
11:00:11 5 accept peace, that is what - that's the farewell that they've bid
6 me.

7 Q. So after they left, what did you do?

8 A. I left them. We left them there. We left them there and
9 went down by Parsonage Street to go to Shell Company Old Road.

11:00:41 10 Q. Who were you with at this time?

11 A. I was with Aminata, Karim and the two children, Boi
12 Barrie's two children, and Marie.

13 Q. Did you continue to travel with your wife, your child and
14 Boi Barrie's children?

11:01:07 15 A. Yes, we continued travelling up to Shell Company, but as I
16 was bleeding, I said, "Now I have seen some people, some
17 civilians going by New Road. Go and join that gang and let's go
18 to that clinic, maybe I'll get some treatment there." But when I
19 got there to the eye clinic it was closed.

11:01:33 20 Q. Sir, you said that when you were travelling to the Shell
21 Company you were walking, is that correct? How were you
22 travelling?

23 A. I was walking.

24 Q. And, sir, were your hands completely severed at this point
11:01:52 25 or what was the condition of your hands?

26 A. Well, the hands had been chopped off, but there was still
27 flesh and it was hanging.

28 Q. Now, you said you saw a group of civilians. You said,
29 "I've seen some people, some civilians going by New Road", and

1 you said, "Go and join that gang." Who did you tell to go and
2 join the civilians?

3 A. That was my wife and my children.

4 Q. And did they do that?

11:02:32 5 A. Yes, they did.

6 Q. Where were these people going, these civilians and your
7 wife and children?

8 A. Well, as they were about approaching the Guinean ECOMOGs,
9 because they were based on the New Road.

11:02:49 10 Q. Sir, do you know why were all these civilians trying to go
11 to ECOMOG?

12 A. Well, that was to protect them, so that they will have
13 freedom to go to city so that we will have no more problems with
14 the rebels.

11:03:13 15 Q. Why didn't you go with your wife and children?

16 A. Well, the reason why I did not follow them, I was going in
17 search of treatment around the clinic area, the eye clinic, but
18 when I went there it was closed.

19 Q. Why didn't you have your wife and children go with you to
11:03:34 20 the eye clinic?

21 A. Well, that area was so terrible because it was a completely
22 rebel zone.

23 Q. So when you got to the eye clinic and you saw it was closed
24 what did you do next?

11:03:54 25 A. Well, I continued. I did not reverse. I went ahead from
26 the Old Road. I used the Old Road through the Blackhall Road and
27 I went. But by then, my hand had been bleeding, and there was a
28 shortage of blood in me, so I fell down.

29 Q. Where did you fall?

1 A. In the gutter.

2 Q. What happened when you fell in the gutter?

3 A. Well, I just had a blackout. I do not actually know what
4 happened.

11:04:34 5 Q. What's the next thing you remember?

6 A. Well, I was there screaming, because by then I couldn't
7 make it to grab something so that I could help myself. So I laid
8 by my back and I managed to get up. A man saw me and he saw that
9 I was in difficulty, but he did not touch me. So I was

11:05:00 10 screaming, "Oh, I'm finished, I'm finished." And I saw two boys
11 passing and they said, "Oh, somebody is there, maybe it's
12 Mr Alusine."

13 THE INTERPRETER: Your Honours, could the witness be asked
14 to slow down his pace.

11:05:12 15 PRESIDING JUDGE: Your witness, Mr Witness.

16 MR KOUMJIAN: Thank you:

17 Q. Sir, please speak slowly so that the interpreters can get
18 you and the judges. So you were talking about trying to get up
19 with your hands hanging, you had told us, and you were screaming
11:05:30 20 that you were finished. Now, you said a man saw you and he saw
21 that you were in difficulty but he did not touch you. What, how
22 was this man dressed?

23 A. He dressed in civilian clothing.

24 Q. And what did the man do exactly?

11:05:57 25 A. The man did not touch me and the other two men, they came
26 later and helped me. They took me up.

