

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

THURSDAY, 15 JUNE 2006
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Julia Sebutinde Teresa Doherty
For Chambers:	Mr Simon Meisenberg Ms Evelyn Campos Sanchez
For the Registry:	Mr Geoff Walker
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	Ms Prudence Acirokop (intern)
For the accused Alex Tamba Brima:	Mr Kojo Graham Ms Glenna Thompson Mr Ibrahim Foday Mansaray (legal assistant) Ms Rebecca Cohen (intern)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels Mr Mohamed Pa-Momo Fofanah Ms Louisa Songwe (legal assistant)
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain Ms Anne-Marie Verwiel (legal assistant)

1 Thursday, 15 June 2006
2 [Open session]
3 [The accused present]
4 [Upon commencing at 9.20 a.m.]
09:23:39 5 WITNESS: ACCUSED ALEX TAMBA BRIMA [Continued]
6 [The witness answered through interpretation]
7 PRESIDING JUDGE: Good morning. Mr Brima, I will remind
8 you you are still on your former oath. Mr Graham, we were going
9 to start on, I think it was, page 3 of the transcript of 15th
09:25:35 10 September.
11 MR GRAHAM: Good morning, Your Honours. Good morning,
12 Mr Brima.
13 THE WITNESS: Good morning, sir.
14 MR GRAHAM: As you rightly stated, I will be making
09:25:50 15 reference from the transcript of September 16th, 2005 and I will
16 be reading from page 3.
17 PRESIDING JUDGE: Just to recapitulate, because our legal
18 officer was a different one yesterday, although you mentioned
19 15th September, in effect, it is the transcript of 16th
09:26:24 20 September, page 3.
21 MR GRAHAM: That is so, Your Honour.
22 PRESIDING JUDGE: Incidentally, do counsel have an AV that
23 is working? All right. It is the whole Court then. No, that
24 does not appear to be correct. I see the AV along here is
09:27:32 25 working quite well.
26 MR AGHA: Learned counsel Mr Hardaway does, but mine isn't.
27 So some are and some aren't.
28 PRESIDING JUDGE: That is something Court Management can
29 look into. None of the judges have any AV at the moment. I

1 don't know what the situation is out in the public gallery
2 either. Anyway, we can proceed without it. You go ahead,
3 Mr Graham.

4 MR GRAHAM: Thank you, Your Honour.

09:25:43 5 EXAMINED BY MR GRAHAM: [Continued]

6 Q. Mr Brima, I'm going to be making a reference from the
7 transcript of September 16th, 2005, page 3. I will be reading
8 from line seven.

9 "A. On our first arrival in Newton area we stayed there
09:28:33 10 for three days and there was a meeting called by SAJ Musa.

11 "Q. How do you know there was a meeting called by
12 SAJ Musa?

13 "A. Because I was there and I was present.

14 "Q. What happened at the meeting?

09:28:59 15 "A. In the meeting he had to reinstate the honourables
16 Alex Tamba Brima, Ibrahim Bazy Kamara, Santigie Kanu."
17 That ends my reference.

18 MR GRAHAM: Your Honours, this is in respect of the
19 testimony of Prosecution witness TF1-167.

09:29:33 20 Q. Mr Brima, I ask of you, were you ever reinstated by
21 SAJ Musa to your position as an honourable?

22 A. No.

23 Q. Did you ever regain your position as an honourable,
24 Mr Brima?

09:29:57 25 A. No.

26 Q. Did you know whether SAJ Musa reinstated Ibrahim
27 Bazy Kamara to his position as an honourable?

28 A. No, he did not reinstate him.

29 Q. Mr Brima, do you know whether Ibrahim Bazy Kamara ever

1 regained his position as an honourable?

2 A. No, he never regained his position as honourable.

3 Q. Mr Brima, did SAJ Musa ever reinstate Santigie Kanu to his
4 position as an honourable?

09:31:02 5 A. No, he never reinstated Santigie Kanu to his position as
6 honourable.

7 MR AGHA: Your Honour, may I just at this stage object to
8 the fact that there is no foundation as to how the witness knows
9 that the accused two, Ibrahim Kamara, was ever reinstated as an
09:31:25 10 honourable.

