

Case No. SCSL-2004-16-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
ALEX TAMBA BRIMA
BRIMA BAZZY KAMARA
SANTIGIE BORBOR KANU

WEDNESDAY, 18 MAY 2005
9.22 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Teresa Doherty, Presiding Julia Sebutinde Richard Lussick
For Chambers:	Mr Simon Meisenberg
For the Registry:	Mr Geoff Walker
For the Prosecution:	Ms Lesley Taylor Mr Alain Werner Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	NO APPEARANCES
For the accused Alex Tamba Brima:	Ms Glenna Thompson
For the accused Brima Bazy Kamara:	Mr Ibrahim Mansaray Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanuu:	Mr Geert-Jan Alexander Knoops

1 [TB180505A - SGH]
2 Wednesday, 18 May 2005
3 [Open session]
4 [The accused not present]
09:16:16 5 [Upon commencing at 9.22 a.m.]
6 WITNESS: TF1-334 [Continued]
7 EXAMINED BY MS PACK: [Continued]
8 PRESIDING JUDGE: Good morning. Before we commence, I will
9 remind the witness of his oath. Mr Witness, do you recall that
09:24:44 10 two days ago you promised to tell the truth. That promise is
11 still binding on you and you must continue to answer questions
12 and speak truthfully. Do you understand?
13 THE WITNESS: Yes, My Lord.
14 PRESIDING JUDGE: Right, please proceed.
09:25:00 15 MS PACK: Thank you, Your Honour.
16 Q. Good morning, witness. Yesterday afternoon I had been
17 asking you questions about who was in overall command in Kono.
18 And before that I had asked you where Johnny Paul Koroma had
19 gone on his arrival to Kono and you had indicated that he went
09:25:28 20 to a village near Woama and Tankoro. You said he was there
21 for two days and then he went to Gandorhun. Just to remind
22 you where we were yesterday. Now, witness, before Johnny Paul
23 Koroma left for Gandorhun - and, Your Honours, I will repeat
24 the spelling, it G-A-N-D-O-R-H-U-N - before Johnny Paul Koroma
09:26:03 25 left for Gandorhun, did anything happen in the village where
26 he was staying?
27 A. Yes, because the second day we went to -- I, and the
28 operation commander and others, we went to where Johnny Paul was.
29 When we were there in front of me, Johnny Paul called all the

1 other commanders and he was addressing them. He said now that he
2 was about to go to Kailahun and he was telling us that Kono
3 should be the defensive ground for the junta forces. And now
4 that Kono should be the defensive ground we should make sure that
09:26:51 5 Kono was a [inaudible] area? And after which we should have the
6 [inaudible] so that we would could train them. And secondly, we
7 should make sure that we defended Kono thoroughly, because as he
8 was going he had plans to go and meet the leader in Liberia and
9 after that he would go to Burkina Faso and Libya so as to be able
09:27:19 10 to get arms and ammunition so as to reinforce us in Kono so that
11 we would be able to defend Kono thoroughly. And he said that we
12 should make sure that as the civilians had betrayed us because
13 when the military left Kono the civilians went and called the
14 Kamajors. They came and took over the [inaudible] so as we
09:27:36 15 wanted to enter they attacked us. So this clearly showed that
16 the people did not like us in Kono. So we should not tolerate
17 them, we should not encourage them and we should make sure that
18 they should not even come here in Koidu Town. And that so for us
19 to be safer the houses that surrounded us should be completely
09:27:54 20 burnt down so that we would be able to make a strong defensive.
21 Then, as Johnny Paul said these words, he was supported by Issa
22 Sesay.

23 Q. Pause, please.

24 MS THOMPSON: Before my learned friend goes on, may I ask that she
09:28:09 25 ask the witness to answer in blocks and stages. I am having difficulty
26 in keeping up and I think I am a fast writer as well.

27 PRESIDING JUDGE: You are not alone.

28 MS PACK: I will break that down, Your Honour.

29 PRESIDING JUDGE: Yes, it would be helpful because there is

1 quite a lot of information.

2 MS PACK: Yes.

3 Q. Now, I am going to ask you, witness, when you answer my
4 questions just to keep your answers short and I will ask you
09:28:32 5 further questions to expand upon your answers if necessary
6 just so that their Honours and my learned friends for the
7 Defence are able to write down what you are saying. I am
8 going to break down what you have just told us. Now, you said
9 that Johnny Paul Koroma said that Kono should be a civilian
09:29:00 10 no-go area. Please explain what you mean by that.

11 A. That is we should not tolerate any civilian who was not
12 part of us to live within the area. In fact he even ordered that
13 we should make sure that we clear them and even to execute those
14 who are not ready to join the movement.

09:29:27 15 Q. By civilians who are not part of you, what does he mean by
16 civilians who were part of you?

17 A. Well, especially those who are strong enough to join the
18 movement they would be part of us, and those that were not strong
19 enough should be executed. Because they should not go anywhere
09:29:49 20 so as to give information about our present location and about
21 our movement.

22 Q. You also said something about civilians betraying the
23 movement. Could you explain what you meant by that?

24 A. Well, as I said, betray, he meant that as we were about to
09:30:18 25 go to Kono in our attacks the information that we had was that
26 the civilians they went and brought the Kamajors and brought them
27 to the ground. And when they came in, we and the troops who came
28 to take over Kono we were attacked by the Kamajors. This had
29 proved that the civilian population should not be trusted.

1 Q. When you say we received information that civilians had
2 betrayed you, who are you meaning when you say "we"?

3 A. I and the entire troops that entered Kono we had this
4 information.

09:30:58 5 Q. Where were you when you had this information?

6 A. Well, the day that we captured -- when I moved with my
7 operation commander that day the civilians that we met there were
8 the ones that gave us this information.

9 Q. In which location?

09:31:23 10 A. Well, the day that we captured, I and my operation
11 commanders the day we captured [inaudible] we are able to -- we
12 are able to get some civilians to give us this information.

13 Q. Now, you have also said that you were to defend Kono
14 thoroughly. Perhaps if you could just repeat and clarify what
09:31:48 15 was said on that subject.

16 A. Well, this was the statement that SAJ gave us in Kabala.
17 When I left with my commanders -- when we went to -- - it was a
18 sort of enforcement that John gave to this -- excuse me, Your
19 Honours, the witness is fast.

09:32:17 20 PRESIDING JUDGE: Mr Witness, go a [inaudible] slow so the
21 interpreter can [inaudible].

22 MS PACK:

23 Q. I will ask you to answer that question again, and please
24 take it slowly. You were talking about the subject that you had
09:32:36 25 spoken about earlier that you were to defend Kono thoroughly.
26 Just explain what was meant by that, what you heard.

27 A. Well, Johnny Paul addressed me and my commanders that we
28 went to this meeting that Kono should be thoroughly defended
29 because -- because Kono was a vital area and if captured and

1 defended it then we would be able to draw the attention of the
2 international community and we would also be able to draw the
3 attention of the Sierra Leone government and we would be able to
4 get diamonds from Kono so as to be able to support the movement.

09:33:19 5 Q. Now, the other matter that you spoke about that was said --
6 something about houses being burnt down. Would you just repeat
7 that and explain what was said in relation to that?

8 A. Well, Johnny Paul said, since he was addressing me and the
9 other commanders that were there, since he had declared Kono as a
09:33:52 10 no-go area, he said then we should make sure that all the houses
11 that were surrounding us should be burnt down so that no civilian
12 will be able to settle in Koidu Town.

