



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 28 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:

Ms Carolyn Buff
Ms Sidney Thompson
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura
Mr Momodu Tarrawaliie

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Nicholas Koumjian
Ms Ruth Mary Hackler
Ms Ula Nathai-Lutchman

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Cllr Laveli Supuwood

1 Wednesday, 28 January 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:24:02 5 PRESIDING JUDGE: Good morning. As usual we will take
6 appearances, please.

7 MR KOUMJIAN: Good morning your Honours and counsel
8 opposite. For the Prosecution this morning Mohamed A Bangura,
9 Ruth Mary Hackler, an intern from Jamaica with our office
09:30:52 10 Camielle Green and myself Nicholas Koumjian.

11 PRESIDING JUDGE: Thank you, Mr Koumjian. Yes,
12 Mr Griffiths.

13 MR GRIFFITHS: Good morning Mr President, your Honours,
14 counsel opposite. For the Defence today myself Courtenay
09:31:04 15 Griffiths, my learned friend Mr Morris Anyah and Ms Simitie
16 Lavalay who has been with us before.

17 PRESIDING JUDGE: Thank you, Mr Griffiths. Mr Witness, you
18 are going to be asked some more questions now, but before that
19 happens I have to remind you that you have taken an oath to tell
09:31:24 20 the truth and you are still bound by that oath. Is that clear?

21 THE WITNESS: It is clear.

22 WITNESS: TF1-174 [On former oath]

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

24 Q. Good morning sir. How are you?

09:31:41 25 A. Good morning. I am fine.

26 Q. Sir, I just want to remind you that because of the
27 technology that we are using I have to turn off my microphone
28 before you begin your answer so you can see this red light.
29 Please wait until you see that red light off before you begin

1 your answer and take your time and speak to the judges. Sir, I
2 apologise but I would like to go back to one of your answers
3 yesterday to seek a clarification and that is on page 23669.
4 Excuse me, I believe I gave the wrong page number; 23691.

09:32:24 5 You were talking about being in the village of Mabanta with
6 your family and others when you heard - after Binkolo and
7 Magburaka were attacked and you talked about a driver who was
8 there. On line 19 you also said that some armed men - six armed
9 men - came out to the village, and on line 19 you said:

09:32:51 10 "When the driver came out and said, 'These are my
11 daughters, please don't take them' and they wanted to move, he
12 held onto one of them, he was shot and died, but again they took
13 away the children."

14 Just so we are clear - absolutely clear - who was shot?

09:33:11 15 A. The driver who was there with us, Mr Mohamed --

16 Q. I don't think it is necessary to mention his name.

17 A. Okay, it was the driver.

18 Q. Okay, thank you. I don't think it is a problem if we call
19 him Mr Mohamed. You have given his first name. And can you tell
09:33:32 20 us who shot the driver, Mr Mohamed?

21 A. He was shot by one of the six armed men who came to the
22 bush in Mabanta village.

23 Q. And sir, when you say they took away the children, what do
24 you mean?

09:33:49 25 A. The six of them who came, the RUF and the AFRC forces,
26 because at that time they were the combined forces and they took
27 away the children along with them.

28 Q. Who were these children that you are talking about?

29 A. They were the children of the driver, the man who was shot.

1 Q. Were these male or female?

2 A. They were female.

3 Q. How many?

4 A. Two young girls.

09:34:19 5 Q. Do you know what happened to those young girls after they
6 were taken away from Mabanta at that time?

7 A. Since then, I have no idea of whatever might have happened
8 to them.

9 Q. Have you ever seen them again?

09:34:33 10 A. I have not seen them.

11 Q. Have you ever heard word of what happened to them?

12 A. No, no.

13 Q. Thank you. Sir, when we left off yesterday, you were
14 talking about - we were talking about Superman and you said that
09:34:49 15 you had met him playing football, he had sponsored a team, and
16 your last answer was that:

17 "We formed, we started forming these teams by the end of
18 April leading right up down to the attack. Even the chaos they
19 had with themselves of the infighting we still continued until
09:35:08 20 finally in December before - until the time of disarmament or
21 whatever we continued."

22 So, sir, in approximately what time periods did you see
23 Superman in Makeni?

24 A. Superman was in Makeni from about mid-January 1999
09:35:33 25 throughout until when I left Makeni finally to go to Lungi where
26 we had the then interim care centre being transferred.

27 Q. And so we are clear, when was that?

28 A. It was May. I stopped - 19 May when we left Makeni, it was
29 that time I stopped seeing him.

1 Q. 19 May of which year?

2 A. Of 2000.

3 Q. Okay, thank you. Now, do you recall any of - did Superman
4 have bodyguards?

09:36:11 5 A. He had a very large number of bodyguards who were following
6 him.

7 Q. Do you recall any of the nicknames of some of his
8 bodyguards?

9 A. He had a fair complexion boy who was called Charles Taylor.

09:36:32 10 Q. Now, after the Freetown was invaded, did the RUF stay in
11 Makeni?

12 A. They made Makeni their headquarters and Makeni remained to
13 be the headquarters until when everything came to an end. The
14 headquarters of the RUF.

09:36:55 15 Q. You have previously mentioned that there were other
16 factions or commanders present in Makeni at that time. Was any
17 faction predominant in Makeni after January 1999?

18 A. From that time, in the beginning of January, all we know
19 was RUF until when they introduced some of - some members of this
09:37:16 20 other faction like the STF, as I said, which was headed by
21 General Bropleh and the AFRC headed by Brigadier Mani.

22 Q. Approximately when was that that you were introduced to
23 these groups, or commanders, in Makeni?

24 A. Well, they were introduced during the meetings - the two
09:37:40 25 meetings they had with the general public in Makeni.

26 Q. Sir, I noticed I have been failing to turn off my
27 microphone. I am going to try and do that and you can help me.
28 If you don't see this red light go off don't answer the question,
29 okay? Did you ever have any occasion to negotiate with both

1 groups, or with the RUF and one of the other groups?

2 A. There was an occasion when we had to negotiate between the
3 - we negotiated with the RUF and also the RUF - some members of
4 the RUF referred us to the AFRC who was Brigadier Mani .

09:38:38 5 Q. Before we move on to that, I see, worrying about my
6 microphone, I failed to really listen to your previous answer.
7 So my question had been approximately when was it that you were
8 introduced to these groups or commanders, that is the AFRC and
9 STF in Makeni , and you said there were two meetings they had with
09:38:56 10 the general public. When was that, these two meetings?

11 A. These two meetings were held in early January.

12 Q. Are these meetings headed by MP Jalloh that you told us
13 about earlier?

14 A. Those were the meetings.

09:39:12 15 Q. Thank you, sir. Now going back - I apologise again, but
16 going back now to your answer about, "There was an occasion when
17 we negotiated with the RUF" and you said, "The RUF referred us to
18 the AFRC who was Brigadier Mani", can you explain to the Court
19 about these negotiations?

09:39:31 20 A. Well, about mid-January we were working because there was
21 nothing to be done in Makeni , there was no work, and I saw a Land
22 Rover, but that Land Rover belonged to the mission, the Catholic
23 mission, in Kambia. I wanted to know what is happening with this
24 Land Rover? Why is it in Makeni at this time? And then when we
09:40:05 25 followed the Land Rover we saw one white but at this moment we
26 could not identify who was this white man. And because we can
27 recognise the Land Rover we were thinking it might be one of our
28 reverend fathers and indeed we went there and we saw it was one
29 of the reverend fathers in Kambia District.

1 So we went to MP Jalloh because the Land Rover went
2 straight to the Agricultural Road headquarters and we asked a few
3 questions why father was there and they told us he has done
4 nothing, the only - the fact that he was arrested, they wanted
09:40:54 5 him to help propagate the ideas of the - the ideals of the
6 movement of the RUF. So there was nothing harm that was going to
7 be done to him and at the same time they permitted us to visit
8 him any moment any time of the day. So we started visiting
9 father. But again as time goes on we said, "Well, it is not a
09:41:28 10 good thing to continue to hold on to father. Please leave him.
11 Let him go". We were told they cannot do this by themselves
12 alone, we have to meet other commanders like the AFRC
13 Brigadier Mani and so we took time to go there.

14 Well, knowing that people were - who have come to stay with
09:41:54 15 us, we tried. The first time we were not fortunate to see him
16 because he was still sleeping. We went there the second time.
17 Again he was still sleeping. So we decided to change the time of
18 going there. We went there the third time and he woke up, but
19 again it was impossible to talk to him because he was not very
09:42:24 20 normal as we thought we could have communicated with him and we
21 cannot secure the release of the reverend father. So we
22 continued to visit him who was then in the house of the bishop
23 and the house of the bishop was occupied by Titus who was the
24 administrative head of the RUF in Makeni.

09:42:53 25 Q. When you say that Mani was not normal, can you describe
26 what you mean?

27 A. Well, the time he came when he woke up and he met us, we
28 wanted to talk to him but he was drunk and he even had a cup of
29 mamani which is this local bread type of wine, so we just left

1 the place.

2 Q. Thank you. Now, after the RUF and its allies had taken
3 Makeni in December '98/January '99, did you ever try - excuse me,
4 you have already talked about this at some point in your
09:43:37 5 testimony, but can you tell us how it was that the interim care
6 centre came to be open there?

7 A. In the beginning by the end of February and early March in
8 1999 as I said we were in Makeni, we received a word from the
9 director of Caritas and the reverend fathers from Freetown that

09:44:05 10 we should start to gather the children that were in Makeni and at
11 that time we were trying to - first we wanted to know who will
12 actually help us among these three factions in Makeni and we were
13 directed to Baby Tina, or Tina Musa. She was actually called
14 that name, Baby Tina. And then we went to her, we spoke, she

09:44:43 15 asked us to come the next day. We came and she introduced us to
16 Five-Five who was close to her and immediately herself and
17 Five-Five - we were permitted to go around and meet the
18 commanders so that they can release the children and they
19 released them, we had them in the centre. But at this time we do
09:45:07 20 not have them the whole day. We started by getting them from
21 morning to evening and we let them go gradually until they centre
22 was set up, then we had those we had in the centre and then we
23 were there both day and night.

24 Q. Thank you. Sir, do you know who was Five-Five?

09:45:30 25 A. Five-Five was one of the leaders of the AFRC at the time, a
26 Sierra Leonean soldier.

27 Q. And, sir, who was Tina Musa?

28 A. Tina Musa, during the revolution we heard that she was the
29 wife of SAJ Musa.

1 Q. With the help of Tina Musa and with Five-Five, what
2 commanders did you meet in order to negotiate your work with the
3 children?

4 A. These two people gave us the permission and they told us
09:46:09 5 they were going to inform all the other commanders, and they did,
6 and while we were going to them everybody actually respected the
7 information and they gave us the children.

8 Q. What about the commanders from the RUF? Did they respect
9 this me the negotiation you had with Tina Musa and Five-Five?

09:46:31 10 A. They did.

11 Q. So what happened then, sir?

12 A. And then we continued to operate the interim care centre,
13 but about the first week of April, on the 2nd, we heard some
14 heavy shooting again in Makeni, because though there were
09:46:57 15 shootings they were not as frequent as this night again. Heavy
16 weapons were used because we heard the sound. And then we became
17 panicked again in Makeni. What happened - what happened then --

18 Q. I apologise for interrupting you. Just before we go into
19 that, at this time before you heard this heavy shooting on, you
09:47:21 20 said, 2 April, how many children were you working with
21 approximately in the interim care stern?

22 A. At this time we had about 300-270. The number fluctuated
23 because the children at times they come, others just went away
24 without permission. But we were between about 270-300 and a
09:47:46 25 little above at this time.

26 Q. Do you know what factions - fighting factions - these
27 children came from?

28 A. At this time they were both children of the AFRC and the
29 RUF.

1 Q. Can you give us a rough proportion of how many were AFRC
2 children and how many were RUF?

3 A. They were almost about 50/50.

4 Q. Thank you. Now, just so we are clear, in your earlier work
09:48:15 5 at Teko Barracks during the period 1997 until, you said, February
6 1998 during the time that the Kabbah government had been
7 overthrown, those children, what factions did they belong to?

8 A. The children in Teko Barracks at that time were children
9 from the - those that we were dealing with at that time were
09:48:44 10 purely from the RUF.

11 Q. Thank you, sir. So please continue and tell us - first of
12 all you said 2 April. Just remind us what year are you speaking
13 of?

14 A. I am talking about 1999.

09:49:01 15 Q. And what happened? Continue to tell us what happened
16 around 2 April 1999.

17 A. It was about midnight from about 11 when we heard this
18 heavy shooting and the shooting went rampantly all over Makeni
19 Town again. We were disturbed, because we were not thinking
09:49:19 20 anything of this nature will happen at this time again. But then
21 we wanted to know what actually happened and early in the morning
22 - because on that night there was no sleep. We wanted to know
23 why. I was standing by Northern Motel and we saw a group of them
24 coming with a dead body which was the body of Rambo in Makeni.
09:49:48 25 So the body was put in front of the Northern Motel and they
26 threatened to retaliate.

27 Well, I asked them, "Who did this? Why did this happen?"
28 They said Superman has come from Lunsar and has attacked Rambo
29 and even wanted to attack Issa Sesay, but Issa ran away to

1 Magburaka and Rambo was killed and the situation remained tense.
2 One group which was supporting Rambo who was killed headed by one
3 Colonel Bakarr, they were threatening to retaliate. And the
4 other group were also coming together that if they were attacked
09:50:40 5 they will also continue to fight and the situation remained
6 tense.

7 But actually there was no fighting. It was just these
8 threats on the 3rd, 4th and so on until about the 13th at night
9 again we heard heavy shooting. That is the group of Issa Sesay
09:51:07 10 from Magburaka has now come to revenge with the group of Makeni -
11 in Makeni. And at this time the two groups, each contains both
12 RUF and AFRC. It was just those who were supporting Superman and
13 those who were supporting the dead Rambo and Issa Sesay. And the
14 fighting continues day and night until about the 23rd when we
09:51:36 15 heard that one elderly Pa, Pa Demba, who was a juju man for the
16 RUF has intervened between the two groups and has reconciled
17 between them. So the two groups came together, they marched with
18 their weapons in Makeni saying now the infighting is ended.
19 Indeed from that time there was a little calm and a little peace.

09:52:06 20 Q. Thank you. Now just a few questions to make sure we
21 understand everything. First of all, can you spell Pa Demba? Is
22 that one word or two words?

23 A. It is two words. The Pa signifies the age P-A and then the
24 name Demba is D-E-M-B-A.

09:52:34 25 Q. And then while I am interrupting you for spellings could
26 you help us with the spelling of the local wine that you said you
27 saw Brigadier Mani have in his hand?

28 A. In Makeni it was called mamani, M-A-M-A-N-I-N-I. It is
29 locally brewed in Sierra Leone. Commonly it is called omolai.

1 Q. Well then perhaps you could help us with spelling that?

2 A. It is O-M-O-L-A-I.

3 Q. Thank you, sir. If you can, just for precision, you said
4 it was midnight, April 2nd. Do you mean between the 1st and 2nd
09:53:21 5 or between the 2nd and 3rd?

6 A. It was between the 2nd and the 3rd.

7 Q. Now, you indicated that each group contained RUF and AFRC.
8 Can you just expand on that a little bit?

9 A. Well, at this time it was not like later when the AFRC
09:53:48 10 fought against the RUF. This time it is two heads fighting
11 between themselves so in each group there were the AFRC, there
12 were the RUF and one group which was headed by Issa contains both
13 AFRC, RUF and even some STF. So there was - it was not
14 factional. It was just between Issa and most of those who were
09:54:20 15 in Magburaka and Superman and those who were stationed in Makeni
16 because those who come to revenge always come from Magburaka
17 direction.

18 Q. Thank you. Can you tell us a little more about Pa Demba.
19 Did he belong to any particular faction?

09:54:38 20 A. Pa Demba was actually brought to Makeni and he was
21 introduced to us in the church during one of our prayers by
22 Titus, and since Titus brought him to us, and from the way he
23 introduced him to us, that this is a big man who has some
24 supernatural powers and has come to stay with them, they have
09:55:05 25 been using him throughout the time of their period as rebels in
26 the bush and since that time a lot of people go there.
27 Ourselves, we used the church choir. We go there to sing
28 Christian songs. He gave us some money, but he was highly
29 esteemed, he was highly recognised and almost all the RUF and the

1 AFRC at that time did fear him as - and they call him their Pa
2 also.

3 Q. Did he belong to one of the factions?

09:55:47

4 A. He was, as I said, from the man who introduced him to us we
5 thought he was RUF.

6 Q. How did this fighting affect your work in the interim care
7 centre?

09:56:08

8 A. Well, immediately the fighting started, as I said, we were
9 very much afraid. Everybody, we scattered from the interim care
10 centre. We, the workers, everybody went his own way. The
11 children we had gathered, everyone went back their own way. Some
12 went to their commanders. Others were staying in town because
13 they could not find their commanders. And so we scattered
14 around. There was nothing again functioning as interim care
15 centre until when they ended their conflict.

09:56:29

16 Q. Can you remind us again the exact date, if you know, that
17 the conflict ended?

18 A. It ended exactly on 23 April 1999.

09:56:48

19 Q. And after it ended, did you see any evidence that the
20 groups had reconciled?

09:57:15

21 A. Yes, because they came to Makeni, they joined together,
22 they were joyfully singing and we saw groups from Magburaka. At
23 that time it was headed by one Francis, one Captain Francis who
24 was in Magburaka and then those in Makeni. They danced in the
25 streets and Pa Demba was there boasting that he has brought the
26 people together again. And since we saw them dancing and
27 marching and then no fighting, we all agreed that it has ended
28 again.

29 Q. After 23 April, on occasions did you see Superman in

1 Makeni ?

2 A. After the 23rd he was coming very frequently and it was
3 this time more - he involved much with us. As I said, he both
4 sponsored a team also called Superman Football Club and we have
09:57:55 5 our own clubs also at the same time. We played together in the
6 field. It is after this period he became much, much involved
7 with us playing football and again at this time most of them join
8 our secret societies. We were together.

9 Q. So what happened with the interim care centre after the
09:58:18 10 fighting ended and the reconciliation?

11 A. Well, again, by the end of May we were not tired; we
12 started again. Without going to any of them, the children just
13 came and we started and this time nobody asked us so we continued
14 because they were still together and nobody disturbed us. We
09:58:41 15 continued. The centre became functional again. We continued.

16 We were going to Freetown, coming. Again, not until 15
17 October, and shortly before 15 October I received a message from
18 my director to help CRS because they were coming to distribute
19 food in Makeni and from Makeni to supply all the villages along
09:59:16 20 Makeni -Kabala highway. We started a venture, we did that in
21 Makeni. We ended it. We were going to start the one at the
22 villages from Makeni to Kabala and when the vehicles started
23 arriving we asked them to stop by so that we can introduce them
24 to some of the commanders, particularly in the centre of Makeni
09:59:41 25 where the old bank was.

26 Well, we went there. We met AB Dugba who was commanding
27 that office and, well, we introduced the drivers and those people
28 who came from Freetown. Well, one of the drivers of this
29 vehicle, who brought the food, had his money on his chest pocket

1 and then somebody actually stole the money and he reported. So
2 we reported the case to AB Dugba and the other people there.
3 They searched around and they caught one of their men, one of
4 their soldiers too, and he was shot on the leg. Immediately
10:00:31 5 there was a little bit of panic so we hastened to get out of the
6 office and proceed to do our work.

7 We continued. We started from the first village until we
8 reached at - we were almost ending the supply at Binkolo when
9 somebody came and said, "Hey, you are supplying here, but there
10:00:52 10 is also another big fight in Makeni."

11 Well, we heard no shooting, we were far off - we thought -
12 did not take it very seriously. Anyhow, we hastened to do the
13 supply fast fast to move to the next village. We were in the
14 next village again when somebody else met us and said, "This time
10:01:19 15 the fight is heavier than all the fights that has taken place in
16 Makeni."

17 Well, I told the drivers now, because the place where we
18 were, the only way to go to - to go back to Freetown is either
19 you go into Guinea or you go deep north and you can find your
10:01:42 20 whatever way old roads, traditional roads, feeder roads, to go to
21 Freetown. If you - some of you that manage to go to Port Loko,
22 well, no problem. If you - some said they will come towards
23 Makeni, there is a road at Panlap village, it is just about two
24 miles from Makeni. If you can get there then you will have a way
10:02:09 25 to go to Freetown through Port Loko. Otherwise, do whatever you
26 can. We have stopped here. Because it is also at this time we
27 saw some of the AFRC coming and those who first came, actually
28 they were harmless. They only told us there is a big fight in
29 Makeni. So for us, we thought it fit to go back to Makeni

1 whatever road to see the centre, what was happening or what we
2 could do again. And then we came to Panlap.

3 It is at Panlap we slept on the 15th. There was - and when
4 we heard the shooting it was a heavy shooting again throughout
10:02:51 5 and, to my estimation, this is the time they used the heavier
6 weapons than all the attacks in Makeni. So we walked through our
7 footpath; we came to the centre.

8 Well, again in the centre, some of the children have
9 rejoined again their commanders. Others have scattered. It was
10:03:16 10 only not even ten children we met and we asked them each to go
11 his own way, but after the fighting they should come again
12 because we had no security in the centre.

13 I went straight to the sisters' compound because it
14 happened that also at this time the bishop was in Makeni and he
10:03:34 15 was also stranded. The vehicle was taken by Gibriil Massaquoi.
16 He had no option. So we told him to go to - that we should go to
17 one of the commanders who will protect him and two of the
18 reverend fathers so that the person will - this commander will
19 also find a way to get him out of Makeni to Freetown or Bumbuna
10:04:03 20 and so we went to Superman and we met him. He received the
21 bishop and he tried to let him get out of Makeni on the following
22 day.

23 By the 17th, again there was announcement that Issa has
24 ordered the atrocities, the shooting, whatever was going on to
10:04:23 25 come to a close, to come to an end and, as I said, this
26 infighting started on the 15th and ended on the 17th when they
27 sent one of their G5 member to talk to the people to announce
28 that, well, the infighting has ended. The AFRC has run away out
29 of Makeni.

1 Instead, the following day, silently they were looking from
2 one house to the other if there is any AFRC. Well, that was how
3 this infighting ended in Makeni.

4 Q. Thank you. First, I want to do a spelling and correct me
10:05:08 5 if I am wrong, Mr Witness. You said AB - is that initials?

6 A. Those are - they are initials. AB Dugba.

7 Q. And Dugba, D-U-G-B-A?

8 A. Yes. Some spell it D-U-G-B-A, the others spell D-I-G-B-A.

9 Q. Who was fighting on the various sides in this conflict,
10:05:32 10 according to the information you received?

11 A. In this three day conflict it was purely between AFRC and
12 RUF.

13 Q. So which side was Superman on?

14 A. Superman was RUF.

10:05:49 15 Q. What happened to the AFRC troops?

16 A. They ran away from Makeni. Most of them we heard they went
17 to Port Loko and about three days thereafter, because I was
18 immediately asked to transfer to do whatever I can to move to
19 Port Loko, we should forget about Makeni at this time, except if
10:06:17 20 I can manage to carry some children, then we should be moving to
21 Port Loko.

22 So myself, I passed word round that - to the children -
23 that whoever can should meet us at Port Loko. So I moved
24 straight to Port Loko. It is on the way of my going to Port
10:06:37 25 Loko, because we met dead bodies because while the AFRC were
26 moving, since they were attacked by RUF in Makeni, they were also
27 attacking RUF on the way. So we met few dead bodies. I did not
28 count, because we were very much in haste to move and go to Port
29 Loko, and we heard the news that one of the commanders who was

1 either STF or RUF, Senegal, Colonel Senegal, was also killed on
2 the way by the AFRC.