11 PRESIDING JUDGE: That is quite correct, Mr Graham. We are
12 dealing with a specific period in this transcript and you are
13 going way outside that period. If you want to lay some
14 foundation, we will allow you to ask that line of question.

09:31:40 15 MR GRAHAM: Very well, Your Honour. I will restrict my
16 questions to the focus of the reference. I'm grateful.

17 Q. Mr Brima, do you know whether Santigie Kanu regained his
18 position as an honourable?

19 A. Santigie Kanu did not ever regain his position as
09:32:03 20 honourable.

21 JUDGE SEBUTINDE: Mr Graham, that's exactly what has been
22 overruled upon. What is the difference in your question?

23 MR GRAHAM: Your Honour, I --

24 JUDGE SEBUTINDE: What is this business about ever
09:32:17 25 reinstated?

26 MR GRAHAM: I am asking the question. I did not use the
27 word "ever." It is the witness in his response.

28 JUDGE SEBUTINDE: You might as well have because you have
29 not put a place or a time frame in the question. What do you

1 expect the answer elicited? It is a general question.

2 MR GRAHAM: I believe the question talks about their
3 arrival in Newton.

4 PRESIDING JUDGE: I understood your question to simply be
09:32:44 5 to the effect: Was Santigie Kanu reinstated to his position as
6 honourable.

7 MR GRAHAM: In reference to the --

8 PRESIDING JUDGE: You didn't make any reference to any time
9 period, Mr Graham.

09:32:57 10 MR GRAHAM: Very well, Your Honour.

11 Q. Mr Brima, I read to you portions of the testimony given by
12 Prosecution witness TF1-167 in respect of events, and events that
13 happened in Newton. I am asking you, Mr Brima, at Newton, did
14 SAJ Musa reinstate Santigie Kanu to his position as an
09:33:37 15 honourable?

16 A. No, he never reinstated him to his position as honourable.

17 Q. How do you know that, Mr Brima?

18 A. Because I, Santigie Kanu, Ibrahim Kamara and the other
19 honourables who were under arrest, we were staying in one place
09:34:12 20 when the troops are moving from one point to another and we are
21 under arrest. That was how I came to know he did not regain any
22 appointment as honourable again.

23 MR GRAHAM: Your Honour, I am going to go on to make
24 further reference to the transcript of the proceedings of
09:34:35 25 September 16th, 2005. I will be making the reference
26 specifically from page 5. I will be reading, starting from
27 line 19. With your permission I will read from line 19.

28 Q. "Q. At this point, as you advanced to Freetown, who was in
29 command of the whole of the troop?

1 "A. It was commanded by SAJ Musa.

2 "Q. And was there anyone who was second in command to him?

3 "A. Alex Tamba Brima was second in command."

4 That ends my reference. Mr Brima, I'm going to ask of you,
09:36:43 5 as you advanced to Freetown, were you second in command to
6 SAJ Musa?

7 A. No. No.

8 Q. Thank you, Mr Brima. Mr Brima, I ask you, as you advanced
9 to Freetown, were you in any position of command?

09:37:13 10 A. No, sir.

11 Q. Yesterday you gave an account of the movement from
12 Colonel Eddie Town and, by the time we had left off, you had told
13 this Court about the attack on Benguema and you also told us
14 about the soldiers who were dancing after the attack on Benguema.
09:37:50 15 Mr Brima, can you now please tell this Court if anything else
16 happened after the successful attack on Benguema?

17 A. After that attack at Benguema, we, the detained people,
18 together with the soldiers' families, we were at the drill shell.
19 That was where the headquarters put us. That was where we were
09:38:31 20 when Commander Tito came and told SAJ Musa that there was
21 ammunition down the guardroom where they had passed.

22 Q. Before you go on, could you first explain to this Court
23 what you mean by a drill shell?

24 A. Drill shell is something like pavilion, where spectators
09:39:03 25 stand when watching a parade. In the military, they call it
26 drill shell.

27 Q. Thank you. How do you know that Tito came to SAJ Musa?

28 A. Because SAJ Musa was there at the front side of the drill
29 shell and I saw Tito when Tito came to him.

1 Q. What happened when Tito came to SAJ Musa, Mr Brima?

2 A. Well, just as I had said to you that the troop was dancing,
3 because that was the position that SAJ Musa himself captured
4 Benguema. When Tito had come, reported to him, he sent Tito back
09:39:53 5 to go and take the ammunition at the ammo dump.