13 Q. You also mentioned a location; Burkina Faso. Perhaps you
14 can explain or repeat what you were saying around that name.

09:34:23 15 A. Johnny Paul told us that now that he was about to go he was
16 going to pass through Kailahun, he was going to Kailahun.
17 Liberia, from there he would be able to see the President of
18 Liberia. He would go to Burkina Faso, from there he would go
19 Libya and purchase arms and ammunition for us so that -- he would
09:34:47 20 purchase arms and ammunition so as to send them to us in
21 Kailahun, so as to be able to defend Kono thoroughly.

22 Q. Now, you started saying something about the other
23 commanders. What was the attitude of the other commanders that
24 you saw at the meeting to what --

09:35:17 25 MR KNOOPS: Your Honour, objection. This question calls
26 for speculation. The Prosecution is asking the witness to say
27 something about attitudes which concerns other people than
28 himself.

29 PRESIDING JUDGE: The witness cannot enter into the minds

1 of others, Ms Pack, but he can give direct evidence of what he
2 saw, heard and observed.

3 MS PACK:

4 Q. Witness, after you had heard Johnny Paul Koroma say these
09:35:45 5 things, did you hear anything else being said at this meeting?

6 A. Well, after, Johnny Paul had given this statement,
7 Issa Sesay reinforced Johnny Paul's statement. He said that, as
8 I was standing with the other commanders, he said they that were
9 out in the jungle, he say he saw how they had been fighting.
09:36:18 10 They did not allow houses. He said he did not want civilians to
11 come by them because civilians were traitors. He said that
12 civilians had betrayed them, we should not tolerate them, we
13 should not allow them to come near us and that we should burn the
14 houses in Kono and this would make them not to come closer to our
09:36:34 15 area. So he was also very happy and he supported what
16 Johnny Paul said.

17 Q. Witness, you have spoken about commanders being present at
18 this meeting. Please could you identify who you saw present at
19 this meeting, apart from Issa Sesay and Johnny Paul Koroma?

09:36:57 20 A. You had operation commander, he was there. We had
21 Superman, he was operations commander for the RUF. We had
22 Honourable Sammy and [inaudible]. We had Honourable Rambo who
23 was CSO. We also had Akim Turay.

24 Q. Pause, pause there, please.

09:37:19 25 PRESIDING JUDGE: I for one are trying to get all these
26 names down. I got Superman, Rambo and Sesay.

27 MS PACK: There was an Honourable Sammy, which is another
28 name you have heard, Your Honours, which is S-A-M-M-Y. Honourable
29 Rambo, and the witness indicated CSO and that is another name we

1 have heard, R-A-M-B-O. There was Superman, which you have heard.
2 The witness just said the name Akim. I was just going to spell
3 that. A-K-I-M. And then he said a surname, Turay. T-U-R-A-Y.
4 I will ask the witness who he means by that.

09:37:50 5 JUDGE SEBUTINDE: Ms Pack, we cannot over-emphasise the
6 need for us not to run. First of all, the transcribers will not
7 be able to give us an immediate copy should an issue arise. So
8 we largely depend on our notes. So with due respect I would
9 request, at least for my sake, that you take it a little slower,
09:38:11 10 both yourself and your witness, for everybody's good. If, when
11 you are going to ask a question and counsel stands on his feet
12 and we don't even take notice, we don't even know what the
13 objection relates to, then there is something seriously wrong.
14 Please slow down.

09:38:22 15 MS PACK: Of course, Your Honour, I will do.

16 JUDGE LUSSICK: This is your witness, Ms Pack.

17 MS PACK: Yes.

18 JUDGE LUSSICK: It is your job to control him, not ours.

19 MS PACK: I appreciate that, Your Honour, and I will make
09:38:39 20 sure I ask the right questions so that I can do that.

21 Q. Witness, you were talking about the senior -- the
22 commanders who were present at this meeting and I am going to ask
23 you to take these names very slowly and to talk as slowly as you
24 can so that everyone is able to write down what you are saying.

09:39:01 25 Now, you had identified the commanders in addition to Issa Sesay
26 and Johnny Paul Koroma. You had identified Honourable Sammy and
27 you had identified Honourable Rambo and you had identified
28 someone called Akim. Now would you give the Chamber the full
29 name of Akim, if you know it?

1 A. Akim was Captain Akim Turay and he was SLA.

2 Q. Thank you. The spelling of Turay is as I have indicated,
3 it is T-U-R-A-Y. Akim, A-K-I-M. Was there anyone else - and if
4 you can take each name individually so that I have time then to

09:39:40 5 repeat the spelling for their Honours?

6 A. Yes, Mike Lamin was also present.

7 MS PACK: Lamin, L-A-M-I-N.

8 Q. Anyone else?

9 A. The junior commanders, they were also there, including
09:40:04 10 myself.

11 Q. Now, just for the sake of clarity, you have been talking
12 about an operational commander. Is that the individual you have
13 identified as 'A' previously?

14 A. Yes, My Lord.

09:40:39 15 Q. Witness, you have said that Johnny Paul Koroma said these
16 things at this meeting. After this meeting did anything happen
17 in Koidu Town?

18 A. When Johnny Paul gave this order immediately before he left
19 I and my comrades and my operational commander we started
09:41:11 20 carrying out the order in Kono.

21 Q. Now, again take this slowly. What did you do to start
22 carrying out this order in Kono?

23 A. In fact, I and my operation commanders and the rest of the
24 other brothers, we started to adopt and to push the civilians
09:41:42 25 from Koidu Town. And that very day the burning started in Koidu.

26 Q. Witness, when did Johnny Paul Koroma leave for Gandorhun?

27 A. When he had given this -- when he had given this order,
28 this operation had started and when Issa, Mike Lamin and
29 Akim Turay had left to go to Gandorhun.

1 Q. Sorry, you said Issa, Mike Lamin and Akim Turay left for
2 Gandorhun. Who did they go with?

3 A. Including the CSO, including the Honourable Sammy and the
4 rest of the families -- his families. They all left for
09:42:32 5 Gandorhun.

6 Q. Did any other members of the RUF go to Gandorhun with
7 Johnny Paul Koroma, apart from Issa Sesay, who you have
8 identified, and Mike Lamin, who you have identified?

9 A. Yes, Morris Kallon also went with him to Gandorhun.

09:43:07 10 Q. After the meeting that you have spoken about, where did you
11 go? Which location did you go to?

12 A. I and my operation commander and the rest of the other
13 soldiers, we went back to our location at Masingbi Road. As we
14 had executed the orders and we went and they stopped at Masingbi
09:43:28 15 Road.

16 Q. Did anything happen in particular there when you got back
17 to Masingbi Road?

18 A. Yes, it did. I was moving with one of the jeeps that one
19 of the area commanders took and when the RUF commander took this
09:44:01 20 jeep, I came and informed the official commander and the rest of
21 the other soldiers which resulted to immediate movement. We
22 moved directly to Gandorhun.

23 Q. Now, when you say we moved directly to Gandorhun, are you
24 able to identify who you left for Gandorhun with or is that
09:44:23 25 something that you would be preferred to write down on a piece of
26 paper because it might lead to your being identified?

27 A. That is why I said I and my operation commanders and the
28 rest of the other soldiers. But if possible I can even write
29 that then. So as to lead the soldiers and the commanders with

1 whom I went.

