

that this report was ever passed on the Fofana or that he possessed any Article 6(3) responsibility over anyone or anything contained within it.

*BO after its capture by CDF*

363. There is little credible, if any evidence, that Fofana exercised a command position in Bo after its capture so as to give rise to any Article 6(3) liability.
364. Firstly, it should be noted that ECOMOG arrived in Bo approximately five days after the Kamajors.<sup>583</sup> By the time ECOMOG entered Bo the Kamajors had already left for the villages.<sup>584</sup> By March 1998, ECOMOG was in control of security in Bo.<sup>585</sup> ECOMOG officer Buhari Musa announced that Kamajors should take orders from them going forward; Fofana was not present at the announcement.<sup>586</sup> He also stated that Augustine Ngaoujia headed the Kamajor Battalion in Bo.<sup>587</sup>
365. After the arrival of ECOMOG, the commander of the Kamajors in Bo was Kosseh Hindowa.<sup>588</sup> Peter Penfold stated that shortly after the restoration of the President in March 1998, it was Daramy Rogers who was the head of the Kamajors in Bo.<sup>589</sup> Kenneth Koker confirmed that Daramy Rogers was eventually replaced by Hindowa in Bo.<sup>590</sup> Even though he was Director of War, Fofana played no role in relation to his title.<sup>591</sup> Thus, there is doubt over whether Fofana was in control of Bo as alleged by the Prosecution.
366. The incident described by witness TF2-057 is dealt with in detail above. There are obviously serious question marks over Fofana's involvement in this incident, particularly the alleged decision to kill the prisoners. At the point where TF2-057 purportedly "recognises" Fofana, i.e., when he arrives at Kamajor Headquarters at 88 Mahei Boima

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<sup>582</sup> Trial Transcript, 10 February 2005, p. 56.

<sup>583</sup> Trial Transcript, 6 December 2004, p. 72.

<sup>584</sup> Trial Transcript, 25 November 2004, p. 12.

<sup>585</sup> Trial Transcript, 30 November 2004, p. 79.

<sup>586</sup> Trial Transcript, 20 February 2006, pp 50 and 66.

<sup>587</sup> Trial Transcript, 20 February 2006.

<sup>588</sup> Trial Transcript, 6 December 2004, p. 73.

<sup>589</sup> Trial Transcript, 8 February 2006, p. 44.

<sup>590</sup> Trial Transcript, 20 February 2006, p. 58.

<sup>591</sup> Trial Transcript, 20 February 2006, p. 65-66.

Road. Fofana is not alleged to have said or done anything that can be said to give rise to any Article 6(3) liability. Fofana is not said to have given any commands or asserted any command authority over the other persons involved in the initial incident.<sup>592</sup> Moreover it should be noted that 88 Mahei Boima Road was confirmed as the office of Kosseh Hindowa by Foday Sesay, and Fofana was at a different location.<sup>593</sup> Kenneth Koker confirmed that Fofana and Hindowa had offices at different addresses in Bo.<sup>594</sup>

### *Koribondo*

367. Annex A does not identify any individual who was responsible for having committed crimes in Koribondo. All the alleged crimes are said to have been committed by “unidentified Kamajors”. Fofana can have no Article 6(3) liability over such persons.
368. Bob Tucker stated that Fofana purportedly addressed a meeting regarding the attack on Koribondo and stated that it was time to implement their training and any commander who failed in his mission should not return to Base Zero.<sup>595</sup> This does not suggest that he endorsed or was aware of the commission of crimes. As Norman himself stated: Koribondo was an important “military” target.<sup>596</sup> Although it should be stressed that TF2-201 stated that Norman was the one who gave the orders for the attack.<sup>597</sup> Norman also is alleged to have ordered TF2-082 to lead the attack on Koribondo.<sup>598</sup>
369. Albert Nallo claimed that he led the Koribondo operation.<sup>599</sup> He stated that he transcribed strategies dictated to him by Fofana.<sup>600</sup> It is important to stress that the killing of innocent civilians, looting of property and the raping of women was not something discussed by Nallo as part of the planning with Fofana.<sup>601</sup> In any event it was Norman who was allegedly directing the operation.<sup>602</sup> This was confirmed by TF2-

<sup>592</sup> Trial Transcript, 29 November 2004, p. 114-117.

<sup>593</sup> See Exhibit 168, The Foday Seisay Email.

<sup>594</sup> Trial Transcript, 20 February 2006, p. 84.

<sup>595</sup> Trial Transcript, 10 February 2005, p. 43-48.

<sup>596</sup> Trial Transcript, 30 January 2006, p. 49.

<sup>597</sup> Trial Transcript, 4 November 2004, p. 113-114.

<sup>598</sup> Trial Transcript, 10 February 2004, p. 43-48.

<sup>599</sup> Trial Transcript, 14 March 2005, p. 39.

<sup>600</sup> Trial Transcript, 14 March 2005, p. 51.

<sup>601</sup> Trial Transcript, 14 March 2005, p. 51-52.

<sup>602</sup> Trial Transcript, 14 March 2005, p. 49.

201 who stated that Koribondo should be taken “at all cost” with Fofana allegedly present.<sup>603</sup>

370. Joe Nunie stated that with regards the Koribondo attack he did not receive orders from Fofana and that Fofana was not involved in matters of strategy. Fofana was a man of no consequence and Nallo was much more powerful than him.<sup>604</sup>

371. It should be stressed that TF2-082 stated that Albert Nallo was a “director” and that Nallo would apprise Norman of developments from the war front.<sup>605</sup> This does not suggest that Fofana would have had any knowledge or control over what actually occurred at the front. TF2-082 stated he received a letter from Fofana instructing him to bring whatever and whomever he captured to him.<sup>606</sup> TF2-082 also produced a letter from Fofana instructing him to turn over captured vehicles to ECOMOG.<sup>607</sup> Crucially, TF2-082 stated that it was Norman who appointed him battalion commander of Koribondo.<sup>608</sup> This suggests quite clearly that Fofana did not have a command position over individuals involved in fighting in Koribondo.

#### Moyamba District

372. The Prosecution allege Fofana’s Article 6(3) liability in the following terms:

That Moinina Fofana held a position individually or in concert with other CDF superiors, superior to the CDF subordinates engaged in the unlawful killings and thus had effective control over those subordinates as witnessed by the fact that:

- (i) at a meeting that took place in Mobia Keffe, a village, Moinina Fofana declared that he had been sent by Samuel Hinga Norman in his capacity as Director of War to resolve a dispute between the CDF factions of the two chiefdoms;

<sup>603</sup> Trial Transcript, 4 November 2004, p. 113.

<sup>604</sup> Trial Transcript, 11 May 2006, p. 46-48.

<sup>605</sup> Trial Transcript, 15 September 2004, p. 18.

<sup>606</sup> Trial Transcript, 15 September 2004, p. 40.

<sup>607</sup> Exhibit 11.

<sup>608</sup> Trial Transcript, 15 September 2004, p. 51 and 57 and Exhibit 10.

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(ii) after Moinina Fofana's intervention there was a permanent cessation of hostilities between the two factions.<sup>609</sup>

The prosecution allege that Moinina Fofana knew of should have known that the unlawful killings were about to be committed in Moyamba in similar terms to those set out above for Tongo Field. The only difference being that it is not alleged that he was physically present and participated in the planning of attacks and was in receipt of reports about these attacks.<sup>610</sup>

373. From Annex A, it is clear that the following are alleged to have committed offences in Moyamba: Steven Sowa, Moses Mbalacolor, Mohamed Sankoh, Commander Kakpata, and Commander Obai. Fofana had no relationship with any of them and accordingly cannot be said to have had a superior/subordinate relationship with them.

374. From Annex A, it can be seen that the only other Kamajors said to have operated in Moyamba were "unidentified Kamajors". Thus, Fofana has no clear relationship with them and cannot entail any Article 6(3) liability for their alleged actions.

375. Bob Tucker describes his version of the attack on Moyamba Town.<sup>611</sup> He describes how civilians were killed as enemy soldiers used them as "human shields".<sup>612</sup> Tucker describes how he allegedly made a "situation report" about the attack to Norman.<sup>613</sup> Thus, there is no evidence of Fofana's command role in the attack at all so as to give rise to Article 6(3) liability.

376. Albert Nallo alleged that Charles Caulker made a report to him about an incident in Moyamba. Nallo claims that under the order of Fofana he formed a brigade team and went to district officer who was Matthew Manna.<sup>614</sup> Nallo claims that he went to "cool down the situation" in Bumpe and Shenge Chiefdoms. Nallo did not state that he reported back on his mission to anyone. It seems that some arrests were made of potential perpetrators. However, according to Nallo Norman "flew in by helicopter and

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<sup>609</sup> Supplemental Pre-Trial Brief, ¶43.

<sup>610</sup> Supplemental Pre-Trial Brief, ¶ 44.

<sup>611</sup> Trial Transcript, 10 February 2005, p. 38.

<sup>612</sup> Trial Transcript, 10 February 2005, p. 39 line 23.

<sup>613</sup> Trial Transcript, 10 February 2005, p. 40 line 27.

<sup>614</sup> Trial Transcript, 10 March 2005, p. 58.

released all those people”.<sup>615</sup> If true, given Norman’s control, it is crystal clear that Fofana was not in a position to prevent or punish crimes in Moyamba, even assuming they were committed by his subordinates and assuming that he had knowledge of them.

#### Bonthe District

377. The Prosecution allege Fofana’s Article 6(3) liability for the Bonthe District in similar terms to that set out for Tongo Field above.<sup>616</sup>

The Prosecution allege that the fact that Fofana knew or should have known that unlawful killings were about to be committed in Bonthe District can be inferred from similar factors to those for Tongo Field, with the following additions:

- (i) the fact that Fofana was in charge of all CDF activity in Bonthe District for a period of time prior to Samuel Hinga Norman’s arrival;
- (ii) the fact that Commanders put in place for the checkpoints around Bonthe District and in particular Base Zero, were appointed by Moinina Fofana;
- (iii) the fact that the killings at these checkpoints were reported directly to Moinina Fofana.
- (iv) The fact that reports of CDF atrocities were brought to his knowledge with no action taken.

Unlike for Tongo Field it is not alleged that Fofana was physically present and participated in the planning of attacks and was in receipt of reports about these attacks.<sup>617</sup>

#### *Bonthe*

378. Annex A indicates that Morie Jusu Kamara was the “overall commander of operations in Bonthe”.<sup>618</sup> Junisa Conneh gave evidence that Morie Jusu reported to Fofana.<sup>619</sup> It is

<sup>615</sup> Trial Transcript, 10 March 2005, p. 59 line 18.

<sup>616</sup> Supplemental Pre-Trial Brief, ¶ 51.

<sup>617</sup> Supplemental Pre-Trial Brief, ¶ 52.

important to note that Conneh did not state when Morie Jusu reported to Fofana or what he reported to Fofana about. This was not explored by the Prosecution in cross-examination. Thus, there is no evidence that Fofana was aware, through Jusu, of all activities in Bonthe.