3 Q. Who was this Colonel Senegal? Can you tell us anything
4 about him?

10:07:18 5 A. Well, when they came newly to Makeni, Senegal had a place
6 which was a no-go area because we were told - we were informed
7 that he was having some kind of radio where he communicate and
8 they do not want civilians to go by. But he was very close to
9 the house occupied by Superman at Sylvanus Street. So we don't
10:07:48 10 bother to go close because we know if you go close what will
11 happen. But after some time when he used to come out I heard him
12 speaking both English and French and his English was not the type
13 of Sierra Leonean English we generally talk, so he was not a
14 Sierra Leonean. I just cannot identify what - but he was not a
10:08:15 15 Senegalese also by the way he speaks as I was able to determine.

16 Q. Which group killed Senegal - Colonel Senegal?

17 A. It was the AFRC on their retreating from Makeni.

18 Q. So you have indicated that because of this fight you moved
19 to --

10:08:46 20 A. We moved to Port Loko.

21 Q. And when did you return?

22 A. We were in Port Loko throughout until again February in
23 2000 we came back to Makeni to resume the activities of the
24 interim care centre.

10:09:11 25 Q. Can you tell us approximately how many children there were
26 in Port Loko?

27 A. In Port Loko the number varies from 300, 400 even up to 600
28 or 700.

29 Q. Did you determine what factions they had come from?

1 A. Well, in Port Loko there it was both. Port Loko again it
2 was both RUF and AFRC.

3 Q. What were the genders?

10:09:47

4 A. We have girls and boys. The majority - the larger majority
5 were boys.

6 Q. You have talked about caring for children from the AFRC and
7 the RUF. What about children who had fought with the Kamajors or
8 the Civil Defence Forces? Did you ever have contact with them?

10:10:12

9 A. We did, but the children with the Kamajors were not brought
10 to the centre. We simply registered them, gave them their
11 packages, they go back with their parents, because we were much
12 interested with the - they were fighting too, but they were
13 fighting alongside their parents. We were much interested with
14 those who have actually been taken away from their parents and
15 because we wanted to reunify them. These ones with the natives
16 or Kamajors, they have been with their parents, their fathers,
17 their mothers throughout, so we only gave them their packages and
18 made follow-up visitation, gave follow-up counselling and
19 follow-up support.

10:10:38

10:11:01

20 Q. After you left - well, first can you tell us again when did
21 this October infighting end?

22 A. The October infighting ends on 17 October.

23 Q. When did you return to Makeni?

24 A. I came back to Makeni on February.

10:11:21

25 Q. And after your return to Makeni, was the interim care
26 centre operating?

27 A. We came back to start the operations of the interim care
28 centre in Makeni, because even up to that time there were still
29 many of the children who were still with their commanders.

1 Q. Were you able to reopen the interim care centre after
2 returning to Makeni in February?

3 A. Yes, we did.

10:11:57

4 Q. Just so it's easy for us when we read this record, February
5 of which year?

6 A. It was February 2000.

7 Q. Can you describe the children that you worked with at the
8 centre in this period after February 2000?

10:12:19

9 A. Well, in this period at the centre they were 100 per cent
10 children from the RUF.

11 Q. I don't think it's necessary to go through, but tell me if
12 it is. Is the ages of the children that you worked with any
13 different during the different periods of time?

10:12:35

14 A. Well, the ages always remain the same and the way we
15 categorise them remained the same throughout the period of our
16 functions.

17 Q. Can you estimate approximately what proportion were 14 or
18 under?

10:12:54

19 A. The larger majority of the children, about 65 to 70 per
20 cent, were below 15 in our estimate. Well, actually we were
21 looking at 15, because we had zero to five, six to ten, 11 to 15,
22 because the larger majority were below - about 60-70 per cent
23 were below 15 - they were 15 or below years.

10:13:31

24 Q. Approximately how many children did you work with in the
25 centre between your return in February 2000 let's say up to April
26 2000?

27 A. The highest at a given point there were about 450.

28 Q. Did anything happen in April 2000 that affected the centre?

29 A. Well, about mid-April while they have permitted us and we

1 were functioning amicably it was one evening when about four or
2 five members of the RUF headed by the leader of OSM and his name
3 was Gaskin Amara, he was the head of the OSM and the OSM is the
4 organisation of the RUF, it was the organisation for the survival
10:14:27 5 of mankind, they told us. They had an office in Makeni. He came
6 to us that he has come to monitor and to evaluate our work and
7 they wanted to see even our records, but our documents were
8 confidential. They were only to be seen by Caritas, other child
9 protection agencies and UNICEF and so I became defiant. I told
10:15:01 10 them, "This is not your mandate. It is only UNICEF and the child
11 protection agencies that has the mandate to come and evaluate our
12 work to see our records", and because of this they went away.

13 They came again the second day. Still I was very much
14 defiant and they told me that if we have not given them this
10:15:28 15 information they need then I will be invited to the high command
16 of the RUF at Agricultural Road compound where they have their
17 offices.

18 Well, two days thereafter I was invited, but before going I
19 informed one of the MILOBs, one Colonel Joe who was a MILOB
10:16:03 20 member, a British. I said, "Well, I have been invited by the RUF
21 command through Gaskin Amara OSM and I don't want to go there
22 alone. Please help me". Immediately he hastened. We went. We
23 met them sitting, about a group of nine or ten, at a round table.
24 They gave us our chairs. We also sat down. But then I was
10:16:33 25 thinking they will attack me immediately. Instead this time
26 nobody asked me - Augustine Gbao immediately started attacking
27 Colonel Joe that, "These British people, you are hypocrites,
28 foolish" and he was saying all sorts of words. So I said, "Well,
29 Pa Joseph, Pa Joe, it's me who has brought you to this thing".

1 He said, "No, don't worry. This is the work we are doing". And
2 then there was this quarrel until we left the place. The only
3 question they asked me was who mandated me to open and run the
4 centre. Then I told them it was - we had the permission directly
10:17:25 5 from Augustine Gbao who was the commander of Makeni section, of
6 the area that was controlled by RUF. So they asked me if I was
7 permitted just by word of mouth or I had a written letter. I
8 told them, "Yes, I have a written letter" and we scattered, but
9 there was a heated argument between Gbao and Colonel, so we left.

10:17:57 10 Again we came the second day. This time we invited the CO
11 of KENBATT-5, the Kenyan battalion. So the CO was there, again
12 Colonel was there. We came. I simply submitted the letter and
13 while they were reading the letter again there was this heated
14 argument which continues between Colonel Joe and the RUF,
10:18:28 15 Augustine Gbao and some of its members, and CO KENBATT was
16 intervening, trying to stop them. We ended.

17 The third day we went there again.

18 Q. Sorry to interrupt you, but I just want to clarify some
19 things we might not have gotten. In your last sentence you said
10:18:54 20 that the argument continued between Colonel Joe and the RUF,
21 Augustine Gbao and some of its members and CO - what was the
22 other person you said?

23 A. The CO of the KENBATT-5, of the Kenyan battalion. They
24 were the UN forces in Makeni at that time.

10:19:18 25 Q. Is KENBATT, sir, spelt --

26 A. K-E-N-B-A-T-T.

27 Q. Thank you. You have also mentioned Gaskin Amara. Can you
28 spell his name?

29 A. He spell it as G-A-S-K-I-N A-M-A-R-A.

1 Q. Who was he?

2 A. He was in charge of the organisation for the survival of
3 mankind.

4 Q. So we are absolutely clear, what was the nationality of
10:19:49 5 Colonel Joe?

6 A. Colonel Joe was a British.

7 Q. And who was he working for at that time?

8 A. He was working for MI LOBs, the UN team.

9 Q. Okay, sir. I interrupted you?

10:20:01 10 JUDGE SEBUTINDE: Could you spell that word, MI LOBs. It
11 must be some kind of acronym or something.

12 THE WITNESS: Yes, it is military observers. M-I-L-L-O-B.

13 MR KOUMJIAN: I believe it is M-I-L-O-B.

14 THE WITNESS: Yes, MI LOBs, military observers.

10:20:26 15 MR KOUMJIAN:

16 Q. Sir, I interrupted you when you were about to say on the
17 third day. What happened on the third day when you went there
18 again?

19 A. On the third day we went there. As I was saying, the same
10:20:40 20 tension increased and while we were sitting there they read the
21 letter. They were somewhere and they desist from attacking
22 Colonel Joe because some of the members, including Morris Kallon,
23 were accusing Gbao why he had not informed them about all these
24 activities, that he has put them to shame because if they could
10:21:12 25 have done anything to me he would have been the person to blame.

26 Then again they returned to attack Colonel Joe. We were
27 there waiting and then suddenly Morris Kallon called me and he
28 asked me to convey a message to my other worker that he wants to
29 fall in love with her. I said, "Well, I will convey the

1 message". So I went to the lady and told him, "Leave Makeni this
2 evening or tomorrow. Don't stay", because I was afraid at the
3 fact that he has started proposing love that any other thing
4 might happen to him - to the lady. So I said, "Leave Makeni.

10:22:14 5 Go. Leave me alone. I will continue to do the fighting.

6 Colonel Joe is here", the other KENBATTs were there and at this
7 time they were three, the PRO of KENBATT was also there, one
8 Major Marawa.

9 Q. Can you spell that, please?

10:22:30 10 A. He used to spell it M-A-R-A-W-A.

11 Q. Then what happened, sir?

12 A. And then after that while the argument continued again
13 Morris told us that all that was going, the argument between Gbao
14 and Joe, well, we shall come to know in three weeks' time what
10:23:00 15 RUF can do and the whole world will come to know to hear about
16 what RUF will do.

17 Well, we had no option. We listened. They told us that
18 they had to see, to hear from Issa Sesay and the Lion before they
19 do anything, whether we shall continue to run the ICC or even to
10:23:24 20 move the children, because more, it was the point of moving the
21 children from Makeni to Freetown or Port Loko that created the
22 conflict.

23 So we continued to visit Gbao at his Teko Barracks
24 residence. You go there and, like I was explaining for Mani, you
10:23:50 25 meet him drunk. You have to wait until he gets up and then,
26 actually, he led us to another house and that house was serving
27 as an office of the RUF where they have their communication.

28 We were sitting in the parlour, we heard them talking
29 inside the room proposed to be the - where they have the machine

1 to talk to either Issa Sesay and the Lion, but then they came and
2 told us to wait. Again, we went there the other day. I took a
3 bag of rice to Augustine Gbao that he should hasten. We want to
4 move the children. He took the bag. But then after that day, in
10:24:39 5 the evening, one boy who was working with Gaskin Amara came to us
6 and said, "You can move the children whenever, but you have to
7 give us a list of the names of the children you are moving to
8 Port Loko or Freetown." I said, "Okay, I will do that".

9 I actually wrote the names, but I did not submit that paper
10:25:06 10 and with the help of KENBATT they moved 91 children in their
11 vehicles to Freetown, and then we had a little bit of relief and
12 we continued to work from - as from that time onwards.

13 Q. Okay, let me stop and ask you a few questions about what
14 you have told us. First, you have mentioned the Lion, that they
10:25:29 15 said that permission had to be sought from Issa Sesay and the
16 Lion. Who was the Lion?

17 A. The Lion was Pa Foday Sankoh.

18 Q. Then you said, "We were sitting in the parlour, we heard
19 them talking inside the room proposed to be where they have the
10:25:54 20 machine to talk". What do you mean by the machine to talk?

21 A. I mean their communication radio.

22 Q. Now, you have told us that you wanted to move children from
23 the centre to other locations. Why was that?

24 A. Well, one, the first reason was Makeni was still occupied
10:26:16 25 by the rebels at this time and we had the children. Some of them
26 had stayed more than we would like them to stay. Two, a good
27 number of them have their parents in Freetown in Bo, Kenema and
28 Port Loko. These were the children we actually choose. And by
29 taking them to Freetown they can be easily be reunified to their

1 parents, their families, or communities, and this was why we
2 wanted to take them.

3 We were being pressed by our director at UNICEF that they
4 want to save those children who belong to communities where they
10:27:00 5 were no longer fighting. Like with the south and western area
6 and so that was why we wanted to move them.

7 Q. Now, sir, if I understood you correctly, you indicated that
8 you had several hundred children in the centre and you have told
9 us about receiving permission to move 91. How did you come up
10:27:17 10 with the 91 children that were moved as opposed to all the
11 others?

12 A. The 91, after our assessment, we had the children that
13 belonged to areas that were completely free and they could be
14 easily reunified to their parents.

10:27:37 15 Q. Were any other children moved besides these 91 that KENBATT
16 helped you move?

17 A. Well, all the time, even before this time, and especially
18 when the rift was on, we were moving other children secretly.

19 Q. What was the condition of health of the children in the
10:27:59 20 centre?

21 A. Well, usually when - because the commanders, some of the
22 commanders were bringing the children, or we go to their houses
23 and ask them that the children should go to the centre, some
24 consented and some did not. The others we went to collect
10:28:20 25 ourselves. The others were brought to us by the UN personnel.

26 But most of them on arrival, some of them had fevers, others were
27 just sick, stomach ache, so, but we don't have the expertise
28 working in Caritas.

29 There was an MSF Holland, and then we have ACF France, so

1 they were doing the medical screening. They were coming to the
2 centre. They were doing this. As I said, there was this
3 interagency, there was this collaboration between the NGOs. So
4 they were completely in charge of the health and the medical
10:29:10 5 facilities for the children. So whoever comes first to the
6 centre we sent him or her to them, at least the first week so
7 that they can screen and tell us what is the condition and from
8 there they will continue to give medication or advice.

9 Q. Were any --

10:29:28 10 JUDGE SEBUTINDE: Mr Koumjian, I am sorry to interrupt.
11 These numbers of children that we have heard that came into the
12 witness's custody, were they all former abductees or were some of
13 them merely internally displaced children?

14 MR KOUMJIAN:

10:29:49 15 Q. Sir, I don't know if you understood the question. I will
16 just rephrase it for you.

17 A. I do.

18 Q. You do. Then please answer it.

19 A. They were all former abductees and former fighters of the
10:30:01 20 RUF, or those that were used by the RUF as domestic workers, who
21 were not their children.

22 Q. Were any of the children in the centre ever seriously ill?

23 A. Yeah, we received some - some were amputees, some came with
24 bullet wounds, some they have venereal disease, like gonorrhoea,
10:30:37 25 syphilis, some high fever, so they were being treated by either
26 MSF and ACF, but ACF was doing the screening and they did the
27 treatment together with - MSF do the screening. They do the
28 treatment together with ACF.

29 Q. To your knowledge were the medical facilities in Makeni

1 equal to those available in Freetown at that time?

2 A. It was incomparable. It was very low and even MSF, they
3 were just trying because even at some point their stores were
4 attacked by the RUF too. They removed the medicine so they had
10:31:19 5 very small amount of medicine, but they go to Freetown very often
6 because, from past experience, they did not want to lost all.
7 They prefer small small.

8 Q. I think I understand your answer, but just so it is clear,
9 again, how did the facilities compare in Makeni and Freetown?

10:31:39 10 You said it was incomparable. In what way?

11 A. In Freetown you have all these facilities that were
12 functioning. In Makeni it was like a - just a feeding centre.
13 You received small, you treat, you go back for other treatment.
14 As I said, in the past they were attacked, and they had all their
10:32:02 15 facilities taken away, so when we came back they came back
16 equally as we did, as we suffered, so this time they were
17 bringing little supply. When they were about to finish they go
18 for some. So it was not like in Freetown. And this was also the
19 reason why we had to send some of them to be treated in Freetown.

10:32:26 20 Q. Sir, going back to the events of April that affected the
21 centre, can you tell us what else happened during that month?

22 A. Repeat this.

23 Q. What happened at the end of April that affected Makeni,
24 April 2000?

10:32:44 25 A. Well, by the end of April there were preparations to have
26 disarmament start, and then they have the disarmament centre at
27 Magburaka this time, and we had a UN, they were all prepared,
28 they were ready, we were going there, but there were a lot of
29 checkpoints to the place, meaning that no RUF shall disarm until

1 they have permission from Augustine Gbao.

2 And about the end of April information started coming that
3 some of them actually wanted to disarm, but they were not
4 permitted. And not until on the 29th we heard in the morning
10:33:41 5 that 11 of them had gone to disarm and they were disarmed and
6 because of this there were skirmishes.

7 Q. Now, sir, just so it is perfectly clear, you said that
8 there was a disarmament centre at Magburaka, that they were all
9 prepared, they were ready. Who was ready for disarmament?

10:34:08 10 A. Some of the low ranks of the RUF were ready to disarm.

11 Q. And who - what prevented them at that time from disarming?

12 A. The high command did not give them the permission to
13 disarm.

14 Q. Was there anything stopping them from just walking from
10:34:26 15 Makeni to the disarmament centre?

16 A. There were checkpoints that were checking those who - who
17 were not permitting those who wanted to go and disarm.

18 Q. What happened after the morning of the 29th when you heard
19 that 11 - well, first of all, you said 11 of them had gone to
10:34:50 20 disarm. Eleven of who had gone to disarm?

21 A. 11 of the RUF fighters who were in Makeni.

22 Q. What happened after that?

23 A. Well, because of the stories that were coming at this time,
24 we wanted to get every bit of information because of the past
10:35:08 25 experiences. About midday on that day myself, I went to one
26 elderly man in Makeni, because he is one of the persons who was
27 close with this, with the RUF, and we can easily get information
28 from him.

29 So I went there, but before introducing the topic what I

1 wanted to know, one of the junior commanders came and told the
2 man that indeed these 11 people had gone to disarm and that they
3 have been commanded by Augustine Gbao to arrest any UN man,
4 especially the KENBATT, they meet in the streets of Makeni. So I
10:35:59 5 went back to the compound. I went to the compound. Still I
6 wanted to know in detail.

7 I sent one of our boys, because he is very crafty with - he
8 was very crafty with them. He went there and he came and told us
9 that indeed fighting has erupted again in Magburaka between this
10:36:20 10 time the UN and AFRC, as directed by Augustine Gbao.

11 Q. Sorry, the UN and AFRC?

12 A. RUF, sorry.

13 Q. Thank you. Then what happened, sir?

14 A. And then late that evening shooting started in Makeni and
10:36:43 15 then we came again to realise that, yeah, the same thing has
16 resumed again.

17 Q. Did you yourself hear the shooting?

18 A. I heard the shooting and it was not only heard in town.
19 They came even in the - this time they came into the compound.

10:37:01 20 From those days, until when even I left to go back to Freetown on
21 the 6th, throughout those days they were coming to the compound
22 and they were demanding some of their children who they thought -
23 who they said to us were good fighters and we could not do
24 anything.

10:37:20 25 About the 3rd they came again to the compound and this time
26 not only demanding the children, but they took away our rice and
27 some of the secondhand clothing we had in the compound. We
28 cannot bear. The situation was grim. Too tense for us. Food
29 was almost finished. So I called a meeting of --

1 Q. If I could just stop you there for a moment. Just to
2 clarify your answer, I apologise. Sir, you said that they were
3 coming to the compound. First, when you say the compound, what
4 do you mean?

10:37:54 5 A. Where we have the interim care centre in St Francis
6 Secondary School.

7 Q. When you say they were coming, who do you mean was coming
8 into the centre?

9 A. At this time it is the RUF fighters and commanders.

10:38:10 10 Q. Do you recall approximately how many children were taken
11 out of the centre?

12 A. Before I went to Freetown, as I said, we had about 400.
13 They would have taken - they took more than 100 from the centre.

14 Q. Okay, I apologise. You were explaining that the situation
10:38:30 15 was very grim and food was almost finished so you called a
16 meeting. When was that?

17 A. I called a meeting on 4 May that I had a plan to go to
18 Freetown, but I will do everything possible. I was not running
19 away. They should expect me by whatever means I would come back.

10:38:55 20 I was going simply to tell the story about the compound and to
21 know what we will do next this time.

22 JUDGE SEBUTINDE: Mr Koumjian, could we ascertain the time
23 frame when these 100 children were taken away?

24 MR KOUMJIAN:

10:39:21 25 Q. Sir, can you tell us when was it that the children were
26 taken away, or over what period of time?

27 A. It was between 1 May to 5 May before I left on the 6th to
28 go to Freetown.

29 JUDGE SEBUTINDE: Which year?

1 THE WITNESS: Of 2000.

2 MR KOUMJIAN:

3 Q. Now, sir, did you have any permission from the RUF to go to
4 Freetown?

10:39:49 5 A. It was only - because when the fighting started on 29
6 April, on the 4th we heard that they were going to reopen the
7 road to Lunsar because since this time it was a no-go area. As I
8 said, because right in the - in front of us at St Francis gate
9 there they had their vehicle loading their fighters to go towards
10:40:22 10 Freetown, they drove from Magburaka to Makeni and they were
11 progressing to Lunsar and Freetown this time.

12 So we were told - information reached us that Issa Sesay
13 was coming and he will lead the way on that day to open the road
14 from Makeni to Gberi Junction and I hastily made - that was why I
10:40:46 15 hastily made a plan to go along so I will carry messages. At
16 that time we have no radio in Makeni, there was no mobiles, so
17 unless one has to go.

18 Q. Sir, before we go on to your trip to Freetown, so we don't
19 get too much out of chronological order I want to ask you: You
10:41:06 20 told us that you heard about an order to arrest Kenyan
21 peacekeepers in Makeni. Did you ever see what happened or learn
22 any information about what happened after that order was given?

23 A. Yes, indeed there was fighting, as I said, which erupted
24 and started in Magburaka camp and they came right into Makeni.
10:41:33 25 On the evening - one evening of about 2 or 3 May some of the
26 Kenyans who were at the Magburaka demobilisation site at about 10
27 o'clock or 11 o'clock on that evening they came to the centre
28 demanding my help to lead them to one of the centres they were
29 occupying at Mabanta, which was very close to us. But we had to

1 cross the main road from Makeni, Magburaka and to Freetown, and
2 that was the area where most of them were parking.

3 So those who came, I told them to wait, because I cannot do
4 it alone. I have also to contact some of these boys whom we have
10:42:18 5 actually cajoled and they were working on our side to help us to
6 know whether they are still at the main road which we had to
7 cross. And they were going and coming. They were standing at a
8 particular point and they continued - they continuously come. So
9 we were leading them to the Mabanta camp where they have what
10:42:44 10 they call their Section C.

11 Q. Did you ever see whether any UN peacekeepers were in fact
12 arrested or captured in Makeni in May 2000?

13 A. Well, while the fighting was going on and it was proceeding
14 towards Lunsar, a few days we saw RUF riding - driving UN Land
10:43:15 15 Rovers. These were fresh Land Rovers. They were not the
16 vehicles of the Kenyans. And they were boasting, yes, that they
17 had captured the UN who were coming to fight them and this again
18 caused a lot of panic, like in January of '99 when they told us
19 they had captured Freetown. They said what power have these
10:43:47 20 people that they can capture even UN. They were riding UN going
21 up and down in Makeni, they put on the UN caps, they had their
22 uniforms on them. So it was so difficult at this time to
23 identify who UN was and who RUF was until late in the evening we
24 saw some trucks and in three of those trucks were these foreign
10:44:14 25 guys who were half dressed, some don't have their uniform again,
26 they wear vests, and others were almost completely naked. They
27 came and passed through St Francis gate.

28 Well, most people in Makeni were standing there and we were
29 asking, "What actually happened? Where did this happen?" Then

1 they told us they had captured them at a village called Makoth
2 which is about 13 miles from Makeni and these people were on
3 their way to Makeni. Well, we also wanted to know where they had
4 taken them, are they going to stay in Makeni or not. They told
10:44:54 5 us they were taking them to Issa Sesay at Teko Barracks and from
6 they will lead them to Kailahun which they used to call Burkina
7 Faso.

8 Q. Sir, can you spell Makoth?

9 A. Makoth is M-A-K-O-T-H.

10:45:16 10 Q. Did you ever learn the nationalities of these men that were
11 in the truck that you said were half dressed?

12 A. Later we were told they were Zambians.

13 Q. What kind of UN vehicles did you see the RUF fighters
14 driving in in Makeni in May 2000?

10:45:37 15 A. They were using Land Rovers and these big trucks brought by
16 the UN and then there was also one of the armoured cars which
17 they were also driving and later parked at the front of Issa's
18 compound.

19 Q. When you say parked at the front of Issa's compound, which
10:45:59 20 Issa are you talking about?

21 A. It is Issa Sesay, the leader of the RUF, in the house where
22 he was living, because actually it is not his compound.