2 Q. But we will leave that for the moment, witness. When you
3 got --

4 MR KNOOPS: Your Honour, I am sorry to interrupt, but just
09:45:09 5 by way of objection against the answering of the witness, the
6 answers are still quite ambiguous because the witness sometimes
7 refers to "my operation commander" and "my operation commanders".
8 So I think with the current answers of the witness we will have a
9 problem with cross-examination because the witness is varying his
09:45:34 10 answers from "my operation commander" and "my operation
11 commanders". And in the last couple of minutes to several
12 questions of the Prosecution he refers now to "my operation
13 commanders" without specifying who they are, and also speaking
14 about other soldiers without specifying. So I think we should
09:45:57 15 object against the answering of the question or to the questions
16 of the witness. My objection is that the answers are still too
17 vague and ambiguous to enable the Defence to properly
18 cross-examine this witness, because in that event we have to go
19 through all the questions again which the Prosecution has put to
09:46:23 20 the witness in order to seek clarification what the witness means
21 with "my operational commanders," "other soldiers," and he is
22 still speaking in the [inaudible] form.

23 PRESIDING JUDGE: Yes, I understand that, Mr Knoops. I
24 will just see what Ms Pack has to say.

09:46:40 25 MS PACK: I will just clarify from the witness whether he
26 is talking about --

27 PRESIDING JUDGE: I agree with Mr Knoops, this interchange
28 of the singular and plural is very confusing and they will have
29 to be clarified.

1 MS PACK: Yes, the first thing I want to clarify --

2 JUDGE SEBUTINDE: Ms Pack, calm down. We wish to request
3 you, as the lawyer leading this witness, does not even know that
4 there is a significant difference when he says "I" and "my
09:47:15 5 commanders" he may not even know, or whether there is a need for
6 you to specify. But this is your witness and he is giving very
7 vital evidence that we cannot afford to skip over. You cannot
8 afford to skip over, you know, with ambiguities and vagaries.
9 Please take it slow and when you realise that he has given an
09:47:36 10 answer that is vague - and I entirely agree with Mr Knoops that
11 it is your duty to make sure that, you know, that you give it --
12 that you elicit an answer that is going to help your case.

13 MS PACK: Yes, Your Honour.

14 JUDGE SEBUTINDE: That is all we are saying. But if we are
09:47:54 15 all going to sit back and look at you running I think we will not
16 have done our duty as a Bench. We are not going to tell you how
17 to do your work, but we will certainly tell you how not to do it
18 because we find we are having problems doing our work.

19 MS PACK: Thank you for your guidance, Your Honour, I shall
09:48:09 20 ask again the witness to clarify.

21 Q. You talked about an operational commander. Now are you
22 talking about more than one operation commander or just one
23 operational commander?

24 A. Well, I refer to one operational commander and when I say
09:48:30 25 me and my operation commanders, I am referring to Superman
26 Because he was also another operational commander for the RUF.
27 You see and when it is with the two commanders when I say I and
28 my other soldiers and I am referring to the soldiers who are
29 under this operational commander.

1 Q. Now pause. The operational commander you have identified
2 as Superman. Who is the other operational commander - and please
3 would you identify him by using a pseudonym, if necessary?

4 A. I will refer to him, he was the operation commander --
09:49:13 5 operational commander for the SLA.

6 Q. And Superman was the operational commander for what group?

7 A. The RUF.

8 Q. Now, were there more operational commanders than the
9 individual you have identified as 'A' at this time in Kono?

09:49:31 10 A. No, no.

11 Q. Now, in future, when you talk about your operational
12 commander, please make very clear whether you are talking
13 about -- which of the operational commanders you are talking
14 about. If you would not refer to the operational commander in
09:49:53 15 the plural, just identify one or the other or both.

16 A. Yes, My Lord.

17 Q. And, witness, on another matter --

18 MS PACK: Your Honours, the witness has identified that he
19 moved on with some other soldiers and I think he is concerned
09:50:13 20 lest he identify those soldiers in public. So I will ask him,
21 Your Honours, again to write down on a piece of paper those
22 individuals who were working alongside him, as he says, under the
23 operational commander A at this time. So if I may just ask the
24 Court Attendant to assist.

09:50:33 25 PRESIDING JUDGE: Mr Court Attendant, please assist the witness.

26 MS PACK:

27 Q. Witness, can I just ask you then to write down on that
28 piece of paper those individuals that you were with who were
29 working with you under the operational commander A as you went

1 at this time to Gandorhun just on this occasion?

2 A. Yes, My Lord.

3 Q. Just to remind you, Mr Witness, if you can add any aliases,
4 if you have not already, then that would certainly assist.

09:54:08 5 JUDGE SEBUTINDE: Ms Pack, if you could just check the
6 spelling before you pass it onto us. The names that were given
7 to us yesterday, some of them were not very legible and now we
8 are trying to decipher what it is. So take a moment and just
9 cross-check.

09:54:30 10 MS PACK: Perhaps at the end of this morning we could go
11 into a short period in closed session, we could ask the witness
12 to read out and spell the names just so that Your Honours have
13 it. I just thought that in so far as the names are not legible,
14 I can read them, but Your Honours may not be able to, just
09:54:48 15 because I know what to expect on them. Perhaps if we had a few
16 minutes closed session at the end of this morning then the
17 witness could go through the names and spell them, just so that
18 Your Honours have it for the record. It may be that I will make
19 an application for that so that Your Honour has it on record.

09:55:03 20 PRESIDING JUDGE: We will certainly deal with that application. I
21 want to take great caution that it is not suggested that counsel or the
22 Bench is in any way amending or changing evidence that has been
23 tendered. So we may deal -- possibly deal with it in that way. We will
24 deal with the application as and when it arises.

09:55:17 25 MS PACK: I am grateful, Your Honour.

26 PRESIDING JUDGE: Is the witness feeling all right? Are
27 you all right, Mr Witness?

28 THE WITNESS: Yes, My Lord.

29 PRESIDING JUDGE: If you are not, you should let us know.

1 THE WITNESS: Yes, My Lord.

2 PRESIDING JUDE: Ms Pack, I think counsel for the Defence
3 and the Bench have seen this document now.

4 MS PACK: Your Honours, I seek to tender that as an exhibit
10:01:15 5 under seal.

6 PRESIDING JUDGE: This will become Exhibit P13 and,
7 Mr Court Attendant, please note it will be kept under seal.

8 MR WALKER: Yes, Your Honour.

9 PRESIDING JUDGE: Ms Pack, please proceed.

10:01:51 10 MS PACK: I am grateful, Your Honour.

11 Q. Witness, you have identified that you went with the
12 group you have recorded on this sheet of paper and two
13 operational commanders, A and Superman, to Gandorhun. Where
14 did you go from Gandorhun?

10:02:26 15 A. Well, I and the operational commander, with my other
16 colleagues, soldiers, who were with the operational commander,
17 when we reached to Gandorhun and we saw that all the troops were
18 blocked in Gandorhun including Johnny Paul Koroma. Later Johnny
19 Paul ordered that immediately I and the operational commander for
10:02:54 20 the SLA and the operational commander for the RUF, should move
21 and capture Koidu Buma and Koidu Geiya.

22 Q. Pause, please pause.

23 MS PACK: Now, I am just going to spell those names first,
24 Your Honour, just the latter two names before breaking this down.
10:03:17 25 Koidu Geiya, Koidu, K-O-I-D-U. Geiya, G-E-I-Y-A. And I am going
26 to ask the witness just to spell the other Koidu. Koidu Buma is
27 what I think he said for Your Honours.