379. It is also important to stress that there is no evidence that Morie Jusu Kamara perpetrated any crimes in Bonthe. On the contrary, there is evidence to suggest he did his best to subvert such activity. For example, Rambo called for the death of TF2-116. Morie Jusu Kamara announced that there would be no more civilian deaths.<sup>620</sup> Despite Jusu's order Rambo and his men killed Bendeh Battiamia.<sup>621</sup>

380. Annex A indicates that some crimes were allegedly committed in Bonthe. Witness TF2-147 stated that there was no identifiable authority to whom to make a report. A report was eventually made to Morie Jusu Kamara who stated that he was unable to control many of the Kamajors because of their relationship with Kondewa, but that he would try.<sup>622</sup> Kamara had mixed results with controlling Kamajors.<sup>623</sup> No individual was in effective control of the Kamajors operating in Bonthe.<sup>624</sup>

381. That Junisa Conneh said that Morie Jusu Kamara may have reported to Fofana does not prove that Fofana was aware of any alleged crimes in Bonthe. To the extent that Fofana was Kamara's superior, credit should be given to Fofana for the fact that it appears that Kamara did his best to be a humane commander and minimise civilian casualties in Bonthe. There appears to have been an uncontrollable group of rogue Kamajors in Bonthe and there is no evidence to suggest that they were in anyway connected to Fofana or that he had or could have been expected to have control over them. Accordingly, Fofana cannot incur any Article 6(3) liability for any of the alleged crimes in Bonthe.

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<sup>618</sup> Trial Transcript, 10 November 2004, p. 37-38.

<sup>619</sup> Trial Transcript, 28 September 2006, p. 19-20.

<sup>620</sup> Trial Transcript, 9 November 2004, p. 37-38.

<sup>621</sup> Trial Transcript, 9 November 2004, p. 37-38.

<sup>622</sup> Trial Transcript, 10 November 2004, p. 42, 49 and 52.

<sup>623</sup> Trial Transcript, 10 November 2004, p. 52 and 65.

<sup>624</sup> Trial Transcript, 11 November 2004, p. 18 – 19.

*Talia*

382. Witness TF2-008 stated that Fofana was in charge of “all fighting groups” and that his role was to plan and execute the war and to supply arms/ammo to the commanders.<sup>625</sup> Witness TF2-005 stated Fofana was the overall boss of all commanders at Base Zero.<sup>626</sup> By contrast TF2-222 stated that Fofana was “more concerned with the receiving of logistics and distributing logistics and I did not ever see a time when he came and really put in place, let’s say, this is a deployment area, this is a number of manpower at that area. There was no proper nominal role”.<sup>627</sup> This is to some extent confirmed by TF2-201 who stated that Norman would give orders to distribute arms and ammo to Fofana who would then pass on the order to the witness who was in charge of the arms store at Talia.<sup>628</sup>
383. Thus, the overall picture one gets of Fofana at Talia was someone in charge of logistics passing out the instructions of Norman rather than someone really at the heart of all central issues and matters. To the extent that Fofana was in charge of any commanders at Base Zero, which is not accepted, there is no evidence to suggest that those subordinates were involved in the commission of any crimes. No Article 6(3) liability can therefore ensue.
384. There is of course, some evidence that Fofana received reports when Norman was not at Base Zero.<sup>629</sup> However, there is no evidence of him carrying out or supervising crimes during any such periods.
385. Albert Nallo did give evidence that he was charged by Norman to carry out certain activities in and around Talia. He also alleged various acts of human sacrifice. Nallo’s credibility and these incidents are considered above. Even if admissible and believed, none of the incidents described by Nallo indicate Fofana exercising any kind of command role. At most he appears to have been “present” when instructions were given.

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<sup>625</sup> Trial Transcript, 16 November 2004, p. 47.

<sup>626</sup> Trial Transcript, 15 February 2005, p. 101.

<sup>627</sup> Trial Transcript, 17 February 2005, p. 92.

<sup>628</sup> Trial Transcript, 4 November 2004, p. 96-97.

<sup>629</sup> Trial Transcript, 26 May 2005, p. 25.

*The Death Squad*

386. Witness TF2-008 alleged that the Albert Nallo once made a report that the Death Squad was killing innocent civilians and looting civilian property. Fofana is said to have referred the matter to the War Council.<sup>630</sup> However, TF2-008 also said that Jegbeyama was leader of the Death Squad and that the Death Squad reported to Kondewa.<sup>631</sup>
387. By contrast, Bob Tucker, who claimed to be the leader of the Death Squad stated that it was responsible for security in and around Talia. Tucker stated that he received orders from “Pa Norman and not any other person.”<sup>632</sup> This is confirmed by Nallo who stated that the Death Squad was answerable only to Norman.<sup>633</sup> Thus, witnesses who stated that the Death Squad reported to all three accused should be viewed with a degree of circumspection.<sup>634</sup>
388. From the totality of the evidence it is not possible to be sure beyond reasonable doubt that the Death Squad were answerable to Fofana or that he had any Article 6(3) responsibility over them. The picture is, at best, confused.

**E. Conclusion**

389. Mindful of the ICTY Appeals Chamber’s ruling in *Blaskic*:

A Trial Chamber ... must at all times be alive to the realities of any given situation and ... [take] great care ... lest an injustice be committed in holding individuals responsible for the acts of others in situations where the link of control is absent or too remote.<sup>635</sup>

390. While Fofana may have had a title, while he may have had a very limited “degree of influence”,<sup>636</sup> the link of control between him and any alleged perpetrators was either

<sup>630</sup> Trial Transcript, 16 November 2004, p. 62-63.

<sup>631</sup> Trial Transcript, 16 November 2004, p. 60-61.

<sup>632</sup> Trial Transcript, 10 February 2005, p. 32-34.

<sup>633</sup> Trial Transcript, 10 March 2005, p. 35.

<sup>634</sup> Trial Transcript, 17 November 2004, p. 90; 15 February 2005, p. 95; 16 November 2004, p. 61.

<sup>635</sup> See *Blaskic*, *supra*.

<sup>636</sup> See *Halilovic*, *supra*.



totally absent or too remote. Accordingly, it would be an injustice to hold him responsible pursuant to Article 6(3) for any of the alleged crimes in the Indictment.

391. For every crime base area – there is no definitive evidence, no credible evidence or evidence capable of belief, that Fofana was responsible for Kamajors acting in those areas. It has not been proved beyond reasonable doubt, as required by *Limaj*,<sup>637</sup> that Kamajors subordinate to others were not those who actually perpetrated the alleged crimes.

392. Thus, the Prosecution has not proved to the required standard:

- (i) A superior subordinate relationship between the alleged perpetrators and the Moinina Fofana;
- (ii) Fofana's knowledge that his subordinates were about to commit or had committed any crime;
- (iii) Fofana's failure to prevent or punish the commission of such crimes.

393. Accordingly, Fofana must be acquitted of all allegations pursuant to Article 6(3) in the Indictment

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<sup>637</sup> See *Limaj* Trial Judgement, *supra*.

## VIII. Greatest Responsibility

394. Pursuant to Article 1(1) of the Statute, the Special Court has personal jurisdiction over only those “persons who bear the greatest responsibility for serious violations of international humanitarian law”. The legal significance of this language—namely the deliberate and conspicuous decision by the drafters to include the words “greatest responsibility” in the Statute’s jurisdictional provision—has been both the subject of litigation and a topic of much debate.<sup>638</sup> Since the inception of this case, the Defence has taken the categorical position that Moinina Fofana cannot credibly be said to belong to such a category of persons.<sup>639</sup>

395. This Chamber long ago concluded that, “in the ultimate analysis, whether or not in actuality the Accused is one of the persons who bears the greatest responsibility for the alleged violations ... is an evidentiary matter to be determined at the trial stage”.<sup>640</sup> Having reached the end of that stage, the Defence submits that based upon the Prosecution’s failure to substantiate a single count of its Indictment by way of a single mode of liability, as demonstrated by the foregoing analysis, it is now unmistakably clear as a matter of evidence that Moinina Fofana does not bear any, let alone the greatest, responsibility for violations of international humanitarian law committed in Sierra Leone.

<sup>638</sup> See, e.g., *Norman*, SCSL-2004-14-T-689, Appeals Chamber, ‘Dissenting Opinion of Hon. Justice Robertson on Decision on Interlocutory Appeals Against Trial Chamber Decision Refusing to Subpoena the President of Sierra Leone’, 11 September 2006, ¶ 33 (“The Trial Chamber has already ruled that this issue ‘is an evidentiary matter to be determined at the trial stage’ although I would have thought that it is first and foremost a question of law as to whether (and if so, to what extent) it is a legitimate defence for a defendant to argue that he bears lesser rather than greater responsibility for a war crime. Is this actually a defence, or a jurisdictional bar that can avail a defendant, or does it merely limit prosecutorial selection to the class of persons to be tried in the Special Court?”)

<sup>639</sup> This argument was first articulated by the Defence in a preliminary motion and subsequently reiterated in its pre-trial brief and motion for judgement of acquittal. See, e.g., *Prosecutor v. Moinina Fofana*, SCSL-2003-11-PT-058, ‘Preliminary Defence Motion on the Lack of Personal Jurisdiction’, 14 November 2003.

<sup>640</sup> *Norman*, SCSL-2004-14-PT-026, Trial Chamber I, ‘Decision on the Preliminary Defence Motion on the Lack of Personal Jurisdiction Filed on Behalf of Accused Fofana’, 3 March 2004, ¶ 44 (emphasis added).

**IX. Conclusion**

396. For the above-stated reasons, the Prosecution has failed to substantiate its case against Moinina Fofana. Accordingly, a verdict of 'Not Guilty' should be entered as to each and every count of the Indictment.

COUNSEL FOR MOININA FOFANA



Steven Powles

## ANNEX A

### Crime Base Evidence

1. Tongo Field: Tongo Field, Lalehun, Kamboma, Konia, Talama<sup>641</sup>
2. Kenema: Kenema Town, SS Camp, Blama<sup>642</sup>
3. Bo: Bo Town, Koribondo, Fengehun<sup>643</sup>
4. Moyamba: Moyamba Town, Sembehun, Bradford, Mabang<sup>644</sup>
5. Bonthe: Bonthe Town, Bembay, Mobayei, Bolloh, Talia<sup>645</sup>

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<sup>641</sup> There is evidence regarding alleged criminal activity at Bumie, Dodo, Ngiehun, Panguma, and Saama. However, these locations were either not pleaded by the Prosecution or were stricken by the Chamber. Accordingly, that evidence has not been included here or considered in the Defence's analysis.

<sup>642</sup> There is evidence regarding alleged criminal activity at Yandiana. However, this location was not pleaded by the Prosecution. Accordingly, that evidence has not been included here or considered in the Defence's analysis.

<sup>643</sup> There is evidence regarding alleged criminal activity at Gumahun, Sembehun, Kpetewoma, Kendeyama, Fobu, and Gbetema. However, these locations were either not pleaded by the Prosecution or were stricken by the Chamber. Accordingly, that evidence has not been included here or considered in the Defence's analysis.

<sup>644</sup> There is evidence regarding alleged criminal activity at Shenge, Moyamba Town, Makabi Loko, Waterloo, and Rokonta. However, these locations or incidents were not pleaded by the Prosecution. Accordingly, that evidence has not been included here or considered in the Defence's analysis.