23 Q. In addition to losing children from the centre, was
24 anything else taken from the centre at this period of time?

10:46:25 25 A. As I told the Court earlier on, our food was taken away
26 from us. They took most of the rice we had in our store. The
27 food items, the second-hand clothings. And for myself they took
28 away my - because at that time I had already packed my bag ready
29 to move whenever, but they went into the room where I was, they

1 took away the bag in which there was small money, I don't know
2 the amount, and then there were all my documents. Papers I had
3 from a workshop and even my certificates were all taken away.

10:47:10

4 Q. When you say they took it away, who was it that took these
5 items from the centre?

6 A. It was the RUF fighters fighting against the UN in Makeni.

7 Q. So, sir, what day did you leave for Freetown?

8 A. I left on 6 May, but I did not arrive in Freetown until the
9 7th.

10:47:29

10 Q. And is that 2000?

11 A. Yeah, the year 2000.

12 Q. What did you do in Freetown?

10:47:52

13 A. Well, I went to Freetown to see the director, to see UNICEF
14 and I wanted to know what we could do because the situation in
15 Makeni was too grim. So what we do? They themselves, they don't
16 know what to do. And I gave them the information that some of
17 the children had been taken away. So they demanded if I want to
18 go back. I told them yes, because I had promised that on no
19 account I won't go back. I don't mind if I go and have to come
20 again, but they should see me.

10:48:13

21 So I was given some money from 11 May to go back. I tried
22 my best. I wanted to use the Port Loko route, but while moving
23 from Lungi to Port Loko there was an attack this time to the
24 British soldiers who were there. I had no way. I came back to
25 Freetown, but without reporting to either Caritas or UNICEF. I
26 tried to main road, that is the Freetown-Rokel-Masiaka Highway.
27 I used a taxi which brought me as far as Rokel because Rokel was
28 the - after Rokel it was a no-go area, even UN cannot go there.

10:48:38

29 I went through some footpath and then came to 91, crossed,

1 passed through Malal and the river and finally I went to Makeni
2 and when I came back to Makeni the children were less than 200,
3 those I met in the centre. But when I started walking around the
4 street a good number of them came because this time I had a few
10:49:28 5 footballs which were all taken and a few games. And I was also
6 given a letter to show to the UN stations and even the Kamajors
7 that if I was going to move with the children if we ever meet
8 this UN I have been permitted by UNICEF and other agencies. And
9 so I made many copies. To whatever village I reached I gave the
10:49:55 10 chief that letter. Maybe also at a shorter date I will be
11 passing, so he should know that I will be bringing children who
12 are not rebels, who are not fighters, who are not harmful.

13 Until I reached to Makeni, again we bought local food now
14 because you cannot come with food at that time. We started
10:50:15 15 living again. The number grew again, but the situation continues
16 to deteriorate until one night, well, when I have rested and I am
17 ready for the journey again on foot to Freetown, I called some of
18 them who were there at about 10/11.

19 Q. Let me stop you there and, before we go on to that, I want
10:50:40 20 to clarify a few things. Approximately when was it, the date,
21 when you arrived back in Makeni after conferring with these
22 people in Freetown?

23 A. I arrived back to Makeni on the night of 14/15 May.

24 Q. Now you said when you arrived back there were only about
10:50:57 25 200 children in the centre, so can you estimate approximately how
26 many had disappeared or were out of the centre from the time you
27 left to go to Freetown until you returned?

28 A. Before I went to Freetown 100 had already disappeared so
29 there were about 300. And when I came about another 100 were not

1 there. So all together half of the children had gone, about 200.

2 Q. Now you said that after resting you were ready for the
3 journey again and you called them. What date was that?

4 A. Well, that was on 19 May 2000.

10:51:42 5 Q. And what happened on 19 May 2000 when you called for a
6 meeting?

7 A. I put the idea before them how we should do it. A good
8 number of them agreed and I told them, "Since you have agreed we
9 have no time to waste. Whoever is not here, be you a worker or
10:52:01 10 any other child, we shall be moving because any delay is
11 dangerous at this time".

12 Q. Who was at the meeting? Just so we are clear, you said you
13 called "them" and you talked to "them"?

14 A. The children I was dealing with and some of the caretakers,
10:52:15 15 the workers of Caritas in the centre.

16 Q. So you told them there should be no delay because any delay
17 is dangerous. Did you ask people whether or not they wanted to
18 go with you?

19 A. I did. That was why I called the meeting and some - a good
10:52:39 20 number of them consented and we started the journey together.

21 The children were 107 and also 27 of the staff members. Though
22 some of them joined much later because when they came in the
23 morning and they didn't see us, they just took the road to
24 Freetown. So we all, the staff, we all arrive at Lungi in that
10:53:02 25 week, 27 of us. The children were 107 and on our arrival in
26 Freetown about 20 were seen by their parents and we reunified
27 them there immediately.

28 Q. Okay, sir, I appreciate you have gone to when you arrived
29 in Freetown, but I want to go into detail about how you got

1 there. After you called the meeting you said 107 children agreed
2 to go and some - and 27 of the staff members. Did you make any
3 preparations to leave Makeni and go to Freetown before you left
4 the centre?

10:53:38 5 A. The preparations were immediate. Immediately after the
6 meeting I opened the store, the office. First, I took away some
7 of the second-hand clothings we had and asked each of them to,
8 boys, girls, "If you can put on two or three trousers, two or
9 three clothes", and most of them, whichever opened the bags of
10:54:05 10 the secondhand clothing, everyone choose immediately what he or
11 she wanted and then after wearing them I took some of the rice
12 and I asked those who have pockets, especially the bigger boys,
13 everybody just take two cup of the rice and put it in your
14 pocket. If we meet - if we arrive in any village where we had to
10:54:27 15 cook, well, we will have no struggle about rice because I was
16 estimating the journey to be two or three days and we had not
17 eaten that morning.

18 So we are prepared ourselves. We have some onions, some
19 tomato paste, salt and the rice. Well, I had my - the little
10:54:48 20 money I came with to spend on the way when - wherever they are
21 hungry if we can get food, and immediately that night, at about
22 midnight I started moving them. We arranged them in groups of
23 ten, groups of 12, some eight, elder boys, bigger boys, and
24 smaller guys so that when the younger ones are tired they will
10:55:13 25 help them. We started moving from Makeni bit by bit until about
26 four, myself, I finally left the centre.

27 Q. Sir, I apologise for going back for a moment. You talked
28 about children being taken out, that they were looking for the
29 good fighters. Do you know where the children were taken or do

1 you have any information about that?

2 A. Yeah. Well, after they had taken this, when I came because
3 I wanted to know, one of the nights, one or two days there, when
4 I came to the centre there after --

10:55:49 5 Q. Just so we are precise, you are now talking about after you
6 had returned to Makeni?

7 A. Yes.

8 Q. After the - I believe you said 11 May?

9 A. It was when I returned back to Makeni on the 19th.

10:56:01 10 Q. On the 19th.

11 A. Then, one of the boys came, he was not there, but when they
12 heard that I was there some of them started coming and later this
13 boy came. He was crying, "Man, what happened? Why are you
14 crying? I have come" then he told me, "{Redacted}" --

10:56:22 15 MR KOUMJIAN: Excuse me, may we redact that, please.

16 PRESIDING JUDGE: Yes, just one moment, please. Madam
17 Court Manager, we are going to redact that name.

18 MR KOUMJIAN: There are a few persons in the audience.

19 PRESIDING JUDGE: Yes. Any member of the public who heard
10:56:42 20 that name just mentioned is ordered not to repeat it outside of
21 this Court or not to repeat it at all.

22 MR KOUMJIAN:

23 Q. Sir, what happened when the boy came to you crying?

24 A. He was crying and he said "Sir, I will not fight again. I
10:57:20 25 will never fight again." "Why you will not fight again?" He
26 said, "All the men we went with, about 45 of them, were killed on
27 the truck by an explosive", either it was RPG or a bomb, while
28 they were being taken to Lunsar. I said, "Well, now that you
29 have come I want you to stay with me. Anything can happen.

1 Maybe UN will come to help us and I don't want you to be - I want
2 you to be a part to whatever help that will be given to us." And
3 he had been with us throughout the time. Luckily, he was one of
4 the boys we went to Freetown.

10:58:12 5 Q. Just so we are clear, this boy that was crying came to you
6 and said, "All of the men we went with", who did he mean? Or do
7 you know who he meant by "the men we went with"?

8 A. Those, some of the few commanders and those of them the
9 young boys and girls who were taken, because they have been
10:58:28 10 thought to be good fighters, were taken to fight in - at Lunsar.
11 Before reaching Lunsar they had - they were shot at and almost
12 all of them were killed.

13 Q. Do you know if any of those killed in this incident were
14 children from your centre?

10:58:46 15 A. The boy explained that 45 of them were taken from the
16 centre.

17 Q. So what time did you leave the centre on 19 May on this
18 journey towards - to Freetown?

19 A. We started leaving the centre by midnight until four in the
10:59:06 20 morning when myself, I took the last group, and we were
21 following, because I had told them each to walk to at least until
22 we crossed the area where we thought RUF were patrolling, because
23 the route we were taking there were RUF up to a point from
24 Makeni, and there was an area of no go, RUF don't go there, the
10:59:35 25 Kamajors don't come there, which was very close to the river at
26 Malal.

27 So we started, so I told them until they reached that point
28 nobody should stop going. Whoever be there I will follow and we
29 all reached there when I follow in the morning. I met them and

1 so from there I told them what to do next.

2 Q. Can you spell Malal. You said the point very close to the
3 river?

4 A. It is M-A-L-A-L, Malal.

11:00:06 5 Q. Did you have any money with you?

6 A. I had some money given to me by my director to spend for
7 the boys when I - to spend for the children when I came back to
8 the centre and to spend even while, if I can take some of them,
9 whatever we will use on the way.

11:00:25 10 Q. So when your group rendezvoused at Malal, what happened?

11 Tell us in detail about the trip to Freetown?

12 A. Well, from there, at a village called Manewa suddenly we
13 saw about six or seven - about six of them, six, seven, armed
14 members of the RUF. They told me that they were sent to collect
11:00:56 15 the children back to Makeni and that the leader, if they resist,
16 the leader will be killed. I said, "No, we are not going any
17 place that we don't want to come back to Makeni. We were simply
18 going to Mile 91 to collect food and come back", because as I
19 told them, these are - these were all school children and they
11:01:22 20 should come back to learn.

21 But they still insist that they will take the children. Up
22 to it's a point, looking at the other members, because they
23 started searching some of the bags, the little bags the children
24 were carrying and I thought they needed money so I told them, "If
11:01:51 25 it is the things you want, the money you want, we will give you,
26 but please let us go. We will come back." They asked us to drop
27 whatever amount of money we have on the ground.

28 Well, I only searched one of my pockets and dropped some
29 money, I don't know, because I just - all what I was having I

1 just dropped. The other caretakers also, everybody dropped. The
2 children, those who had small small things on them would drop all
3 those things.

4 Then they started searching the bags and then they removed
11:02:19 5 some of the T-shirts, especially the boys were wearing, and then
6 they demanded that they should take some of the boys because they
7 were good fighters and that they will carry the materials we have
8 dropped down for them.

9 Well, again we started begging, "Please don't do that.
11:02:38 10 Leave us now to go. You have taken the money. You have taken
11 all this. Let us go", but they insisted finally that one of the
12 boys they insisted they will take him away. Well, since we have
13 come to that point I said, "Well", and looking at the boy, "100
14 plus people cannot suffer because of you alone and so please go,
11:03:02 15 but if you can" - I spoke in Temne, "If you can please do your
16 way and join us", because I realised that the people I met none
17 of them was a Temne man.

18 So they took the money, they took the boy and we went away
19 until we reached to the river, where again we had to spend a long
11:03:27 20 time because we had to cross the river. It was not everybody who
21 was able to swim, because the river - the water was by my neck
22 and some of the boys and the girls they were too short to cross
23 it by themselves and most of them cannot swim, so we had to go
24 one after the other until finally we crossed.

11:03:49 25 Q. What was the name of the river?

26 A. It was the River Rokel.

27 Q. And you said you encountered these six or seven armed RUF
28 at a village Manewa. Can you spell that?

29 A. It is M-A-N-E-W-A.

1 Q. So how did the smaller or shorter children get across the
2 river?

3 A. A few of us who can swim and who could withstand the
4 current of the river we were going drop them, come back and take
11:04:24 5 the other and drop them until finally - this is why I said we
6 took a very long time because we had to take them one after the
7 other, especially the women and the younger children.

8 Q. How young were the youngest children in that group?

9 A. Well, the time we were crossing we even had two girl
11:04:45 10 mothers with us. They have their small children.

11 Q. What happened after you crossed the river?

12 A. Well, when we crossed we reached to a village where we -
13 because as I said earlier on my way to Makeni I had informed the
14 people that we were coming. I went to the chief and I told him
11:05:10 15 that, "I am the person who told you that I was coming with these
16 children". It was already night-time and we slept there in the
17 mosque and in the church.

18 Then in the early morning we proceeded again too, but this
19 time I have to go from one village, explain myself, come, collect
11:05:32 20 the children, go reach that and you go again. That make us again
21 to spend almost half the day for another 15 mile walk, until when
22 we met with the Kamajors who were - because they were told a
23 group of large people were coming. They had already ambushed,
24 because if it was going to be a bad group they will have attacked
11:05:56 25 us, but when they see us coming they stood up. We were very much
26 afraid. Others almost wanted to run. Then I came in front,
27 talked to them and that if they do not believe us they should
28 escort us to the UN team in Mile 91. They agreed that if we
29 reach Mile 91 and at Mile 91 UN did not tell them that they know

1 about it, then all of us would be killed. I said, "Well, fine.
2 We accept that", and so we went there.

3 When we went immediately the captain who was taking care of
4 that battalion, who was a Captain Kamara from Guinea, welcomed us
11:06:50 5 although he could not offer us a place to sleep because the place
6 they were occupying was also very small and he cannot cater for
7 all these numbers. I simply told him that. "Thank God, since we
8 crossed the river these people have helped us a lot", and so he
9 bid them farewell and they left us there. So after he spoke to
11:07:13 10 us and wished us well, again we started the journey to Freetown.

11 Q. From leaving Makeni up to that point, you had done the
12 entire journey on foot. Is that correct?

13 A. Yes, right.

14 Q. How far had you walked?

11:07:28 15 A. It was about 40 miles from Makeni to Mile 91.

16 Q. What did you do then?

17 A. Well, we started walking again until about another ten
18 miles when luckily we saw one truck trailer which was carrying -
19 the driver really came there to collect sticks. I went to him
11:07:52 20 and said, "I want to hire you, so how much will I pay?" He
21 looked at me and first he told me he would not take us. I went
22 to the driver's mate or the apprentice. I said, "How much do you
23 pay for a vehicle from here to Freetown?" He told me it was
24 400,000. So I went to the driver and I said, "Well, I will give
11:08:22 25 you 1 million if you can take us to Freetown". Immediately he
26 agreed and we boarded the vehicle and we started the journey now
27 on vehicle to Freetown.

28 Q. When you say 400,000 and 1 million, which currency do you
29 mean?

1 A. I mean our Sierra Leone currency, the Leone.

2 Q. And where did you have - from where had you got this money?

3 A. It was the money given to me by UNICEF and Caritas.

4 Q. How long did it take you in total then to get to Freetown

11:08:56 5 from when you left on the evening of 19 May 2000?

6 A. It was three days altogether.

7 Q. What happened to the boy that you had to leave with the six
8 RUF that stopped you in Manewa?

9 A. Well, actually by the time we were negotiating with the
11:09:22 10 driver of this vehicle to take us to Freetown we saw him coming.

11 Q. Did he tell you how - what happened?

12 A. He told us he escaped and so we said thank God, so we went
13 together to Freetown.

14 Q. After this time, where did you go? What did you do?

11:09:45 15 A. Well, we were on the vehicle proceeding to Freetown. About
16 another ten miles we started meeting other checkpoints and this
17 time they were the checkpoints of the RUF - sorry, it was the
18 AFRC around Masiaka, right down after Gberi Junction, Mabora, so
19 at any given point they stop us and some of - they were also
11:10:20 20 demanding some of the children, so we have to intervene, talk,
21 talk, talk, and then they will leave us.

22 Until we came to a checkpoint after Masiaka where we had -
23 they had - the AFRC had the last checkpoint. We spent a lot of
24 time there begging, begging, until finally suddenly somebody came
11:10:47 25 who called himself - he was driving a Sierra Leone Army Land
26 Rover. He was Captain Kargbo. Well, I don't know him before,
27 but from that point he interceded on our behalf and they let us
28 go. We moved, he moved with us. He was in front until we came
29 to where they used to have what they call the Sierra Leonean

1 soldier - loyal soldier - have the rapid defence force and that
2 was the last place we slept. He went round the village asking
3 for food for us, because this time even the food we were carrying
4 we had cooked the previous night, and people helped. They
11:11:37 5 brought small small food from one family after another and we
6 gave to the younger children until from there now early in the
7 morning there was no more disturbance. We went straight to
8 Freetown at Blackhall Road.

9 Q. What happened to the children you brought to Freetown?

11:11:58 10 A. Well, when we came to Blackhall Road, there is a house
11 which was already bought by the Catholic mission, or Catholic
12 diocese at Makeni, so we went there straight because there was a
13 big compound. I know the place. So while we were there I went
14 to somebody to ask for the phone. I called my director that we
11:12:24 15 have finally arrived, we are at Blackhall Road, the mission
16 house. From there representative from all the agencies, UNICEF,
17 Caritas, they pour into the place and they made arrangements for
18 us to cross to go to Lungi. Then serving us food, buying food
19 from all the cookery shops that were around that place. So after
11:12:51 20 eating immediately the ferry was arranged and then we crossed.

21 Q. Did most of these children stay for some time at the centre
22 in Lungi?

23 A. Yes, we had them for a good number of time.

24 Q. Approximately how many children were in the interim care
11:13:12 25 centre in Lungi after May 2000?

26 A. When we went to Lungi we were not alone, because already
27 during from Lunsar the interim care centre had been moved, those
28 in Port Loko had been moved. For us in Makeni we had also moved.
29 So we were there between about 700/800 at a time.

1 Q. Sir, after this experience escaping Makeni in May 2000, did
2 you ever return to Makeni?

3 A. We returned again. Again I returned after we had been told
4 that the Abuja peace accord - second Abuja peace accord was
11:14:00 5 already confirmed and we were told there was also the tripartite
6 meeting, so I have to go again because there was also a large
7 number of children and this time it was in 2001, February/March
8 again we went to Makeni.

9 Q. Thank you. When you got back to Makeni in March 2001, what
11:14:37 10 forces were there?

11 A. It was purely - purely - RUF.

12 Q. Sir, during the year 2000 when you were in Lungi, were you
13 aware of whether RUF was recruiting soldiers after May?

14 A. Throughout while we were in Makeni they were recruiting.

11:15:10 15 At some point we were told that when they shall have succeeded in
16 capturing Sierra Leone the next place will be Guinea and
17 continuously they were planning, they were doing that, but
18 nothing was done until when we were in Lungi at about September
19 one night we saw a UN vehicle, they came, they brought a few
11:15:39 20 children. When they were delivered to the UN man he told us the
21 fight has erupted again at the Guinea border and we interviewed
22 the children. They told us they were taken by the UN and brought
23 to us from that section. Then we started hearing from the radios
24 and people started coming even in Lungi fleeing the attack at the
11:16:09 25 border.

26 Q. These children that you interviewed, were these simply
27 refugees, or had they been with their parents, or who were they?

28 A. They were brought by the UN people as children from the
29 fighting forces there, from the RUF.

1 Q. So how long were you back working in the interim care
2 centre in Makeni after you returned in 2001?

3 A. When we returned in 2001, we continued to operate until
4 after disarmament when we realised that actually disarmament has
11:17:10 5 stopped and we have reunified most of the children. Then in
6 about mid-2003 Caritas and the child protection agencies started
7 scaling down the staff because we don't have as much children
8 again as we had before in the centres. So for me, I resigned
9 completely in 2003. But still the authority wanted me to wait,
11:17:45 10 but I insisted until early 2004 I completely opted out of the
11 Caritas.

12 Q. Sir, you had told us earlier about an RUF policy against
13 disarmament and you talked about that being in place before the
14 UN peacekeepers were captured in May 2000. When did the RUF
11:18:14 15 begin cooperating in disarmament according to your experience?

16 A. It was this time that when we came back to Makeni, because
17 when we came this time in 2001 this is the first time even when
18 with some of their members, we were told, one who was given to
19 us, Gbukumu from Lunsar, who is supposed to be a relative of
11:18:48 20 Morris Kallon, he was given to us and we went as far as Kono to
21 collect children from the mining areas to bring them to Makeni
22 where subsequently we took also at this time about 600 to Port
23 Loko because we were very much afraid to keep children in Makeni
24 this time.

11:19:11 25 So when we collected them we had some ceremony at the town
26 football field, we burnt - we made a ceremony of burning the
27 uniform we were receiving because all the time we were keeping
28 them in the centre and we had a poem recited "Don't Harm the
29 Child".

1 After that they were moved by UNICEF and this time it was
2 the help of the Nigerian soldiers who were there to Port Loko and
3 whoever come, every week they learn our vehicle used to come to
4 collect them immediately. As we get ten, 15, 20 we move them
11:19:56 5 immediately to Port Loko or to Lunsar. So Makeni was just a
6 reception centre until finally when the disarmament came.

7 Q. Can you give us a month and year when disarmament began in
8 earnest, when the RUF began to cooperate in disarmament?

9 A. Well, disarmament actually started about September/November
11:20:20 10 of 2001.

11 Q. How about the AFRC? What was their attitude towards
12 disarmament?

13 A. Well, I was in Makeni - from the time we moved after the
14 infighting the AFRC had been disarming in Port Loko, Lungi,
11:20:38 15 because there were disarmament sites there. They were already
16 disarming. It was in Makeni the RUF were the only stubborn
17 people who did not resign. And since they did not do this we
18 came to a time when we wrote a letter. This time it was a
19 combined letter of the religious leaders in Makeni, pastors,
11:21:08 20 priests and imams and some of us who were key people in this
21 mission. We collected ourselves and wrote a letter.

22 We went there with the committee headed by one of the
23 religious heads in Makeni. We met Issa, Massaquoi and Kallon in
24 Issa's place where he was. We discussed the issue and then
11:21:34 25 actually there was no clear-cut promise, but after two days they
26 sent us one gentleman who was a member of their G5 to announce to
27 the people of Makeni that they were ready.

28 But again, because this time UN had structured the
29 demobilisation site at St Francis compound, they gave a reason

1 that St Francis was not good for them to disarm because the
2 children had to go to school and there was a long time before
3 then, they had to put down all the structures in St Francis and
4 move to another site until then there was disarmament.

11:22:22 5 Q. Sir, you have talked about a letter. First of all, how
6 many letters - did you write any letters?

7 A. I personally wrote a letter directed to all the imams, all
8 the pastors, commanders of the RUF. I sent one to a print
9 newspaper they themselves had in Makeni called the Lion News
11:22:55 10 Press, because at this time there was still too much of looting
11 schools, private homes, missionary compounds, NGO compounds.
12 Looting was still going on even at this time.

13 So because of that I used my position at the time to write
14 on behalf of the children that while goodwill people are trying
11:23:23 15 to bring sanity there are those who are not cooperating. So the
16 imams especially and the pastors should preach, because we
17 believe in Makeni that these are the two religions which are
18 professed by all the people in the town. So I wrote that letter.

19 When I had distributed the letter, my bishop came. I gave
11:23:50 20 him a portion of the letter and before I gave him he was already
21 informed. Some people were not happy about the letter. So it
22 was at this time he sent me again to go around and collect the
23 other leaders to write a common letter in which we appease them
24 and still ask for - we asked them to start the demobilisation
11:24:15 25 immediately.