28 Q. Witness, would you spell Koidu Buma, please?

29 A. Koidu, K-O-I-D-U. Buma, B-U-M-A.

1 Q. Now, witness, I am going to ask you to be very clear when
2 you talk about an operational commander, you are talking about A
3 or if you are talking about Superman. I would prefer it if you
4 refer to them as either A or Superman. Now, you have been
10:03:57 5 talking about an operational commander in what you last said,
6 were you talking about A or were you talking about Superman?

7 A. I said I moved with my commander, commander A and the RUF
8 operational commander, Superman. Together we moved to go and
9 capture Koidu Geiya and Koidu Buma.

10:04:28 10 Q. Do you know the route that Johnny Paul Koroma and others
11 were going to take from Gandorhun to Kailahun?

12 A. Well, this was the route that they were to use Koidu Buma,
13 Koidu Geiya, and they should branch. But the Kamajors had a
14 strong defensive at Koidubia, so that was why Johnny Paul Koroma
10:04:59 15 ordered that I and the two operational commanders should go and
16 capture Koidu Buma and Koidubia, so as to be able to have a clear
17 way to Kailahun.

18 Q. How do you know that?

19 A. Well, this was a route that led to Gandorhun -- from
10:05:22 20 Gandorhun to Kailahun.

21 Q. Now, you said that you and Superman and A went to Koidu
22 Geiya. Did others go with you?

23 A. Rambo, who was RUF, also accompanied us in this operation.

24 Q. Apart from the commanders that you have identified, were
10:05:53 25 there men operating under them on this operation?

26 A. I and my other colleague soldiers, who were under operation
27 A, were with him. And Superman, with Rambo, also had some
28 soldiers that were under their command.

29 Q. You have identified that there were Kamajors in these areas

1 where you went on this operation. Was the operation successful?

2 MR KNOOPS: Objection, Your Honour. It calls for speculation and
3 conclusion and opinion from the witness. He is not a military expert.
4 He can, therefore, not testify on the results of a military operation.

10:06:56 5 PRESIDING JUDGE: Again, Ms Pack, you are asking him for an
6 opinion. He can state what he saw, heard and observed.

7 MS PACK:

8 Q. Witness, what happened on the operation that you went
9 on?

10:07:16 10 A. When I left with my operation commander and that of the RUF
11 operation commander, with Rambo, and the other soldiers, we tried
12 and captured Koidu Buma. And as I moved together with these
13 commanders for Koidu Geiya, the battle was so fierce. So we lost
14 one of our support firers. This support fire that we lost

10:07:43 15 resorted to I and my operational commander with that of the RUF
16 operation commander. With the other soldiers we immediately
17 withdrew. We retreated.

18 Q. Where did you retreat --

19 MS THOMPSON: Your Honour, before my learned friend goes
10:07:53 20 on, it might be easier if she -- rather than going back to the
21 question, if she just asks the witness to pause whilst he is
22 making these long statements. Just to pause, so that it gives us
23 time to finish a sentence before we start another one. I am
24 having great difficulty keeping up.

10:08:17 25 PRESIDING JUDGE: We all are, Ms Thompson. Ms Pack, the witness
26 appears to speed up, for want of a better term. So perhaps an
27 indication to him to slow down.

28 MS PACK:

29 Q. Witness, again I am asking you to slow down. If you

1 could just pause after you have said one thing and just wait
2 and I will ask you another question. Or just wait for
3 everyone to write what you have said down. That would, I
4 think, help everyone in the court room.

10:08:49 5 A. Okay, My Lord. Because I don't want people to feel that as
6 I am talking I am guessing.

7 Q. Now, you had explained that you retreated. Where did you
8 retreat to?

9 A. I and my operation commander and the operation commander
10:09:18 10 for the RUF and those that were under their command, we retreated
11 back to Gandorhun.

12 Q. Did anything happen when you got back to Gandorhun?

13 A. Well, this retreat that we made discouraged Johnny Paul
14 Koroma and this made him to decide that we should use the jungle.

10:09:42 15 Q. Pause.

16 A. So as to take the footpath to Kailahun.

17 Q. Johnny Paul having made that decision, what did he then do?

18 A. Well, he together with the Issa Sesay, Mike Lamin --

19 Q. Pause there. Pause there. You have had those two names
10:10:23 20 already, Your Honour. If you are going through names take them
21 one by one, please, witness. Next?

22 A. Akim Turay.

23 Q. Your Honours have had that. T-U-R-A-Y. Akim, A-K-I-M.

24 Next, if anyone?

10:10:44 25 A. CSO Rambo.

26 Q. And that is the Rambo from the RUF or SLA?

27 A. SLA Rambo.

28 Q. Anyone else?

29 A. His wife and his entire family with the soldiers that were

1 under his command.

2 Q. Now pause a moment. You are talking about his wife,
3 soldiers under his command. Who are you talking about?

4 A. The wife of Johnny Paul Koroma, Makuta.

10:11:28 5 Q. Makuta, could you spell that?

6 A. M-A-K-U-T-A.

7 Q. Were there any other members of the RUF who went with
8 Johnny Paul, his family and these other individuals you have
9 identified?

10:11:54 10 A. Yes, Mike Lamin accompanied him and Morris Kallon also went
11 with him.

12 Q. How long was Johnny Paul Koroma in Kono for, in total,
13 before he left for Kailahun?

14 A. Three days.

10:12:31 15 Q. After Johnny Paul left Gandorhun, where did you go?

16 A. I, with my operation commander and the soldiers that were
17 under his command, we left Gandorhun and returned to Masingbi
18 Road.

19 Q. When you returned to Masingbi Road did you meet anyone else
10:12:58 20 there?

21 A. When we arrived I and my operation commander with the other
22 soldiers, we met Bazzy and Five-Five had arrived.

23 Q. When you met Bazzy and Five-Five, where were they located?

24 A. Well, it was at the same Masingbi Bridge -- Road. That was
10:13:41 25 where they came and pass.

26 Q. Now, the witness is repeating a name, Your Honours; you've
27 heard it before. Masingbi Road, M-A-S-I-N-G-B-I Road. Do you
28 know how long Five-Five remained at Masingbi Road?

29 A. Five-Five only spent a day and the other day he returned.

1 Q. Do you know where he returned to?

2 A. Well, as Five-Five came, he addressed myself in the
3 presence of my operation commander and the other soldiers that
4 were under the operation commander, that he came to see the

10:14:47 5 security situation in Kono and that he would go back to SAJ Musa
6 and reported to him about our strength in Kono.

7 Q. You said SAJ Musa; you have said that before.

8 S-A-J M-U-S-A. Now, you said that Five-Five would go back to
9 report to SAJ Musa about what was going on in Kono. Do you know

10:15:14 10 where SAJ Musa was based at this time?

11 A. Well, SAJ was based in Mongor Bendugu.

12 Q. I am going to spell that, Your Honour. M-O-N-G-O-R,
13 Bendugu B-E-N-D-U-G-U. Witness, what district in Sierra Leone is
14 Mongor Bendugu in?

10:15:47 15 [TB180505B 10.15 a.m. - AD]

16 A. It is in the Koinadugu District.

17 Q. How do you know SAJ Musa was based in Mongor Bendugu at
18 this time?

19 A. Well, Five-Five clearly explained this to me, that SAJ had
10:17:03 20 withdrawn from Kono and now he is based at Mongor Bendugu.

21 Q. When you returned to Koidu Town after you had left
22 Gandorhun and you were at Masingbi Road, do you know where men
23 from the RUF were based?