<sup>645</sup> There is evidence regarding alleged criminal activity at Sebondie, Momaya, Mosandi, Gbongboma, and Molakaika. However, these location were not pleaded by the Prosecution. Accordingly, that evidence has not been included here or considered in the Defence's analysis.

## 1. Tongo Field:

Tongo Field, Lalehun, Kamboma, Konia, Talama

### *Tongo Field*

An unidentified number of armed Kamajors attacked the town of Tongo sometime in November or December 1997, possibly on a Wednesday.<sup>646</sup> As they entered, they “fired everywhere”, and at least four women were shot. One survived but it is unclear what happened to the others.<sup>647</sup>

After the Kamajor attack, civilians assembled at the National Diamond Mining Company (“NDMC”) headquarters, where the junta forces had been based but over which the Kamajors had taken control.<sup>648</sup>

On her way to NDMC headquarters, witness saw two corpses, one a man she knew called Joski and the second an unnamed woman; the man’s body appeared to have been hacked.<sup>649</sup> Another witness recognized two corpses, one Joski Mbona who appeared to have been hacked at the back of his neck and one Fullah bread seller.<sup>650</sup>

BJK Sei was in charge of the Kamajors and Siaka Lahai was his deputy.<sup>651</sup>

A number of crimes were said to have been committed at or near the NDMC headquarters on the day of the attack:

- Unidentified Kamajors “fired from different directions” and killed an unidentified number of “people”.<sup>652</sup>
- Unidentified Kamajors dressed in ronko chopped three unnamed “people” with cutlasses.<sup>653</sup>
- Upon orders from an unidentified commander, unidentified Kamajors opened fire on a group of civilians; another unidentified commander then ordered the Kamajors to stop; some civilians were hit by bullets; one civilian who was hit was further chopped to death by an unidentified Kamajor.<sup>654</sup>
- An unidentified Kamajor said that those assembled there (mostly civilians) should be killed; BJK Sei intervened and announced that that no one should be killed, that care should be taken with the civilians.<sup>655</sup>

<sup>646</sup> TF2-022, 11 February 2005 (44:27–45:4); TF2-035, 14 February 2005 (8:10-20), (10:24-28); TF2-027, 18 February 2005 (79:14-25), (85:4-15), (85:27-29); TF2-047, 22 February 2005 (44:4-11); TF2-016, 1 March 2004 (32:20-26); TF2-144, 24 February 2004 (56:26-28), (59:6-12), (60:23–61:4); TF2-053, 1 March 2004 (79:4-13).

<sup>647</sup> TF2-015, 11 February 2005 (4:24-29), (5:1-6), (5:27-28), (6:4-18).

<sup>648</sup> TF2-015, 11 February 2005 (7:2-5), (7:14-22); TF2-022, 11 February 2005 (45:6-13); TF2-027, 18 February 2005 (87:1-3), (91:17-20); TF2-047, 22 February 2005 (47:10-13); TF2-048, 23 February 2005 (7:15-16); TF2-144, 24 February 2004 (61:15-20); TF2-053, 1 March 2004 (79:14-16).

<sup>649</sup> TF2-144, 24 February 2004 (62:20–63:24).

<sup>650</sup> TF2-027, 18 February 2005 (108:8-20), (109:2-7).

<sup>651</sup> TF2-027, 18 February 2005 (92:22-23), (92:26); TF2-047, 22 February 2005 (50:26–51:1).

<sup>652</sup> TF2-015, 11 February 2005 (7:8-13).

<sup>653</sup> TF2-022, 11 February 2005 (46:14-29).

<sup>654</sup> TF2-022, 11 February 2005 (56:19-28), (57:1-10), (57:13-26).

<sup>655</sup> TF2-027, 18 February 2005 (93:2–94:22); TF2-047, 22 February 2005 (50:3-11), (50:21-23).

- CO Kamabote ordered two women to denounce rebels among the group assembled there; two women did so and, Kamabote shot dead the two men the women had identified; Kamabote ordered the women to repeat the exercise, and those identified were taken away.<sup>656</sup>
- An unidentified Kamajor then asked the civilians to denounce the rebels among them; they did so, and they were put aside and taken away to a place formerly used as a slaughtering ground for cattle (but witness doesn't know what happened after that).<sup>657</sup>
- Fatmata Kamara denounced one Dr Blood as a rebel to Kamabote who chopped him to death.<sup>658</sup>
- Kamabote chopped Fatmata Kamara to death.<sup>659</sup>
- Unidentified Kamajors took a man, a child, and a woman away, and returned with bloody machetes; but witness doesn't know what actually happened to the three.<sup>660</sup>
- Civilians were grouped according to their tribe and some were taken away.<sup>661</sup>
- Unidentified Kamajors separated the civilians by tribe and announced that the Temnes, Limbas, and Lokos would be killed; a group of fighters speaking a Liberian language intervened and prevented any killings.<sup>662</sup>
- Some groups were speaking Mende and others a Liberian language; each group was "doing what that group wanted to do without any control".<sup>663</sup>
- On the day following the attack (Thursday), unidentified Kamajors armed with guns and machetes captured 20 soldiers (one called Cobra) and 4 soldier's wives and hacked them to death.<sup>664</sup>
- BJK Sei ordered Siaka Lahai to order unnamed civilians to bury unidentified corpses; twenty were chosen and made to do so.<sup>665</sup> Kamabote and BJK Sei ordered witness to bury unidentified corpses at Tongo; witness did so.<sup>666</sup>

The Kamajor commanders operating at NDMC headquarters—the so-called "COs"—had their own groups of Kamajors and seemed to give their own, at times contradictory, orders.<sup>667</sup> Different "types" of Kamajors had different commanders.<sup>668</sup> Some Kamajors guided civilians, others chopped them: a "good number" of Kamajors did not appear to follow orders.<sup>669</sup>

On the way out of Tongo, an unnamed civilian was hacked to death by an unidentified Kamajor at a checkpoint; the man had a picture of a soldier in his bag.<sup>670</sup> Another unnamed civilian was

<sup>656</sup> TF2-053, 1 March 2004 (82:8–84:27).

<sup>657</sup> TF2-027, 18 February 2005 (94:1–95:26), (96:22–23), (100:26–28), (102:4–7), (102:11–13), (104:19–21).

<sup>658</sup> TF2-047, 22 February 2005 (51:19–52:3), (52:23–29); c.f. Exhibits 63A or 64A.

<sup>659</sup> TF2-047, 22 February 2005 (59:11–27).

<sup>660</sup> TF2-048, 23 February 2005 (10:20–11:2), (11:5–12), (11:15–19).

<sup>661</sup> TF2-144, 24 February 2004 (64:27–65:3).

<sup>662</sup> TF2-048, 23 February 2005 (13:5–13), (14:8–18), (14:25–15:14).

<sup>663</sup> TF2-048, 23 February 2005 (32:13–26).

<sup>664</sup> TF2-022, 11 February 2005 (50:19–53:3).

<sup>665</sup> TF2-027, 18 February 2005 (104:16–27), (106:3–10).

<sup>666</sup> TF2-047, 22 February 2005 (53:22–26), (54:5–8), (59:4–10), (60:21–29), (65:11–17).

<sup>667</sup> TF2-022, 11 February 2005 (71:20–28), (72:17–20), (73:5–15).

<sup>668</sup> TF2-047, 22 February 2005 (104:21–105:6).

<sup>669</sup> TF2-047, 22 February 2005 (81:13–23), (82:2–3).

<sup>670</sup> TF2-022, 11 February 2005 (59:15–29).

hacked by an unidentified Kamajor at the next checkpoint; the man was accused of being a soldier.<sup>671</sup>

At a checkpoint outside Tongo, an unidentified Kamajor took the bag of one of witness's companions containing their belongings; another unidentified Kamajor struck witness with a stick on her waist; three other unidentified Kamajors took money from witness's brother.<sup>672</sup> An unidentified Kamajor then consulted a list containing names of Limbas and announced that he would kill witness's elder brother; the brother begged for his life, but the Kamajor cut his throat and further mutilated his body; he died.<sup>673</sup>

### *Lalehun*

At an unspecified time, Chief Brima of Nyawa was arrested by Chief Baimba, brought to Lalehun, accused of being "chief of rebels", and paraded through town with a cement block on his head; Baimba Aruna, chief Kamajor there, ordered that he be killed; he was taken into the bush and decapitated; witness was then made to walk through town from house to house with Brima's head and a containing holding other "human parts" on top of the head; the head was ultimately left with the chief Kamajor.<sup>674</sup>

Aruna Konowa was arrested, brought to Lalehun, taken to the court barrie, and accused of being a collaborator by unidentified Kamajors; Bimba Aruna, a Kamajor commander, ordered his boys to kill Konowa; he was taken away, killed with a knife, and disemboweled.<sup>675</sup>

Unidentified Kamajors looted the village of Lalehun and burnt nine houses there, sometime in early 1998.<sup>676</sup>

Civilians in Lalehun were forced to carry loads by unidentified Kamajors.<sup>677</sup>

### *Kamboma*

A group of unidentified Kamajors shot and killed seven unnamed civilians behind a house near Kamboma; an additional seven civilians including the witness were struck with knives.<sup>678</sup>

### *Konia*

[No evidence]

<sup>671</sup> TF2-022, 11 February 2005 (61:8-20).

<sup>672</sup> TF2-048, 23 February 2005 (21:14-23), (22:8-18), (23:16-20).

<sup>673</sup> TF2-048, 23 February 2005 (24:19-26:7).

<sup>674</sup> TF2-013, 24 February 2005 (16:12-23), (18:11-12), (19:28-21:24), (22:9-23:8), (23:17-24:25), (25:5-17), (Exhibit 65), (28:16-29:8); TF2-016, 1 March 2004 (39:11-41:23), (43:9-17).

<sup>675</sup> TF2-016, 1 March 2004 (36:13-37:18), (38:7-13), (38:22-39:10).

<sup>676</sup> TF2-016, 1 March 2004 (33:6-15), (33:24-34:5).

<sup>677</sup> TF2-016, 1 March 2004 (44:28-45:9).

<sup>678</sup> TF2-015, 11 February 2005 (11:23-13:15), (14:9-23), (17:4-5).

*Talama*

At Talama, a Kamajor commander called Keikula Kamagboty ordered that the belongings and persons of a group of civilians be searched; also upon his orders, a group of 150 Limba, Temne, and Loko civilians were taken a short distance away and systematically hacked to death by a group of 30 unidentified Kamajors.<sup>679</sup>

At Kenema, witness learned that her son had been killed by Kamabote at a checkpoint at Talama because the boy admitted to being a relative of one Akim, an AFRC soldier.<sup>680</sup>

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<sup>679</sup> TF2-035, 14 February 2005 (12:21-25), (13:11-16), (15:3-17), (16:10-11), (17:11-15), (18:23-24), (20:1-20).

<sup>680</sup> TF2-053, 1 March 2004 (88:22-89:10), (89:12-26).