26 Q. Who signed the common letter?

27 A. The common letter was signed by a good number of us. As I
28 said, the imams of the mosque in Makeni, pastors of churches and
29 the priest and the representatives from the civilians who are

1 Leaders of the two religions, including myself.

2 Q. Approximately when did you write these letters, or send
3 these letters?

11:24:53

4 A. First the letter I wrote personally I sent before about two
5 or three days when the bishop came and because there was - people
6 - some people of the RUF were not very happy about my letter and
7 so the bishop hastened so that we wrote this other letter about
8 two or three days thereafter and we did.

11:25:17

9 MR KOUMJIAN: Your Honour, I have two documents. I am just
10 not sure if we have enough time to have those distributed now. I
11 could try. I would ask the Court Officer to prepare tabs 2 and
12 tab 3 and first we will show tab 2 to the witness confidentially.
13 Both documents will need to be confidential. Then tab 3:

11:25:43

14 Q. But perhaps, sir, I can first ask you earlier you talked
15 about going to Kono and you mentioned the name of a person who
16 you went with. Can you repeat that name and spell it?

17 A. It was Gbukumu. I will only spell it the way I will. It
18 is G-B-U-K-U-M-U.

19 Q. Who was he?

11:26:05

20 A. He was one of the RUF commander, but throughout he had been
21 in Lunsar. It's only at this time he came to Makeni and he was
22 given to us by Gibriil Massaquoi and Kallon that this time, since
23 they have consented to work alongside with us, he should lead us
24 to Kono because without one of them the commanders in Kono would
25 not have released the children. So we went there together.

11:26:29

26 Q. And just to make it clear, when you say you are only
27 spelling it the way you will do you mean that is your phonetic
28 spelling; you never saw it written?

29 A. Yeah, I have never seen it written.

1 PRESIDING JUDGE: I think we are the end of the tape now,
2 Mr Koumjian. We are going to have a break, Mr Witness. We will
3 be back at 12 o'clock and you just sit there until it is safe to
4 take you out of the Court without your identity being revealed.

11:27:00 5 We will adjourn the Court.

6 [Break taken at 11.30 a.m.]

7 [Upon resuming at 12.05 p.m.]

8 PRESIDING JUDGE: Just before we start, I would like to
9 apologise for being slightly late back from that break. We had

12:05:36 10 another matter that needed discussion straightaway. Yes,

11 Mr Koumjian.

12 MR KOUMJIAN: Your Honours, if I could just announce a

13 change of appearance for the Prosecution. Brenda J Hollis,

14 Mohamed A Bangura, Ruth Mary Hackler and we are joined by Ula

12:05:58 15 Nathai-Lutchman. The spelling for the record is Ula is U-L-A and

16 the family name N-A-T-H-A-I hyphen L-U-T-C-H-M-A-N.

17 PRESIDING JUDGE: Welcome, Ms Lutchman. Thank you,

18 Mr Koumjian. Mr Griffiths.

19 MR GRIFFITHS: Mr President, can I also indicate a change

12:06:21 20 of appearance on the Defence bench. We are now joined by

21 counsellor Supuwood.

22 PRESIDING JUDGE: Thank you, Mr Griffiths. Yes,

23 Mr Koumjian.

24 MR KOUMJIAN:

12:06:32 25 Q. Sir, I want to go back to the letters that you wrote in

26 October 2001. Did you keep copies of those letters?

27 A. I had copies before.

28 Q. And what did you do with the copies?

29 A. I submitted those copies to the Special Court in Freetown.

1 MR KOUMJIAN: Thank you. Could the witness be shown tab 2.
2 May this be treated confidentially and may the booth please be
3 advised not to broadcast this document to the public because it
4 does have the witness's name.

12:07:29 5 PRESIDING JUDGE: Have those arrangements been made, Madam
6 Court Manager?

7 MS IRURA: Your Honour, the arrangements are in place.

8 MR KOUMJIAN: Your Honour, may the witness be shown the
9 document in tab 2.

12:07:44 10 PRESIDING JUDGE: Do you want it on the overhead?

11 MR KOUMJIAN: Yes, on the overhead, but not broadcast to
12 the public, and if it can appear on the screen in front of the
13 witness so that he will be able to read it:

14 Q. Sir, we now have the top of the document on the screen and
12:08:21 15 if the document could be moved up so we can see the bottom part
16 of the document. The name that is typed at the bottom, over
17 where it says "Copy", is that your name?

18 A. That is my name.

19 Q. And is this a copy of the letter that you sent?

12:08:50 20 A. This is the letter.

21 Q. Thank you.

22 JUDGE SEBUTINDE: This is the letter, or a copy of the
23 letter?

24 THE WITNESS: A copy of the letter.

12:09:03 25 MR KOUMJIAN:

26 Q. How many copies were made and distributed at the time?

27 A. I cannot exactly tell the Court now how many, but at the
28 time there were about 95 mosques in Makeni and all the imams of
29 those mosques had copies, there were four parishes of the

1 Catholic church and each of them had a copy and so many other
2 Protestant churches all of them had copies. There were over 150
3 copies I sent to all these people, but exactly I cannot tell you
4 the exact number.

12:09:59 5 MR KOUMJIAN: Perhaps with your Honour's permission, as
6 your Honours please, the witness could read the letter for the
7 record without of course reading his name.

8 PRESIDING JUDGE: Yes, go ahead, Mr Witness. You can read
9 that letter on to the record.

12:10:12 10 THE WITNESS: Do I begin right from the top?

11 MR KOUMJIAN:

12 Q. No, sir, please begin where we have "Reference". Begin
13 with the line that says "Reference".

14 A. References?

12:10:28 15 JUDGE SEBUTINDE: What is the date? The date would be
16 relevant, I think, and it's not clear on the document.

17 MR KOUMJIAN:

18 Q. Sir, do you know - the date line appears difficult to read?
19 Do you know the date?

12:10:41 20 A. It was 6 October 2001.

21 Q. Thank you. Can you read the "Reference" line.

22 A. "We have a concern and I would like to share to all. I
23 would like to share it with people of goodwill. The children of
24 Sierra Leone have experienced the loss of family members,
12:11:06 25 abduction and forceful training into the fighting forces. Girls
26 have been raped and entered adulthood too quickly. Most
27 especially children in and around Makeni have had their education
28 disrupted.

29 While the war comes to an end goodwill people are desirous

1 to bring back schools into normalcy, where children will regain
2 their lost glory. There are people in our community, in whom
3 evil is evident, who are doing everything possible concurrently
4 to hinder the efforts of good people for whom the development and
12:11:53 5 protection of our children is necessary.

6 In every school there is destruction: removal of zinc,
7 chairs, doors, window, toilet facilities, et cetera et cetera,
8 from school buildings, churches and other institutions of
9 learning.

12:12:18 10 We deem it necessary to use preachers of God's message to
11 all congregations to pray and preach to all people to desist from
12 these acts that are ungodly and do not bring development.

13 We should be very grateful if this message would be
14 delivered to all congregations for at least one week.

12:12:50 15 We thank you all very much for your usual cooperation and
16 understanding. Firm regards and may God bless you all."

17 Q. Now, sir, in the "Copy" line can you read which persons or
18 institutions were copied?

19 A. The letter was copied to all imams of mosques, all pastors
12:13:19 20 and priests of churches, the RUF party headquarters in Makeni and
21 the press, the Lion News.

22 Q. What was the Lion News?

23 A. This is a newspaper that was edited by the RUF command in
24 Makeni. This was their newspaper.

12:13:46 25 MR KOUMJIAN: Thank you. That document can be removed:

26 Q. You indicated that a second letter was subsequently written
27 by you that was signed by other individuals. Can you tell us who
28 was that letter written to?

29 A. The letter was - this time it was directed to specifically

1 Issa and other members of the RUF High Command.

2 Q. When you say "Issa", who do you mean?

3 A. It is the then leader, Issa Sesay, of the RUF.

4 Q. And approximately when was that letter sent?

12:14:30 5 A. It was on 8 October 2001.

6 Q. Did you keep a copy of that letter?

7 A. I have copies, but I also submitted a copy to the Special
8 Court in Freetown.

9 MR KOUMJIAN: Your Honours, may the witness be shown tab 3
12:14:48 10 again with the caution to the video booth not to display the
11 document.

12 PRESIDING JUDGE: Yes, that arrangement is still in place,
13 is it, Madam Court Manager?

14 MS IRURA: Your Honour, the arrangement is still in place.

12:15:10 15 MR KOUMJIAN:

16 Q. Sir, do you recognise this document?

17 A. I do.

18 Q. Is this the letter that was written on 8 October?

19 A. This is a copy of the letter.

12:15:25 20 Q. And, again, tell us who actually wrote the letter? I see
21 many persons are in the signature area, but who wrote the letter?

22 A. The letter was written by three of us, whose names are also
23 involved in the presence of all those whose names are under
24 mentioned.

12:15:44 25 Q. Thank you, sir. Sir, can you then read the letter up to
26 where it says "Sincerely yours" and then do not read the names of
27 the signatories?

28 A. 8 October 2001 is the date, addressed to "General Issa
29 Sesay, Interim Leader, RUF, Makeni":

1 "Sir, greetings in the name of the almighty. We write to
2 you on behalf of the religious leaders of Makeni. We are happy
3 that since you took over as the leader of the movement, the peace
4 process has moved forward steadily. Presently, however, we are
12:16:39 5 concerned about the delay and postponement of disarmament in
6 Makeni. This delay is causing uncertainty and worry in the minds
7 of the people. Moreover, Makeni is lagging behind other towns in
8 terms of development and social structures. Business is slow and
9 medical facilities are inadequate. Education is poor, to mention
12:17:11 10 a few.

11 Most Makeni people attend regularly either a mosque, or a
12 church. We know their needs and their concerns. On behalf of
13 our people we appeal to you to start disarmament immediately. We
14 believe that, if you want, you have the power to order
12:17:43 15 disarmament. Do not allow the enemies of progress to destroy
16 your initiatives for peace. On our part, we pledge our continued
17 support for the peace process and for the reconciliation of our
18 people.

19 Finally we pray for peace in our country and for God's
12:18:04 20 guidance and blessings on you."

21 MR KOUMJIAN: Thank you. That document may be removed.
22 Your Honours, I would ask that the two documents, the letter
23 dated 6 October and the letter dated 8 October, be given MFI
24 numbers.

12:18:23 25 PRESIDING JUDGE: Yes, the letter dated 6 October will be
26 marked for identification MFI-41 and the letter dated 8 October
27 2001 will be marked for identification MFI-42.

28 MR KOUMJIAN:

29 Q. Sir, to your knowledge was this letter delivered to Issa

1 Sesay?

2 A. We have a team of the people mentioned in that letter and
3 we delivered it to him by hand ourselves.

4 Q. Were you in the group that delivered the letter?

12:19:10 5 A. I was among the group.

6 Q. Now, one clarification on the letter. It says "RUF" on
7 the address line. What was RUF?

8 A. Well at this time, incursion, they have decided to use - to
9 become a political party, so from the fighting force RUF now they
12:19:42 10 are a political party which they have started to form and they
11 have told us about it. They have even opened an office in Makeni
12 named the RUF Party, so this is why this time it is not only RUF.
13 It is RUF, the Revolutionary United Front Party.

14 Q. Now, sir, you told us that eventually the RUF did cooperate
12:20:11 15 in disarmament. How long after this letter was delivered to Issa
16 Sesay did the RUF begin to cooperate in disarmament?

17 A. It was about after two months, because disarmament start
18 about November and early December in Makeni.

19 Q. At that time when you delivered the letter, where was Issa
12:20:34 20 Sesay?

21 A. He was at the residence he was occupying at Albert Street
22 in Makeni.

23 Q. You refer to him in the letter as the "Interim Leader". Do
24 you have any information about how he obtained the leadership?

12:21:00 25 A. After the first leader, the Lion, Foday Sankoh, was
26 arrested due to the May 2000 fighting in the country again, there
27 were information that they were to go in Liberia and choose an
28 interim leader. Then some people in Makeni were selected, they
29 went and subsequently when they came they told us that from that

1 time on Issa Sesay was the leader of the RUF. So we all
2 recognised him to be that, and when they came to Makeni he was
3 received again with joy and gladness and from then we call him
4 the interim leader of the RUF and then later the RUFF.

12:21:55 5 Q. How did you learn, sir, that the RUF went to Liberia to
6 choose the leader of the movement?

7 A. Well, the information was passed in Makeni. They collected
8 some members of their group and they told us that they were going
9 to choose a leader. After a few days, they came back with the
10 name that Issa Sesay was then the leader of the RUF.

11 Q. Sir, had you heard of any other movements of RUF leaders or
12 commanders to Liberia?

13 A. Morris Kallon was also one of the persons and he was the
14 person from whom we heard the information that they were going to
15 Liberia to choose a leader. A good number of them - many people
16 - left Makeni, including even members of the G5 who went to
17 Liberia for this exercise, and they came back that Issa has
18 assumed the position of the interim leader of the RUFF and so
19 they came back to Makeni. Since then he has been addressed that
20 way. All the RUF were going and they were referring to him as
21 "Leader", so we also did.

22 Q. Aside from this trip where Issa Sesay was appointed the
23 leader of the RUF in Liberia, or while in Liberia, do you know of
24 any other trips or hear of any other trips he made to Liberia?

12:23:26 25 A. For most of the time, Issa was coming to Makeni. He comes
26 and goes to Magburaka, we heard to Kono, to Kailahun, to Liberia,
27 back and forth. He was never settled in Makeni. Most times he
28 was going. This is why in most of our dealings we met the other
29 commanders, especially Augustine Gbao, and most times even when

1 we were making arrangements for the movement of children they
2 have to call him. I don't know where he was, but he was not in
3 Makeni. So he comes and goes. Most times he comes after some
4 skirmish, like when they have their 72 hours of getting their
12:24:11 5 whatever they want from the people, going around taking property,
6 looting, then he will come back and say, "Don't". So most times
7 they will tell you that he comes from Kono. Other times they
8 tell you he comes from Kailahun. Other times we heard that he
9 was in Liberia. So he used to come and go.

12:24:31 10 Q. Did you ever hear whether Superman ever went outside of
11 Sierra Leone?

12 A. Yes, Superman was also going and lately, until when we came
13 in 2001, when we have opened the interim care again, we heard he
14 was killed on his way coming from Liberia and since then we have
12:24:52 15 not seen him and we have not heard from him.

16 Q. Well, sir, when you say yes, he was going, I had asked you
17 whether he went out of Sierra Leone. What had you heard about
18 any trips that Superman made outside of Sierra Leone, aside from
19 what you just told us about his reported death?

12:25:11 20 A. Well, as I said, Superman was not the man who was
21 stationary in Makeni. He was all the time moving, going and
22 coming.

23 Q. Now, sir, so we understand the situation a bit better, at
24 the time that the RUF finally began to cooperate in disarmament
12:25:38 25 what forces were in the country supporting the Kabbah government?

26 A. It was the combined forces from countries who came to
27 Sierra Leone under the United Nations. And at this time of the
28 disarmament in Makeni, in Makeni we had the Nigerian contingent
29 of the United Nations.

1 Q. Did you know if any other force aside from the UN was there
2 in Sierra Leone supporting the Kabbah government?

3 A. Well, there were also the British whom we heard they were
4 not UN but they were supporting the UN, but the British soldiers
12:26:23 5 were there and who later formed the IMATT.

6 Q. When the RUF changed its policy and began to cooperate in
7 disarmament, was that before or after the operations around
8 Guinea that you told us about?

9 A. It was after the operation in Guinea, they told us they
12:26:41 10 were ready to form a party known as the RUF. And since then
11 they an opened an office at Station Road, where they used to
12 carry on their party activities. Gathering people. They began
13 telling people about the party and what they intend doing.

14 Q. Sir, earlier in your testimony before the last break, you
12:27:09 15 were talking about a trip to Kono that you took. Can you first
16 remind us approximately when was it that you went to the Kono
17 District?

18 A. That trip - the trip to Kono we took immediately we came to
19 Makeni to open the centre in March again in 2001.

12:27:29 20 Q. Where did you go in Kono?

21 A. We went to Kono because we were reliably informed that
22 there were so many children who were left behind there. They are
23 either digging for their commanders or they were securing
24 civilian who were digging diamond there. So we went there and we
12:27:53 25 collected most of them from the beaches, from the town and from
26 the houses they were occupying. And, like I said, we went there
27 with one of the commanders they had assigned with us to collect
28 the children, because it was him who will make it known to the
29 commanders in Kono that at least we have agreed and the children

1 must be given to Caritas.

2 Q. Where exactly in the district did you go to collect the
3 children? You said the town, but can you name the place or
4 places you went?

12:28:27 5 A. It was in Kono town - Koidu.

6 Q. And what did you see on that trip?

7 A. Well, we reached Koidu. The town was, there were pit holes
8 all over. Water was in these holes. People - there were
9 diggings all over the town. Some of the areas you cannot go

12:28:54 10 through with the vehicle, so we walk on foot. We collected all
11 the children we had there in three vehicles and we came back to
12 Makeni.

13 Q. About how many children did you collect on that trip?

14 A. From Kono we collected over 150.

12:29:11 15 Q. Can you give us the age ranges of these children that you
16 collected on the Kono trip?

17 A. This time we had young children. We had 11, up to 16 years
18 of age. It was 16 years below we collected.

19 Q. Did you ever discuss with these children their experiences
12:29:36 20 with the RUF? First of all let me strike that. These children
21 were with who when you collected them?

22 A. They were with the RUF. All of Kono District, Tonkolili
23 District, Bombali District, part of Port Loko District and part
24 of Koinadugu District were all controlled by the RUF at this
12:30:04 25 time.

26 Q. Did you ever discuss with these children what they did with
27 the RUF during the times that they were with that movement?

28 A. On the way we discussed what they were doing. As I said,
29 some were digging, digging for their adult commanders. Others

1 were in the houses doing domestic work for the wives of the
2 commanders. Those who were taking orders were digging
3 themselves. Other were manning the pits that were - those that
4 were used by civilians to dig so that no civilian will take any
12:30:49 5 diamond for themselves.

6 Q. How did the children prevent the civilian diggers from
7 taking diamonds?

8 A. Well, they have there - when we went there they had their
9 guns. The only thing is when we are taking them we are not
12:31:04 10 allowing them to come with their guns, but on reaching Kono they
11 still have their guns.

12 Q. Did any of these children ever tell you whether they
13 travelled with the RUF outside of Kono?

14 A. They did. They told us that with some of their commanders
12:31:22 15 they go to Liberia and there their commanders will convey the
16 diamonds they were holding they ever got and on the way they have
17 their new guns, they have new dresses. And when they come those
18 children who came from Kono, you see them with new trousers, new
19 T-shirts and so on. And they were much bluffing to the others.

12:31:42 20 So they told us these stories. On the way while we were coming
21 and even at the centre.

22 Q. Just a clarification. When you said they told you some of
23 them went to Liberia and the commanders conveyed the diamonds and
24 they were holding whatever they got and on the way they had new
12:32:01 25 guns, new dresses, what do you mean "on the way"?

26 A. That is when they are again moving from Liberia to come
27 back to Sierra Leone.

28 JUDGE SEBUTINDE: What does the witness mean when he said
29 they were much bluffing to the others?

1 THE WITNESS: Well, because these other young boys who come
2 with their commanders from the sale of diamond, they had new
3 dresses.

4 MR KOUMJIAN:

12:32:30 5 Q. What does bluffing mean?

6 A. Showing off.

7 Q. Thank you. Sir, I want to go back now and ask you a final
8 set of questions that deal with your work with the children in
9 the interim care centre. Can you first of all describe what the
10 process was of collecting information from these children?

12:33:00

11 A. Well, there were documents already prepared by a committee
12 from UNICEF, representatives from the child protection agencies,
13 representative from the ministry of social welfare, children and
14 gender issues. We have these forms and so when we received the
15 children, either directly from their commanders or from the
16 disarmament site, the first thing we do is to have them
17 documented.

12:33:33

18 Some of the caution, after we know - we wanted to know
19 first their family names, their real names, and then their
20 baptism by RUF name and so we have all these names. I call it
21 baptism. It is not exactly in the document, but that was some of
22 the funny language we used because when you become like Captain
23 Serpent, Black Scorpion, those are not the names you go - you
24 went with into the RUF, so we wanted to know the real name but
25 also the names that have been used by virtue of the fact that you
26 have become a fighter, you have joined the RUF.

12:34:00

12:34:26

27 And then we wanted to know who captured you. Where you
28 were captured. When were you captured. What happened when you
29 were captured. Where you were taken. Under whose command you

1 were living. And did you attack any place, where, how many
2 attacks did you witness. So we have all these sorts of
3 questions.

4 So when we have prepared this document we are not going to
12:35:05 5 submit them, we still pack them because at a point we came to
6 realise that at the beginning some of their adult commanders have
7 told them not to give the proper names because they were not
8 certain whether they will have to go back to the bush or this
9 disarmament will stay. So we keep on changing records, because
12:35:26 10 at one time he will give you this name, you do all the
11 documentation and when you listen when his companions are calling
12 him they call him a different name. So all of these we listened.

13 Then finally after - very close to the time of taking you
14 back to your parent if we have your parent we will do the final
12:35:50 15 documentation. In this paper also as we said we want to know
16 where they were captured, the house and since most villages don't
17 have address we want to know what is the geographical location.
18 Is there a big tree, is there a well, is there a mosque or a
19 church by. We wanted to know.

12:36:07 20 And some of the marks they came with into the centre, we
21 wanted to know whether they were marks they - I mean scars. We
22 wanted to know whether they have received them before they were
23 captured or during the time they stayed with the RUF. All of
24 these were questions we wanted to know. From there we continued
12:36:28 25 to give them our support both socially, physically and morally.

26 Q. Did any of these children have ranks they were able to
27 convey to you?

28 A. Surely. When they came on their reception some will come,
29 "I am captain". As I said, Captain Scorpion. We said, "No, we

1 don't want the captain". So among them you have captains, among
2 them you have lieutenants. They came with these different ranks
3 naming themselves. And most times it is - the first talk is
4 whenever they come: Here, we are children, we are no longer
12:37:09 5 fighters. We don't have a captain here. We don't have a colonel
6 here. We don't have a major here. We don't have any adjutants.
7 Because themselves, in the beginning, when one talks they come,
8 they tell him "sir", meaning they were still giving him the
9 honour they had been given in the bush.

12:37:30 10 That was one of the first thing we really tried to break
11 down before we continued all the other works; to tell them they
12 were not fighters. If ever they fought they were forced to do
13 so. Here they are children, they should start life all over
14 because they been derailed and now they should begin to think
12:37:55 15 about how to come to normalcy. Those were some of things we do
16 at the interim care centre.

17 Q. You talk about some of the children giving honour to others
18 based on some kind of rank. Did any of the girl children who
19 arrived receive honours from the other children in the centre?

12:38:12 20 A. The women also - they still have the same honours for the
21 girls. Some of them are honoured because of the fact that that
22 particular girl was the wife of one of the commanders the boys
23 were with and so the girls they used to be honoured madam. They
24 called them "Dis na komanda in yon", that this one it was the
12:38:45 25 lady for such-and-such a commander. They have the same honours
26 given to them.

27 Q. Sir, when you say the wife of a commander, what do you mean
28 in this context when you are talking about the children in the
29 interim care centre?

1 A. Well, these were the girls which were abducted and captured
2 when they attacked villages whom they turned to be their wives,
3 or who were - who at times who were raped and used by the
4 commanders as their wives, so they came in with this idea still.

12:39:21 5 A lot of them used to come to the centre demanding that they have
6 come to see their wives, they have been with them and sometimes
7 these girls even leave. They follow them. After some time they
8 come back, but in the beginning we cannot do anything.

9 We continued to talk to them. We continued to talk to them
12:39:47 10 until finally some of them came to stay, and some of them were
11 later - these girls we call girl mothers because a good number of
12 them came pregnant, some were with babies and so we have this
13 special section for them who were mothers, or mothers to be, and
14 so we called that component the girl mothers.

12:40:12 15 Q. Sir, just to clarify your last answer, you said "A lot of
16 them used to come to the centre demanding that they have come to
17 see their wives". Who do you mean when you say "they" or "them"
18 used to come to the centre?