6 Q. Mr Brima, before you continue, could you please tell this
7 Court how you know that SAJ Musa himself captured Benguema?

8 A. Yes. SAJ Musa was the commanding officer of the whole
9 troop, and he was the highest commander who went on that
09:40:22 10 operation. So once he was the commander that went on that
11 operation, definitely all the prayers went to him, the commander.
12 So he captured the ground.

13 Q. Mr Brima, apart from SAJ Musa, do you know any of the
14 commanders that took part in the attack on Benguema?

09:41:03 15 A. Yes.

16 Q. Please tell this Court.

17 A. FAT Sesay took part in this attack, Eddie took part in this
18 attack, Junior Lion took part in this attack.

19 Q. You mentioned Eddie. Is that the only name by which you
09:41:36 20 know that person?

21 A. For me, that is the only name that I know.

22 Q. Could you spell the name for us, please?

23 A. E-D-D-I-E, Eddie.

24 Q. Mr Brima, if I may ask, is that the same person who is
09:42:02 25 referred to as Colonel Eddie?

26 A. Yes.

27 Q. Mr Brima, who else, if you know, was in the position of
28 command during the attack on Benguema?

29 A. Commander O-Five, Commander Keh/For/Keh, Commander Tito,

1 Commander Foday Bah. These were the ones, the names I can recall
2 for now.

3 Q. Mr Brima, can you tell this Court how do you know that the
4 names you just mentioned, they were in a position of command
09:42:59 5 during the attack on Benguema?

6 A. Commander Tito, Commander Foday Bah, Commander Keh/For/Keh,
7 Commander Junior Lion, he was the task force commander.
8 Commander Junior Sheriff, Commander Tito, Commander Foday Bah,
9 together with Commander Keh/For/Keh, they were company
09:43:37 10 commanders. And the company, they were all on this attack.

11 Q. My question was how did you know that these names that you
12 mentioned were in the position of command during the attack on
13 Benguema?

14 A. Because they were with their battalions -- with their
09:44:07 15 companies, sir, sorry. Commander SAJ Musa, FAT Sesay, Eddie,
16 Commander O-Five, they were the commanders whom SAJ Musa moved
17 with to go on that operation. That was how I came to know that
18 those commanders were there. After the operation, they came back
19 and reported to SAJ Musa.

09:44:38 20 Q. Mr Brima, I may ask you how do you know that they were the
21 commanders that SAJ Musa moved with to attack Benguema?

22 A. Well, the advance was with the advance team when two
23 companies were within the advance team and the reinforcement team
24 was one company, and Commander O-Five was with them. The company
09:45:19 25 commander that was taking care of the headquarters to defend the
26 families that were at the rear, when Commander O-Five came, when
27 SAJ was going, they all went. That was how I came to know,
28 because those companies were in the advance. The last company
29 that was at the rear, they asked the commander through the order

1 of SAJ Musa to join to go on the operation.

2 Q. Did you see them going on the operation, Mr Brima?

3 A. Well, I didn't see the advance commander, but I know that
4 the advance team is always the team that goes ahead. But I saw
09:46:09 5 Commander O-Five when he came and reported to SAJ Musa, and when
6 SAJ Musa was leaving, I saw him call the commander, who was the
7 company commander who was at the rear, or the company that was at
8 the rear. That was how I came to know.

9 Q. Thank you, Mr Brima. I'm going to continue from the
09:46:35 10 account you gave this Court about Tito coming to talk to SAJ Musa
11 at the drill shell. Mr Brima, can you tell this Court what
12 happened after Tito came to talk to SAJ Musa about the discovery
13 of ammunition?

14 A. Well, SAJ Musa said they should go and take the ammunition
09:47:04 15 from there.

16 Q. Then what happened after SAJ had said that?

17 A. After SAJ Musa had gone, he had given orders to Tito to go
18 and take the ammunition, SAJ Musa left us - us, the detained
19 peoples. He went to the mess, the officers' mess that was there
09:47:26 20 at Benguema. From then, when SAJ Musa came, he told us that he
21 has spoken to Maxwell Khobe. But he did not talk to me directly,
22 it was to the companies that were close to him. But because I
23 was close to them, I heard what he said. He said he has given
24 General Khobe 72 hours. He said he will enter Freetown.