24 A. Superman, who was the operation commander for the RUF
10:17:40 25 base --

26 THE INTERPRETER: Excuse me, Witness, the name of the
27 street.

28 Q. Witness, could you repeat the name of the street at which I
29 think you said Superman was located at this time?

1 A. It was at Dabundeh Street.

2 MS PACK: Your Honours, I have spelt that already.

3 D-A-B-U-N-D-E-H Street.

4 Q. And other members of the RUF, do you know where they were
10:18:16 5 based around this time?

6 A. Well, the other members, they were within Woama and
7 Gandorhun.

8 MS PACK: That is Woama -- W-O-A-M-A -- and Gandorhun --
9 G-A-N-D-O-R-H-U-N.

10:18:31 10 Q. Do you know if Bazzy, whom you saw when you arrived at
11 Masingbi Road, remained in Koidu Town?

12 A. Well, immediately we met Bazzy in Kono, I and my supreme
13 operation commander and the other soldier men -- automatically he
14 became the SLA commander. During that time he was our commander.
10:19:29 15 He continued to stay until --

16 Q. Now you said he immediately became the SLA commander. What
17 do you mean by that?

18 A. Well, Bazzy was the most senior SLA commander and he was
19 one of the senior RUF members that was in Kono during that time.
10:20:10 20 He was above the operation commander with whom I live, so
21 automatically he became the commander.

22 MR KNOOPS: Excuse me, I object against the answer of the
23 witness, because the way I understand the witness's answer is
24 that he is inferring a form of commandership merely on the
10:20:42 25 presence of somebody in connection with the rank. It is not
26 clear from the answer whether this stems from his own personal
27 knowledge or he merely draws inferences from observations he made
28 such as ranking, position and presence of persons. So, I think
29 either the question should be rephrased or the answer should be

1 stricken from the record, because it calls, again, for
2 speculation.

3 MS PACK: Your Honour, there are no grounds for striking
4 out from the record. I was just about to ask the question, "How
10:21:23 5 do you know that?"

6 PRESIDING JUDGE: I will allow the question, "How do you
7 know that?"

8 MS PACK: Thank you Your Honour.

9 Q. Witness, how do you know that Bazzy was in the position
10:21:39 10 which you said he was in in Kono?

11 A. Immediately when I and my operation commander and the other
12 soldiers came -- Bazzy, he was the most senior AFRC supreme
13 Counsel member that we met. He was senior and superseded the
14 operation commander that I was with. And from that time we
10:22:04 15 started receiving commands from Bazzy through the operation
16 commander.

17 PRESIDING JUDGE: Mr Knoops, you have heard the answer to
18 the question put. In the light of that answer, do you continue
19 with your objection?

10:22:24 20 MR KNOOPS: Your Honour, that depends on the question that
21 should perhaps follow from the previous question.

22 PRESIDING JUDGE: I will no doubt hear from you if you wish
23 to address the Court on that matter.

24 MR KNOOPS: Thank you.

10:22:42 25 PRESIDING JUDGE: I will ask the Prosecution to proceed.

26 MR KNOOPS: Thank you Your Honour. Much obliged.

27 MR FOFANAH: Excuse me, Your Honour. Sorry for
28 interrupting at this stage. I just want the Court to take note
29 of the particular indication made in the witness's statement that

1 he was also a Supreme Counsel member. Because Your Honours had
2 earlier indicated that the AFRC period was over by the time they
3 went into the provinces.

4 PRESIDING JUDGE: Mr Fofanah, this Bench has made no
10:23:13 5 findings of fact.

6 MR FOFANAH: I am merely indicating that because when --

7 PRESIDING JUDGE: I have certainly not given any indication
8 as to findings of fact.

9 MR FOFANAH: Suffice it to say that when Your Honours were
10:23:25 10 ruling you indicated that when I inferred that he had at some
11 point made the statement that he did not take part in any
12 operations outside Freetown your reference was to the AFRC
13 period, which ended in some time in February. I am merely
14 referring to that particular ruling of the Bench.

10:23:45 15 PRESIDING JUDGE: Mr Fofanah, please let us be clear. What
16 I did was to read from the transcript -- I merely read from the
17 transcript -- and the words in the transcript were as you
18 indicated. But the fact that I read from a transcript is not
19 tantamount to either a finding of fact or a ruling based on
10:24:09 20 questions and answers given as to periods of time.

21 MR FOFANAH: Thank you.

22 MS PACK:

23 Q. Witness, just remember the answer to my last question. How
24 do you know that you started receiving commands from Bazzy?

10:24:34 25 A. Automatically, as I was with the operation commander, from
26 that time when Bazzy arrived in Kono whatever I wanted to do I
27 and my operation commander with the other soldiers we met Bazzy
28 and it was Bazzy who gave orders.

29 Q. Now by "my operational commander" are you referring to A?

1 A. Yes, My Lord.

2 Q. Do you know if there is anyone superior to Bazy in Kono?

3 A. Yes.

4 Q. Who was superior to Bazy in Kono?

10:25:41 5 A. Superman was superior to him in Kono.

6 Q. How do you know that?

7 A. Well, whenever an operation was to be taken place in Koidu,

8 I and the operation commander and the other soldiers under him

9 with Bazy, with the other soldiers under his command -- Superman

10:26:20 10 used to call us together and I moved together with these

11 commanders to Superman's resident at Dabundeh Street.

12 MS PACK: You have had the spelling, Your Honours, of

13 Dabundeh street.

14 Q. What would happen when you were called to go Dabundeh

10:26:49 15 Street?

16 A. Well, if any operation was to take place, it would be

17 directly I and my operation commander -- the commander of the SLA

18 and Bazy would go directly to Superman and we listen from

19 whatever he communicated to us, because Superman was in complete

10:27:18 20 control of the set. We the SLA had no control over the set.

21 Q. Now, you are saying that Superman had control of a set. I

22 am going to ask you to explain what you mean by a set.

23 JUDGE SEBUTINDE: The set?

24 MS PACK: The set.

10:27:50 25 Q. What do you mean by the set?

26 A. It was a radio communication set used for communications in

27 Kailahun.

28 Q. Pause a moment. How do you know this radio set was used

29 for communication with Kailahun?

1 A. Even when we are in Kabala we communicated to Mosquito.
2 And also when we went to collect Johnny Paul at Binkolo, he used
3 the set to communicate with Mosquito. Also when we arrive in
4 Kono, he used it again to communicate with Mosquito. That
10:28:59 5 happened in front of me.
6 Q. Do you know where Mosquito was based?
7 A. Mosquito was based in Kailahun.
8 Q. How do you know that?
9 A. Well, the soldiers that came from that place, when they
10:29:21 10 came, we are in the jungle at that time. We had cordial
11 relationships. So, we knew where Mosquito was.
12 Q. Now, you are using the words "we knew where Mosquito was".
13 What do you mean by "we"? Was it you, was it others, was it you
14 and others? Just clarify it please for Their Honours.
10:30:01 15 A. I meant myself and the other soldiers that were together.
16 Q. Now you have spoken about the radio set and communications
17 with Mosquito in Kailahun, and you were there when these were
18 made. Could you please identify what was said in those
19 communications with Mosquito in Kailahun?
10:30:44 20 A. Well, the last time Superman called the operation commander
21 and Bazy, who was the SLA commander, and as I and these people
22 left to go to Superman, he said Mosquito had wanted to talk to
23 the commanders. So, whilst we were waiting, Mosquito called
24 through his call sign and Superman answered through the set.
10:31:22 25 Q. Are you talking about a specific occasion when you heard a
26 communication between Superman and Mosquito when you were based
27 in Kono?
28 A. Yes, I am talking about a particular town.
29 Q. When was this particular communication; how soon after your

1 arrival in Koidu Town?