19 A. These are commanders of the RUF, the male adults who were
12:40:33 20 not with us in the centre.

21 Q. Sir, do you recall any particular girl at the centre who
22 was particularly honoured by the other children?

23 A. Well, it was in Makeni. We have a girl who came and most
24 of the children were giving honour to her, and then up to a time
12:40:56 25 we wanted to know why she was so honoured. We thought because
26 she was a beautiful looking girl, we thought because of her
27 beauty, but we started to ask the other boys and they told us,
28 "This is one of the wives of Issa", Issa Sesay by then. Up to a
29 time when the fighting between the RUF and UNAMSIL came, she was

1 one of the ladies removed from the compound. One commander came
2 for her demanding that she should go with them and since that day
3 we've not seen her.

12:41:41 4 MR KOUMJIAN: May the witness please be given a piece of
5 paper and something to write with.

6 JUDGE SEBUTINDE: Could we also establish the age of this
7 individual.

8 THE WITNESS: That girl was about 14/15.

9 MR KOUMJIAN:

12:42:09 10 Q. Sir, I am going to ask you in the next half hour or so to
11 write the names of some of the children you are talking about and
12 this will be confidential. So can you please put a number -
13 perhaps turn the paper the other way, since we may have several
14 names, and put a number 1 and write the name of this girl.

12:42:41 15 Your Honours, can we please instruct the video booth that
16 this piece of paper, since several names will be written, will
17 not be broadcast publicly.

18 PRESIDING JUDGE: Yes, that is being taken care of,
19 Mr Koumjian.

12:42:59 20 MS IRURA: Your Honour, that measure is in place.

21 JUDGE SEBUTINDE: Can we see the name, or when?

22 MR KOUMJIAN: May the Court Officer please display that on
23 the ELMO:

12:44:01 24 Q. Thank you, sir. Now, you've talked about young girls being
25 taken as wives. When you say taken as wives, what were they used
26 for?

27 A. Well on their capture, those whom we said were taken as
28 wives are the young girls and young women that they used for
29 sexual desires - to satisfy their sexual desires.

1 Q. I now want to ask you some questions about the male
2 children.

3 JUDGE SEBUTINDE: Mr Koumjian, I am just interested how
4 would the witness know how these girls were used? How did he
12:44:45 5 establish that?

6 MR KOUMJIAN: I was going to come back to it later, but let
7 me do it now:

8 Q. Sir, when the girls were brought into the centre, did you
9 have any interviews or any special procedures for talking to the
12:45:05 10 girls, as opposed to the boys?

11 A. Yeah, we have a - we have interviews, but first and
12 foremost some of them came with children, who they give birth to
13 while they were with their commanders, and they did not go with
14 these children to the bush at the time they were captured, or
12:45:29 15 when they were with their parents.

16 Secondly, in the centre we had sessions. Apart from the
17 general session, wherein we bring together all the children, we
18 had a specific session especially for the girls because they were
19 very much ashamed to tell their stories in the general group and
12:45:53 20 so we have specific groups for them.

21 Again, because we didn't interview them together with the
22 female caretakers, or care givers, and some of us the males whom
23 they trusted, some of them they categorically tell you that, "I
24 was married to this commander", and then seriously and in a funny
12:46:18 25 way we asked them, "How come that you were married to this,
26 because in our tradition in order for you to be married your
27 parents should give this particular lady to any particular man or
28 to the family of a particular man to be a wife, but how can you
29 go to the bush and come and say 'This is my husband'?"

1 It is at the time of capturing the adult commander they
2 have to choose first the beautiful girls and the line goes down,
3 so when they come some of them were no longer virgins, especially
4 those 13, 14, 15. So from our estimate we ask this group, those
12:47:07 5 who were already youths, so we can have a talk to them, and I
6 said earlier on since they were screened by the medical people,
7 MSF, they gave us the information that some of these are no
8 longer young children in our term and some of them have venereal
9 diseases they caught from sexual intercourse. So that was how we
12:47:40 10 determined that they had been used by their commanders.

11 Q. You said that the girls were put into a workshop. Was this
12 a workshop to discuss what had happened to them sexually? Was
13 that part of the purpose?

14 A. It was one of the issues we discussed, but we want to go
12:47:56 15 intentionally because we believe the ladies have their own story
16 to tell, different from the boys. For example like when they
17 were captured and they were being shared among members of the
18 group that captured them, we wanted to know. Like I said in the
19 documentation, most of them had already told us that they were
12:48:24 20 captured by such-and-such a commander and they were staying with
21 such-and-such commander. So we wanted to know what happened
22 throughout their stay and this is the time they revealed their
23 stories, because this is the only time we will know how to go
24 about helping them bringing them back to normalcy through
12:48:42 25 counselling.

26 Q. You told us in your earlier answer, "At the time of
27 capturing the adults commander, they have to choose first the
28 beautiful girls and the line goes down". Can you explain that?

29 A. It is simple. They come, they attack a village and they

1 fight there, they captured both boys and girls. The girls they
2 shared because they are going to become their wives. But as the
3 boys explained, or the children explained, first it is the big
4 commander that choose. Otherwise, there will be conflict.

12:49:29 5 Q. And what happens? Are all the girls chosen and assigned to
6 a soldier or commander?

7 A. Yeah, most of them had their big commanders as wife, and
8 then, as I said, the line goes down. The others were being taken
9 by the lower ranks as they were captured. And so they stayed as
12:49:55 10 partners while in the bush.

11 Q. Were any of the girls not assigned to a single husband?

12 A. Indeed some of them were not assigned.

13 Q. What were they called, if anything?

14 A. They told us they were called the government women.

12:50:14 15 Q. What does that mean, if you know?

16 A. They are free for any other person who comes because they
17 don't have a particular commander.

18 Q. Now, you also had young boys that were captured. Do you
19 know if any of them were engaged in sexual activities?

12:50:32 20 A. Yeah. There was - there were. And one of them made us -
21 even on the day we were going to reunify him and we were
22 preparing a kit and then when we packed all that we were supposed
23 to give him by virtue of how we were working he told us if that
24 was is all we were going to give him. We said all other things
12:51:07 25 will follow later because we also have a follow-up visit to the
26 reunified children. We said, "Well, what do you actually want to
27 do", because also when they were leaving we wanted them to know
28 what they want to do and particularly those who have not been in
29 school. Those who have been in school we encouraged them to

1 continue to go back to school, but those who have not been in
2 school and they are growing we said, "You should be learning some
3 kind of skill", but then this boy said we should help him to get
4 money so that when he goes home he will marry. "Is that all you
12:51:47 5 need? Why do you wish to marry?" He said, "Because I am used to
6 sex". Then we don't give him the money. We started talking to
7 him to start thinking of something, so we reunified him.

8 Q. How old was this boy?

9 A. He was about 14/15.

12:52:08 10 Q. Do you know how long he - first of all, do you know which
11 faction he was with?

12 A. He was RUF.

13 Q. Can you please write his name - write number 2 and write
14 his name on the piece of paper. May that be displayed, your
12:52:51 15 Honours?

16 PRESIDING JUDGE: Yes, Madam Court Manager, those same
17 arrangements are in place, are they?

18 MS IRURA: Your Honours, the measures are still in place.

19 MR KOUMJIAN:

12:53:00 20 Q. Sir, is the name under number 2 the person that told you
21 that they wanted money for a wife because they were used to
22 having sex?

23 A. This is the boy I was talking about, yes.

24 Q. Thank you. Now, sir, did any of these children ever tell
12:53:30 25 you whether they were involved in any crimes themselves?

26 A. A good number of the children we had did partake in the
27 activities of the RUF, that is attacking and looting, because
28 they were also carrying guns. They attacked, they killed and
29 they burnt. They did all the activities that were going on

1 within the RUF.

2 Q. What were the purposes of some of the attacks that they
3 did?

4 A. Well, after their major attacks, when they were in Makeni
12:54:13 5 it was mostly these younger boys they sent out to do food
6 finding. All the groups, all the attacks in the small villages
7 and in smaller communities were done by these people to go and
8 collect food for their commanders and generals. So those
9 operations were continuously called food finding missions. And

12:54:36 10 in every village they go, they will shoot and ask the people to
11 give them. If the people don't give more as they want, they
12 searched the houses and took whatever they wanted and then they
13 used the people to also carry these items right down to where
14 their commanders were. These were happening almost every day

12:55:01 15 until the time of disarmament there were food finding missions

16 JUDGE SEBUTINDE: Mr Koumjian, I really must interrupt
17 before this goes off the top of the page. There was a question
18 you asked the witness regarding those women who were not attached
19 to any fighter, the ones that he described as government women.

12:55:22 20 Then you asked the witness, "What does that mean, if you know?"

21 His answer was, "They are afraid for any other person who comes
22 because they don't have a particular commander". Now what does
23 that mean? I am reading from the LiveNote record.

24 MR KOUMJIAN: Thank you. I will clarify:

12:55:43 25 Q. Sir, did you hear - the transcript that we have says that
26 when I asked you what a government woman was, the LiveNote
27 transcript says that you said they were afraid for anyone. What
28 did you say?

29 A. It is not the word exactly that I used, "afraid". They are

1 free, F-R-E-E.

2 Q. What do you mean by that?

3 A. They are free that any other man can tamper with them
4 because one commander cannot tamper with the wife of another, but
12:56:12 5 these are free for whoever else comes.

6 Q. Thank you. Sir, did any of the children that you talked to
7 tell you that they themselves were involved in killings?

8 A. As I said, the number was many, because they fought. They
9 were fighting alongside with their commanders. They carry gun,
12:56:43 10 they shoot, and they killed.

11 Q. Do you recall any particular child talking to you about
12 killings?

13 A. Yes, a great number of them, but we had an example in the
14 centre. We have the component of the food section, food and
12:57:09 15 hygiene section, these were the cooks. But one of our laws were,
16 since we were all in the centre, they should never leave the
17 knives lying on the ground or, well, after using any knife,
18 immediately they should keep those knives.

19 But one day it happened that one of the cook, after using a
12:57:34 20 knife, he put it around and then suddenly one boy came, took the
21 knife and immediately the women started shouting at him. "Hey,
22 bring the knife. Bring the knife. Bring back the knife. Bring
23 back the knife. We are not allowed to do that", because it was a
24 law. And he became annoyed and told them, "Una lef mi", that is
12:57:54 25 "Just leave me alone". "If you make me vex, una na aw moch pipul
26 a don kil?", which is "Do you know how much people I have
27 killed?" "I have killed 11". So they went again to call me. I
28 came there in the kitchen and I asked him to come. I took the
29 knife from him. We went to the office. I started asking him in

1 detail and, indeed, he told us he was commanded to kill and he
2 did.

3 Q. Can you please take the paper, write a number 3 and write
4 down any names you know for this child. May that please be
12:59:16 5 displayed. Sir, we have what appears to be two names and you
6 have a dash "or" in between. Is one of those - can you explain
7 the difference between the two names?

8 A. Actually there is no difference. The family name is the
9 first I gave and the other one is the name he came with from the
12:59:39 10 bush.

11 Q. Thank you. How old was this --

12 A. By our estimate he was about 11 years.

13 Q. Do you know what faction he belonged to?

14 A. This one came even with the RUF mark on his chest because
12:59:59 15 also in the interim care centre we were also identifying those
16 who were marked on their bodies with these names like RUF, AFRC,
17 but this one was RUF.

18 Q. Was this uncommon to have something like RUF marked on the
19 body?

13:00:23 20 A. There were so many boys, especially boys, who had these
21 marks. We even had a group of Italian doctors who came and they
22 came to do some surgery to remove those marks. Both RUF and AFRC
23 who had those marks, they were over 60 at the time throughout.

24 Q. Did the children tell you how they were marked?

13:00:51 25 A. Well, some of them, they told us they were marked because
26 they don't want them to run away, because at this time in Sierra
27 Leone, specifically, people were saying that RUF had special
28 stamp and if you are caught with this stamp then even the public
29 will kill you because there was also this conflict, people don't

1 want this RUF to come close to them because they just hated them
2 because of what they are doing and they have done. And in the
3 centre when they were coming, say this will make you stay with
4 the commanders, you don't come out to town. And so we had a good
13:01:29 5 number of them who were treated by medical groups including those
6 Italian doctors who came to the centre.

7 Q. These marks, were they marked with ink or how was the mark
8 made, if you know?

9 A. They were cut either by blades or knives or whatever iron
13:01:50 10 instrument, but they were actually cut on the body.

11 Q. And when you say they didn't want them to run away, who
12 didn't want the children to run away?

13 A. Those from the RUF, the RUF don't want them to run away.
14 Those from the AFRC, the AFRC don't want them to run away. But
13:02:08 15 we have - both groups were marking, but for this special case it
16 was RUF.

17 Q. When you did the interviews with the children, would they
18 identify themselves as being either with the RUF or the AFRC or
19 whatever faction they were with?

13:02:23 20 A. Yes. They were very proud in identifying themselves and
21 some of them identified themselves. Some of them, they don't
22 have to identify themselves because we took them directly from
23 RUF or AFRC during disarmament, so we don't bother much. But we
24 bother about those who were brought to us by the UNOMSIL people
13:02:48 25 who were moving up and down and when they were able to get hold
26 of these children they bring them. Those we go so much to ask to
27 know where they belong. But the others wherein I am presently
28 receiving them from the RUF, I don't bother to ask. It's
29 straightaway I know he's RUF or AFRC.

1 Q. Thank you. I want to go back for just a moment to
2 something we talked about yesterday. Yesterday I asked you this
3 question on page 23707. I said:

13:03:20

4 "Q. Sir, you told us in the private session about some of
5 your work and you told us that you came across some
6 children with the RUF. Did any of them ever tell you that
7 they were involved in fighting in Freetown in January
8 1999?"

13:03:40

9 Then you wrote four names on a piece of paper. How do you
10 know that these four children were RUF?

13:04:01

11 A. Well, the children in the centre were very boastful about
12 where they have gone, where they fought and succeeded. And even
13 in our private interviews with them - as I said, in our
14 documentation we want to know the history of your stay with
15 either the RUF or AFRC. We want to know the date you were
16 captured if you can, or the time of capture, or the name of the
17 operation in which you were captured, or just the name of the
18 village, because particularly for areas in the north we had dates
19 of when most of the villages and towns were attacked. So we
20 followed up those names. If you are attacked at Pendembu we know
21 that at such-and-such a month and such-and-such a date Pendembu
22 was attacked and so we have that date for those who cannot. But
23 others who have been in school, who can tell us exactly, we
24 follow their story.

13:04:23

13:04:48

25 Q. Sir, you told us that some of the girls at the centre came
26 with babies or were pregnant when they arrived. What was the
27 youngest age or ages of the girls that came that were pregnant or
28 with babies?

29 A. When we opened directly this time also with the help of

1 Agnes Mani, who was the commander of WAC's, that is the women
2 army commanders, and we received 127 young girls. They were
3 about 13/14. But 15, 16, 17 were the majority of those with the
4 pregnancy or children, so we received them. Also we gave them to
13:05:38 5 the - we brought them to the interim care centre at a point where
6 we were only dealing with them and later we sent them back to -
7 we called UNICEF and the child protection agency to come for
8 them. Some were then taken to COOPI, to FHM and to ADRA and
9 other child protection agency out of Makeni.

13:06:03 10 Q. You told us that you had workshops where you tried to deal
11 with these issues of sexual assault. Did you originally put all
12 the girls in that workshop or did you separate them by ages or in
13 some other way?

14 A. Well, in the beginning we wrongly thought that maybe
13:06:26 15 because when you look at some girls you would have thought nobody
16 in his right senses would tamper with such a girl, and so some of
17 the younger girls we said, "Well, you come out. Go yonder". So
18 we did not believe that they had been tampered with. This time
19 we only want to deal with those who have categorically said to us
13:06:49 20 that, "Yes, I have been tampered with", so we know how to talk to
21 them.

22 Then after we had separated the group there was this girl
23 who said, "Una no lef mio", which is, "Don't leave me". I said,
24 "E bo komot. You go aside. Don't come this way". "Una no lef
13:07:05 25 mio". And then, "Why we should not leave you?" "Mi sef sef a
26 don do am", which is "Myself, I have been used", and we sent her
27 to MSF. Again the sisters there prove it that indeed she was
28 tampered with.

29 Q. How old was this girl?

1 A. She was about nine or ten.

2 Q. And how was it proven that she had been tampered with?

3 A. As I said, she said it to us and we sent her to UNICEF who
4 were doing the medical - to MSF who were doing the medical
13:07:44 5 screening and they confirmed.

6 Q. Do you recall how they confirmed it?

7 A. Well, they know how to do their checking about who is
8 tampered with and who is not tampered with. We got the result
9 that she was tampered with.

13:07:59 10 Q. Can you please write her name and the number - I believe we
11 are on 4 and write her name on the paper.

12 JUDGE SEBUTINDE: Mr Koumjian, I may be asking something
13 that is already on the record, but these 127 young girls that
14 Commander Mani, Agnes Mani, handed over to the witness, do we
13:08:27 15 have evidence where they came from? Where they were retrieved
16 from?

17 MR KOUMJIAN:

18 Q. Sir, can you help us with that information?

19 A. This 127 we got all of them in Makeni.

13:08:42 20 Q. Do you know how they had come to Makeni, how they came to
21 be in Makeni?

22 A. Yeah, they came with the - they were with the RUF
23 commanders, in their different, well, I call them, they are
24 different family setup. So when we intervene and Agnes Mani
13:09:02 25 agreed, also with the help of her deputy, Marcia Turay, we all
26 walk around Makeni, collected them. We announced to the
27 commanders. They let them come and we registered them. Those
28 who have children, you should come with the child. We register
29 you and your child. Those, the others, because these were the

1 only two category; either you are pregnant or you are with a
2 child. So we had that number, this number, which is 127 and we
3 have them for some days. Then again, UNICEF came. They took
4 them from Makeni to Port Loko and they were there where some of
13:09:46 5 them learnt some trades and they were given some packages to go
6 back and resettle.

7 JUDGE SEBUTINDE: Do we have the ages of these girls?

8 MR KOUMJIAN:

9 Q. You told us the ages of the mothers that were among the 127
13:10:03 10 girls. You said 13, 14, the majority 15, 16, 17, but the 127,
11 the whole group, what was the age range?

12 A. We had from 13 to 19, 20.

13 Q. And what, do you recall approximately what month and year
14 it was that you received this group of girls?

13:10:26 15 A. This was followed about April. It was shortly after we
16 sent the 600 boys and girls. Immediately we embarked on
17 collecting the girl mothers, so it's about a difference of about
18 a week. Then the following week we sent them to Port Loko.

19 Q. April of which year?

13:10:46 20 A. Of 2001. After we sent those boys we collected from Kono
21 and the other places.

22 Q. Now, you said you found these girls with the RUF in Makeni.
23 Do you know where they - were they originally from Makeni or
24 where were they from?

13:11:01 25 A. Very few were from Makeni. A good number were Kenema,
26 Kailahun, Tonkolili. Very few were actually from Makeni. Most
27 of them were from the other districts.

28 Q. If that paper could again be displayed so we can see the
29 fourth name. Sir, we only have a first name. Is that the only

1 name you recall?

2 A. Yes, I cannot.

3 Q. Now, sir. Thank you. Mr Court Officer, thank you. We
4 don't need display that any further at this time. Sir, you
13:11:53 5 talked about some medical screenings and some of the girls being
6 found with venereal diseases. Do you recall any specific
7 incidents or statistics about that?

8 A. At some point in Makeni we had about 47 girls who were
9 released by the RUF and we sent them to again MSF and ACF. The
13:12:18 10 statistics they gave us was that we should be sending 43 of them
11 for treatment. And we been sending them. And from there, we
12 argued that all these 43 were - had some kind of venereal disease
13 and they were treated.

14 Q. Sir, you talked about the goal of the centre, one of the
13:13:04 15 goals being to reunite the children with their parents, with
16 families. Was there ever a problem with the parents when you
17 tried to return the children?

18 A. We have some. There were problems. We have some of the
19 problems and because we foresaw the problems, this was why we
13:13:24 20 have a period of preparation before unification. To some, first,
21 we go to the village and ask for the parents if they want accept
22 back the child because we have a child who said he came from this
23 village. Others will say, "Yes, come". Others will say, "Hmm.
24 Una jos ol am", "Let her just stay with you", or, "Let him just
13:13:47 25 stay with you", "Bikos di tin we don don", in that they think
26 what he has done in this village they are not going to accept him
27 or her and so we have to then open the - we also have a team
28 within the child protection centre who were doing the advocacy
29 and lobbying so that these children will be subsequently be

1 accepted by their families and by their communities, so we have
2 those problems.

3 We also have problems of even in the final analysis, we
4 have few problems, because some of them were giving us wrong
13:14:25 5 names and you go to a village, you go to the specific direction
6 he or she had given. You ask for Adama Sesay. He will tell you
7 one of our daughters was actually taken away but she is not Adama
8 Sesay or he is not Abdul. And so you go back and start all over
9 again. So we have all these sort of challenges which you call
10 problems.

11 Q. Okay. The challenge, to use your word, that was created by
12 some parents you said, when you went to the village, they said to
13 you, if you could keep the child because of the things they have
14 done in this village. Can you explain why were the parents
13:15:06 15 reluctant to take back the child because of the things they have
16 done in this village?

17 A. Some of the children, after they have been captured, they
18 actually became fighters and alongside the adult commanders.
19 They also killed. They burnt houses. They were involved in the
13:15:23 20 amputation. And there were some members of the community who saw
21 them doing this, so they were not readily too keen on accepting
22 them back. This was why, as I said, we had to do a lot of
23 lobbying, telling them that they cannot go nowhere. And also
24 this was why in the beginning they were not even calling them
13:15:45 25 their children, they called them Caritas children. So we have to
26 go all around the community to explain to them that Caritas has
27 no wife, has no husband. We are only helping. So they are not
28 our children, they are your children. You should accept them
29 back. We had a lot of - and therefore, also we formed the child

1 welfare committees in many of these villages to help us to accept
2 back the children.

13:16:18 3 Q. Sir, were any of the children, I understand your goal was
4 to reunite children with their parents, were any of the children
5 at the centre actually orphans whose parents had died?

6 A. Yes. We have some whose parents were no longer there, they
7 have died. And those are some of them who we put in permanent
8 self homes. After long, lengthy time in the child centre we rent
9 houses for them where they do things for themselves, because
13:16:41 10 until they have somebody who will foster them they were on their
11 own, in their homes. We only go there to monitor what was going
12 on, how they were doing things and to talk to them how they
13 should try to cope with life and then, subsequently, a good
14 number of them were fostered with other parents and there were
13:17:04 15 people who come and said, "Give me this child. I want to take
16 one." They used to come and so we were giving them. And later
17 you go to minister of social welfare and normalise what the law
18 actually says how to foster a child because when we were
19 fostering them it was on temporary basis so that when we shall
13:17:27 20 have found your mother, or sister, or aunt or whoever is close
21 within the family range, we sent her or he to that family. And
22 so, that was how we were also working.

23 Q. Sir, do you recall a particular boy who had lost his
24 parents at the centre?

13:17:54 25 A. In the centre --

26 Q. A boy at the centre whose parents were no longer alive.

27 A. Yes, we have, there were, we have them. One example was,
28 there was a Kono boy, and --

29 Q. Before you go further, could you write the boy's name on

1 the paper under the number 5. May that be displayed under the
2 same conditions, your Honours?

3 PRESIDING JUDGE: Yes.

4 MR KOUMJIAN:

13:18:55 5 Q. Sir, can you now tell us about the boy whose name you have
6 written under 5, the Kono boy. What happened?

7 A. Well, this boy actually had been for a long time with us
8 from Makeni to Port Loko and then to Lungi. And we came to a
9 time where he became very much achieving whatever we were doing.