27 Q. When the other two men helped you get up, what did you do
28 then?

29 A. Well, when I was now able to get up, because by then I was

1 in the gutter and I was seriously dirty, so they asked me whether
2 I could manage to go and I said I would try. So they too were
3 rushing to go and they told me, "Okay, you met us ahead" and I
4 said, "Okay". So I was able to move. I used that same route up
11:06:31 5 to PWD.

6 Q. What happened, sir, when you got to PWD?

7 A. Well, I met a checkpoint erected there and I did not know
8 whether they were actually - I met a checkpoint there. They said
9 if you were a soldier or a rebel and in fact anybody who was
11:06:55 10 trying to enter the centre of the town, they would have to search
11 you whether you had guns or any weapons on you.

12 Q. And what happened when you got there?

13 A. Well, when I got there, because by then my hands had been
14 hacked, so I was - I was searching for a hospital where they
11:07:13 15 could assist me. So when I met the ECOMOG erect a checkpoint
16 there, I told him, I said, "Oh, are you standing here, cut hand
17 people are coming" and by then everybody was running for safety.
18 So I don't know how they call the place. In fact it was Ferry
19 Junction. That is the main road.

11:07:32 20 Q. Did the ECOMOG give you any assistance or not? How did
21 they treat you?

22 A. So, as I approached them at that place, Ferry Junction, one
23 of the ECOMOG tried to tear apart a T-shirt and they assisted to
24 wrap the place. So they looked out for a vehicle which could
11:08:01 25 assist me. It did not take too long when a van arrived and they
26 put me into that van and they took me to the Connaught Hospital.

27 Q. Sir, how long were you in the Connaught Hospital?

28 A. Well, I was there - because the day they took me there
29 there wasn't any doctor present. I was seated at the big gate

1 for a long time and I was still bleeding when a doctor later
2 came, he met me there, and they said, he said, "Oh, this man, his
3 problem is not a minor one, it's a major one, so take him
4 inside." And he tried to look at the places where I had the
11:08:40 5 wounds. And they --

6 THE INTERPRETER: Your Honours, could the witness kindly be
7 asked to still reduce his pace.

8 MR KOUMJIAN:

9 Q. Sir, still go a little bit slower and look towards me after
11:08:56 10 every couple of sentences and I'll give you a sign whether to
11 stop or go on. So when you were - the doctor looked at your
12 wounds, and he said this was not a minor problem, it's a major
13 one, he took you inside and then what happened?

14 A. Well, he went and consulted with his boss, and that was a
11:09:18 15 French doctor, and when that doctor came he tried to inspect the
16 place and he said, "Oh, now there is no vein, there is no bone,
17 it's all tetanus now, so we need to cut it off." So they took me
18 to the theatre and it was cut off and that is how you see it now.

19 Q. How long did you - well, for the record, your Honours, the
11:09:40 20 witness has bandages over both arms ending above the wrist with
21 no hands. Sir, how long did you stay in the Connaught Hospital?

22 A. Well, I was admitted at the Connaught Hospital for six
23 months.

24 Q. And where did you go after the Connaught Hospital?

11:10:09 25 A. Well, after the sore had healed, they established a camp
26 for us called the Aberdeen camp and they took us to that camp
27 around Aberdeen, at the handicap camp.

28 MR KOUMJIAN: Your Honour, I have a very short video of
29 about one minute that I would like to play now, and there's a

1 transcript which I believe has been distributed. It's about a
2 paragraph.

3 PRESIDING JUDGE: That's a video featuring the witness, is
4 that right?

11:10:52 5 MR KOUMJIAN: It features the witness and also depicts his
6 son.

7 PRESIDING JUDGE: Yes, thank you. Go ahead.

8 MS IRURA: Your Honour, if the Chamber and the parties
9 could please press button PC-1 on the panel in front of them to
10 be able to view the video.

11 [Video clip played to the Court]

12 MR KOUMJIAN:

13 Q. Sir, can you see the photograph in the - is it possible to
14 go back to the photograph that was just on the end of the video
11:12:43 15 that showed the boy? I don't know if the video booth could put
16 it back to the end of the video that showed the boy.