**Kenema Crime Base:**

Kenema, SS Camp, Blama

*Kenema*

Unidentified Kamajors entered Kenema on 15 February 1998<sup>681</sup> armed and dressed in ronko<sup>682</sup> in advance of ECOMOG forces.<sup>683</sup> The attack on Kenema was executed by various units from different chiefdoms.<sup>684</sup> During and shortly after the attack a number of unlawful incidents were said to have occurred:

- Unidentified Kamajors forcibly searched the police barracks for soldiers and SSD officers.<sup>685</sup>
- Unidentified Kamajors shot an unnamed soldier in the street (unclear if he died).<sup>686</sup>
- About forty unidentified Kamajors chased, chopped, and burned an unnamed boy accused of being a junta (unclear if he died).<sup>687</sup>
- Unidentified Kamajors killed unnamed police officers.<sup>688</sup>
- Unidentified Kamajors killed seven named police officers: (1) Sergeant Mason, (2) Corporal Fandai, (3) Sergeant Samura, Momoh Samura, Momoh Tawol, (4) Sergeant Turay, (5) OC Kanu, OC Bull, OC Brima, (6) Desmond Pratt, and (7) Sub-Inspector Mimor.<sup>689</sup>
- A Kamajor called Brima Massaquoi (who spoke with a Liberian accent) ordered the killing of a police officer called OC Turay.<sup>690</sup>
- It was reported that 36 police officers were killed in Kenema.<sup>691</sup> The police officers were suspected of collaborating with the junta.<sup>692</sup>
- The Kamajors continued to threaten police officers after ECOMOG was in control of Kenema.<sup>693</sup>
- Five unidentified civilian corpses were seen on the streets.<sup>694</sup>

<sup>681</sup> TF2-042, 17 September 2004 (96:19-26), (98:25-26); TF2-033, 20 September 2004 (3:24-27); TF2-040, 21 September 2004 (22:10-17); TF2-154, 27 September 2004 (41:1); TF2-152, 27 September 2004 (102:13-15).

<sup>682</sup> TF2-042, 17 September 2004 (98:1-5), (100:1-8); TF2-039, 23 September 2004 (98:2-19); TF2-041, 24 September 2004 (18:5-12); TF2-154, 27 September 2004 (41:8-17).

<sup>683</sup> TF2-042, 17 September 2004 (97:22-27); TF2-033, 20 September 2004 (27:24-28); TF2-040, 21 September 2004 (33:23-25); TF2-223, 28 September 2004 (102:25-29).

<sup>684</sup> TF2-223, 28 September 2004 (68:26-69:1).

<sup>685</sup> TF2-042, 17 September 2004 (101:16-21), (103:3-15); TF2-033, 20 September 2004 (23:22-26:1); TF2-039, 23 September 2004 (100:3-102:3); TF2-041, 24 September 2004 (19:10-22).

<sup>686</sup> TF2-033, 20 September 2004 (10:2-23).

<sup>687</sup> TF2-151, 22 September 2004 (12:16-16:23).

<sup>688</sup> TF2-040, 21 September 2004 (26:23-27:2), (27:14-21).

<sup>689</sup> TF2-042, 17 September 2004 (102:18-23), (103:20-28), (104:22-106:3), (106:21-107:13); TF2-033, 20 September 2004 (11:18-12:12), (13:7-15:1), (15:18-17:6), (20:5-23), (26:14-27:9), (27:11-23), (28:4-11), (125:13-22); TF2-040, 21 September 2004 (28:6-29:2), (29:16-30:7), (31:22-32:15); TF2-039, 23 September 2004 (107:6-112:21).

<sup>690</sup> TF2-039, 23 September 2004 (102:9-105:16).

<sup>691</sup> TF2-042, 17 September 2004 (109:2-7).

<sup>692</sup> TF2-042, 17 September 2004 (109:15-23).

<sup>693</sup> TF2-042, 17 September 2004 (112:2-17), (115:21-29).

<sup>694</sup> TF2-040, 21 September 2004 (36:3-5), (59:23-26), (67:27-28), (68:1-4).

- Unidentified Kamajors from witness's unit shot and burnt to death an unnamed soldier on Massaquoi Street.<sup>695</sup> Another unidentified Kamajor from witness's unit shot and killed Mohammed Tarawallie after he was denounced as a collaborator at the same location.<sup>696</sup>
- Unidentified Kamajors from witness's group looted the house of Borbor Pain and "mercilessly" beat, shot, and killed his brother Alusine; Alusine's father was also killed; both bodies were burnt as well as the house.<sup>697</sup>
- Unnamed "corpses" were burnt by unidentified individuals from witness's unit near the National Bank and FT Saad's shop.<sup>698</sup>
- Houses at 8 and 12 Dama Road were burnt down by unidentified individuals from witness's unit.<sup>699</sup>
- About a week after the attack, the house of Kuyateh was burnt by unidentified individuals.<sup>700</sup>
- The day after the attack, relatives of the police were killed during searches of the barracks by witness's unit.<sup>701</sup>
- Witness heard that six policemen were killed in the fighting.<sup>702</sup>
- Captured soldiers were killed by witness's unit at Reservation Road.<sup>703</sup>

Further unlawful incidents in Kenema include the following, but most if not all are unrelated to the attack and it's unclear when most of them occurred:

- Sometime in November or December 1998, witness was detained, beaten, taken to the CDF office, stripped, accused of collaborating with the junta and sewing for the rebels, further beaten, and then released by an unidentified "Pa".<sup>704</sup> Witness again detained, taken to a shop where he was denounced as a junta collaborator, taken to the CDF office, beaten, stripped, placed in a cell overnight on orders of "Mr Fefegula", interrogated, threatened with death, accused of collaborating, further beaten, tied with FM rope, untied, doused with cold water, publicly humiliated, returned to the cell for four days, then taken to his house where his father was made to pay for his release.<sup>705</sup> Witness again detained, taken to the CDF office by "Magona", relieved of his radio and cash, asked to sign his death warrant, beaten, placed in a cell, and released by an ECOMOG officer.<sup>706</sup>
- Sometime in November or December 1998, unidentified Kamajors shot, chopped, and burnt to death a young man accused of being with the junta.<sup>707</sup>
- Sometime in November or December 1998, unidentified Kamajors were seen near the KEDC field with human body parts and a mutilated corpse.<sup>708</sup>

<sup>695</sup> TF2-223, 28 September 2004 (70:5-71:8), (73:18-23).

<sup>696</sup> TF2-223, 28 September 2004 (70:24-73:4), (73:18-23).

<sup>697</sup> TF2-223, 28 September 2004 (75:13-75:15).

<sup>698</sup> TF2-223, 28 September 2004 (79:15-24).

<sup>699</sup> TF2-223, 28 September 2004 (80:2-10).

<sup>700</sup> TF2-223, 28 September 2004 (88:13-18).

<sup>701</sup> TF2-223, 28 September 2004 (89:5-27).

<sup>702</sup> TF2-223, 28 September 2004 (91:10-14), (96:15-21).

<sup>703</sup> TF2-223, 28 September 2004 (97:5-12).

<sup>704</sup> TF2-151, 22 September 2004 (16:24-21:10).

<sup>705</sup> TF2-151, 22 September 2004 (26:2-40:4).

<sup>706</sup> TF2-151, 22 September 2004 (43:1-3), 23 September 2004 (6:28-9:19).

<sup>707</sup> TF2-151, 23 September 2004 (14:1-13).

- At some point, witness was pursued, captured, interrogated, beaten, threatened, stabbed, left for dead by unidentified Kamajors, but he admits it may have been a personal matter regarding an investigation.<sup>709</sup> The same unidentified Kamajors killed two of witness's colleagues, one unnamed and one called Sergeant Fosana.<sup>710</sup> One of the Kamajors involved was Mualemu Sherrif.<sup>711</sup>
- At some point, unidentified Kamajors burned a house and killed two young civilian men who were residing there as tenants, Mohammed and Alpha Aruna.<sup>712</sup>
- At some point, witness was arrested by two unidentified Kamajors and taken to Magona at CDF headquarters where he was forced to sign his "death warrant" then placed in a cell.<sup>713</sup>
- At some point, unidentified Kamajors killed two unnamed individuals on Blama Road near the NP station and three unnamed individuals opposite the Capitol Restaurant near the police barracks.<sup>714</sup>
- At some point, unidentified armed Kamajors dressed in ronko came to witness's house, told him that they intended to occupy it, and ordered him and his family to move out; witness took the matter to one Kamoh Brima and the Kamajors left; however, some days later a group of unidentified Kamajors came to witness's house and looted his mattress in which he had stashed 10,000 US dollars.<sup>715</sup>
- At some point, a group of unidentified Kamajors led by one M.O. Foday attacked one Mr Ojuku, beat him, and dragged him to the back of his house; witness later heard that Ojuku had been decapitated and that Kamajors processed through the streets with his head; witness also heard that Kamajors asked Ojuku's wife for money so they could buy certain condiments.<sup>716</sup>
- At some point, at a checkpoint in Kenema, an unidentified Kamajor hit a man with a gun, knocked him down, tied him with FM rope, called for Yamorto who arrived and "pierced him on his chest".<sup>717</sup>

### *SS Camp*

The only witness to give evidence with respect to SS Camp was TF2-223 who stated that he received orders from one CO Ngaoujia to capture Special Security ("SS") Camp and await further orders. According to the witness, Mr Ngaoujia received his orders from Mr Norman through Mr Fofana.<sup>718</sup> SS Camp—located along the Gendema-Kenema axis approximately five miles south of Kenema near the Moa River Bridge—was considered a strategic position from

<sup>708</sup> TF2-151, 23 September 2004 (15:2–16:5), (17:20–22).

<sup>709</sup> TF2-041, 24 September 2004 (20:10–31:2); (92:5–9).

<sup>710</sup> TF2-041, 24 September 2004 (33:18–27), (53:16–21).

<sup>711</sup> TF2-041, 24 September 2004 (52:15–23).

<sup>712</sup> TF2-154, 27 September 2004 (42:14–46:8) (see Exhibits Nos. 15(A), (B) and (C) for possible inconsistencies).

TF2-152, 27 September 2004 (103:3–105:28).

<sup>713</sup> TF2-152, 27 September 2004 (106:15–113:1).

<sup>714</sup> TF2-152, 27 September 2004 (121:10–123:3); see Exhibit 16 for possible inconsistency.

<sup>715</sup> TF2-144, 24 February 2004 (73:3–75:23).

<sup>716</sup> TF2-144, 24 February 2004 (77:3–79:8); but see Exhibit 69 for a different version.

<sup>717</sup> TF2-144, 24 February 2004 (79:19–80:14), (80:27–81:16).