13:19:14 10 But, when the AFRC boys and girls were brought, after the
11 operation of the British, was it Operation Barras, and they
12 brought some of these children who were with the AFRC. And then
13 --

14 Q. Just to clarify: The boy whose name you wrote under number
13:19:37 15 5 what faction was he with?

16 A. He was from Makeni.

17 Q. Which faction was he with?

18 A. Makeni it was RUF.

19 Q. Thank you. Please continue.

13:19:47 20 A. And then there was one of these girls, since this boy, this
21 group of boys came to, and girls, there were about 30 of them
22 brought to us by UNAMSIL and the members of the British, who
23 attacked where the AFRC were, the West Side Boys, and this boy,
24 when we used to meet in the evening, because every evening we
13:20:16 25 come together, we pray, we sing songs, we play traditional games,
26 he had been very active. But when these people came, he shied
27 away from us. We didn't know what was happening. So one day I
28 called him. I said, "Well, you don't seem to be active these
29 days, what happened?" He did not explain, so I let him go. I

1 was asking his friends when one told me, {Redacted}.

2 Q. Redact that please.

3 PRESIDING JUDGE: Yes. You've just mentioned a name there,
4 Mr Witness. Madam Court Manager, I will make an order redacting
13:20:55 5 that name. Anybody in the Court, or members of the public who
6 have heard that name, are ordered not to repeat it.

7 MR KOUMJIAN:

8 Q. So sir, please continue. You said that --

9 A. And then he said the things you are doing in this centre is
13:21:18 10 not good. Meaning some of the activities we were performing in
11 the centre were not good. Well, we asked what were these
12 activities that were not good.

13 Q. Who said this?

14 A. The boy. And he told us we were bringing dead people or
13:21:38 15 people who have died into the centre. We were bringing ghosts.
16 How can we bring ghosts into the centre? But then we asked
17 further and we came to realise that when Kono was attacked, he
18 saw killings in the house of his parents, even of one of these
19 girls who was brought, and then he was never thinking that they
13:22:09 20 will meet again. And then, when he had explained the story, in
21 the evening I made arrangements that we shall be meeting to make
22 him show that this of his sister was not killed.

23 And then we also called the sister. We gave her some prior
24 information and we asked questions, that they should be meeting.
13:22:34 25 So we prepared a small meeting between him, the sister and some
26 of the few friends, and since that day he came to realise for
27 sure that the girl was not killed. And really, we lived
28 together. So we have some of these issues and these stories in
29 from the centre.

1 Q. So was the girl who was brought after the British operation
2 against the West Side Boys, was she actually the sister of the
3 boy from Kono under number 5?

4 A. They came to tell us the true story, that they were sisters
13:23:12 5 from the same father.

6 Q. And what happened to their parents?

7 A. The parents were killed. They were no more.

8 Q. Do you know who killed their parents?

9 A. Well, we will - our interpretation was, it was either the
13:23:28 10 AFRC or the RUF because from the point Kono was attacked they
11 were together. And the fact that the girl was with the AFRC, and
12 the boy was this, it's an interpretation that they were attacked
13 at the time when they were both acting together.

14 MR KOUMJIAN: Your Honour, I have very little left in my
13:23:56 15 direct examination but I think it would be interruptive if I
16 begin this last point at this time. If we could break now I
17 would appreciate it.

18 PRESIDING JUDGE: Yes, we will break at this stage, if it's
19 convenient, Mr Koumjian. We are going to have a break for lunch
13:24:18 20 now, Mr Witness. We will resume at 2.30. And once again, just
21 sit there until arrangements can be made to take you out of the
22 Court. We will adjourn now.

23 [Lunch break taken at 1.30 p.m.]

24 [Upon resuming at 2.30 p.m.]

14:30:56 25 PRESIDING JUDGE: Go ahead, Mr Koumjian.

26 MR KOUMJIAN: Thank you. Your Honours, may the document
27 that the witness just prepared with five names be given an MFI
28 number and be marked confidential, please.

29 PRESIDING JUDGE: Before we mark it perhaps the witness

1 could date it and also put his identification number on it, TF1
2 number.

3 MR KOU MJIAN: Thank you, your Honours:

14:32:10

4 Q. Mr Witness, would you please write your TF1 number 174 and
5 then put today's date which is, I believe, 28 January 2009.

6 PRESIDING JUDGE: I would like to see that, please. Is it
7 all right with you if I have a look at it? Did you want to have
8 a look at that, Mr Griffiths?

9 MR GRIFFITHS: No, thank you.

14:33:21

10 PRESIDING JUDGE: What about you, Mr Koumjian?

11 MR GRIFFITHS: No, thank you, your Honours.

12 PRESIDING JUDGE: All right. Thank you. That piece of
13 paper on which the witness has written down five names will be
14 marked for identification MFI-43, I think it is, and it will be
15 marked confidential.

14:33:48

16 I think the previous two letters I omitted to mark those
17 confidential. Is that right, Mr Koumjian?

18 MR KOU MJIAN: I forgot to ask you and I was just going to
19 do that. Yes, thank you.

14:34:03

20 PRESIDING JUDGE: All right. While we're at it, the
21 previous documents identified as MFI-41 and MFI-42 will also be
22 marked confidential. Yes, Mr Koumjian.

23 MR KOU MJIAN: Thank you:

14:34:25

24 Q. Now, sir, you talked about the sister of number 5 on that
25 list having come following a British operation against the AFRC
26 that you called Operation Barras. Is that correct?

27 A. Correct.

28 MR KOU MJIAN: Your Honours, the spelling for that is

29 B-A-R-R-A-S:

1 Q. Mr Witness, do you recall approximately when this operation
2 took place?

3 A. It was - well, it took place in the year 2000 at about very
4 close to the end of the year.

14:35:07 5 Q. Okay, thank you.

6 A. I don't remember exactly but it was close to the end of
7 that year.

8 Q. Thank you. Can you briefly tell us what you know about, or
9 what you heard about what happened there, just a brief

14:35:22 10 description?

11 A. Well, in the beginning, we heard that some British soldiers
12 were plying the road to Gberi, a village very close where the
13 West Side Boys were, and they were captured, and for a long time
14 there were negotiations between the government, the UN, the
15 British and these people who were there, that is the West Side
16 Boys.

17 And then there was - there seemed to be no release and then
18 all of a sudden one morning we heard that the British have come
19 and they have attacked the West Side Boys at Gberi and then they
14:36:29 20 arrested some of the West Side Boys and then they were scattered
21 and these, some of these children they brought to us and then the
22 following days it was in all the newspapers in Freetown. That's
23 all I know about it.

24 Q. Approximately how many children from this operation, after
14:36:47 25 this operation were brought to your centre?

26 A. They were about 30.

27 Q. What were their ages, approximately?

28 A. Again, the ages were the same. It was - some were 12, 13,
29 14, 15, 16. They were in that range - age range.

1 Q. And the sister of the boy, the Kono boy, number 5 on the
2 list you just wrote, approximately how old was she?

3 A. She was a bit younger compared to the boy. She was about
4 13.

14:37:29 5 Q. And once you got the two of them together, and discussed
6 their fears about dead people being at the centre, how did they
7 get along?

8 A. As I explained that we use our tactics. We talk to him, we
9 talk to the boy, we arrange - to the girl and the boy. We
14:37:53 10 arrange a meeting with them, plus few of their close friends; a
11 close friend of the girl, a close friend of the boy. And they
12 explain - the girl also explained that she was also thinking that
13 this of her brother was killed and the boy was thinking the same.
14 So when they met they were both thinking that each one was a
14:38:19 15 ghost.

16 Q. And once you got them together how did they react?

17 A. From - they were happy. From then they became united and
18 they were fighting for each other.

19 Q. Did you have any experiences with children at the centre
14:38:38 20 who had used drugs?

21 A. Yeah. When they came we had a good number of them who said
22 they were using drugs and even in the centre we have a good
23 number. Once in a while we catch them smoking, especially the
24 jamba or marijuana. It was very common among them. We continue
14:39:04 25 because we - all of this was a topic we also wanted to know. In
26 the centre, as I said, a good number of them were once in a while
27 - at so many times they went to the corners and get their
28 marijuana, which we call jamba, and so we asked them whether it
29 was true that even in the bush they were using drugs. They said

1 yes, but again jamba was the most common and they were using what
2 they call blue boat and then latter we find out what this blue
3 boat was.

4 One of them brought a sample and then those who know what
14:39:50 5 it was, it was the diazepam which was generally supplied at the
6 mental home in Kissy. Then they used the locally brewed wine, as
7 we say the Omolai and the palm wine. These were the - what we
8 consider as drugs which they used very much.

9 And then, because a good number of them told us that they
14:40:18 10 have not seen cocaine, we asked but we heard so many stories that
11 it was used. They said, no, it was only used by some of those
12 who had enough money to buy it because it was very expensive. So
13 it was not - very few number of those who use cocaine, but the
14 majority were using marijuana.

14:40:40 15 Q. How were the drugs taken? Were they swallowed, were they
16 smoked or were they ingested in any other way did they get them
17 into the body?

18 A. Well, for marijuana they told us they smoke, and at times
19 it is cooked along with their sauce and again at times they also,
14:41:02 20 with the food gun powder from the cartridges was also cooked and
21 used. So they cooked it, the marijuana, they smoke it, they also
22 boil it as tea and drink it.

23 Q. Was there any other way that drugs were put into their
24 blood system?

14:41:21 25 A. Well, for those who said that very few people were using
26 cocaine, they told us some parts in the body were cut and then
27 the cocaine is put in there, then they have a plaster on top of
28 the sore and so.

29 JUDGE SEBUTINDE: Mr Witness, did you say they cooked gun

1 powder?

2 THE WITNESS: After they cook it, they put it in the food,
3 gun powder.

4 MR KOUMJIAN:

14:42:03 5 Q. Sir, I only have one further question for you. As a
6 citizen of Sierra Leone today, to this day, do you see any
7 effects of this war that was brought to Sierra Leone in your
8 current daily life?

9 A. The answer is yes, and we - I always say to my fellow
14:42:25 10 citizen, whenever we discuss about the war, that any cut in the
11 body usually leaves a scar and the cut of the RUF and the AFRC
12 was too deep in the Sierra Leone situation. For example, in
13 Makeni alone, we have four amputee camps now existing. There is
14 one at Masongbo about five miles from Makeni; there is another
14:43:04 15 after Teko Barracks in Teko village; there is one at Panlap just
16 two miles from Makeni and there is one at Makombo. These are
17 effects of the war because each time we see them we see the scar
18 created by the war.

19 Again we come back to specifically the children. A good
14:43:29 20 number of them, though initially they were accepted and taken by
21 their parents, after some times the parents were not able or were
22 not willing to accept them back. If you go around the streets in
23 Freetown, in Makeni, in Bo, in Kenema, you see - you find out
24 that most of them are now engaged in riding what they call Okada,
14:44:00 25 Honda, renting. They are renting, transporting people there and
26 there within the towns and out of the towns to the nearby
27 villages.

28 So at times I wonder what will happen to these people.
29 They have no education. You go to emergency hospital, most of -

1 all the - most of the cases there, they are these boys. Most of
2 them are not going to school. They have outgrown the ages of
3 schools and some of the principal were not even willing to accept
4 them back.

14:44:33 5 So, to me, their future is bleak and for some of these, as
6 earlier we said, this is why some of us even came to the
7 realisation to have our private schools, so we can absorb some of
8 them and we mix them together with those now we call children in
9 difficult circumstances because most parents cannot accept.

14:44:58 10 We look at the condition of the girls. The Sierra Leonean
11 situation, especially the culture in the north, it will not
12 permit - it does not permit girls who have been vaginated, who
13 have been impregnated from these - who have got their pregnancies
14 from these people. Most of our people, including myself, would
14:45:23 15 not dare marry these people again. So it's like there is a high
16 growth of what we term as a single parent who, especially with
17 these girls, and they have no future, no man is helping them.

18 And Sierra Leonean situation is not like other situations
19 like here, or as we read and heard about the advanced world where
14:45:48 20 a woman can stand by herself. Here, we need people to support
21 these women to grow. They give support to each other as a
22 family.

23 And when we look at the children from, born by these young
24 girls, in Sierra Leone, especially in the north, they have no
14:46:09 25 future to fight politically - for any political power because our
26 culture is we start to ask you: Where were you born? Who is
27 your mother? Was your mother married to this paramount chief or
28 this section chief or this family? And then these children will
29 grow, those questions will be hard to answer. And they are

1 asking them each time there are elections. This man, this woman,
2 though she married to this man but she had this baby from a
3 boyfriend, and that baby will never be accepted in the Sierra
4 Leonean culture to fight for future powers, paramount
14:46:49 5 chieftaincy, and so we use the same reason even to disqualify you
6 for some other positions within the town.

7 So there are problems and they will continue to remain and
8 they are deep, I believe.

9 MR KOUMJIAN: Your Honours, just a spelling. The witness
14:47:09 10 used the word Okada, O-K-A-D-A, and I believe there were some
11 spellings of the villages where there were amputation camps. I
12 don't know if we need those from the witness or not.

13 PRESIDING JUDGE: Well, if there are in evidence we had
14 better have the right spelling.

14:47:31 15 MR KOUMJIAN:

16 Q. Sir, you said Panlap, can you spell that?

17 A. Panlap is P-A-N-L-A-P.

18 Q. And can you remind us of the other areas you mentioned
19 where the camps were?

14:47:43 20 A. Makombo, M-A-K-O-M-B-O. Masongbo, M-A-S-O-N-G-B-O and then
21 Teko village, T-E-K-O?

22 Q. Sorry, maybe just one more question: These former wives of
23 the RUF, what do they do now?

24 A. Well, some of them now they are in Makeni. They are doing
14:48:27 25 - some of them returned to the commanders who held them before,
26 they're living together because most of them, as I said, they
27 don't have the love and the appreciation from their parents and
28 nobody there takes them. Others are moving from one NGO centre
29 to - seeking for skills training, what they will do, what they

1 will not do. Others are doing trading, selling petty things in
2 the market.

3 We meet very often. We talk, they are there. Very few
4 have their - have young men who came out for them and they are
14:49:06 5 staying. And in that town we have now a word, "Na den de?" Is
6 he or - is he with them before? And people say "Yes", so it
7 means they should not even dare make love with you, and so they
8 are kind of discriminated.

9 PRESIDING JUDGE: Thank you, Mr Koumjian. I assume you've
14:49:37 10 got a few questions, Mr Griffiths. I probably don't need to do
11 this but I will just remind you there was a matter that
12 Mr Koumjian mentioned at the beginning of this witness's evidence
13 that if cross-examined upon in open court might tend to disclose
14 the witness's identity.

14:49:52 15 MR GRIFFITHS: And I'll seek to use a totally anodyne
16 phrase, if that eventuality arises, doubtful as I think it will.

17 PRESIDING JUDGE: Thank you, Mr Griffiths.

18 CROSS-EXAMINATION BY MR GRIFFITHS:

19 Q. You spent many years dealing with children who had been
14:50:10 20 robbed of their childhood, didn't you?

21 A. I did.

22 Q. It must have been undoubtedly very painful work, was it?

23 A. It was. As I said, it was a big challenge, but we went
24 through it.

14:50:35 25 Q. And I'm sure everyone would join with me in expressing our
26 admiration for the kind of work that you were able to do with
27 those young people. Now, I only have a few questions for you.
28 It was in late December 1998, wasn't it, that the RUF entered
29 Makeni?

1 A. That was the year and the period.

2 Q. And the date we're talking about is 23 December, isn't it?

3 A. It is.

4 Q. So it was just before Christmas?

14:51:15 5 A. It is.

6 Q. Now, after they entered Makeni, there was heavy fighting
7 for three or four days, wasn't there?

8 A. There was.

9 Q. Thereafter, during that period of three or four days, there
14:51:29 10 was also a lot of looting in Makeni, wasn't there?

11 A. Looting took place.

12 Q. Was there any burning of houses?

13 A. At this time there was no burning.

14 Q. But, as you've indicated, you heard reports of many females
14:51:48 15 being raped during that period. Is that right?

16 A. That is right.

17 Q. And is it fair to say that after those three or four days
18 things calmed down in Makeni for a while?

19 A. Sure.

14:52:05 20 Q. And is it the case that it was the efforts of the RUF
21 commander for that area, Issa Sesay, which brought about that
22 calm?

23 A. It was Issa.

24 Q. And for the most part, whilst Issa Sesay was in charge of
14:52:26 25 Makeni, there was a sense of there being a rule of law in that
26 city, wasn't there?

27 A. Intermittently.

28 Q. Put differently he did his best, did he not, to maintain
29 law and order in Makeni?

1 A. Personally I would not call it law and order, because
2 according to me you cannot execute or exercise law and order by
3 killing without judging people. Just one or two questions, you
4 kill. Just one or two questions, something happen, you kill, no
14:53:11 5 evidence. I don't call that order.

6 Q. Well, at least there was calm. Would you agree?

7 A. I will not agree with you in this matter.

8 Q. Very well. Now prior to that December in 1998, the
9 AFRC/RUF forces had been to Makeni on a previous occasion, hadn't
14:53:39 10 they?

11 A. They were.

12 Q. And that was in late February 1998?

13 A. Even it - they started living together in Makeni from the
14 time of the coup of the AFRC.

14:53:59 15 Q. It's my fault. Let me ask the question differently. In
16 terms of fighting or looting, that kind of misbehaviour, there'd
17 been a previous incident of such behaviour in late February/early
18 March of 1998, wasn't there?

19 A. There was.

14:54:28 20 Q. And that was when the AFRC forces, along with some members
21 of the RUF, were retreating from Freetown following the ECOMOG
22 intervention. That's right, isn't it?

23 A. Right.

24 Q. And hoards of AFRC and RUF combatants descended on Makeni
14:54:48 25 at that time, didn't they?

26 A. They were there, but during the fight those who were in
27 Freetown also joined those who were in Makeni.

28 Q. Yes, but in terms of fighting and violence is it right to
29 say that the only occasion that occurred was in December 1998?

1 Would you agree?

2 A. Also in the 17 day period which started mid-February.

3 Q. '99?

4 A. '98.

14:55:25 5 Q. '98, okay. So those two episodes of violence, yes. So
6 we're talking about February 1998 and now December 1998, am I
7 right?

8 A. Yes, you are right.

9 Q. So two occasions. Now Issa Sesay remained in charge of RUF
14:55:49 10 forces in Makeni up until disarmament, didn't he?

11 A. He did.

12 Q. And during that period from about December 1998 through to
13 2001, apart from the periods of infighting within the RUF/AFRC
14 partnership for the most part Makeni was calm, wasn't it, for the
14:56:18 15 most part?

16 A. Some parts were calm. Some parts were not calm because, as
17 I explained, there were the food finding missions and the food
18 finding missions were activities of no calmness. They have to
19 attack people, they will take their food, other property which
14:56:41 20 belongs to them, and every day from one village and the other
21 people come. So if today you are calm here the other people are
22 not calm, so the period as a whole was not calm because every
23 day, as I said, there were food finding missions and the food
24 finding missions were not easy. There were also small attacks.

14:57:13 25 Q. I think we all understand the picture. Now apart from Issa
26 Sesay, others you saw in Makeni were Gibriil Massaquoi. Is that
27 right?

28 A. He comes in and go. He was more in Lunsar than in Makeni,
29 but he was coming very often.

- 1 Q. You also saw Superman?
- 2 A. He was there, coming and going.
- 3 Q. Also one Rambo? The late Rambo?
- 4 A. Rambo was there until when he was attacked and killed.
- 14:57:43 5 Q. Also Morris Kallon?
- 6 A. He was there, but he was also coming and going.
- 7 Q. Also one General Bropleh?
- 8 A. Bropleh was there.
- 9 Q. Now, I want to pause and ask you a little bit more about
- 14:58:00 10 him. Bropleh was a Liberian, wasn't he?
- 11 A. We were told he was.
- 12 Q. And he was in charge of a body of combatants called the
- 13 STF, wasn't he?
- 14 A. He was.
- 14:58:12 15 Q. Now the STF stood for Special Task Force, didn't it?
- 16 A. It is.
- 17 Q. And the Special Task Force had been a unit within the
- 18 Sierra Leonean army. That's right, isn't it?
- 19 A. I don't know what it was, but in Makeni they were working
- 14:58:33 20 together with the RUF.
- 21 Q. Were you not aware that the STF was in fact a unit of the
- 22 Sierra Leonean army which at the time of the coup in May 1997
- 23 became part of the AFRC forces? Did you know that?
- 24 A. I did not know. As I said in Makeni they were together
- 14:58:59 25 with the RUF, they were doing things together and for us - for me
- 26 - it's like they are like brothers, like minds.
- 27 Q. They were Liberians, weren't they?
- 28 A. Most of them were Liberians.
- 29 Q. Were you aware that they had been recruited from former

1 ULIMO fighters?

2 A. I am not aware.

3 Q. Do you know of ULIMO?

14:59:39

4 A. I heard about ULIMO. I heard about it when there was the
5 Liberian conflict.

6 Q. Were you aware of ULIMO fighters operating from Sierra
7 Leone?

8 A. At some point, yes.

15:00:03

9 Q. Now you became aware at some stage of an attack upon
10 Freetown in January 1999, didn't you?

11 A. We did.

12 Q. Now that attack on Freetown was primarily the work of the
13 AFRC soldiers, wasn't it?

15:00:29

14 A. Up to this time from what we've been hearing in Makeni it
15 was led by AFRC, but you cannot also divorce RUF because even in
16 Makeni most of the time until when they had the infight they were
17 doing things in common.

18 Q. Were you in Freetown at the time of the invasion?

15:00:56

19 A. I was not in Freetown. All the time I was in Makeni and
20 the surrounding villages.

21 Q. So I take it you were dependent on what people told you in
22 order to know what was going on during that invasion, would that
23 be fair?

15:01:13

24 A. Partially we depend on what we hear from people who go and
25 - who went and come back to Makeni.

26 Q. Yes.

27 A. And we also listened, as I was explaining, to radios like
28 RFI and BBC. And every day in the course of the time people were
29 moving from Makeni to Freetown, from Freetown to Makeni and we

1 heard of the stories. The RUF and the AFRC were also going and
2 coming, so both groups were together.

3 Q. Would it be fair to say that the attack on Freetown was
4 mostly led by SLAs?

15:01:56 5 A. We heard that it was led by SAJ Musa and some other
6 commanders from the Koinadugu or Kambia axis.

7 Q. And was it not the case that because the RUF did not really
8 help them, that started a conflict between the RUF and the AFRC?

9 A. I don't know that, because since I was in Makeni and they
15:02:21 10 were doing things together I repeat we always see them and
11 together they were doing the same things. They came to Makeni.
12 They were together in the administrative office. We saw SLA. We
13 saw RUF. Though we heard that the attack in Freetown was led by
14 AFRC, but you cannot divorce RUF.

15:02:49 15 Q. I'm going to ask you again. The fact that the RUF did not
16 really help them was the beginning of the conflict between the
17 RUF and the AFRC. Do you recall those words?

18 A. I do not know about these words.

19 Q. Are they not words uttered by you to an investigator on 14
15:03:20 20 August 2003?

21 A. { Redacted } --

22 MR KOUMJIAN: Excuse me, your Honour. May that be
23 redacted, please.

24 PRESIDING JUDGE: Apparently for a reason I don't
15:03:34 25 understand, your identity, Mr Witness, can be revealed if you
26 make references like the one you've just made.

27 THE WITNESS: I did not utter those words.

28 PRESIDING JUDGE: No, just a moment. All right. Well you
29 know the words complained of, Madam Court Manager? Yes. Well,

1 I'll make an order redacting those words. Did you want to ask
2 the question again, Mr Griffiths?

3 MR GRIFFITHS: Thank you, Mr President, I will:

15:04:34

4 Q. Do you remember on 14 August 2003 saying the following to
5 an investigator from the Special Court, "The fact that the RUF
6 did not really help them was the beginning of the conflict
7 between RUF and AFRC"? Just answer the question yes or no. Do
8 you remember saying that?

9 A. No.

15:04:54

10 Q. Now the copy of the document I'm going to show you is
11 marked, but it's the only one I have available. What I'd like
12 you to do, please, is just to have a look at the first page and
13 identify your name and the date and then I'm going to direct your
14 attention to the second page. Do you follow me?