17 MS IRURA: Your Honours, I am playing the video and I will
18 do that in a second. I am just adjusting it.

19 MR KOUMJIAN:

11:13:25 20 Q. Sir, do you recognise the child in this photograph
21 holding --

22 A. Yes. Yes, that is Karim.

23 Q. Where is Karim now?

24 A. He is still with me.

11:13:37 25 Q. Why is he with you?

26 A. Well, he is my son. He is the only person who could be -
27 who could make it to take care of me because whatsoever thing I
28 want to do, even if I want to ease myself, he is the one that
29 does it for me.

1 Q. How long were you in this amputee camp?

2 A. Well, we have spent over five years.

3 Q. About how many people were in that camp?

4 A. Well, over there, we were many there because I think there
11:14:18 5 were about 208, no, 80, 82, including the war wounded because
6 there were men whose hands were hacked but it was not completely
7 chopped off.

8 JUDGE SEBUTINDE: Mr Koumjian, just ascertain the numbers,
9 please. If you look at the transcript.

11:14:41 10 MR KOUMJIAN: Thank you.

11 Q. Sir, approximately how many people, can you repeat that
12 because we didn't get it. How many people were in the Aberdeen
13 camp with you?

14 A. Aberdeen camp, when we were there as displaced people we
11:14:59 15 were about 387.

16 Q. And then you said a number that I understood as - it was
17 written down as 200 and something. Did you say that? What does
18 that number mean?

19 A. No, 387, including the war wounded.

11:15:20 20 Q. Sir, who supports your - Karim and your family now?

21 A. Well, nobody as yet.

22 Q. How do you - what do you do for money?

23 A. Well, they had put me in a critical position because
24 before, I was someone who had a job, I was working, I used to
11:15:51 25 look for my own living for myself, but since my hands have been
26 chopped off I go to town and beg, because I have nobody to give
27 me something to eat except we go to the streets and beg.

28 Q. Just one final question, sir: How has this event affected
29 your life? Can you explain that to us, and the lives of your

1 other family members?

2 A. Well, my brothers and sisters, I want to tell you
3 something. There is too much corruption that we have in the
4 African countries because anybody who came for political reasons,
11:16:35 5 they will harm those of us who are the innocent ones, who do not
6 have anything. And now my family has been collapsed, and even if
7 I sell something to people they will not take it, and you will
8 not even tell your child something and that child takes it
9 seriously. And even educational-wise there is nothing. Even if
11:16:58 10 I want to support I go to the street, I beg for money to support
11 them, and not everybody will be happy for us to approach them to
12 beg. Some people when you approach them they annoy you. Some
13 will not even want to see you because I am in this difficult
14 situation, I have this problem, and I had not been a beggar
11:17:18 15 before. I was somebody who used to care for his family.

16 I would go and work, I get money, I buy a bag of rice and
17 put it home. But now, except I go into the streets and molest
18 myself. So if I go and beg, sometimes people give me one block.
19 How long will I be receiving that kind of money? What will that
11:17:39 20 do for me? Will that do for me? And it is only God who provides
21 for somebody, no matter which aims you have. If God is not ready
22 to do it for you you will not get it.

23 So I leave everything up to God. God is the only person
24 who will save me, and for those of you who come and interview us,
11:17:59 25 if you want to assist us, it's up to you. But for now, I am
26 penniless, I am totally molested and even in the communities
27 where we exist, if we go there and try to approach people to beg
28 them, some people even fear us and certain things we used to do
29 for ourselves we cannot do them again. The situation is

1 di ffi cul t and I have --

2 THE INTERPRETER: Your Honours, could the witness be asked
3 to repeat that area.

4 MR KOUMJIAN:

11:18:29 5 Q. Sir, they didn't get the last thing you said. The last
6 thing we understood was you "approach people to beg, some people,
7 and they even fear us, and certain things we used to do for
8 ourselves we cannot do them again." Please continue?

9 A. Well, now, because now, if we go to someone to beg, the
11:18:50 10 person, no sooner the person sees you he or she will close the
11 door. They will not want to see us. You will sit there for some
12 time, except you decide to move and go ahead. How long will I be
13 doing that?