<sup>718</sup> TF2-223, 28 September 2004 (57:1–27).

which to launch attacks on Kenema.<sup>719</sup> Sometime in early January 1998, SS Camp was captured and occupied by the Kamajors. Some civilians died in the operation, but it is not clear whether they were killed in cross-fire or specifically targeted by junta or Kamajor fighting forces.<sup>720</sup>

Approximately one month after the Kamajors had taken control of Kenema (in April or May 1998, according to the witness), CO Ngaoujia's unit was assigned to mount a checkpoint at SS Camp by Messrs Fofana and Kondewa in order to secure the Moa River Bridge. Mr Fofana personally escorted the witness to SS Camp to explain his responsibility there, which was to secure the river.<sup>721</sup>

At this point the evidence becomes rather confusing, and the witness was subsequently led a great deal by counsel for the Prosecution. The witness states that, at some point, a team known as Yamorto headed by Murrie Vaughn (alias Steve Biko) took over operations at SS Camp.<sup>722</sup> He then states that, approximately two weeks into his posting at SS Camp and after the Yamorto group had left, Mr Norman arrived with the head of intelligence Mr Magona. Mr Norman told the witness that the "mandate" of SS Camp had changed and that it would subsequently be used as a place for executions under the command of Mr Magona. At some point, Mr Vaughn returned, indicating that he had been sent by Mr Kondewa to remain at SS Camp as part of a "special mission". Mr Norman announced that all killings should be coordinated with Mr Magona and gave the witness a "daily occurrence book" in which to record the killings. According to the witness, Mr Vaughn's Yamorto Group was tasked with extracting human body parts at SS Camp for initiation purposes on orders from Mr Kondewa. When asked how often Mr Norman visited SS Camp, the witness's answers indicated that Mr Fofana may have been present on certain occasions and that he may have seen the daily occurrence book. However, the evidence is far from clear.<sup>723</sup>

According to the witness, at least fifteen, and at most "many, many, many, many" human sacrifices took place at SS Camp.<sup>724</sup> Arthur Koroma, a witness for Mr Fofana, stated that SS Camp was a checkpoint and not a CDF detention facility.<sup>725</sup>

### *Blama*

Unidentified Kamajors entered Blama on 15 February 1998<sup>726</sup> armed and dressed in ronko.<sup>727</sup> Unidentified Kamajors captured a group of civilians, forced them to march to Blama, separated

<sup>719</sup> TF2-223, 28 September 2004 (59:6–60:15).

<sup>720</sup> TF2-223, 28 September 2004 (61:1–62:18).

<sup>721</sup> TF2-223, 28 September 2004 (104:11–106:8).

<sup>722</sup> TF2-223, 28 September 2004 (106:19–26).

<sup>723</sup> TF2-223, 28 September 2004 (108:15–110:12), (111:11–25), (112:23–113:10), (114:16–115:9), (117:7–12), (118:13–119:26), (119:29–120:9), (120:24–122:3), (123:4–19), (125:11–17), (125:20–126:5) and 30 September 2004 (72:5–15).

<sup>724</sup> TF2-223, 28 September 2004 (118:13–119:26), (124:19–125:10), (125:11–17).

<sup>725</sup> 4 May 2005 (115:20–22).

<sup>726</sup> TF2-041, 24 September 2004 (13:3–16).

<sup>727</sup> TF2-041, 24 September 2004 (19:1–9).

them by tribe, decapitated a Temne boy and danced with his head; a Mende man was accused of being a former soldier and killed.<sup>728</sup>

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<sup>728</sup> TF2-154, 27 September 2004 (48:4–50:3); (50:8–51:5).

**Bo Crime Base:**

Bo, Koribondo, Fengehun

*Bo*

The junta forces pulled out of Bo on 15 February 1998.<sup>729</sup> On 15 February 1998, a group of approximately 2000 armed Kamajors dressed in ronko entered Bo from the Kenema direction led by Albert Nallo, Agba Murray, John Ngombah, and Kamoh Lahai.<sup>730</sup> About two days later, Kamajors dressed in ronko entered Bo peacefully.<sup>731</sup> During the “fight” (?) for Bo, junta forces disguised themselves as Kamajors.<sup>732</sup>

However, shortly afterwards, Kamajors began to engage in unlawful activity:

- Witness and his men attacked Bo sometime in the second week of February and killed soldiers (unclear if the soldiers were armed or hor de combat): “Anywhere we saw combats on the door, we would break the door and enter there and if there was any soldier there, we killed him”.<sup>733</sup>
- Witness and his men “spoil” the Southern Motel—removed items and then burnt it.<sup>734</sup>
- Unidentified Kamajors shot and killed a woman, on witness’s orders, found at the hotel who admitted to having cooked for the rebels.<sup>735</sup>
- Joseph Lappia—a member of witness’s group—shot and killed John Musa who was accused of having sold palm wine, etc to rebels.<sup>736</sup>
- Witness and his men looted two pharmacies in Bo, one on Tikonko Road and the other on Bojon Street.<sup>737</sup>
- Witness killed unidentified police in Bo and looted and burnt unidentified property.<sup>738</sup>
- On 16 February 1998, unidentified Kamajors dressed in ronko entered the Bo police barracks and came to witness’s house; they searched his house and looted his personal items; witness was despondent and left his house; outside he was threatened with death by Kamajors and returned home as ordered.<sup>739</sup>
- Later the same night, another group of unidentified Kamajors entered witness’s house, asked for his particulars, and informed him that they had been specifically ordered by Norman to take the such details s well as uniforms from police officers before killing them; witness complied and produced his particulars and then plead for mercy; however, the Kamajors indicated that they would not defy their boss’s order; after asking him for

<sup>729</sup> TF2-119, 23 November 2004 (104:21-25).

<sup>730</sup> TF2-001, 14 February 2005 (70–76).

<sup>731</sup> TF2-030, 25 November 2004 (3:3-16), (4:1-5).

<sup>732</sup> TF2-001, 15 February 2005 (5:2-4).

<sup>733</sup> TF2-017, 19 November 2004 (97:15–180).

<sup>734</sup> TF2-017, 22 November 2004 (6:2–8:10).

<sup>735</sup> TF2-017, 22 November 2004 (8:26–9:19).

<sup>736</sup> TF2-017, 22 November 2004 (9:23–10:26).

<sup>737</sup> TF2-017, 22 November 2004 (11:17-19, 12:6-24).

<sup>738</sup> TF2-014, 10 March 2005 (64–71).

<sup>739</sup> TF2-119, 23 November 2004 (105:3-17), (105:18–106:25), (107:17-27).

reasons why he should be spared, the Kamajors seriously wounded witness with their machetes.<sup>740</sup>

- Witness was left for dead but managed to crawl to a well into which he fell; a friend attempted to retrieve him but, two unidentified Kamajors prevented the friend and the witness fell back into the well; finally he was rescued and taken to the hospital by two Red Cross workers on 17 February 1998.<sup>741</sup>
- While the witness was in the hospital, unidentified groups of Kamajors forcibly removed patients who were accused of being junta forces.<sup>742</sup> Later, after a nurse locked the door to the ward, two unidentified Kamajors attempted to stab and then shoot the witness; before they could do so, there was a commotion and they fled.<sup>743</sup> While in the hospital, Norman paid a visit sometime during the second half of February 1998 and announced to the patients that his troops had captured Tongo and Kenema and now Bo and would be proceeding to Freetown to “wipe out all the bad elements from this country”.<sup>744</sup>
- Witness was later discharged from the hospital and referred to Freetown for further treatment; on 28 March 1998 on his way out of Bo, witness was interrogated and roughly treated by unidentified Kamajors at a checkpoint at the brigade junction; he was taken from his vehicle and accused of possessing false documents and collaborating with the junta; witness, on crutches and in plasters, fell and was dragged by one Kamajor to a pit behind the guard booth in which two corpses had been dumped; the Kamajor called for his weapon; witness shouted and was rescued by ECOMOG officers.<sup>745</sup>
- About two days after they arrived, unidentified Kamajors looted witness’s landlady’s shop.<sup>746</sup>
- On 22 February 1998, witness, her husband, her children, and some others were at home when a group of more than fifteen unidentified Kamajors entered the house, surrounded the husband, and chopped him to death with their machetes; the body was buried the following day, the same day that ECOMOG entered Bo; witness suspects her husband was killed because he was Temne.<sup>747</sup>
- At the same time that her husband was attacked, witness saw the same group of unidentified Kamajors hacking about six other people in the same swamp behind her house, but she doesn’t now what happened to them.<sup>748</sup>
- Sometime in 1998, a group of unidentified Kamajors entered Bo and looted witness and his brother’s property.<sup>749</sup>
- A few weeks later, after having spent some time in the bush, witness returned to Bo to his aunt’s house where he was washing when a group of unidentified armed Kamajors captured witness, his two brothers, a local called Sorie, and a fifth unidentified person;

<sup>740</sup> TF2-119, 23 November 2004 (107:28–109:29), (110:11-20), (110:25–111:9), (111:12-15), (111:18–112:12), (112:26–113:23), (115:22-28), (116:4-6).

<sup>741</sup> TF2-119, 23 November 2004 (116:9–117:24), 24 November 2004 (4:23-24).

<sup>742</sup> TF2-119, 23 November 2004 (118:6-12), (118:16-22), (118:25-29), (119:17-23).

<sup>743</sup> TF2-119, 23 November 2004 (120:3-28).

<sup>744</sup> TF2-119, 23 November 2004 (126:25–127:13), (5:23-27).

<sup>745</sup> TF2-119, 23 November 2004 (123:2–126:11).

<sup>746</sup> TF2-030, 25 November 2004 (4:23-29).

<sup>747</sup> TF2-030, 25 November 2004 (5:19–7:26), (8:9–9:8), (10:1-2), (10:15-23), (11:3-5), (11:6-19).

<sup>748</sup> TF2-030, 25 November 2004 (11:20–12:8).

<sup>749</sup> TF2-156, 25 November 2004 (36:22–37:3), (37:14-23), (38:2-9), (38:10-13).

witness and the others were severely chopped by the Kamajors; the others died as a result of the attack.<sup>750</sup>

- While witness was in the hospital, a group of unidentified Kamajors came, announced that all policemen were with the junta and should be killed, and opened fire on the ward, but there were no deaths; eventually ECOMOG arrived and repulsed the Kamajors.<sup>751</sup>
- Unidentified Kamajors killed eight unnamed policemen at the barracks on the day the Kamajors entered Bo; witness heard about the killing but saw the corpses; witness was also told that unidentified Kamajors burnt four houses at the barracks.<sup>752</sup>
- An unnamed Limba man accused of being with the junta was hacked to death and further mutilated by unidentified Kamajors in witness's presence prior to the arrival of ECOMOG.<sup>753</sup>
- During the time the Kamajors entered town, witness was chased out of Bo by a group of unidentified armed Kamajors in ronko; they chopped five people; they caught witness and amputated the fingers on his left hand, and accused him of working with the soldiers.<sup>754</sup>
- On 15 February 1998, witness returned to his house and found an unidentified group of armed Avondo Kamajors looting his property; he protested and one struck him with a gun; he protested further and they threatened to kill him; he left the scene, unharmed further.<sup>755</sup>
- On 15 February 1998, a different group of unidentified Kamajors forcibly detained OC Bundu, OC Katta, and OC Danema and beat them in the street.<sup>756</sup>
- On 15 February 1998, unidentified Kamajors looted the house of one Freeman; Freeman was later shot and hacked to death by a different group of unidentified Kamajors.<sup>757</sup>
- On 16 February 1998, a group of unidentified Kamajors hacked to death SI James Vandy.<sup>758</sup>
- On 16 February 1998, witness was pursued by a group of unidentified Kamajors, who were forced to retreat before capturing him.<sup>759</sup>

ECOMOG arrived in Bo approximately five days after the Kamajors.<sup>760</sup> By the time ECOMOG entered Bo—around 23 February 1998—the Kamajors had already left for the villages.<sup>761</sup> By March 1998, ECOMOG was in control of security in Bo.<sup>762</sup> The Kamajors returned to Bo in

<sup>750</sup> TF2-156, 25 November 2004 (41:8-15), (41:21-27), (42:1-43:26), (45:19-21), (46:14-47:5), (48:13-49:21).