15:05:14

15 A. I follow you.

16 PRESIDING JUDGE: You don't want it on the projector, do
17 you?

15:05:39

18 MR GRIFFITHS: I don't want it on the projector. I just
19 want him to look at the first page, identify his name and then
20 I'm going to ask to be put up on the screen the last four lines
21 of the second page. That's all:

22 Q. Now, Mr Witness, do you see your name?

23 A. Yes.

24 Q. Do you see the date?

15:05:56

25 A. I've seen them.

26 Q. Do you recognise that as a record of an interview conducted
27 with you by investigators?

28 A. I do.

29 MR GRIFFITHS: Let's put up the last four lines on the

1 second page, please, on the overhead. The last four lines.

2 There is nothing in that to identify the witness:

3 Q. Now, do you see the highlighted portion which begins four
4 lines from the bottom of the page with "The attack"? Do you see
15:06:49 5 that?

6 A. I see.

7 Q. Read out to the judges the rest of that page, please,
8 starting with "The attack". Read it out, please.

9 A. "The attack of Freetown was mostly led by SLAs. The job
15:07:11 10 of the RUF was to give them a helping hand, after they had
11 succeeded."

12 Q. Go on, and the rest.

13 A. "The fact that the RUF did not really help them was the
14 beginning of the conflict between RUF and AFRC".

15:07:28 15 Q. Thank you very much. Can I have those two sheets back,
16 please. Now, had you forgotten that you'd told them that?

17 A. I did not tell them these words.

18 Q. So can you help us as to how they managed to creep into a
19 record of an interview attributed to you? How?

15:07:59 20 MR KOU MJIAN: Objection. That calls for speculation.

21 PRESIDING JUDGE: He can answer that question, Mr Koumjian.
22 I'll allow the question.

23 MR GRIFFITHS:

24 Q. Can you explain how it came about that such a passage crept
15:08:13 25 into the record of an interview conducted with you?

26 A. I cannot explain.

27 Q. When you were being interviewed on that occasion do you
28 recall someone writing down what you were saying?

29 A. The person was writing down while I was speaking in Krio.

1 Q. And having written it down, did they not read it back to
2 you so that you had an opportunity to correct it?

3 A. It was read, but this was not explained to me.

4 Q. I suggest it was, you see, because on a separate occasion,
15:08:54 5 a year after you had given that interview, you were taken through
6 the contents of that first interview again and asked to make
7 corrections and, guess what, that passage was not corrected by
8 you. Now can you help us as to why not, given that you're now
9 telling us that you didn't say that?

15:09:20 10 A. I cannot tell you why it was not corrected, but I didn't
11 say that.

12 Q. Because, Mr Witness, let me show you another document just
13 to demonstrate to everyone the opportunity you had to correct
14 that first statement. Can we give this statement to the witness,

15:09:41 15 please. Do you see your name at the top of that document?

16 A. I've seen it.

17 Q. Do you see the date? What is the date?

18 A. It is 11 February 2004.

19 Q. And is it right that that is a statement in which it's
15:10:09 20 quite clear you had been taken through the contents of an earlier
21 interview conducted with you?

22 A. I was also interviewed on that date.

23 Q. Yes, and you were taken through the record of your earlier
24 interview, weren't you?

15:10:34 25 A. It was read through.

26 Q. Because let us turn the name over and put it on the
27 overhead, please. Let's fold it so that the name cannot be seen.
28 "In a follow-up interview witness added or made the following
29 clarification to his statement of 14 August 2003." Now, the

1 statement of 14 August 2003 is the statement to which I've just
2 drawn your attention. Do you understand that? Do you understand
3 that?

4 A. It's not very clear.

15:11:37 5 Q. The statement referred to in this document, "Witness added
6 or made clarification to his statement of 14 August", the
7 statement of 14 August is the one that I showed you previously.
8 Do you understand that?

9 A. I understand.

15:11:55 10 Q. Right. So it means that on this date you were given an
11 opportunity to go through this earlier document and make
12 corrections. Now, when we look at this document, it's quite
13 clear you did not correct the passage I've just shown you. Why
14 not, if you're now telling us you never said it?

15:12:22 15 A. It is possible that it was not really explained to me,
16 because no document was given to me to read. The lady who was,
17 who went to Makeni and met me at the time, she was explaining and
18 I was explaining to what she wanted.

19 Q. But if you look at this statement now on the screen it's
15:12:49 20 quite clear, "Witness did not see the shooting of a boy as is
21 stated at the bottom of page 1". You were taken through this
22 page by page, so why did you not correct it?

23 A. Well, it was left unattended.

24 Q. I'm sorry, I don't understand that. Can you help me?

15:13:15 25 A. It was not very clear to me when the interviewer came back
26 to Makeni.

27 Q. Can I have that sheet back, please. Let's move on.
28 Because you're someone educated to university level, aren't you?

29 A. I did.

1 Q. So help me, how did it come about that you didn't spot this
2 glaring error in your statement?

3 A. I was in haste.

4 Q. But you appreciated that this was a very important
15:14:08 5 document, it might be used in legal proceedings against persons
6 put on trial before a court. You knew that, didn't you?

7 A. We did not intend it as it has come to be.

8 Q. What do you mean?

9 A. I did not take it very serious as you are explaining it now
15:14:29 10 until when actually the Court came to be set up, then we started
11 to take things very seriously.

12 Q. So are you saying that investigators come to talk to you
13 about this terrible period in your country's history and you
14 didn't take it seriously? You saw it as a joke, did you?

15:14:51 15 A. Yes, because there were these two factions. There were
16 those who wanted the Court to operate, there were those who did
17 not want the Court to operate.

18 Q. Are you honestly telling us that you took it as a joke?

19 A. Honestly it is not a joke; some of us did not even want the
15:15:09 20 Court to operate at the time.

21 Q. Yes, but did you take it as a joke? Is that why you didn't
22 really bother about what you were telling them?

23 A. Yeah. At that time it was like we were not sure whether it
24 will be as it is now.

15:15:19 25 Q. So you thought you could say any old rubbish to them and it
26 didn't matter?

27 A. It wasn't a rubbish. We said what we know and what
28 happened.

29 Q. Tell me something: Is there a reason why you now want to

1 withdraw from the position you were adopting back in August 2003?
2 Is there a reason why you now want to back off from some of the
3 statements you made way back then?

15:16:01

4 A. I am not backing off. Some of the statements were not
5 interpreted exactly as we gave them.

6 Q. So I want to be clear now, then. What is your current
7 position so far as the Freetown invasion is concerned? What do
8 you want us to believe about that now that you've gone past the
9 joke?

15:16:35

10 A. Repeat this.

11 Q. What account do you now want to give the Judges about who
12 was responsible for the Freetown invasion?

15:16:57

13 A. I cannot give an account about who was responsible for the
14 Freetown invasion. It is something we heard. All what I am
15 trying to say, it is the things that I saw in Makeni. Freetown
16 we were told. In Makeni I was present. So I cannot give you
17 much about what actually happened in Freetown. But from the
18 stories we heard, I simply explained those stories that we heard.
19 In Makeni where I was I can give a vivid story and example of
20 what happened.

15:17:22

21 Q. So can I take it then that the position now is: I am not
22 in a position to say anything about the Freetown invasion? Is
23 that now the truthful position?

15:17:42

24 A. I will not say that because we heard some stories and the
25 stories were true. We heard - were listening to the radios, what
26 we heard cannot be all lies, so we have those stories and we take
27 them. We listen to the radio, we accept them. I cannot say all
28 that happened was not true.

29 Q. Were you aware that during the Freetown invasion RUF forces

1 reached no further than Waterloo? Did you know that?

2 A. I don't know.

3 Q. But you appreciate that the attack was led by one SAJ Musa,
4 don't you?

15:18:25 5 A. That we heard and we accept it.

6 Q. And did you also hear of complaints by AFRC soldiers that
7 the RUF had not helped them? Did you hear any such stories?

8 A. As I said it, earlier on, those stories did not meet us
9 until - in Makeni both RUF and AFRC were always together until

15:18:55 10 very late when they separated and the other group moved to

11 Freetown. But from this time we know them to be together and
12 they were doing things in common.

13 Q. Now, moving on to another topic, there was serious
14 infighting within the RUF in 1999, wasn't there?

15:19:18 15 A. There was.

16 Q. On 3 April 1999, Rambo was killed by Superman, wasn't he?

17 A. He was killed by Superman in Makeni.

18 Q. And Superman tried on the same occasion to kill Issa Sesay,
19 didn't he?

15:19:38 20 A. We were told that and we believed.

21 Q. And Issa Sesay had to flee for his life to Magburaka,
22 didn't he?

23 A. He did.

24 Q. Following Issa Sesay's escape, Superman and his men
15:19:57 25 controlled Makeni, didn't they?

26 A. They were controlling Makeni.

27 Q. But the infighting between Superman and others continued
28 with attacks from Magburaka by RUF members loyal to Issa Sesay?

29 A. There were both RUF and AFRC from Magburaka and in Makeni.

1 Q. And that serious infighting continued until 22 April 1999,
2 didn't it?

3 A. Yeah, on 22/23 it finally ended.

4 Q. And it was serious fighting, wasn't it?

15:20:34 5 A. It was very serious.

6 Q. Including the use of RPG bombs, for example?

7 A. They did.

8 Q. Now, there was a further bout of infighting in October,
9 wasn't there, between RUF soldiers and AFRC soldiers?

15:20:57 10 A. It was. There was.

11 Q. And as a consequence of that trouble the AFRC soldiers left
12 Makeni?

13 A. They did.

14 Q. And thereafter, the RUF combatants remained in control

15:21:16 15 until disarmament?

16 A. They were.

17 Q. Help me with this: Have you ever spoken to Issa Sesay?

18 A. I spoke to him just on the way he was first introduced to
19 me. Issa has never attended a meeting. On one occasion we went

15:21:40 20 actually to greet him because we wanted to continue when father

21 who was adopted to pray with us and as Catholics we cannot pray

22 our mass without wine, so we went there. But we had not much

23 communication. After we explained to him he simply took the wine

24 and gave to us. Each time he comes he's more in haste to stay in

15:22:09 25 Makeni. He went through his commanding team and then before you

26 know he is there again he will leave.

27 Q. Did you know Issa Sesay well enough to be able to recognise
28 his voice?

29 A. I know Issa Sesay facially. He has never spoken to us in

1 any of the meetings that were held in Makeni. Though all the
2 meetings we had were always represented by some other commander
3 from him, we only received information and messages that, "Issa
4 said ...", "Issa said ..."

15:22:51 5 Q. So I take it you're not in a position to recognise his
6 voice?

7 A. Not exactly.

8 Q. The reason I ask is this. Do you recall yesterday being
9 played a BBC broadcast?

15:23:09 10 A. I recall.

11 Q. Do you recall that on that broadcast someone spoke who was
12 claiming to be Issa Sesay?

13 A. Very clearly.

14 MR KOUJIAN: Objection. It misstates the evidence.

15:23:22 15 PRESIDING JUDGE: In what way, Mr Koumjian?

16 MR KOUJIAN: Your Honours, the person on the tape was
17 identified simply as Colonel Sesay.

18 PRESIDING JUDGE: Yes, Mr Griffiths? Just to expand on
19 that, Mr Koumjian, you're saying that the person speaking on the
15:24:02 20 tape did not actually claim to be Issa Sesay, is that right?

21 MR KOUJIAN: That's absolutely correct, yes.

22 PRESIDING JUDGE: Well that's the objection, Mr Griffiths.

23 MR GRIFFITHS: I'm just checking with the transcript.

24 MR KOUJIAN: Your Honours, just for reference for your
15:24:24 25 Honours I would remind the Court - I don't have the date, but
26 there was testimony identifying the name of that person in the
27 testimony of witness - I'll just give the TF1 number even though
28 the witness testified openly. TF1-334 told you who made a call
29 to the international media from the State House.

1 MR GRIFFITHS: That's all very Delphic, but I really don't
2 understand what it is that Mr Koumjian is saying.

3 MR KOUMJIAN: If I can explain. 334 identified that person
4 as FAT Sesay in his testimony a long time ago before we had the
15:25:16 5 tape. He indicated that FAT Sesay made a call to the
6 international media.

7 JUDGE SEBUTINDE: Yes, but, Mr Koumjian, really do you have
8 to tell that to the witness when he is being asked this question?
9 Isn't it sufficient for you to object to counsel not properly
15:25:37 10 stating what is in the transcript of the tape? Do you in
11 addition have to say the name of the person that another witness
12 said? Is that not leading?

13 MR KOUMJIAN: I see your point, your Honour. That is why I
14 did not say the name until I was asked by counsel to explain
15:25:53 15 further what I was trying to say. That is why I was trying to be
16 a bit obtuse and I didn't even give the name of the witness who
17 had given that information previously. I tried to use a TF1
18 number, although the witness was open.

19 MR GRIFFITHS:
15:26:15 20 Q. The person you heard on that broadcast, are you able to say
21 whether that is Issa Sesay or not?

22 A. I cannot say that. I heard the broadcast and we listened
23 to the radio, but I cannot even identify who the person is.

24 Q. At the time when you first heard that broadcast, because
15:26:34 25 you tell us that you remember hearing it, did you think at that
26 time that it was Issa Sesay?

27 A. I cannot think that it was Issa Sesay, because at the time
28 the broadcast was made in Freetown Issa was still in Makeni.

29 Q. So from the very first occasion you heard that tape you

1 knew it was not Issa Sesay?

2 A. That is correct.

3 Q. Now, you mentioned a Colonel Senegal. Do you recall that?

4 A. I recall.

15:27:19 5 Q. Was that person also known as Senegalese?

6 A. He was - yeah, he was also called Senegalese.

7 Q. Now, you tell us that he spoke French and English?

8 A. Yeah.

9 Q. Did he speak Liberian English?

15:27:36 10 A. Liberian English was spoken by even the Sierra Leonean men
11 that were RUF/AFRC. It was a common - the common language they
12 were using. For some reason basically because - for some reason
13 others spoke it much fluently and for some time I was in Liberia
14 and we can identify them, but everybody was speaking Liberian
15:28:15 15 tongue.

16 Q. So when someone was speaking Liberian English it was
17 virtually impossible to say whether they were actually Liberian,
18 or whether they came from another country?

19 A. We know those who identified themselves as being Liberian.

15:28:34 20 The others, we know those also who were just imitating. They do
21 it very close to perfection but they were imitating, because some
22 of them who we knew before in Makeni if they go for that short
23 time and come back we can identify. But for those we don't know
24 we simply cannot identify, except that they cannot - from the
15:28:57 25 experience I had when I was there they cannot exactly speak the
26 language as the Liberian does, or the Liberians they were free to
27 tell us, "I'm a Liberian. I came from such and such a county",
28 and so forth.

29 Q. But let's go back to the specific question. Did Senegalese

1 speak Liberian English?

2 A. He was speaking the same Liberian English every member of
3 the RUF/AFRC were speaking.

4 Q. But he also spoke French?

15:29:32 5 A. I heard him speaking French.

6 Q. Did he speak with a proper French accent?

7 A. Well, I cannot tell because I don't speak French.

8 Q. Now this Senegalese was killed, wasn't he?

9 A. He was killed on the way during the infighting and we were
15:29:55 10 informed the AFRC killed him.

11 Q. Now, you also told us about Issa Sesay going to Monrovia
12 where he was declared the leader of the RUF. Do you remember
13 telling us that?

14 A. I remember well.

15:30:17 15 Q. Do you remember now the circumstances which led to him
16 travelling to Monrovia?

17 A. It was after they travelled to Liberia and came back that
18 we were informed that he was now the interim leader of the RUF.

19 Q. Who appointed him interim leader of the RUF?

15:30:42 20 A. I don't know.

21 Q. Are you aware of the circumstances of how he came to travel
22 to Liberia?

23 A. Well, there were information and people were being
24 collected to go down to Liberia so that they will nominate and
15:31:07 25 elect one of them who was going to take the position of the
26 leadership at that time. When they went that week and they came
27 back, we were automatically told he was the leader and then we
28 take him as the leader. We address him - everybody address him
29 as the leader. This is why we also address him in our letter as

1 "Leader".

2 Q. Do you recall now that he travelled to Liberia in July
3 2000?

15:31:42

4 A. I don't know the exact date. He was travelling out of
5 Makeni. As I continuously stated, he was travelling continuously
6 in and out to Kono, to Kailahun and to Liberia.

7 Q. Were you aware that he'd been invited to Monrovia by the
8 Committee of Five set up by ECOWAS?

15:32:04

9 A. I was not aware. All that we knew was they were going to
10 Liberia. At that time in Makeni the sources of information was
11 very, very poor, so what happened in Makeni was that they
12 collected themselves and the group of them were going. We knew
13 they went and they came back and they told us Issa was the
14 leader.

15:32:23

15 Q. Do you recall that this visit by Issa Sesay to Liberia
16 followed the arrest of Sankoh in Freetown?

17 A. It was after the arrest we were told they were going there
18 to get an interim leader, but even before that he was travelling
19 and we were told that at times he was in Kono, at times he was in
20 Kailahun and going at times - very few occasions he was going to
21 Liberia.

15:32:50

22 Q. Well let me outline the following scenario to you and,
23 given that you were someone constantly listening to the radio,
24 you might be able to help me. What I'm going to suggest is that
25 following Sankoh's arrest there was a vacuum in the leadership of
26 the RUF and the ECOWAS group of five, anxious to carry on with
27 the peace agreement, invited Issa and others to a meeting in
28 Monrovia attended by Obasanjo, the Nigerian President, Alpha
29 Konare, the President of Mali and the then chair of the ECOWAS

1 Committee of Five, Yaya Jammeh, the President of Gambia, Eyadema,
2 the President of Togo, and of course this man Charles Taylor, and
3 it was those five leaders who suggested that Issa Sesay take over
4 as interim leader in order to continue the peace process. Now,
15:34:07 5 does that account ring any bells with you?

6 A. It doesn't, but from the time of the attack in Makeni, as
7 we were informed also by them, this is not the only time he went
8 to Liberia.

9 Q. I'm only talking about this time when he came back as
15:34:33 10 interim leader.

11 A. Yeah, when he came back we were informed in Makeni that he
12 was then the interim leader and, as I explained to the Court,
13 there was dancing. There was merriment in Makeni.

14 Q. There's one other matter I want to talk to you about and
15:34:45 15 it's this. You told us that children told you that they had been
16 to Liberia. Do you remember telling us that?

17 A. I remember.

18 Q. Can you give us a year when they went to Liberia?

19 A. I cannot be very definite, because it is not on one
15:35:11 20 occasion and not with one commander. They moved with the
21 different commanders who were travelling to Liberia.

22 Q. And did they say they were, for example, fighting in
23 Liberia?

24 A. They did not tell us that they fought there. They simply
15:35:26 25 told us that they went with their commanders, they have - they
26 sold - purposely at times to sell diamonds and they come back,
27 they had been given new guns, they have new clothes which I have
28 explained and this was why, but none of them told us that they
29 fought in Liberia. We were very, very much concerned about the

1 Sierra Leone situation. Actually I have never asked them who
2 fought in Liberia or not, but some of them told us definitely
3 that they went there and come.

4 Q. And did they tell you who they were selling diamonds to?

15:36:06 5 A. They did not say. They simply told us that they went to
6 Liberia, they sold the diamonds, they get new guns, they have new
7 shirts and they come back.

8 Q. Did they say where in Liberia they'd gone?

9 A. They were pointing most times in Monrovia.

15:36:39 10 JUDGE SEBUTINDE: Did you say "They were pointing"?

11 THE WITNESS: Yeah, they were telling us in Monrovia.

12 JUDGE SEBUTINDE: Can you point to Monrovia from Makeni?

13 THE WITNESS: No, sorry, they were telling us they went to
14 Monrovia.

15:37:06 15 MR GRIFFITHS:

16 Q. Were you aware of a letter written by Issa Sesay to Sankoh
17 seeking his approval for his appointment as interim leader?

18 A. I am not.

19 Q. You're not aware of that?

15:37:20 20 A. I'm not aware of that letter. I have not read it.

21 MR GRIFFITHS: I have no further questions.

22 PRESIDING JUDGE: Thank you, Mr Griffiths. Any
23 re-examination, Mr Koumjian?

24 MR KOUMJIAN: Very briefly just on one point I have a few
15:37:36 25 questions.

26 RE-EXAMINATION BY MR KOUMJIAN:

27 Q. Mr Witness, I want to ask you about the period of time that
28 counsel I believe called the period of calm in Makeni. That is
29 when the RUF was in control of Makeni other than the days, the 17

1 day period in February to early March 1998 and the December '98
2 attack on Makeni, I want to ask you about what was going on at
3 that time. During those periods that counsel has referred to as
4 the calm period in Makeni, were there child soldiers with the
15:38:10 5 RUF, children 14 and under?

6 A. Those children were with the RUF throughout until when
7 finally we have the final disarmament, when they were then
8 totally given to us. But from the initial time, up to the time
9 we had the final disarmament and the final withdrawal of the
15:38:34 10 children, they have been with them throughout and this was why at
11 2001 we went to Kono with one of the RUF commander to help to
12 remove the children from them. Even then, there were still some
13 until finally, as I said, in 2002 and 2003 when, well, I
14 left Caritas and I stopped having an affairs with the programme.

15:39:08 15 Q. During the period of time the RUF controlled Makeni outside
16 of the two periods of widespread conflict that I've just talked
17 about, the 17 day period and the December '98 attack, did RUF
18 commanders keep as wives abducted women in the Makeni area?

19 A. They did, until 2001 when we collected the 127 girl
15:39:34 20 mothers, pregnant, and those who were carrying babies. We
21 collected them from the different commanders in Makeni Town.

22 Q. During this period of time, were there food finding
23 missions carried out by SBUs and other RUF soldiers in the
24 surroundings in Makeni?

15:39:51 25 A. There were food finding missions throughout until
26 disarmament time.

27 Q. And did those food finding missions occur in the manner
28 that you described previously in your testimony?

29 A. Repeat.

1 Q. What happened on those food finding missions?

2 A. The food finding mission was - they were groups led by very
3 - maybe one adult and mostly the SBUs, according to them, and we
4 called them the young boys and girls. They will go to a village,
15:40:30 5 they attack that village and they remove everything that was
6 there, specifically food, clothing, radios.

7 Q. You talked about after the RUF had the meeting with Jalloh
8 and the citizens of Makeni in early January '99 that there was a
9 recruitment effort and you said some people were captured on the
15:40:53 10 street. Is that correct?

11 A. Yeah. Others registered, others were captured.

12 Q. And did this forced recruitment, this capturing of people
13 and bringing them into the RUF forces, continue during this
14 period that counsel called the calm period in Makeni?

15:41:10 15 A. It continued until after the infighting between AFRC and
16 RUF and all those children who were caught at that time, these
17 were the - they later named them as the second junta.

18 Q. Sir, finally, would you describe any of the time period
19 that the RUF controlled Makeni as a period of calm or peace for
15:41:33 20 the citizens of Makeni?

21 A. I have not done so and I cannot do so because, as I said,
22 there were food finding missions throughout and those food
23 finding missions were not easy from one village to the other.

24 MR KOUJIAN: Thank you. No further questions.

15:41:49 25 PRESIDING JUDGE: Thank you, Mr Koumjian. Yes,
26 Mr Koumjian?

27 MR KOUJIAN: Your Honour, we have some exhibits and I
28 would move all of them into evidence and thanks to my colleague I
29 have a list now. That would be MFI-39A and 39B. That is the tape

1 and the transcript of the 6 January radio broadcast that we
2 played.

3 PRESIDING JUDGE: Yes. Any objection to that,
4 Mr Griffiths?

15:42:23 5 MR GRIFFITHS: I have no objections to any of the items
6 Mr Koumjian is moving to be exhibited.

7 PRESIDING JUDGE: All right. Thank you, Mr Griffiths.

8 MR KOUMJIAN: I appreciate that, thank you.

9 PRESIDING JUDGE: I will just allocate some exhibit
15:42:36 10 numbers, Mr Koumjian.

11 The Focus on Africa tape track 2, dated 6 January 1999,
12 identified as MFI-39A will be admitted into evidence as
13 Prosecution exhibit 279. That will be 279A for the tape and the
14 transcript of that tape will be admitted into evidence as
15:43:17 15 Prosecution exhibit 279B.