14 And I live as far as Waterloo and we bless a woman that
11:19:10 15 offered us some houses where we live there now, and things are
16 not enough there. How would you build a house for someone who
17 has nothing to eat, and except that that person decides to live
18 purely by the grace of God and go to the streets and beg?

19 So it is better of course they build houses for us, but
11:19:33 20 there is nothing to eat. So those are my few words, but really,
21 it's difficult, those of us the amputees, especially the double
22 amputees.

23 MR KOUMJIAN: Thank you, your Honours. This concludes the
24 direct examination. I would ask that the video be given an MFI
11:19:53 25 number and the transcript.

26 PRESIDING JUDGE: The video clip dated 23 January 2003 that
27 we've just seen will be marked for identification 39A and the
28 transcript of that video clip will be marked MFI-39B.

29 JUDGE SEBUTINDE: Incidentally, Mr Koumjian, the transcript

1 has a word that is aired on PBS. What is PBS?

2 MR KOUMJIAN: That's the American Public Broadcasting
3 System.

4 PRESIDING JUDGE: Mr Griffiths.

11:20:55 5 CROSS-EXAMINATION BY MR GRIFFITHS:

6 Q. Mr Conteh, where were you in March 1991?

7 A. March?

8 Q. Yes, 1991.

9 A. March, March, March. Do you mean January?

11:21:14 10 Q. No, March 1991, the month the war broke out in Sierra

11 Leone, where were you?

12 A. Well, I was still in Kissy.

13 Q. And did you hear over the radio that a group of combatants
14 had launched a war against the then Momoh government?

11:21:54 15 A. Well, if they did that against, yes, during the Strasser
16 days I knew about that one because when they came they said they
17 came to ask for ration and medicines. That was the time Strasser
18 and others came against Momoh.

19 Q. No, no. I'm talking about before Valentine Strasser's
11:22:24 20 regime, when the war first broke out in Sierra Leone, were you in
21 Freetown at that time?

22 A. The war met me in Freetown, but at that time - the war
23 started in the north because by then it had not affected us in
24 Freetown, in the provinces.

11:22:56 25 Q. But you did hear about it on the radio, didn't you?

26 A. Well, they were talking about war. They said it was around
27 Kailahun, Pujehun, those areas, because those were the areas the
28 war started.

29 Q. And were you following what was happening on the radio?

1 A. No, because by then I was busy. I was going about my
2 business, because by then we hadn't been targeted in Freetown.

3 Q. So would it be fair to say that the war didn't affect your
4 life at all, so you didn't bother following it?

11:23:39 5 A. Not at all.

6 Q. So help us: When the NPRC coup took place and President
7 Momoh was overthrown, were you in Freetown at that time?

8 A. Yes, I was in Freetown.

9 Q. Did you welcome that change of regime?

11:24:08 10 A. Well, that regime came and they did not come violently,
11 they were not fighting. They came - they did not come to fight
12 against civilians, they came for the government, and when they
13 came, they took the government. People received them --

14 THE INTERPRETER: Your Honours, could the witness be asked
11:24:31 15 to repeat this area and slow down his pace.

16 PRESIDING JUDGE: Once again, Mr Witness, we have to ask
17 you to slow down. The interpreter can't possibly keep up with
18 you. Now please bear that in mind when you're giving evidence.

19 THE WITNESS: Okay.

11:24:46 20 MR GRIFFITHS:

21 Q. Mr Conteh, let me try the question again.

22 A. Okay.

23 Q. Were you glad that Valentine Strasser overthrew the Momoh
24 government?

11:25:02 25 A. Well, I wouldn't say I was happy.

26 Q. Now, when the AFRC coup took place in May 1997, were you in
27 Freetown at that time?

28 A. I was in Freetown, yes.

29 Q. And was there any violence when that coup took place when

1 the AFRC took over?

2 A. Well I think it was about three to four days when - that
3 some confusion reigned, but after some days situations came to
4 normalcy and they asked everybody to go about their normal
11:26:00 5 business.

6 Q. Now you know, don't you, that after that coup Johnny Paul
7 Koroma's government decided to ask the RUF to come and join them?
8 You know that, don't you?