09:48:08 25 Q. Mr Brima, what happened after SAJ said that?

26 JUDGE SEBUTINDE: I'm not sure I understand who these
27 "he," - "he said he will enter." Who is that?

28 MR GRAHAM: Your Honour, he said, and I stand to be
29 corrected, that SAJ Musa left them and went to the officers' mess

1 and, on his return, told them he had spoken to Maxwell Khobe and
2 had given him 72 hours, within which time they were going to
3 enter Freetown.

4 JUDGE SEBUTINDE: That is precisely my question. Who was
09:48:44 5 going to enter Freetown? We don't know who Maxwell Khobe is.

6 MR GRAHAM: Your Honour, I was going to go on and get those
7 qualifications.

8 MR AGHA: Before that, Your Honour, can I also ask some
9 foundation be laid as to how he knew he went to the officers'
09:48:59 10 mess.

11 PRESIDING JUDGE: Yes, Mr Graham.

12 MR GRAHAM:

13 Q. Mr Brima, you have given an account about SAJ Musa going
14 off to the officers' mess. How do you know that SAJ Musa went to
09:49:19 15 the officers' mess?

16 A. I knew that when SAJ Musa came back.

17 Q. Did you see him going to the officers' mess?

18 A. Yes, I saw him when he was going to the officers' mess.

19 Q. Mr Brima, when SAJ Musa came back and said he had spoken to
09:49:51 20 Maxwell Khobe, did he say who Maxwell Khobe was?

21 A. Yes.

22 Q. Who did he say Maxwell Khobe was?

23 A. He said Maxwell Khobe was the task force commander for the
24 invasion force.

09:50:17 25 Q. What do you mean by the invasion force, Mr Brima?

26 A. The Nigerian-led mercenary who came to fight on behalf of
27 the government.

28 Q. When SAJ told you, together with those who were around,
29 that he had told Maxwell Khobe that they will be in Freetown in

1 72 hours, did he explain what he meant by that?

2 A. Well, from what I heard is what I'm telling this Court.

3 Q. I am asking, Mr Brima, if he did not explain, what did you
4 understand -- the statement that SAJ made, did you understand it
09:51:20 5 at the time?

6 A. Well, just as I have said, when SAJ Musa explained that
7 statement to the troop, then he said he had told Maxwell Khobe
8 that he should not come, that he should release his wife. The
9 soldiers who were arrested, the SLA soldiers who were at
09:51:38 10 Pademba Road, he said they should release them. He said that
11 openly and I heard it.

12 Q. Mr Brima, do you remember what date this was, on what date?

13 A. This happened on 22nd December 1998.

14 Q. Mr Brima, after SAJ had made those statements what
09:52:13 15 happened?

16 A. Well, SAJ Musa was standing by us there, drinking.
17 Drinking a canned drink. It was canned soft drink. Then I heard
18 the sound of an explosion from the ammo dump when the place
19 exploded. Then when the place exploded, even we who were there
09:52:44 20 as the ten people, we all fell down on the ground and I saw
21 particles of fragments up the sky.

22 Q. Mr Brima, how do you know that the explosion came from the
23 ammo dump?

24 A. I saw the ammo dump after that explosion.

09:53:11 25 Q. Mr Brima, can you tell this Court approximately the
26 distance between where you were together with SAJ and where the
27 ammo dump was located?

28 A. From the drill shell to the ammo dump, roughly I can
29 estimate it as hundred metre. Then from the distance between

1 myself and SAJ, where he was standing, I can take it -- estimate
2 it between 5 to 7 metres. Like from here to where the judges are
3 there.

4 Q. Thank you, Mr Brima. Mr Brima, what happened after the
09:53:58 5 explosion that, according to your account, came from the --

6 A. After the explosion plenty soldiers died.

7 Q. How do you know plenty soldiers died, Mr Brima?

8 A. We saw the corpses. And SAJ Musa himself, I knew later
9 that he was hit by a fragment and he dropped.

09:54:36 10 Q. Mr Brima, you told this Court that the distance between
11 where you were and SAJ Musa was approximately 5 to 10 metres, and
12 I'm asking you did you see or witness SAJ Musa being hit by
13 anything?