<sup>751</sup> TF2-156, 25 November 2004 (51:16-22), (53:3-7), (53:13-21).

<sup>752</sup> TF2-056, 6 December 2004 (68-70).

<sup>753</sup> TF2-056, 6 December 2004 (70-72).

<sup>754</sup> TF2-006, 9 February 2005 (7-13).

<sup>755</sup> TF2-001, 14 February 2005 (77-79).

<sup>756</sup> TF2-001, 14 February 2005 (79:13-80:5).

<sup>757</sup> TF2-001, 14 February 2005 (80-83).

<sup>758</sup> TF2-001, 14 February 2005 (85:17-87:4).

<sup>759</sup> TF2-001, 14 February 2005 (88:9-89:8).

<sup>760</sup> TF2-056, 6 December 2004 (72:11-18).

<sup>761</sup> TF2-030, 25 November 2004 (12:14-20).

<sup>762</sup> TF2-057, 30 November 2004 (79:17-29).



March 1998.<sup>763</sup> After the arrival of ECOMOG, the commander of the Kamajors in Bo was Kosseh Hindowa.<sup>764</sup>

- Sometime thereafter [no date given], a group of unidentified Kamajors entered witness's house, conducted a search for weapons, and looted witness's personal belongings; however, they were stopped by ECOMOG soldiers before they could complete their task.<sup>765</sup>
- A few hours later, a group of unidentified Kamajors returned to witness's house and told him he was wanted at Kamajor headquarters at 88 Mahei Boima Road; he and his brother were taken forcibly to the office where they were made to sit on the ground; Fofana entered the room from the verandah and stood by them; witness claims to have recognized Fofana from previous meetings held at Coronation Field in Bo with Norman in 1993 and 1994 where Fofana was introduced as Director of War; Fofana asked "What type of people are this?" and a junior Kamajor responded that they were Temne people; Fofana responded that he "did not have any business with the Temne people, because ... they're [sic] brother, Foday Sankoh, brought a war in this country"; Fofana then went into his office, and the junior Kamajor locked the witness and his brother in a cell with four strangers; witness remained in the cell for 25 days and his brother for 15; at one point, witness heard Fofana's voice calling for "one person among the two people in the cell"; unidentified Kamajors opened the door and asked witness's brother to come out; witness heard his brother saying "they are taking me away", and he has not seen him since; witness again heard the voice of Fofana calling for two of the four who were already in the cell; they were taken and witness heard them crying; he "peeped" through a hole in the door and saw a group of unidentified Kamajors armed with cutlasses and sticks surround them and hack them to death; witness saw Aruna Massaquoi killed in a similar manner by unidentified Kamajors; witness was eventually released by ECOMOG officers.<sup>766</sup> Witness understood Fofana's comment regarding Temnes to mean that they would be killed.<sup>767</sup> Witness claims the incident occurred in March 1998.<sup>768</sup>
- About three days after his release, witness saw a woman with a small child arrested by unidentified Kamajors; the woman was forced to leave her child behind, and witness returned it to the father; witness and the father went to the Kamajor office but were forcibly turned away by an unidentified Kamajor; they subsequently made a report at the ECOMOG office where they were given three ECOMOG soldiers to accompany them back to the Kamajor office; on the way, they discovered the woman's severed head wrapped in a scarf; the ECOMOG soldiers left and returned with trucks and arrested all the Kamajors on the scene; at the time, Augustine Ngaujia was commanding the 29th Battalion; the Kamajors were eventually released.<sup>769</sup>
- At some point "during the time when the war was raging", a group of unidentified armed Kamajors dressed in ronko entered witness's house and detained him while they searched

<sup>763</sup> TF2-057, 29 November 2004 (112:7-12) and TF2-056, 6 December 2004 (67:27-28).

<sup>764</sup> TF2-056, 6 December 2004 (73:24-28).

<sup>765</sup> TF2-057, 29 November 2004 (114:5-115:10), (116:17-20), 30 November 2004 (69:3-8).

<sup>766</sup> TF2-057, 29 November 2004 (117-123); 30 November 2004 (1-12).

<sup>767</sup> TF2-057, 30 November 2004 (20:24-21:12).

<sup>768</sup> TF2-057, 30 November 2004 (70:26-71:9).

<sup>769</sup> TF2-057, 30 November 2004 (13-20).

for his father, a Temne; when the father did not materialize, the boy was released and the Kamajors left.<sup>770</sup> Sometime later, another group of unidentified Kamajors entered witness's house and looted some of the property; the matter was reported to ECOMOG and they arrived on the scene.<sup>771</sup> Immediately after ECOMOG left, the same group of Kamajors returned to the house, reclaimed their weapons, and beat a pastor who was staying in the house.<sup>772</sup>

- At some time, an unidentified Kamajor shot to death an unnamed Temne man in a park.<sup>773</sup>
- At some time, unidentified Kamajors burnt something in a part adjacent to the witness's house; by the smell, witness assumed it was a human being.<sup>774</sup>
- Unidentified Kamajors forcibly arrested witness's father, his uncle, and witness himself from his house and took them to their base, where they placed his father and uncle "under the sun" while witness was placed separately with other boys; because his father spoke Mende he was able to plead for his and witness's release; however, the uncle was left behind and witness has not seen the uncle to date (inconsistent with father's testimony above).<sup>775</sup>
- On 27 April 1998, witness's husband was killed by unidentified armed Kamajors in ronko in the Duwebu section of Bo; he was accused of being a soldier.<sup>776</sup>
- On the same day, witness saw unidentified Kamajors hacking an unnamed man in a swamp near Shenge market; she saw a similar occurrence at a swamp in Njai Town.<sup>777</sup>
- After the arrival of ECOMOG, unidentified Kamajors dressed in ronko entered witness's house, accused him of being with the junta, and looted his personal property.<sup>778</sup>
- After the arrival of ECOMOG, a Limba man whose daughter was accused of being in love with a junta soldier, was arrested by unidentified Kamajors, taken to 88 Mahei Boima Road—the Kamajor "head office", and placed in the custody of Kosseh Hindowa; the man was beaten by unidentified Kamajors in Hindowa's presence; Hindowa demanded 100,000 Leones for the man's release; witness paid the money, and the man was released to him with welts on his body; he died one month later.<sup>779</sup>
- Witness paid a Kamajor called Moses Sandy for the release of two other Limba men, who were detained for two days and tied with FM rope at an unnamed location (possibly same as above).<sup>780</sup>
- Witness paid a Kamajor called Abu Tawa for the release of another Limba man, who had been accused of being with the junta, detained, stripped, made to roll on the ground, and beaten at an unnamed location (possibly same as above).<sup>781</sup>

<sup>770</sup> TF2-067, 30 November 2004 (86:24–87:29), (89:21–90:5).

<sup>771</sup> TF2-067, 30 November 2004 (90:7–91:14), (95:20–27).

<sup>772</sup> TF2-067, 30 November 2004 (95:28–97:16), (98:3–14).

<sup>773</sup> TF2-067, 1 December 2004 (4:19–5:15).

<sup>774</sup> TF2-067, 1 December 2004 (7:1–12).

<sup>775</sup> TF2-067, 1 December 2004 (7–12, 47).

<sup>776</sup> TF2-058, 3 December 2004 (50–60).

<sup>777</sup> TF2-058, 3 December 2004 (61–63).

<sup>778</sup> TF2-056, 6 December 2004 (72:21–73:23).

<sup>779</sup> TF2-056, 6 December 2004 (74–77).

<sup>780</sup> TF2-056, 6 December 2004 (77–79).

<sup>781</sup> TF2-056, 6 December 2004 (79–82).

- Witness heard that four Limbas from Tongo Field were killed by unidentified Kamajors.<sup>782</sup>
- In April 1998, after the arrival of ECOMOG, Norman addressed a parade at the new police barracks in Bo; with him were Kondewa, Fofana, Kamoh Lahai, Mammy Munda, and other Kamajor leaders; Norman announced that the Kamajor chiefs had deceived him by reporting to him and Fofana, the “war director”, that they had burnt down the barracks and killed all the policemen when in fact they hadn’t.<sup>783</sup>
- A group of Kamajors entered the house where witness was staying; a Kamajor called Harowan accused witness and his brother of being with the junta; they were tied and forcibly taken to Y-Junction along Sikissi; they removed witness’s clothes and dripped hot plastic on his body; witness’s brother was decapitated in his presence, and the Kamajors told witness that they intended to eat the brother; the Kamajors told witness that he was released so that he could tell his people what happened to his brother.<sup>784</sup>

### *Koribondo*

Unidentified Kamajors, dressed in ronko<sup>785</sup>, attacked Koribondo on Friday, 13 February 1998.<sup>786</sup> Certain civilians fled the town in fear.<sup>787</sup> Several incidents of unlawful activity were said to have occurred on the day of the attack:

- Witness looted zinc from shops in town.<sup>788</sup>
- Witness saw unidentified Kamajors burn houses.<sup>789</sup>
- Unidentified Kamajors in witness’s group burnt the houses of Sheku Gbao.<sup>790</sup>
- Witness and his men “burnt the place”.<sup>791</sup>
- Unidentified Kamajors killed civilians Sarah Binkolo, Sarah Lamina, Chief Kafala, one Gombu, and one Brima.<sup>792</sup>
- Unidentified Kamajors serious beat, detained, interrogated, and tied civilian Lahai Bassie.<sup>793</sup> However, Joe Tamide ordered his release.<sup>794</sup> Shortly thereafter, Bassie died.<sup>795</sup>
- A crowd of unidentified Kamajors beat and killed two unidentified civilians.<sup>796</sup>

<sup>782</sup> TF2-056, 7 December 2004 (75:16–76:8).

<sup>783</sup> TF2-001, 14 February 2005 (97–100).

<sup>784</sup> TF2-198, 15 June 2004 (21–32), (44:26–27).

<sup>785</sup> TF2-198, 15 June 2004 (18:2–12); TF2-157, 16 June 2004 (7:22–29); TF2-176, 17 June 2004 (80:27–31); TF2-012, 21 June 2004 (24:17–21); TF2-162, 8 September 2004 (15:18–15:29); TF2-159, 9 September 2004 (17:11–22); TF2-032, 10 September 2004 (49:14–18)<sup>785</sup>, (52:15–24).

<sup>786</sup> TF2-198, 15 June 2004 (18:26–19:2); TF2-157, 16 June 2004 (9:26–37); TF2-176, 17 June 2004 (75:27–34, 76:9–10); TF2-162, 8 September 2004 (12); TF2-082, 15 September 2004 (25:25–28).

<sup>787</sup> TF2-198, 15 June 2004 (19:35–20:1–4); TF2-176, 17 June 2004 (77:2–9); TF2-157, 16 June 2004 (11:31–36).