9 A. Yes.

11:26:16 10 Q. Now, is it right that that was the first time you in
11 Freetown saw members of the RUF?

12 A. That was the first time we heard that the RUF had entered
13 the city.

14 Q. And you'd never seen them before, had you?

11:26:46 15 A. Well some people were talking within Freetown at that time
16 whether rebels had tails, because they had not seen them before.

17 Q. And so everyone was curious to go out and look at them,
18 weren't they?

19 A. No-one was eager to go out and see them, because someone
11:27:15 20 who came from the bush there wasn't any need for you to rush
21 there to go and see that person because it can be the other way
22 round.

23 Q. Now there came a time, did there not, in February 1998 when
24 the ECOMOG soldiers kicked the AFRC and the RUF out of Freetown?

11:27:43 25 A. Yes.

26 Q. Were you in Freetown at the time?

27 A. At the time ECOMOG finally drove them out and when they
28 went?

29 Q. In February 1998, do you remember when ECOMOG drove them

1 out?

2 A. Yes.

3 Q. That was the first time you experienced serious violence in
4 Freetown, wasn't it?

11:28:16 5 A. Well, who is the leader? Who was the leader of the people
6 whom ECOMOG had driven out?

7 PRESIDING JUDGE: We're just about out of tape,
8 Mr Griffiths.

9 MR GRIFFITHS: Very well.

11:28:32 10 PRESIDING JUDGE: We're going to take a half hour break
11 now, Mr Witness. We will resume court at 12 o'clock. I will
12 adjourn the Court.

13 [Break taken at 11.30 a.m.]

14 [Upon resuming at 12.00 p.m.]

12:01:17 15 MR GRIFFITHS:

16 Q. Mr Conteh, before we broke I was asking you about the time
17 when ECOMOG drove the AFRC and the RUF out of Freetown. Do you
18 remember that?

19 A. Yes, sir.

12:01:37 20 Q. Now, that was the first time the people of - the residents
21 of Freetown experienced serious violence during the war, wasn't
22 it?

23 A. Yes.

24 Q. And when in January 1999 those soldiers driven out by
12:02:02 25 ECOMOG returned, they were the ones singing, "We have come back.
26 We have come back. You thought we wouldn't return", or words to
27 that effect. That's right, isn't it?

28 A. Yes, sir.

29 Q. Now, when they returned to Freetown in January 1999 they

1 met with very little resistance when they arrived, didn't they?

2 A. None at all.

3 Q. And you told us that there was a group of combatants whom
4 you met who were led by a man called Tommy?

12:03:06 5 A. Yes.

6 Q. As far as you are concerned, you believed they were RUF
7 because they weren't wearing uniforms, is that right?

8 A. Yes, sir.

9 Q. And some of them spoke with a Liberian accent, some of the
12:03:27 10 people you met, some of those combatants, didn't they?

11 A. Yes.

12 Q. But you couldn't tell whether that was because they came
13 from the border area in Kailahun. That's right, isn't it?

14 A. Well, I can't tell you they came from there.

12:03:52 15 Q. Because some Sierra Leoneans who come from that area in
16 Kailahun speak with a Liberian accent, don't they?

17 A. Well, it could be if they were Liberians, I don't know.

18 Q. You see, I am merely quoting from a statement you made to
19 the investigators as long ago as March 2003: "A few of them
12:04:20 20 spoke with a Liberian accent, but they might have been Sierra
21 Leoneans from the border area". Do you remember telling an
22 investigator that?

23 A. Yes, because some people referred to each other as "meh".

24 Q. Now, the people who cut off your hands, Mr Conteh, were
12:04:46 25 soldiers, weren't they?

26 A. Yes.

27 MR GRIFFITHS: That's all I ask.

28 PRESIDING JUDGE: Thank you, Mr Griffiths. Any
29 re-examination?

1 MR KOUMJIAN: No, your Honour.

2 PRESIDING JUDGE: Thank you. Yes, Mr Koumjian?

3 MR KOUMJIAN: We would move the video into evidence.

4 PRESIDING JUDGE: Any objection there, Mr Griffiths?

12:05:08 5 MR GRIFFITHS: No objection.