2 A. Well, it was after some time.

3 Q. I am going to ask you to come back to this particular
4 communication, which is some time later -- a little later in your
10:32:16 5 evidence when we get there in the chronology. Were there other
6 communications? You said you were present during communications
7 between Superman and Mosquito. Were there other occasions and
8 other times that you heard communications between Mosquito and
9 Superman when you were based in Kono?

10:32:35 10 MR FOFANAH: I object Your Honours, except if my learned
11 friend wants to refer to an earlier time. But what I have on
12 word is the last time Superman communicated with Mosquito, Bazzy
13 and himself were present. The last time was what the witness
14 actually indicted to this Court. So any other time could only be
10:32:58 15 previous to that; it can't be after. He used the words the "last
16 time". I stand to be corrected by your record.

17 PRESIDING JUDGE: Just pause, Mr Fofanah, because I was
18 actually trying to record the question. For the purposes of
19 clarity, I would be grateful if Ms Pack would tell us the
10:33:18 20 question that is being objected to and then I can fully assess
21 the objection.

22 MS PACK: Were there other occasions upon which you heard
23 communications between Mosquito and Superman whilst you were
24 based in Kono? Your Honour, the witness has spoken about the
10:33:42 25 last time, indicating clearly that there were occasions before
26 that.

27 PRESIDING JUDGE: Mr Fofanah, you have heard the
28 clarification of the question. What is your objection again now?

29 MR FOFANAH: If that is the point -- I was saying that

1 except she meant to clarify that occasions previous to what the
2 witness has mentioned then there cannot be other any other time
3 after the last time. If it was previous then I am satisfied and
4 I thank you for that.

10:34:12 5 PRESIDING JUDGE: Thank you, Mr Fofanah. And, again, Mr
6 Court Attendant, I appear to have inadvertently switched off the
7 witness. I would be grateful for your assistance in switching
8 him back on. The question has been put but the witness has not
9 had an opportunity to answer.

10:34:36 10 MS PACK:

11 Q. I will repeat the question in case you have forgotten it.
12 Were there other occasions upon which you heard communications
13 between Mosquito and Superman, apart from the last time, which
14 you have referred to already?

10:34:50 15 A. Yes.

16 Q. Where did you hear those communications? Where were you
17 when you heard those communications?

18 A. Again, Superman sent some security to call my operation
19 commander and the SLA commander to go to his residence at

10:35:20 20 Dabundeh Street.

21 Q. Who were you with when you heard those communications at
22 Dabundeh Street?

23 A. I went with Operation Commander A and Bazzy, with the other
24 soldiers who were under their command.

10:35:48 25 Q. Can you remember about how often you went to Dabundeh
26 Street and heard these communications? Please say if you can't
27 remember a specific number.

28 A. Well, the time we used to go - only these two times - we
29 used to pay a visit there. I used to go with the operation

1 commander and Bazzy and we would pay a visit to him. It was only
2 on two occasions that we got a call from Mosquito. I and the
3 operation commander went and received the information that was
4 sent by Mosquito.

10:36:45 5 Q. I am going to ask you about the two occasions that you,
6 with your operation commander, received a call from Mosquito at
7 Superman's location at Dabundeh Street.

8 MR KNOOPS: Objection. The testimony of the witness is not
9 that he received communications from Mosquito.

10:37:14 10 PRESIDING JUDGE: That is quite correct, Ms Pack. The line
11 of communication has been clearly established in the evidence.

12 MS PACK: My apologies. Let me rephrase.

13 Q. I am going to ask about the two occasions when you heard
14 communications at Dabundeh Street. The first occasion when you
10:37:35 15 were at Dabundeh Street, what was the communication about?

16 A. [Microphone not activated]

17 THE INTERPRETER: The witness's mic is off, Your Honours.

18 MS PACK:

19 Q. Start again if you would.

10:38:04 20 A. As I moved with the operation commander and the soldiers
21 that were under him, with Bazzy also and the soldiers that were
22 under Bazzy, at Superman's residence on this first occasion,
23 while Superman was sitting with the operation commander and with
24 Bazzy, as I stood by the side, then we heard a call from the set.

10:38:58 25 Q. What was said during that call?

26 A. And Mosquito said now he is sending ammunitions for both
27 the RUF and SLA in Kono. And he said the only means that both
28 the SLAs and the RUF should clear off --

29 [Translators microphones overlapping]

1 Q. Pause witness, please. There seems to be a little problem
2 with the translation.

3 PRESIDING JUDGE: There were a few words I didn't hear.
4 [Microphone not activated]

10:39:50 5 MS PACK: Perhaps I can ask the witness to repeat the
6 latter part of his testimony.

7 Q. Witness, I am afraid that there was a problem with the
8 translation for us. If you would just repeat what you were
9 saying about Mosquito saying he was sending ammunition for the
10:40:08 10 RUF and the SLA in Kono, and after that you continued.

11 A. I said Mosquito said he was going to send arms and
12 ammunition for both the RUF and SLA in Kono, and both the RUF and
13 SLA should go and clear Koidu Geiya so that we could receive this
14 arms and ammunition.

10:40:40 15 MS PACK: Your Honours have had Koidu Geiya spelt:
16 K-O-I-D-U G-E-I-Y-A.

17 Q. Was anything else said during that communication?

18 A. Well, Mosquito said we should capture the place and the
19 money that was looted already from the bank in Kono. Also,
10:41:25 20 Superman should go with this money back to Koidu Geiya and this
21 money should be taken to Kailahun.

22 Q. Was there anything else said during that communication?

23 A. Well, the only thing he said was we are going to receive --
24 Mosquito said we should go and receive this arms and ammunition
10:42:14 25 and by all means we should capture Koidu Geiya.

26 Q. Did you hear any response to this communication from
27 Mosquito?

28 A. Well, the commander agreed to what Mosquito had ordered to
29 ensure that the operation was completed.

1 Q. Witness, you said "the commander". Who are you talking
2 about?

3 A. I am referring to Superman, Bazzy and Operation
4 Commander A.

10:43:06 5 Q. What did they do?

6 A. After I and these two commanders had cut this
7 communication, the operation commander --

8 Q. Pause. I am going to ask what happened after the
9 communication later on in your testimony. We will leave that
10:43:40 10 just for the moment. Just to clarify what happened during this
11 communication itself. Did you, during this communication, know
12 if it was Mosquito who was communicating himself on the radio or
13 was it someone else on his behalf?

14 MR FOFANAH: I object to that, Your Honours. I think the
10:44:01 15 witness has given a final answer to that question. I think there
16 has to be finality to this. He said that the communication which
17 the commanders received was from Mosquito. At that point in time
18 there was no attempt at seeking any further clarification.

19 Subsequent to that several other questions came. I think, except
10:44:26 20 if Your Honours decide otherwise, I think the answer was final.
21 If my learned colleague goes any further than that then she will
22 open something which has already been finalised and settled.
23 That is my objection

24 MR KNOOPS: Your Honour, I think the question was leading
10:44:46 25 because it was putting two alternatives to the witness and,
26 therefore, it is not an open question. So, my objection would be
27 it is a leading question.

