



U.C. Berkeley War Crimes Studies Center
Sierra Leone Trial Monitoring Program
Weekly Report

Special Court Monitoring Program Update #52 Trial Chamber I - RUF Trial Covering week ending August 5, 2005

by Michelle Staggs, Senior Researcher

Summary Witness profiles at a glance Evidence at trial

Summary Proceedings in the final week of the RUF trial continued primarily in closed session, with the continued cross-examination of Witness TF1-036 dominating the proceedings. The prosecution called a further two crime-base witnesses in open session on Tuesday, bringing the total number of witnesses called thus far in the RUF trial to forty-three. The witnesses primarily testified to alleged attacks by the RUF on towns and villages in the Koinadugu district during 1998 and 1999.

The Chamber rested on Thursday 4 August for its summer recess, concluding its fifth trial session for the RUF trial. The CDF trial will resume for one day in September, in order for the Chamber to hear oral submissions relating to the defense's motions for acquittal. Proceedings in the RUF trial have been adjourned until October 2005 and will subsequently continue until the Chamber rests for its winter recess in December.

Witness profiles at a glance

Witness TF1-329 is 45 years old and is from the Koinadugu district. The witness testified in Krio.

Witness TF1-215 is 49 years old and was born in the Koinadugu district. The witness is married and has two wives and seven children. The witness testified in Krio.

Evidence at trial

Witness TF1-329 and Witness TF1-215 each testified to events that occurred in the Koinadugu district during 1998 and 1999. In particular, Witness TF1-329 described how, during an attack on Fadugu village, a combatant dressed in plain clothes shot her left leg that was subsequently amputated from the knee down after the area became gangrenous as a result of the wound. Despite the defense agreeing to submit that the amputation had taken place, the Chamber required "for the abundance of caution" that the amputee show her left leg to the bench. In an attempt to implicate members of the AFRC/ex-SLA, counsel for the first accused sought to establish that the combatant who had shot the witness was wearing combat trousers, as had been documented in a previous statement given by the witness to the prosecution. The witness

denied ever saying that the combatant in question was wearing combat trousers, insisting instead that he was wearing plain khaki pants at the time.

The witness also testified to other “rebels” burning the houses and looting civilian’s property, evidence which the prosecution clearly led to support the charge of pillage, a violation of Article 3 Common to the Geneva Conventions and of Additional Protocol II, a charge against the accused under count 14 of the indictment and punishable under Article 3(f) of the Statute. She also gave hearsay evidence relating to the capture of five young girls, the murder of the paramount chief, Aliamy Fanneh II, the burning of a bus containing civilians and an attack on Motema, all of which were allegedly the acts of the rebels. Under cross examination, the witness agreed that when ECOMOG eventually pushed the rebels out of Fadugu in 1998, ECOMOG killed a number of people they accused of being rebels [1]. She further agreed that many of the civilians were afraid of ECOMOG at this time. Evidence of the atrocities committed by ECOMOG is relevant to the defense’s case in that it may show that the civilians allegedly “abducted” by the rebels in 1998 may have, in fact, followed the RUF voluntarily to escape “punishment” by ECOMOG.

Witness TF1-215 testified to events that occurred in the Kondembaya, Yiffin, Koromata, Badala and Lokenkora villages in Koinadugu. In particular, the witness testified to an attack on Kondembaya in May 1998, during which a combatant named “Junta II” and several other rebels allegedly amputated the hands of civilians in the town. According to the witness, the rebels ordered that women’s left hands and men’s right hands should be amputated. The rebels further stated that these hands had been used to vote for a civilian government and that civilians would never have to vote for a civilian government again. The evidence tended to suggest that the alleged “rebels” who carried out the amputations may have been members of the AFRC-junta, rather than the RUF militia. No evidence was led regarding what the witness perceived to be the distinction (if any) between the two.

1.) This included a male student from Makeni, whom they singled out and shot.