6 PRESIDING JUDGE: The video and the transcript which have
7 already been identified respectively as MFI-39A and MFI-39B will
8 now be admitted into evidence as Prosecution exhibits P-284A and
9 284B.

12:05:36 10 MS IRURA: Your Honour, it would be 286 as there were two
11 other documents that were admitted via 92 bis yesterday.

12 PRESIDING JUDGE: Of course, yes, thank you for that help,
13 Madam Court Manager. I will amend that order. The items marked
14 for identification will be admitted into evidence now as

12:05:59 15 Prosecution exhibits P-286A and P-286B.

16 [Exhibits P-286A and P-286B admitted]

17 Now, Mr Witness, your evidence is completed now and you are
18 free to go. The only thing left to say is that the Trial Chamber
19 wants to thank you for coming in and giving evidence. Now
12:06:29 20 perhaps if he can be assisted from the Court.

21 My understanding is that at present there are no further
22 Prosecution witnesses to call. Is that correct?

23 MS HOLLIS: That is correct, Mr President.

24 PRESIDING JUDGE: All right. What is going to happen now
12:07:27 25 is we are going to adjourn the Court. The parties may remember
26 that last month in December the Trial Chamber contemplated taking
27 a clear week away from the hearing to attend to outstanding
28 interlocutory motions. In the event the Trial Chamber decided
29 instead that at that stage of the trial, rather than taking the

1 week off, it was more important to maintain the pace of the trial
2 by completing the evidence of a certain Prosecution witness. In
3 doing so the Trial Chamber was acceding to an application by the
4 Prosecution. At the present stage we have now heard 91

12:08:21 5 Prosecution witnesses and there are no more Prosecution witnesses
6 waiting to be called to give evidence, at least at present.

7 Therefore, the Trial Chamber now has the opportunity to
8 take that clear week it needs and which we had sought to do last
9 December in order to dispose of outstanding interlocutory

12:08:48 10 motions, or at least as many as we can. We therefore adjourn the
11 Court and before I set a date - the date obviously I have just
12 indicated will be one week, we are looking at Monday, 9 February.
13 But before I make that particular order if the parties wish to
14 submit anything now is the opportunity.

12:09:23 15 MS HOLLIS: That date is fine with the Prosecution,
16 Mr President.

17 PRESIDING JUDGE: Yes, Mr Griffiths?

18 MR GRIFFITHS: We can accommodate that date as well on this
19 side of the Court, Mr President.

12:09:38 20 PRESIDING JUDGE: All right, thank you. I will make that
21 order that the Trial Chamber adjourns the Court until Monday, 9
22 February at 9.30 a.m. The case will be for mention only on that
23 date at which time we will be able to assess what appropriate
24 further orders need be made. Yes, Ms Hollis?

12:10:03 25 MS HOLLIS: Mr President, to assist your Honours in your
26 endeavours next week, I will let you know now that we will be
27 withdrawing our pending motion relating to TF1-334 and we can do
28 that in writing after we leave if that would be better for the
29 record, but we will be withdrawing our request in that motion.

1 PRESIDING JUDGE: I thank you for that, Ms Hollis. That is
2 certainly very helpful. And for the record if you could just put
3 something in writing we will perhaps refer briefly to it when
4 disposing of the motion.

12:10:45 5 MS HOLLIS: We will do that, Mr President.

6 PRESIDING JUDGE: Thank you. Thanks to the parties. We
7 will now adjourn court.

8 [Whereupon the hearing adjourned at 12.10 p.m.
9 to be reconvened on Monday, 9 February 2009 at
12:11:11 10 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

| | |
|-------------------------------------|-------|
| ALUSINE CONTEH | 23990 |
| EXAMINATION-IN-CHIEF BY MR KOUMJIAN | 23991 |
| CROSS-EXAMINATION BY MR GRIFFITHS | 24040 |

EXHIBITS:

| | |
|-------------------------------------|-------|
| Exhibits P-286A and P-286B admitted | 24045 |
|-------------------------------------|-------|