14 A. Please ask that question again.

09:55:12 15 Q. I'm asking this question because you just told this Court
16 that you later, I stand to be corrected -- later got to know that
17 SAJ himself got hit by an object. I am asking from the distance
18 where you were --

19 JUDGE SEBUTINDE: No, Mr Graham, we cannot allow such a
09:55:35 20 leading question. Ask him how he knows. Don't put answers in
21 his mouth.

22 MR GRAHAM: Very well, Your Honour. With great respect,
23 that is not my intention at all. I am just honestly trying to
24 get him to focus on these questions that I'm asking.

09:55:53 25 Q. Mr Brima, how do you know that SAJ was hit by an object?

26 JUDGE DOHERTY: I think the word the witness used was
27 "fragment."

28 MR GRAHAM:

29 Q. How do you know that SAJ Musa was hit by a fragment,

1 Mr Brima?

2 A. Well, I knew when they put SAJ Musa by a door. When he was
3 being carried, they pulled off his headdress, the helmet that he
4 was having on. And the helmet that he was having on, that was
09:56:45 5 where the fragment entered.

6 Q. How do you know that, Mr Brima?

7 A. How I came to know that, I saw the helmet burst and when
8 SAJ Musa's body was laid out, we did not see any other thing on
9 him.

09:57:06 10 Q. Who laid out SAJ Musa's body, Mr Brima?

11 A. It was the second in command, FAT, and Commander O-Five.

12 Q. Mr Brima, at this point where you were together with all
13 the other detainees?

14 A. We were at under the drill shell.

09:57:31 15 Q. Mr Brima, did anything happen after SAJ had been put on the
16 door?

17 A. When he was laid on the door, they carried him to a
18 distance and then they put him down, and we were all going
19 together with the headquarter. The medical orderly who was
09:58:06 20 there, he advised for him to be given milk.

21 Q. How do you know that, Mr Brima?

22 A. They requested -- the commander requested openly to the
23 troop that anybody who had milk should give it for it to be given
24 to SAJ.

09:58:29 25 Q. Do you know who this medical orderly was?

26 A. The medical orderly was one Corporal George.

27 Q. Can you spell that for the Court, please, Corporal George?

28 A. G-E-O-R-G-E.

29 MR AGHA: Your Honour, I would like to object at this stage

1 because the witness has mentioned a commander. What commander is
2 he referring to and how does he know that?

3 PRESIDING JUDGE: Yes, he did mention a commander,
4 Mr Graham, and you haven't led any evidence on that.

09:59:11 5 MR GRAHAM:

6 Q. Mr Brima, which commander are you referring to which asked
7 whether any of the troops had milk with them? Which commander
8 are you referring to?

9 A. It was Commander O-Five.

09:59:34 10 Q. Mr Brima, I'd asked you whether you knew the medical
11 personnel that you just referred to.

12 A. Yes.

13 Q. How do you know him, Mr Brima?

14 A. This medical orderly is somebody I knew for long at the
09:59:59 15 34 military hospital and he was with the troops that SAJ Musa
16 came with.

17 Q. Mr Brima, how do you know that he was with the troops that
18 SAJ Musa came with?

19 A. I saw him. I saw him when SAJ Musa came. During the
10:00:28 20 general muster parade medical orderlies do not fall-in the
21 parade, signallers do not fall-in the parade, because those
22 people are specialists in the army. So they were falling-in at
23 the side.

24 Q. I ask of you which of the muster parades did you --

10:00:51 25 JUDGE DOHERTY: Mr Graham, I note that the witness used the
26 word "general muster parade" and has on other occasions used the
27 word "muster parade." You do not seem to be using that term
28 quite as precisely as he does. I am still not clear if there is
29 a difference between a general muster parade and a muster parade.

1 I do not think you can use it so interchangeably.

2 MR GRAHAM: Very well, Your Honour.

3 Q. Mr Brima, is there any difference between a muster parade
4 and a general muster parade?

10:01:29 5 A. Yes.

6 Q. What is the difference, please tell this Court?

7 A. Well, muster parade and general muster parade, the
8 difference between them, company commanders can call muster
9 parade every morning and a general muster parade is when the
10:01:55 10 battalion commander himself who controls the battalion wants to
11 address the troop. That is what we mean by general muster
12 parade. And another example again, if the defence chief of staff
13 or the army chief of staff or the defence minister wants to talk
14 to the army, it's a general muster parade that they call it.