<sup>788</sup> TF2-190, 10 February 2005 (50:9–14).

<sup>789</sup> TF2-190, 10 February 2005 (51:12–15).

<sup>790</sup> TF2-014, 10 March 2005 (71–72).

<sup>791</sup> TF2-014, 10 March 2005 (74–76).

<sup>792</sup> TF2-198, 15 June 2004 (32:26–33:10); TF2-157, 16 June 2004 (14:31–15:27)<sup>792</sup>, (18:1–2); TF2-157, 16 June 2004 (16:13–17:37).

<sup>793</sup> TF2-157, 16 June 2004 (18:13–19:35).

<sup>794</sup> TF2-157, 17 June 2004 (12:4–11).

<sup>795</sup> TF2-157, 17 June 2004 (43:18–27)<sup>795</sup>.

<sup>796</sup> TF2-162, 8 September 2004 (19:23–20:15), (57:8–13).

- Five Limba men—Sofiana, Sarrah, Momoh, Kamara, Koroma—were caught by unidentified Kamajors; two were shot to death, the others were killed with cutlasses. The bodies of Sarrah and Momoh were then decapitated.<sup>797</sup>
- Three women—Amie, Jeneba, and Esther—and five unidentified men were caught by unidentified Kamajors, beaten, mutilated, killed (some shot, some hacked), and further mutilated and eaten.<sup>798</sup>
- Witness's grandparents were burnt to death, but he didn't know who did it.<sup>799</sup>
- Witness heard that two individuals—Kafala and Abema—had been killed in “ritual ceremonies”.<sup>800</sup>
- Some witness found burnt houses in town upon returning and heard that the Kamajors had done it but did not see it themselves.<sup>801</sup>
- Some witnesses saw Kamajors burning houses.<sup>802</sup>
- The soldiers did not burn houses.<sup>803</sup>
- Unidentified Kamajors looted civilian property.<sup>804</sup>
- Civilians also looted and burned houses.<sup>805</sup>
- Unidentified Kamajors forcibly bound and interrogated by unidentified civilians.<sup>806</sup>
- Small boys worked as security in Koribondo.<sup>807</sup>

However, at least one witness testified that houses had been destroyed in fighting previous to the Kamajor attack in question.<sup>808</sup>

### *Fengehun*

In 1998, during the dry seasons, a group of mostly unidentified Kamajors (the group included Munda Goina, Abu Gina, Gbessay Abu, Alieu Gina, and Munda Gina) arrested witness in the bush, brought him to Fengehun where they had captured his father; witness's father was bound at the waist with a rope and one of his ears had been chopped off; the Kamajors took witness and his father to a school compound where they tied the father in a hut and set fire to it; they decapitated the corpse and told witness to go home; later they came to witness's home with his father's head demanding money and asking the witness to dance with them; witness later learned that his father was killed because he had protected people from the Kamajors.<sup>809</sup>

<sup>797</sup> TF2-159, 9 September 2004 (27:24–32:27).

<sup>798</sup> TF2-159, 9 September 2004 (35:1–40:20), (128:7-22).

<sup>799</sup> TF2-159, 9 September 2004 (40:23–49:2).

<sup>800</sup> TF2-032, 10 September 2004 (25:1–26:1).

<sup>801</sup> TF2-198, 15 June 2004 (32:26–33:10), (35:34-37); TF2-157, 16 June 2004 (14:13-26); TF2-176, 17 June 2004 (79:11-18, 79:35, 80:2); TF2-012, 21 June 2004 (24:3-7).

<sup>802</sup> TF2-162, 8 September 2004 (14:18–15:10), (17:10-14), (18:15-28), (19:4-16); TF2-159, 9 September 2004 (21:12–27:10), (124:8-18); TF2-032, 10 September 2004 (29:15–35:21).

<sup>803</sup> TF2-198, 15 June 2004 (35:38–36:2).

<sup>804</sup> TF2-162, 8 September 2004 (20:23-29); TF2-159, 9 September 2004 (24:21-26); TF2-140, 14 September 2004 (82:1-16); TF2-082, 15 September 2004 (33:13-25); TF2-082, 17 September 2004 (37:11-16); TF2-162, 8 September 2004 (21:2-12).

<sup>805</sup> TF2-159, 9 September 2004 (123:11-14).

<sup>806</sup> TF2-140, 14 September 2004 (83:2–86:4).

<sup>807</sup> TF2-140, 14 September 2004 (86:10-15).

<sup>808</sup> TF2-198, 15 June 2004 (48:37–49:8).

<sup>809</sup> TF2-007, 2 December 2004 (48–64) and Exhibits 37 and 40.

**Moyamba Crime Base:**

Moyamba, Sembehun, Bradford, Mabang

*Moyamba Town*

Sometime in 1997 or later, a group of unidentified Kamajors, under the command of one Mr Ngobeh, arrested a suspected collaborator called Mr Thomas in Moyamba; Thomas was shot dead and decapitated in Shenge Park; some of the Kamajors drank Thomas's blood, some rubbed it on their bodies, and one paraded through town with Thomas's head.<sup>810</sup>

*Sembehun*

Sometime in November 1997, an unidentified group of armed Kamajors arrived at Sembehun, dislodged the local Kamajors, and took control of the town; the Kamajors came from Gbangbatoke, Tihun, and Talia and based with the local ground commander, Edward Challe.<sup>811</sup> Unidentified Kamajors of this contingent looted residents of Sembehun and surrounding villages.<sup>812</sup> On the day of their arrival, unidentified Kamajors of this contingent commandeered the vehicles of Nbaba Fofana and Mrs Gorvie.<sup>813</sup>

On the evening of the second day, Kamajors Steven Sowa, Moses Mbalacolor, Mohamed Sankoh, and three unidentified Kamajors forcibly entered witness's house and announced that they had been sent by Kondewa to collect resources for the war and they wanted to inspect witness's garage for arms and ammunition; Mohamed Sankoh said he was deputy director of war under Sam Hinga Norman; when they saw that witness had a vehicle in his garage, they sent for six more unidentified Kamajors and announced that they wanted to use witness's car; they woke witness's children, beat them, ransacked his house, found the keys to the garage, and made off with the car and some other items.<sup>814</sup>

On the evening of the third day, unidentified Kamajors of this contingent beat witness's brother-in-law and commandeered his van.<sup>815</sup>

On the fourth day, the contingent left town with two of the vehicles (including witness's) and the looted property.<sup>816</sup>

*Bradford*

On 19 March 1998, Obai and his Kamajors raided Bradford and forcibly entered witness's house and stole his rice.<sup>817</sup>

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<sup>810</sup> TF2-165, 7 March 2005 (9-13).

<sup>811</sup> TF2-073, 2 March 2005 (28-31).

<sup>812</sup> TF2-073, 2 March 2005 (30:2-12), (30:17-27), (31:1-2).

<sup>813</sup> TF2-073, 2 March 2005 (31:20-32:4), (32:10-27).

<sup>814</sup> TF2-073, 2 March 2005 (34-37).

<sup>815</sup> TF2-073, 2 March 2005 (39:2-25).

<sup>816</sup> TF2-073, 2 March 2005 (40:1-13).

<sup>817</sup> TF2-168, 3 March 2005 (57:16-58:3).

On 23 March 1998, unidentified Kamajors entered Bradford and chased and shot at people; witness and his family fled to the bush.<sup>818</sup>

On 25 March 1998, unidentified Kamajors entered witness's farm in the bush; witness and his family fled and he was separated from his wife and granddaughter; the Kamajors captured the wife and girl; Kakpata, the head of the group, took the wife's money and ordered another unidentified Kamajor to shoot her; he did so and she died; the Kamajors left the girl; witness collected her and buried his wife; witness did not report the matter.<sup>819</sup>

At some point in 1998 at Bradford, a Kamajor commander from Ribbi called Obai sent a message to a Kamajor called Kenie Spencer with orders from Norman to attack Mbang; a group of armed Kamajors dressed in ronko led by one Sanawi arrested witness and two others and took them under gunpoint to see Obai; along the way one of the Kamajors spotted Marie Sankoh and ordered her to stop; she approached the group and one of the Kamajors attempted to chop her; she jumped and was shot twice and fell down; witness was then shot in the arm; some of the Kamajors "had gone wild", so witness ran for the bush; he was chased and shot at but managed to escape.<sup>820</sup>

Upon returning to Bradford some two months later, witness found his house had been occupied by a Kamajor commander called Kakpata.<sup>821</sup>

On 19 March 1998, unidentified Kamajors entered witness's house in Bradford; witness and his family fled to the bush; the following morning, witness returned to his house and found it had been looted.<sup>822</sup>

On 23 March 1998, another group of four unidentified armed Kamajors came to witness's house and shot his grandson and son and took his remaining seven children to the Bradford Park where they said they would kill them; witness went to his grandson, but he was dead; his son survived and together they buried the grandson; the remaining seven children were released; the Kamajor who killed witness's grandson was called Patrick John.<sup>823</sup>

### *Mabang*

On 23 December 1997, unidentified Kamajors under the command of Obai attacked Mabang and Rokonta; they attacked and looted witness's father's house.<sup>824</sup>

<sup>818</sup> TF2-168, 3 March 2005 (59:8-26).

<sup>819</sup> TF2-168, 3 March 2005 (40:1-17), (59:28-65:29), (67:8-68:6).

<sup>820</sup> TF2-173, 4 March 2005 (55-64).

<sup>821</sup> TF2-173, 4 March 2005 (66:1-15).

<sup>822</sup> TF2-167, 8 March 2005 (23:18-27:21).

<sup>823</sup> TF2-167, 8 March 2005 (28-34).

<sup>824</sup> TF2-166, 8 March 2005 (51-54).

**Bonthe Crime Base:**

Bonthe, Bembay, Mobayei, Bolloh, Talia

*Bonthe*

The Kamajors, dressed in ronko<sup>825</sup>, entered Bonthe Town on a Friday morning after the soldiers had left the previous day.<sup>826</sup> Kamajors entered Bonthe Town on 15 February 1998 after the soldiers left.<sup>827</sup> The “overall commander of operations in Bonthe” was Morie Jusu Kamara.<sup>828</sup>

Evidence of criminal activity is as follows:

- On 15 February 1998, a fisherman Kpana Manso was shot dead by a Kamajor commander called Baigeh outside the military base because he was believed to have been the father of a soldier.<sup>829</sup>
- Around 16 February 1998, witness was targeted by a group of Kamajors and called by Julius Squire to a meeting held by district commander Morie Jusu to answer allegations that he had supported the junta; the meeting was held at Father John Garrick’s Roman Catholic parish and continued the following day at the home of one Isaac Williams; the civilians were eventually found to be “innocent” of the charges.<sup>830</sup>
- At the first meeting, one Kamajor called Rambo called for witness’s death but Jusu announced that there would be no more civilians deaths; despite Jusu’s order to the contrary, Rambo and his men killed a boy, Bendeh Battiana, accused of collaborating with the junta.<sup>831</sup>
- Jusu announced that no one else would be killed but that the civilians in attendance would have to pay the Kamajors 100,000 Leones a piece; Father Garrick made the payments.<sup>832</sup>
- On his way to the first meeting, the witness saw the corpse of one Abu Samukah Mampeh.<sup>833</sup>
- Upon leaving the second meeting held at Isaac William’s house, unidentified Kamajors killed a tailor called Conteh.<sup>834</sup>
- Upon returning to his home, the witness found it had been thoroughly looted (including several million Leones) by Julius Squire, according to his sons. Witness agrees that Squire did it for his own personal benefit.<sup>835</sup>

<sup>825</sup> TF2-086, 8 November 2004 (88:1-4).