28 PRESIDING JUDGE: Ms Pack, there are two objections.

29 MS PACK: Your Honour, I don't need to ask the question. I

1 withdraw it.

2 PRESIDING JUDGE: We will note the question is withdrawn.

3 MS PACK:

4 Q. Witness, you have said that there were two communications
10:45:26 5 that you heard. Please tell us where the second communication
6 took place.

7 A. After this first communication, indeed, the operation went
8 on smoothly. On the second occasion, it was when the information
9 reached Mosquito that the ECOMOG forces had advanced towards
10:46:05 10 Njaiama Sewafe and were heading towards Koidu.

11 Q. Pause, please, witness. I am doing to spell Njaiama
12 Sewafe: N-J-A-I-A-M-A S-E-W-A-F-E. Who was with you when you
13 heard the communication on the second occasion?

14 A. I moved together with my operation commander - Commander
10:46:49 15 A - and the SLA commander, Bazzy, with the soldiers that were
16 under his command. We went back to Superman's residence.

17 Q. What did you hear being said on this communication?

18 A. Well, as we realised through the call signs, because in the
19 jungle your name is not used to call any other commander -- only
10:47:25 20 military call signs were used that would identify any commander
21 that called.

22 Q. Are you saying that call signs were used to identify
23 persons in these communications?

24 A. Yes, My Lord.

10:47:42 25 Q. Now explain what a call sign is very briefly.

26 A. Well, for example, Bazzy's call sign was Dark Angel.

27 MS PACK: Dark Angel, D-A-R-K Angel.

28 Q. Explain what a call sign is, please.

29 A. Well, like also, Gullit used Black Jah.

1 Q. Black Jah is Black Jah, J-A-H. Go on. Just remember, when
2 you mention a name I will interrupt you to spell it. Continue.
3 A. And Superman, used Time Bomb.
4 Q. I think that is self-explanatory Your Honours; Time Bomb.
10:48:43 5 JUDGE SEBUTINDE: I am sorry, who did Black Jah refer to?
6 MS PACK: The witness said "Gullit", G-U-L-L-I-T.
7 Q. Who do you mean by Gullit, for the sake of clarity?
8 A. Every Tamba Alex Brima.
9 Q. You said that Bazzy's call sign was Dark Angel. Who do you
10:49:13 10 mean by "Bazzy"?
11 A. Ibrahim Bazzy Kamara, who was the SLA commander during that
12 time.
13 Q. While we are on what calls signs actually were, do you
14 remember anybody else's call signs? If so, please identify them.
10:49:35 15 A. Well, SAJ Musa also had his own call sign.
16 Q. Do you remember what it was?
17 A. Eagle.
18 Q. Eagle as in the bird. And anyone else's?
19 A. Five-Five also had a call sign, which was Cave.
10:50:01 20 Q. C-A-V-E. Just remind Their Honours who you mean by
21 Five-Five.
22 A. Santigie Bobor Kanu.
23 Q. Now explain, please, how call signs were used.
24 A. Well, the only way you can identify signs that commander is
10:50:36 25 talking through that call sign. Like, for example, if Bazzy is
26 calling Gullit, he will say, "Black Jah for Dark Angel". That
27 clearly shows that Gullit for Bazzy. Then Bazzy would answer
28 saying, "Dark Angel loud". This was the way we used to know that
29 this commander is talking. It was through there we identified

1 the commander that was talking through to the other.

2 Q. I was asking about a second communication, which you said
3 occurred when you heard that ECOMOG had advanced toward Njaiama
4 Sewafe. Who heard that ECOMOG had advanced towards Njaiama
10:51:27 5 Sewafe? When you say "we", are you talking about you or others
6 or what? If you would explain that please.

7 A. I would like you to repeat the question. I didn't get it
8 clear.

9 Q. You heard what ECOMOG were doing and you said in your
10:51:45 10 earlier response to my question "we heard". I want you to
11 clarify, please, for the Court what you mean by "we". It is
12 something I have asked you before.

13 A. I, the SLA command, RUF commanders, both RUF fighters and
14 RUF fighters. All of us got this information about the advance
10:52:12 15 of ECOMOG troops towards Koidu Town.

16 Q. Now this second communication, what was said during this
17 second communication?

18 A. Well, as Mosquito called through his call sign, he ordered
19 that Kono should be a stronghold by the junta forces; we should
10:52:44 20 ensure that the commanders, both the RUF and SLA, should put down
21 the Sewafe Bridge.

22 MS PACK: Sewafe I have spelt before, Your Honours.

23 S-E-W-A-F-E.

24 Q. Was anything else said on this communication, apart from
10:53:06 25 this?

26 A. He said we should make sure that the SLA, the RUF made a
27 strong defence and to make sure that the bridge would be
28 completely broken down so that the ECOMOG forces would not have
29 any way to enter Koidu.

1 Q. Can you remember when, in relation to the time that you
2 left Kono, this communication was made?

3 A. Well, it was around May. May.

4 PRESIDING JUDGE: Ms Pack, are you close to the, or at the
10:53:59 5 end of this line of evidence and questioning?

6 MS PACK: Yes, Your Honour.

7 PRESIDING JUDGE: It may be appropriate to take a break at
8 the end of that particular line of questioning.

9 MS PACK: Yes, Your Honour. I just have one or two
10:54:08 10 questions on this communication and then that would be it on
11 these communications.

12 PRESIDING JUDGE: It would be appropriate to finish those
13 and then we will have a break.

14 MS PACK:

10:54:16 15 Q. Witness, you said that the communication was with Mosquito
16 using a call sign for Mosquito. Do you remember now what that
17 call sign was?

18 MR FOFANAH: May it please Your Honour, the witness just
19 gave the name of the month. We are not clear as to what year
10:54:36 20 that was.

21 MS PACK: Right, I will ask the year.

22 Q. You have given the name of a month. Don't answer my
23 previous question. You said around May. What year was that?

24 A. 1998.

10:54:48 25 Q. Witness, back to my previous question. You referred to
26 Mosquito being identified by the call sign. Do you remember now
27 what that call sign was?

28 A. Well, now I cannot recall his call sign.

29 Q. Witness, that was all I had to ask you on this

1 communication. Perhaps, Your Honours, this would be an
2 appropriate time.

3 PRESIDING JUDGE: This would be an appropriate time to
4 adjourn for 15 minutes. Mr Court Attendant, please adjourn the
10:55:44 5 Court for 15 minutes.

6 [Break taken at 10.55 a.m.]

7 [TB180505C - CR]

8 [Upon resuming at 11.17 a.m.]

9 PRESIDING JUDGE: We note the absence of counsel,
11:20:49 10 Ms Thompson. Is there any information any other counsel can give
11 the court?

12 MR KNOOPS: Your Honour, I've heard from my colleague she
13 is in the ladies' room.

14 MR FOFANA: Sorry, Your Honours, she is actually outside.
11:20:54 15 She just went to use the convenience, thank you.

16 PRESIDING JUDGE: She will no doubt be back soon. Ms Pack,
17 I think in the circumstances we can ask you to proceed, please.

18 Ms PACK: Thank you, Your Honour.

19 Q. Witness, I was asking you before the break about the two
11:21:19 20 radio communications that you described. The second
21 communication that you talked about earlier, was that the last
22 communication that you heard when you were in Kono, or is it
23 another one that was -- or is it a different communication?