16 [Exhibits P-279A and P-279B admitted]

17 The piece of paper produced by the witness in the course of
18 his evidence, on which he wrote the names of children involved in
19 the fighting in Freetown in January 1999 and identified as
15:43:51 20 MFI-40, will now be admitted into evidence as Prosecution exhibit
21 280.

22 [Exhibit P-280 admitted]

23 I think you wanted that confidential, didn't you,
24 Mr Koumjian?

15:44:13 25 MR KOUMJIAN: Yes, your Honour. All of the remaining four
26 - well, that and also MFI-41, 42 and 43, I would ask that all of
27 those be marked confidential. Thank you.

28 PRESIDING JUDGE: All right. That exhibit P-280 will be
29 marked confidential. The document identified as MFI-41, which is

1 a letter dated 6 October 2001, will now be admitted into evidence
2 as Prosecution exhibit P-281 and will be marked confidential.

3 [Exhibit P-281 admitted]

15:45:03

4 The letter dated 8 October 2001, identified already as
5 MFI-42, will now be admitted as Prosecution exhibit 282 and
6 marked confidential.

7 [Exhibit P-282 admitted]

15:45:26

8 Finally, the piece of paper produced by the witness on
9 which he has written five names, and which has already been
10 identified as MFI-43, will now be admitted into evidence as
11 Prosecution exhibit 283 and marked confidential.

12 [Exhibit P-283 admitted]

15:45:47

13 Mr Witness, that's the end of your evidence and we would
14 like to thank you for coming along to court to give evidence. We
15 appreciate it. You will be helped from the court in a minute.
16 If you just sit there we will have the blinds lowered.

15:46:11

17 To the members of the public, the reason you can't see this
18 witness is that one of his protective measures is that his
19 identity is screened from the public. Now, he has finished his
20 evidence and is about to leave court and for that purpose we will
21 need to lower the blinds of the Court so that he can leave
22 without being seen by the public. When he leaves, all blinds
23 will be raised again for the next witness.

15:48:39

24 Yes, Ms Hollis, I think the next witness is TF1-303. Is
25 that right?

26 MS HOLLIS: That is correct, Mr President. This witness
27 had protective measures ordered for the witness by Trial Chamber
28 I in its 5 July 2004 decision and the witness was a Category A
29 witness. Now, we have discussed these measures with the witness

1 and it is the witness's request that these measures relating to
2 her testimony in court be rescinded and that she testify openly
3 in court.

4 In particular, Mr President, this would be referring to
15:49:24 5 protective measure (a) relating to the use of a pseudonym,
6 protective measures (b) and (c) except for the protection of
7 address and current whereabouts. As to protective measure (d) of
8 course the testimony in open court would not be protected.
9 Measure (e) relating to a screening device would be rescinded and
15:50:02 10 protective measure (g) for Category A witnesses relating to voice
11 distortion would also be rescinded. So that is the request that
12 we make on behalf of the witness.

13 PRESIDING JUDGE: You probably don't want to say - are you
14 taking this witness, Mr Anyah?

15:50:30 15 MR ANYAH: Yes, I am. Good afternoon Mr President, good
16 afternoon your Honours, good afternoon counsel opposite. We
17 certainly have no objection to the Prosecution's request.

18 PRESIDING JUDGE: Thank you, Mr Anyah. Ms Hollis, I don't
19 have that decision before me at the moment but my colleague has
15:50:46 20 it. But can I assume that the application for rescission
21 virtually takes into account all protective measures excluding
22 details of the witness's address and current whereabouts?

23 MS HOLLIS: It does not include making public former
24 statements the witness may have given in toto, although of course
15:51:13 25 they can be referred to, and that is why the Prosecution
26 qualified (d) which says that documents of the Special Court
27 identifying witnesses shall not be disclosed to the public or
28 media. To the extent those documents would be used in
29 cross-examination or re-direct of course those portions would be

1 public, but the documents in toto, no.

2 PRESIDING JUDGE: Just to get something for the record, the
3 protective measures sought to be rescinded are the protective
4 measures detailed in the Trial Chamber I decision of 5 July 2004
15:52:05 5 and specifically protective measures (a), (b) and (c) except in
6 (c) that the current address and whereabouts of the witness
7 remain protected.

8 MS HOLLIS: That is also true in (b), Mr President.

9 PRESIDING JUDGE: And that's true for (b) as well. The
15:52:34 10 protective measure in (e), the screening device, is also
11 rescinded and voice distortion in protective measure (g). There
12 was one other measure that you said still remains regarding the
13 use of statements.

14 MS HOLLIS: Yes, Mr President. That would be (d) and that
15:53:00 15 would protect the contents of prior statements, except to the
16 extent they are used in cross-examination or re-direct of the
17 witness.

18 PRESIDING JUDGE: All right, that's very clear. Thank you,
19 Ms Hollis. Well, the Court makes that rescission order of
15:53:15 20 protective measures as applied for and outlined by the
21 Prosecution and now the witness can be brought into court.

22 Just before she comes in, I think she is a mother with a
23 young baby. Is that --

24 MS HOLLIS: That is correct, a very young baby, not quite
15:53:39 25 four months old.

26 PRESIDING JUDGE: All right. Well, if we have to make
27 allowances we will do that.

28 MS HOLLIS: I appreciate that, Mr President. Thank you.

29 JUDGE DOHERTY: Ms Hollis, what language will the witness

1 speak?

2 MS HOLLIS: The witness will be speaking in Krio.

3 PRESIDING JUDGE: Mr Anyah?

4 MR ANYAH: Perhaps while the witness is being brought in,
15:54:12 5 with leave of court could Mr Taylor be excused for a washroom
6 break?

7 PRESIDING JUDGE: Yes, certainly. Mr Taylor can be
8 escorted from court.

9 MR ANYAH: Thank you.

10 PRESIDING JUDGE: Mr Anyah, just before we hear from the
11 witness I take it that you have instructions to allow the
12 evidence to proceed in Mr Taylor's absence.

13 MR ANYAH: Yes, that is indeed the case, Mr President.
14 Thank you.

15 PRESIDING JUDGE: Thank you.

16 WITNESS: FINDA GBAMANJA [Sworn]

17 PRESIDING JUDGE: Yes, Ms Hollis.

18 MS HOLLIS: Thank you.

19 EXAMINATION-IN-CHIEF BY MS HOLLIS:

15:57:29 20 Q. Good afternoon, Madam Witness.

21 A. Yes, good afternoon, ma.

22 Q. Now, as you know, what you will say will be interpreted.

23 A. Yes.

24 Q. It will be interpreted and also it will be taken down, so
15:57:47 25 please speak slowly and clearly so that we can all hear. Can you
26 do that?

27 A. Okay.

28 Q. Thank you.

29 A. Yeah.

- 1 Q. Could you please tell the Court your name.
- 2 A. My name is Finda Gbamanja.
- 3 Q. And that is first name F-I-N-D-A?
- 4 A. Yes.
- 15:58:17 5 Q. Last name G-B-A-M-A-N-J-A?
- 6 A. Yes.
- 7 Q. Madam Witness, how old are you now?
- 8 A. I don't know my age now.
- 9 Q. Can you tell us where you were born?
- 15:58:38 10 A. I was born in Koidu Town.
- 11 Q. And do you know what chiefdom Koidu Town is in?
- 12 A. It's Gbense Chiefdom.
- 13 MS HOLLIS: That would be G-B-E-N-S-E:
- 14 Q. What tribe do you belong to?
- 15:58:58 15 A. I'm Kono.
- 16 Q. Madam Witness, have you had any formal education?
- 17 A. No.
- 18 Q. What languages do you speak?
- 19 A. I speak Krio and Kono.
- 15:59:16 20 Q. Are you able to read any language?
- 21 A. No.
- 22 Q. Are you able to write any language?
- 23 A. No.
- 24 Q. Where did you grow up?
- 15:59:32 25 A. I grew up in Kono.
- 26 Q. And where in Kono?
- 27 A. In Koidu Town.
- 28 Q. How many people were in your family?
- 29 A. We are seven in number, I and my siblings, my father and my

1 mother, including my brother.

2 Q. And what was your father's occupation?

3 A. My father was working at the NA Court.

4 Q. And that NA Court located where?

16:00:16 5 A. In Koidu Town.

6 Q. Was any member of your family a member of the Sierra Leone
7 Army?

8 A. No.

9 Q. Was any member of your family a member of an organised
16:00:33 10 armed group?

11 A. No.

12 Q. Madam Witness, did there come a time that you left Koidu
13 Town?

14 A. Yes.

16:00:48 15 Q. And why did you leave?

16 A. The reason why I left Koidu Town?

17 Q. Yes.

18 A. Well, it was because the rebels came and attacked.

19 Q. And how did you learn the rebels were coming and attacking?

16:01:12 20 A. Whilst they were coming they were launching and, in fact,
21 we were getting the sounds.

22 Q. When you say that they were launching and you were getting
23 the sounds, can you tell us what you mean?

24 A. It was the bombing and the firing. They were launching
16:01:36 25 heavy weapons.

26 Q. And in addition to hearing this launching, did you get any
27 other information about the rebels?

28 A. Yes.

29 Q. What information did you get?

1 A. The civilians who came and met us, they were the ones who
2 told us that it was the rebels who had attacked.

3 Q. And did they say anything about what the rebels were doing?

16:02:15

4 A. Yes, they said as the rebels were coming, as they were
5 shooting some people were caught in the firing.

6 Q. And did they say who the rebels were shooting at?

7 A. The bullets caught civilians as they were firing.

8 Q. And did they say what happened to these civilians who were
9 caught by these bullets?

16:02:38

10 A. Yes.

11 Q. What happened to them?

12 A. They said they died.

13 Q. Did these civilians say anything else about what the rebels
14 were doing?

16:02:55

15 A. No.

16 Q. Now before you heard the sounds of the launching and before
17 these civilians told you about the rebels coming, had you heard
18 anything about what was happening in Freetown?

19 A. Yes.

16:03:14

20 Q. And what had you heard?

21 A. We heard that at the time Paul Koroma had been removed from
22 power, they said it was when they were finding their way to
23 escape with him. That was when they were coming and shooting.

24 Q. And how did you learn that Paul Koroma had been removed
25 from power?

16:03:38

26 A. We heard it over the radio, because we had a radio at home
27 and it was my father who said it.

28 Q. Now, did you know from what direction these civilians were
29 coming who were coming and telling you these things?

1 A. Yes.

2 Q. Where were they coming from?

3 A. Some of them came from the Bumpe area and some of them came
4 from Kokui ma up to the Five Five area up to Opera area.

16:04:24 5 MS HOLLIS: I believe we've had Kokui ma spelled before. I
6 believe before it's been spelled as K-O-K-U-I-M-A, but I believe
7 there's another spelling for it which is K-O-Q-U-I-M-A:

8 Q. Now when you say the Five Five area, where was that?

9 A. That was close to Koidu Town.

16:04:48 10 Q. And when you said the Opera area, where was that?

11 A. That is also in the centre where things were sold.

12 Q. The centre of what?

13 A. Of Koidu Town. That is where we go and buy our dresses.

14 Q. What did you do after you heard the sounds of the launching
16:05:15 15 and these civilians were coming saying these things?

16 A. We escaped, me and my family.

17 Q. And when you escaped from Koidu Town, what was the
18 condition of the town?

19 MR ANYAH: Mr President, if it please the Court, I'm sure
16:05:41 20 Ms Hollis will come to this, but we would be grateful for a year,
21 some indication of a time frame when all of this is happening.
22 The witness has spoken of Johnny Paul being removed from power
23 and I certainly appreciate that there's evidence on the record
24 that would suggest what that year is, but it has to come from the
16:06:03 25 witness. I could certainly ask on cross-examination, but it
26 would make following the evidence a lot easier if we have a time
27 frame for when these civilians were coming, when Johnny Paul was
28 removed from power and when she and her family fled from Koidu
29 Town.

1 PRESIDING JUDGE: Well that's assuming the witness does
2 know that, Mr Anyah. I've got a good idea what year it is too,
3 Ms Hollis, but I don't know whether you can lead that evidence
4 from the witness or not. I agree with Mr Anyah it would be
16:06:36 5 helpful if she's able to say it, but she may not be.

6 MS HOLLIS: That's exactly the point, your Honour, that I
7 was moving to how she can describe when she left Koidu Town. Not
8 all witnesses can give everything everyone wants, so I was moving
9 to that:

16:06:52 10 Q. Now, the question that I had asked was when you left Koidu
11 Town what was the condition of Koidu Town?

12 A. The condition was that the firing was so rapid and sporadic
13 that we had no option but to escape from Koidu Town.

14 Q. And when you left, was there any fighting in Koidu Town
16:07:17 15 itself?

16 A. Except that the rebels were approaching and they were still
17 fighting.

18 Q. Now, can you tell the Court when it was that you fled from
19 Koidu Town with your family?

16:07:43 20 A. What year?

21 Q. Well, do you know the year?

22 A. I do not know the year. I do not recall it.

23 Q. Do you know what season it was?

24 A. At that time it was raining actually, but not that heavy.

16:08:07 25 Q. And I will ask you: Do you know a month that you left
26 Koidu Town?

27 A. No, I wouldn't know that.

28 Q. Now, when you left Koidu Town did you see any Sierra Leone
29 Army forces in the town?

1 A. No. After the attack had taken place I did not see any
2 soldiers.

3 Q. Where did you go from Koidu Town?

4 A. I and my family members went to Baiama.

16:08:49 5 Q. And do you know what chiefdom Baiama is in?

6 A. Yes.

7 Q. What chiefdom is that?

8 A. It's in Gbense Chiefdom.

9 Q. Now, as you leave from Koidu Town can you tell us the
16:09:04 10 direction that Baiama Town is in?

11 A. Baiama is going towards Guinea.

12 MS HOLLIS: Your Honours, our spelling for that town would
13 be B-A-I-A-M-A:

14 Q. Now you said that you went to Koidu Town with your family.
16:09:34 15 Were any other people running from Koidu Town to Baiama?

16 A. Yes, civilians went there.

17 Q. And can you tell us how many civilians were running toward
18 Baiama Town?

19 A. No, I do not know - I do not have an estimate for that.

16:09:53 20 Q. When you went to Baiama Town, do you know how long you
21 stayed in Baiama Town?

22 A. We were in Baiama Town for a long period.

23 Q. And while you were in Baiama Town did other people come to
24 the town?

16:10:21 25 A. Yes, people were still coming in but some came and passed
26 by.

27 Q. And these people who came to the town, who were they?

28 A. They were civilians.

29 Q. And did they say why they were coming to the town and some

1 of them passing through?

2 A. Yes.

3 Q. What did they say?

4 A. They said, well, now the rebels have taken over the town,

16:10:52 5 they have taken over Koidu Town.

6 Q. Now did there come a time that you left Baiama Town?

7 A. Yes.

8 Q. And why did you leave?

9 A. Well, it was because of the rebels that we again left there

16:11:15 10 and moved.

11 Q. And what was it about the rebels that made you move?

12 A. The rebels always came there and if you had properties like

13 clothing they would take it from you.

14 Q. And in addition to clothing did they take anything else?

16:11:37 15 A. Yes.

16 Q. And what did they take?

17 A. If you had rice.

18 Q. Did you actually see these rebels who came to Baiama?

19 A. No.

16:11:57 20 Q. And how did you know they were coming there doing these

21 things?

22 A. After we had left and gone to the bush --

23 Q. Yes.

24 A. -- those who remained in town were the ones who went to the

16:12:20 25 bush and explained to us.

26 Q. Now, you said that you went to the bush. Who went with you

27 to the bush from Baiama Town?

28 A. I and my family.

29 Q. And did anyone else go to the bush or only you and your

1 family?

2 A. So many people went there. So many people went to the
3 bush.

4 Q. You said when you left Koidu Town to Baiama that it was
16:12:51 5 raining but it was not raining much. Can you tell us what was
6 the season when you left Baiama to go into the bush?

7 A. I think it was between the rainy season and the dry season.
8 Though it was raining, but it was not that much.

9 Q. Now, did anything happen while you were in the bush?

16:13:20 10 A. Yes.

11 Q. What happened?

12 A. Well, whilst we were in the bush the rebels would come
13 there and capture children. They used to rape, they used to
14 kill. In fact, they killed a boy in my presence.

16:13:49 15 Q. Tell us about that, the killing of the boy in your
16 presence.

17 A. The boy who was killed in my presence was in the same bush
18 where I and my younger sister had gone to hide out.

19 Q. And how did it happen that he was killed?

16:14:11 20 A. Where the boy was hiding at that time was behind a banana
21 plantation. So they went there and asked the boy. They said,
22 "Where is the rice?" He said, "I do not have rice, I am just
23 from the bush trying to get some bush yam." He had a baby in his
24 arms and they grabbed the baby from him and threw the baby into
16:14:56 25 the bush and they shot the boy and they turned around and went.

26 Q. Now, you said that they threw the baby. Who threw the
27 baby?

28 A. Yes. The rebel who shot the boy.

29 Q. Now, were you actually able to see these rebels when they

1 shot the boy?

2 A. Yes, the boy who shot him, we saw him because where we were
3 hiding we saw them from that point, but they did not see us.

4 Q. And the rebel who shot him, what was that rebel wearing?

16:15:36 5 A. He was wearing camouflage.

6 Q. And was it just the one rebel or were there others with
7 him?

8 A. There were some others. Some were walking all around the
9 bushes, surveying the bushes.

16:15:56 10 Q. And what were they wearing?

11 A. They all had on camouflage.

12 Q. The rebel who spoke to his boy who was shot, what language
13 did the rebel speak to the boy in?

14 A. He spoke Krio.

16:16:18 15 Q. And this boy that was shot, did you see any weapons on this
16 boy?

17 A. No.

18 Q. Other than this boy, did you see dead bodies?

19 A. Yes.

16:16:38 20 Q. What did you see?

21 A. I saw two corpses, two ladies.

22 Q. And did you see any wounds on them?

23 A. No, because by then we were going to fetch water and when
24 we saw them we did not even stand by to look at them, so we just

16:17:04 25 decided to throw the buckets away, and then we ran into the
26 hills.

27 Q. Did you ever learn how these two ladies were killed?

28 A. No, I wouldn't know that because they were lying - they
29 were bowing down.

1 Q. Can you tell us what you mean when you say they were bowing
2 down?

3 A. We met them dead and they were bowing.

16:17:43

4 JUDGE SEBUTINDE: Mr Interpreter, you mean they were facing
5 downwards? The bodies were facing downwards?

6 THE INTERPRETER: Your Honours, I interpreted exactly what
7 the witness said.

8 MS HOLLIS:

16:17:59

9 Q. Just so we can be clear, Madam Witness, when you saw these
10 two females, were their faces facing up or were their faces
11 facing down?

12 A. I said they were bowing, just as someone would lie down
13 bowing. That is what I am saying.

14 Q. And lie down with their faces down or their faces up?

16:18:22

15 A. Yes. Yes, they were face down.

16 Q. You also said that the rebels were capturing children while
17 you were in the bush?

18 A. Yes.

19 Q. What do you know about that?

16:18:35

20 A. Whilst they were chasing us, those of us who were able to
21 run faster we ran away, but those who were unable to run very
22 fast, some of them were captured, the ladies, and they took them
23 away. They went and raped them.

24 Q. How did you know that these ladies were raped?

16:18:58

25 A. Those who were raped, I saw them.

26 Q. Now, when you saw them, was this after the rape?

27 A. Yes.

28 Q. And what did you see?

29 A. I saw them bleeding and they were crying.

1 Q. And how did you learn that they had been raped?

2 A. They themselves explained whilst they were crying.

3 Q. Do you know what the age or ages were of these females who
4 were raped?

16:19:38 5 A. They were young girls. I think they were --

6 Q. Now at the time, let me ask you this: At the time these
7 girls you saw, were they the same age as you or older, younger,
8 do you know?

9 A. They were not older than me. They were younger.

16:20:14 10 Q. While you were in the bush did any member of your family
11 ever go back to Baiama Town?

12 A. My brother went to town.

13 Q. And why did he go there?

14 A. He went in a bid to get our properties.

16:20:39 15 Q. Did he come back?

16 A. Yes.

17 Q. And did he tell you anything when he came back?

18 A. Yes.

19 Q. What did he tell you?

16:20:51 20 A. He said he saw them pulling out with Johnny Paul.

21 Q. And did he tell you anything else about that?

22 A. Yes.

23 Q. What did he say?

24 A. He said he saw them whilst they were passing through with
16:21:13 25 him.

26 Q. And did he tell you how he knew it was Johnny Paul?

27 A. Yes, he said he saw him. He said he was dressed in white.
28 He said there was a convoy that went with him and he himself was
29 sitting in the vehicle. He said the last group that came from

1 the rear, he said when they entered the town they stopped and
2 they alighted the vehicle and he said the few civilians who were
3 in town they were asking them. He said, "Where did you see them
4 pass through with Johnny Paul here?", and one old woman came out
16:22:26 5 and said, "I saw them moving towards this direction on board the
6 vehicles", and he said the woman was shot.

7 They later boarded the vehicles again and he said they
8 moved a bit and later they alighted again and again they said
9 they asked those other people again, "Where did you see these
16:23:06 10 people passing through with Johnny Paul?" He said one other lady
11 came outside and told them, "We saw the vehicles moving towards
12 this direction", and they also shot that woman. He said he only
13 collected those things that he could immediately get at and he
14 also ran into the bush.

16:23:36 15 Q. Madam Witness, when you were telling us about this incident
16 you said your brother told you that he himself was in the
17 vehicle. Who was in the vehicle?

18 A. He said it was Johnny Paul, because --

19 Q. Yes? Were you going to say something else?

16:24:02 20 A. Because he said he saw him himself. He said he saw him.
21 He said that the way he was dressed it was Johnny Paul. He said
22 they were moving around and asking.

23 Q. And what were they asking?

24 A. He said they were asking if people saw where they passed
16:24:31 25 through with Johnny Paul.

26 Q. And then what happened to those people who said they had
27 seen that?

28 A. They were shot.

29 Q. And did he tell you these people who were shot, did they

1 survive being shot?

2 A. No, they died.

3 Q. You said that when you came to the bush that it was
4 raining, but not heavy rains. During the time you were in the
16:25:03 5 bush, what season was it?

6 A. Yes, at that time it was then raining. It was during the
7 rainy season.

8 Q. And when your brother came back and told you about what had
9 happened in Baiama, what season was it then?

16:25:27 10 A. At the time my brother went and explained to us in the
11 bush?

12 Q. Yes.

13 A. Yes, we were in the town, but by then it was not raining
14 that much.

16:25:43 15 Q. Now, where were you when your brother came and told you
16 these things that had happened in Baiama? Were you in the bush?

17 A. Yes, we were in the bush, myself, my mother and others, and
18 he explained to us.

19 Q. When he came and explained those things to you, what season
16:26:05 20 was it?

21 A. At that time though it was raining, but it was not that
22 much.

23 Q. Now, did he tell you who it was who was with Johnny Paul?

24 A. Whether who was with Johnny Paul?

16:26:28 25 Q. Who was with Johnny Paul, yes.

26 A. Rebels were with him. He said they were around him,
27 guarding him for him to be taken along.

28 MS HOLLIS: Mr President, I'll be moving to a new area now.

29 PRESIDING JUDGE: I think this would be an appropriate time

1 to adjourn then. Thank you, Ms Hollis.

2 Madam Witness, we're going to adjourn court now until 9.30
3 tomorrow morning. Your evidence has not yet finished and so we
4 are ordering you not to discuss this case with anybody else. Is
16:27:08 5 that clear?

6 THE WITNESS: Okay.

7 PRESIDING JUDGE: Yes, we will adjourn court now.

8 [Whereupon the hearing adjourned at 4.30 p.m.
9 to be reconvened on Thursday, 29 January 2009
16:27:16 10 at 9.30 a.m.]

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