<sup>826</sup> TF2-086, 8 November 2004 (87:15-20).

<sup>827</sup> TF2-116, 9 November 2004 (8:11-18); TF2-147, 10 November 2004 (32:10-18); TF2-071, 11 November 2004 (76:24-77:8).

<sup>828</sup> TF2-147, 10 November 2004 (37:16-25), (38:4-6).

<sup>829</sup> TF2-116, 9 November 2004 (12-14); TF2-147, 10 November 2004 (36:12-37:1); TF2-071, 11 November 2004 (77:13-17), (77:23-27).

<sup>830</sup> TF2-116, 9 November 2004 (10-39).

<sup>831</sup> TF2-116, 9 November 2004 (21-23), (37:21-38:9).

<sup>832</sup> TF2-116, 9 November 2004 (23:5-16), (23:20-23).

<sup>833</sup> TF2-116, 9 November 2004 (18:1-18).

<sup>834</sup> TF2-116, 9 November 2004 (25:16-22).

<sup>835</sup> TF2-116, 9 November 2004 (26:4-28:7), (38:10-15).

- Unidentified Kamajors looted the Bonthe Technical College, the Bonthe Holiday Complex, and various government buildings including the hospital.<sup>836</sup>
- Further looting was done by Kamajors Gbokambama and Rambo.<sup>837</sup>
- A fisherman called Kondor Bantiamor was killed by unidentified Kamajors.<sup>838</sup>
- Abu Samuka Kamara was killed by unidentified Kamajors.<sup>839</sup>
- Three days after the Kamajors arrived, unidentified Kamajors from Sittia killed Abu Conteh who was accused of preparing talismans for the soldiers.<sup>840</sup>
- Many people chose to stay on Father Garrick's compound because of the "continuous harassment" by the Kamajors.<sup>841</sup>
- The Kamajors were administering a form of extortion in Bonthe whereby they would accuse civilians of certain acts, forcibly detain them, and then require payment for their release.<sup>842</sup>
- On 29 February 1998, Kondewa himself came to deal with the situation, particularly with Chief Lahai Ndokoi Koroma.<sup>843</sup>

At first, there was no identifiable authority to whom one could make a report; a report was eventually made to commander Morie Jusu Kamara, who stated that he was unable to control many of the Kamajors because of their relationship with Kondewa, but that he would try.<sup>844</sup> With some difficulty, Kamara was able to control Gbokambama on one occasion.<sup>845</sup> However, on another occasion, he was not able to control the Kamajors.<sup>846</sup> No individual was in effective control of the Kamajors operating in Bonthe.<sup>847</sup>

#### *Bembay*

On a Monday, Maire Yayen was captured near Baimbay and forced to cook for unidentified Kamajors for two days.<sup>848</sup> On the same day, unidentified Kamajors burnt a number of houses in Baimbay.<sup>849</sup>

#### *Mobayei*

Unidentified Kamajors looted and burnt houses at Mobayei and killed Musu Fai, an old woman.<sup>850</sup> Unidentified Kamajors stabbed to death a pregnant woman called Jebbeh.<sup>851</sup>

<sup>836</sup> TF2-147, 10 November 2004 (35-43).

<sup>837</sup> TF2-147, 10 November 2004 (50:1-51:24).

<sup>838</sup> TF2-147, 10 November 2004 (43:10-28).

<sup>839</sup> TF2-147, 10 November 2004 (40:2-41:9).

<sup>840</sup> TF2-147, 10 November 2004 (46:21-26).

<sup>841</sup> TF2-147, 10 November 2004 (48:19-49:3).

<sup>842</sup> TF2-147, 10 November 2004 (53:18-55:2), (62:10-63:5); TF2-071, 11 November 2004 (78:16-26).

<sup>843</sup> TF2-147, 10 November 2004 (57-61).

<sup>844</sup> TF2-147, 10 November 2004 (42:13-23), (49:9-21), (52:7-18).

<sup>845</sup> TF2-147, 10 November 2004 (52:19-53:12).

<sup>846</sup> TF2-147, 10 November 2004 (65:18-25).

<sup>847</sup> TF2-147, 11 November 2004, (18:22-19:1), (19:19-28).

<sup>848</sup> TF2-071, 11 November 2004 (66:6-28).

<sup>849</sup> TF2-071, 11 November 2004 (68:18-69:15).

<sup>850</sup> TF2-071, 11 November 2004 (71:1-12).

<sup>851</sup> TF2-071, 11 November 2004 (71:13-21).



*Bolloh*

Witness was told that Kong Sam was killed by Adu Kai Ne Challey and Ndogbei was killed at Bolloh village. However, it is not clear if the perpetrators were Kamajors.<sup>852</sup>

*Talia*

Evidence of criminal activity is as follows:

- Upon instructions from Norman “one morning” (Fofana present), witness went to Dodo with Momoh Pemba and Billoh Conteh—given to him by Fofana—and killed 15 unarmed civilians there and burnt their houses.<sup>853</sup>
- Upon same instructions, witness went to Sorgia and tortured Joseph Lansana and killed his mother (chopped her and threw her into a fire).<sup>854</sup>
- Upon same instructions, witness went to Baoma Kpenge with Juinisa Conneh and other unidentified Kamajors and shot and killed a Fullah trader.<sup>855</sup>
- “We” killed Mustapha Fallon near Talia as a “human sacrifice”.<sup>856</sup>
- “We” killed Alpha Dauda Kanu near Mokosi as a human sacrifice.<sup>857</sup>
- A captured soldier was killed by unidentified Kamajors.<sup>858</sup>
- In 1997, Kondewa and Kamoh Boni killed two “town commanders”.<sup>859</sup>
- A woman and business associate of the witness who had been abducted by the rebels refused to give additional food to a group of Kamajors who reported the incident to Kondewa who called for the woman to be brought to him; the woman was held in a cage and released upon a ransom being paid to Kondewa by the witness’s husband.<sup>860</sup>
- Witness captured by a group of armed Kamajors including Allieu Vandi at Gerehun Sogbewe and taken to Talia.<sup>861</sup>
- Witness captured by a group of armed Kamajors led by Joe Tamidey and Kamoh Bonnie at Sogbini and taken to Talia.<sup>862</sup> Apart from human captives, property was taken as well.<sup>863</sup>
- Three civilians—Jusu Shalley, Baggie Vaiey, and Lahai Lebbie—were killed by unidentified Kamajors at an unknown time at night in Talia.<sup>864</sup>
- Kamajors Mohammed, Moriba, and others came to Blama at an unspecified time and demolished witness’s house; witness was then captured and, along with her mother, made to carry loads to Talia.<sup>865</sup>

<sup>852</sup> TF2-071, 11 November 2004 (73:10-18), (74:24-75:18).

<sup>853</sup> TF2-014, 10 March 2005 (38-42).

<sup>854</sup> TF2-014, 10 March 2005 (42-46).

<sup>855</sup> TF2-014, 10 March 2005 (49-50).

<sup>856</sup> TF2-014, 10 March 2005 (50-54).

<sup>857</sup> TF2-014, 10 March 2005 (54-545).

<sup>858</sup> TF2-096, 8 November 2004 (2-24).

<sup>859</sup> TF2-096, 8 November 2004 (24-27).

<sup>860</sup> TF2-096, 8 November 2004 (28-36).

<sup>861</sup> TF2-108, 30 May 2005 (4-5).

<sup>862</sup> TF2-109, 30 May 2005 (31-33).

<sup>863</sup> TF2-109, 30 May 2005 (33:1-13).

<sup>864</sup> TF2-108, 30 May 2005 (5-14); TF2-109, 30 May 2005 (34-35, 41-43).

- Kondewa ordered witness's mother to be killed at an unspecified time at Talia; her hands were tied at the back, she was hit with a stick, and hacked with a machete.<sup>866</sup>
- Late in 1998, Kondewa's "boys" were stealing cassava from witness's uncle's farm; when he complained a third time, he was arrested by the boys, taken to the entrance of the society bush, tied, tortured to death with melted plastic, and hastily buried; one Bombowai, a deputy to Kondewa, was present.<sup>867</sup>
- In preparation for Norman's visit, three pregnant women were captured by Kondewa's boys, taken to the barrie, tied to some pillars, and gutted as the helicopter was arriving; the women died; the heads were removed from the fetuses and placed on arm-length sticks; each stick was tied to a larger stick which was pinned, "like a flag", at the junction; Bombowai and other unidentified Kamajors were present; the "flag" was positioned for Norman to see; the Kamajors smeared the dead women's blood on their faces and bodies and buried the corpses; finally, the Kamajors sang a song indicating that they had drawn strength from the experience.<sup>868</sup>
- Witness and other civilians were forcibly taken, during an unspecified "rainy season", from Malima to Talia by a Kamajor called Nulele and his armed colleague Kamajors.<sup>869</sup> When witness's husband attempted to retrieve her from Talia, he was captured by Nulele, taken to Kondewa, then lead by a group of singing Kamajors to a tree where Nulele asked him to say goodbye and to choose death by the gun or the knife; the husband did not choose, and Nulele cut his throat and removed his head; his corpse was taken to the bush.<sup>870</sup> Witness remained in Talia for four months where she saw a helicopter arriving; her "husband" Nulele told her it brought Norman with supplies for Kondewa, but she did not see Norman.<sup>871</sup>
- Witness captured from her village in Bonthe by armed Kamajors on an unspecified day and taken to Talia for an unknown period of time.<sup>872</sup> Witness tried to escape from Talia twice but was caught by Kamajors each time; after the second occasion she was tied, beaten, and placed in a coop for some hours (less than a day).<sup>873</sup>
- Witness captured by unidentified Kamajors at an unspecified time and taken to Yawbeko; witness's mother killed by a Kamajor called Moina Jusu in the bush of Yawbeko; at Yawbeko witness heard that the leader there was Kondewa, though she did not see him.<sup>874</sup>

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<sup>865</sup> TF2-188, 31 May 2005 (12-14).

<sup>866</sup> TF2-188, 31 May 2005 (15-18).

<sup>867</sup> TF2-187, 1 June 2005 (11-15).

<sup>868</sup> TF2-187, 1 June 2005 (17-37).

<sup>869</sup> TF2-189, 3 June 2005 (4-7, 20).

<sup>870</sup> TF2-189, 3 June 2005 (7-13).

<sup>871</sup> TF2-189, 3 June 2005 (13:18-14:15).

<sup>872</sup> TF2-134, 3 June 2005 (23-25).

<sup>873</sup> TF2-134, 3 June 2005 (31-34).

<sup>874</sup> TF2-133, 6 June 2005 (5:1-6:22).