24 A. Well, this was the last communication that we had with --
11:21:46 25 which I heard when Mosquito called.

26 Q. Witness, you've spoken about communications with Kailahun
27 and specifically with Mosquito. Did you personally hear any
28 other communications from anyone else when you were in Kono?

29 A. Well, during the first communication, the operation

1 commander with whom I was, when Mosquito had a discussion with --

2 THE INTERPRETER: Your Honours, would the witness please go
3 a little bit slower.

4 Ms PACK:

11:22:36 5 Q. You said during the first communication with Mosquito and
6 Superman, the commando with whom you were, just go on from that.
7 Did he have a communication with anyone?

8 A. Yes, Issa Sesay also talked to him.

9 Q. Did you hear what was said during the communication between
11:23:02 10 your commander A and Issa Sesay on this occasion?

11 A. Yes, indeed. Issa just said -- informed the operation
12 commander with whom I was that they should keep the morale in
13 Kono and that he believed that very soon that we would receive
14 things in Kono that would make the whole troop happy.

11:23:29 15 Q. Did you hear any response to this communication from Issa
16 Sesay?

17 A. Well, as I communicated and I had spoken with the operation
18 commander, the operation commander was so happy and he also was
19 happy, because this was the first time that Issa spoke to him
11:23:55 20 when Issa had left Kono. So he was happy about that
21 communication.

22 Q. Were there any other communications between anyone else
23 apart from Superman and Mosquito and this one communication
24 between commander A and Issa Sesay that you heard whilst you were
11:24:20 25 in Kono?

26 A. Well, on this particular day, Morris Kallon also called.
27 He and Bazzy also spoke. They exchanged greetings, and they just
28 discussed special issues.

29 Q. Is there any other communication then that you recall that

1 you personally heard?

2 A. The only thing, Morris Kallon promised that he was coming
3 to Koidu Town and this is what he told Bazzy and that he was on
4 his way to come to Koidu Town?

11:25:16 5 JUDGE SEBUTINDE: [Microphone not activated].

6 THE WITNESS: Morris Kallon.

7 Ms PACK: Your Honour, I've spelt that before. It is
8 Morris Kallon, K-A-L-L-O-N.

9 PRESIDING JUDGE: A point of clarification: which town did
11:25:36 10 he say he was coming to?

11 Ms PACK: Koidu Town the witness said, and I spelt that
12 before.

13 Q. Witness, did Morris Kallon in fact come to Koidu Town at
14 one point?

11:25:51 15 A. Yes, after this communication he went to Koidu Town.

16 Q. Do you recall about when this was from the time that you
17 arrived in Koidu Town yourself to when Morris Kallon arrived in
18 Koidu Town again?

19 A. Well, this happened before the ECOMOG started moving.

11:26:43 20 Q. Witness, earlier on, again before the break, you spoke --

21 A. [Witness coughs] Sorry.

22 Q. Witness, are you able to continue?

23 A. I will try, yes.

24 JUDGE LUSSICK: What's the problem, witness? Are you not
11:27:05 25 feeling well?

26 THE WITNESS: Cold, I'm getting a cold. I continue to
27 cough. So when I went to the toilet, when I spat, I saw a little
28 bit of blood. I don't know.

29 PRESIDING JUDGE: We can get something to make you feel a

1 bit warmer, but if it is more serious than that, you must tell
2 us.

3 THE WITNESS: The only thing is that I spat a little bit of
4 blood. I'm not too convenient to the cold here.

11:27:54 5 PRESIDING JUDGE: Mr Court Attendant, please assist, if you
6 can, and get something to make the witness feel a little bit
7 warmer. I'm not sure if that will fully overcome his problem,
8 but he will, I'm sure, tell us if it does not.

9 Ms PACK: I think he said he was getting a cold as well.

11:28:13 10 PRESIDING JUDGE: Unfortunately, the level of the volume
11 from the translator's booth is not so good. Mr Witness, please
12 advise us if you can continue?

13 THE WITNESS: No. I'm not able to continue.

14 JUDGE LUSSICK: Is it possible to get some medical
11:29:24 15 attention for this witness?

16 Ms PACK: Yes, Your Honour, the witness unit does have a
17 nurse. We could ensure -- at least if there is a member of the
18 witness unit -- not now in court, but they were certainly here.
19 We're saying now the nurse could see the witness as soon as
11:29:41 20 possible and give him any necessary medication, or whatever is
21 necessary.

22 JUDGE LUSSICK: We were just thinking today is a half day,
23 in any event. It might be practical to adjourn until tomorrow
24 morning. Hopefully you might have some luck with getting the
11:30:14 25 witness examined and, if necessary, treated in the meantime.

26 Ms THOMPSON: Your Honours, whilst that is going on, may I
27 apologise for coming in late. I myself am not feeling well and
28 had to take a longer than normal break. No disrespect was meant
29 to Your Honours.

1 PRESIDING JUDGE: [Microphone not activated] I'm saying it
2 may look as though it is advisable all around. As my learned
3 brother has observed, today is the day we usually finish early.
4 In the circumstances, unless there is some indication that the
11:30:58 5 witness wishes to recommence between now and 12.45 a.m., I think
6 the most practical thing would be to adjourn. Allow me to
7 consult with my learned brother and sister.

8 [Trial Chamber confers]

9 PRESIDING JUDGE: We will adjourn in the light of the
11:31:28 10 circumstances of both the witness and Ms Thompson to tomorrow
11 morning at 9.15 a.m.. You have advised us, Ms Pack, there will
12 be medical attention available to the witness. You are aware of
13 the normal means of communication should anything be required to
14 be told to us.

11:31:44 15 Ms PACK: I'm grateful Your Honour.

16 JUDGE SEBUTINDE: Counsel, I wish to make the record right.
17 At the break, my colleagues very rightly drew my attention to a
18 remark I made when we were having trouble with the witness
19 rushing. I thought it was a valid complaint that they made, or
11:32:36 20 that they drew to my attention. I made the remark this way: I
21 said, I think to Ms Pack, that the evidence that this witness is
22 giving is vital. I think the word I used was "vital". I didn't
23 mean that I had therefore made a pre-judgment as to the relevance
24 and weight of this evidence. I was simply saying that the
11:32:57 25 evidence this witness is giving needs to be captured accurately,
26 both on the transcript and in our records, and that it was vital
27 that we do this because we're not having simultaneously recording
28 in front of us, and our only record is our books. I used the
29 word "vital" only in as far as we needed to capture whatever he

1 said in our books and in our handwritten record. It was not in
2 any way meant to be a value judgment of this witness's evidence,
3 either by myself or, indeed, by the Bench. I thought I would
4 make this very, very clear and not worry either side that we were
11:33:37 5 busy making value judgments beforehand.

6 Ms THOMPSON: I'm grateful for that clarification, Your
7 Honour.

8 MR KNOOPS: It is also how we perceived it, Your Honour.
9 Thank you.

11:33:56 10 PRESIDING JUDGE: Mr Witness, you do recall me telling you
11 once or twice before you are still under oath and you should not
12 talk about your evidence with anyone else. We are going to
13 adjourn early and that promise is still binding upon you. Do you
14 understand? I think he does.

11:34:16 15 THE WITNESS: Yes, My Lord.

16 PRESIDING JUDGE: Thank you.

17 [Whereupon the Court adjourned at 11.32 a.m. to
18 be reconvened on Thursday, the 19th day of May
19 2005, at 9.15 a.m.]

20

21

22

23

24

25

26

27

28

29

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-334	2
EXAMINED BY MS PACK	2