10:02:20 15 Q. How do you know that, Mr Brima?

16 A. Well, I knew that when I was in the army and during my
17 training I knew that, because every morning I go for a muster
18 parade. But when the training commander wants to speak to the
19 whole troops that are training, that is a general muster parade.

10:02:47 20 So that was why I came to know the difference between muster
21 parade and a general muster parade.

22 Q. Thank you for the explanation, Mr Brima. Mr Brima, so in
23 what category would you put the parade that, according to your
24 account, took place when SAJ Musa arrived at Colonel Eddie Town?

10:03:15 25 A. It was a general muster parade.

26 Q. Mr Brima, was it during this general muster parade that you
27 saw the medical personnel that you referred to?

28 MR AGHA: I would object to that question, Your Honour.

29 PRESIDING JUDGE: You object to the leading, Mr Agha? Yes,

1 that is leading. You'll have to rephrase that.

2 MR GRAHAM:

3 Q. Mr Brima, at which of the parades at Colonel Eddie Town did
4 you see the medical officer that you referred to?

10:03:58 5 A. I saw him at the general muster parade.

6 Q. Mr Brima, coming back to Benguema. So after the request
7 for milk had been made, what happened?

8 A. SAJ Musa died. And when SAJ Musa died --

9 Q. Mr Brima, how do you know that SAJ Musa died?

10:04:31 10 A. They said it. The operations commander told our commander,
11 O-Five, that SAJ Musa has died.

12 Q. Did he say that to you?

13 A. No, no, he didn't say it to me. He said it to the troops.

14 Q. Can you tell this Court what you heard him say?

10:05:01 15 PRESIDING JUDGE: He didn't say he heard him say anything.

16 MR GRAHAM:

17 Q. Mr Brima, when the commander addressed, according to your
18 account, the whole troops about the death of SAJ, what did he
19 say?

10:05:20 20 A. Well, when the commander addressed the troops, the
21 headquarter personnel told us that SAJ Musa had died.

22 Q. Mr Brima, after he said that what happened?

23 MR AGHA: Your Honours, may I object. Who is "us"?

24 PRESIDING JUDGE: There are two things there, Mr Graham;
10:05:49 25 "headquarters personnel" and "us." You haven't specified who
26 either of those are.

27 MR GRAHAM:

28 Q. Mr Brima, you have heard my learned friend. Please explain
29 to this Court what you mean by "headquarter personnel."

1 A. Those were the soldiers who were at the headquarters.
2 That's what I mean by headquarters personnel.
3 Q. When you use the word "us," what did you mean by "us"?
4 A. We, the detained people and the families of the soldiers.
10:06:37 5 Q. Thank you, Mr Brima.
6 JUDGE SEBUTINDE: I'm sorry, could you clarify from the
7 witness. I think he said there is one individual whom he said
8 addressed this group we have just heard about. I'm not sure that
9 I understand who this individual was.
10:06:52 10 MR GRAHAM: Very well, Your Honour.
11 JUDGE SEBUTINDE: By name, that is.
12 MR GRAHAM:
13 Q. Mr Brima, please tell this Court the name of the commander
14 who addressed the troops as to SAJ Musa's death.
10:07:07 15 A. It was Commander O-Five.
16 Q. Mr Brima, what happened after Commander O-Five informed the
17 troops about the death of SAJ Musa?
18 A. Well, the troops took SAJ Musa's corpse along. Some
19 personnel carried SAJ Musa's body.
10:07:41 20 Q. How do you know that, Mr Brima?
21 A. I saw it.
22 Q. How many personnel, to the best of your knowledge, carried
23 SAJ Musa?
24 A. Repeat the question, sir.
10:08:02 25 Q. How many personnel carried SAJ Musa?
26 A. From what I saw, it was four personnels. They carried the
27 board -- the door. One carried it from -- they were carrying it,
28 holding it from both ends.
29 Q. Do you know who these personnel were?

1 A. Well, I can't recall them.

2 Q. Mr Brima, what happened after the personnel carried
3 SAJ Musa on the door?

4 A. They carried SAJ Musa by the Benguema tactics ground. That
10:09:01 5 was an open range.

6 MR AGHA: Your Honour, could we have some foundation as to
7 how he knows troops carried SAJ Musa's body?

8 PRESIDING JUDGE: Yes, Mr Graham, you need to lay some
9 foundation.

10:09:19 10 MR GRAHAM: I will do that again, but if I recall very
11 well, I think I did ask him and he said --

12 PRESIDING JUDGE: He said he saw them, but I understood
13 Mr Agha was objecting to carrying them to a certain place. Is
14 that right, Mr Agha?

10:09:36 15 MR AGHA: I don't believe he said he saw troops. He said
16 that troops carried the body and he didn't say, as far as I am
17 aware, that thereafter how they saw him carried to a certain
18 place either. So it is for both.

19 PRESIDING JUDGE: I have a note that he saw troops carrying
10:09:55 20 the door.

21 MR AGHA: I stand to be corrected on the first point.

22 MR GRAHAM:

23 Q. Mr Brima, I will ask you, for the sake of emphasis, how do
24 you know that SAJ was carried on the door?

10:10:10 25 A. I knew that when I was at the headquarters, because the
26 headquarters moved with the corpse. I saw the personnel who were
27 carrying the board -- the door that had the body.

28 Q. When the personnel carried the body, what happened?

29 A. Well, Commander O-Five instructed that the corpse be

1 carried by the soldiers to the tactics ground at the Benguema
2 range.

3 Q. How do you know that he instructed?

4 A. He said it openly.

10:11:17 5 Q. What happened after he said that?

6 A. It was when he came and told the troops that SAJ has died,
7 then he called up four soldiers from the headquarters who carried
8 the corpse on the door where the corpse was. The headquarters --
9 us, the detained people and the families of the soldiers, we all

10:11:52 10 went to the tactics range where Commander O-Five said the
11 headquarters should go.

12 Q. Mr Brima, can you tell us where this tactics range was?

13 A. I said tactics ground towards the range -- not tactics
14 range. Tactics ground towards the range.

10:12:27 15 Q. Mr Brima, just for purposes of clarification, I asked of
16 you a question relating to the command, the instructions given by
17 Commander O-Five. Just for the sake of emphasis, what did you
18 say was the instructions given by Commander O-Five?

19 A. Commander O-Five, after he had told the headquarter
10:13:04 20 personnel that SAJ Musa had died, he called four headquarters
21 personnel to carry the corpse. He led the headquarter personnel,
22 which included us, the detained people, and their families. So
23 all of us should go to the tactics ground.

24 Q. So Mr Brima where was the tactics grounds?

10:13:32 25 A. The tactics ground was close to the firing range at
26 Benguema.

27 Q. Mr Brima, before I go on, I need to ask of you: Did you
28 get to the tactics ground?

29 A. Yes.

1 Q. Was it the whole movement that got to the tactics ground?

2 MR AGHA: Leading question, Your Honour.

3 PRESIDING JUDGE: Yes, it is leading and "movement" also is
4 a very vague word, Mr Graham.

10:14:21 5 MR GRAHAM: Thank you, Your Honour.

6 Q. Mr Brima, you have told us about the headquarters team, you
7 have also told us about the advance troops. Can you tell this
8 Court whether the headquarters team got to the tactics ground?

9 MR AGHA: I object again to that, Your Honour.

10:14:45 10 PRESIDING JUDGE: That is still leading, Mr Graham. There
11 has been an objection to that.

12 MR GRAHAM: Thank you, Your Honour.

13 Q. Mr Brima, which of the groups that arrived at Benguema
14 which were present when Commander O-Five gave the instructions
10:15:12 15 that you go to the tactics ground?

16 A. It was the headquarters and the company that was behind
17 headquarters.

18 Q. Apart from the headquarter team and the company behind the
19 headquarter team, did any other group get to the tactics ground?

10:15:43 20 A. No.

21 Q. Mr Brima what happened when the headquarter team and the
22 company behind them got to the tactics ground?

23 A. When they arrived at the tactics ground, Commander O-Five
24 tried to reach the other companies that had advanced towards

10:16:14 25 Tombo.

26 Q. How do you know that, Mr Brima?

27 A. How I came to know this, was when -- before SAJ Musa got
28 this problem when he died, after he had given Tito that order,
29 Commander Tito's company did not come back to the drill shed.

1 Then the two companies, which were the advanced companies, did
2 not come back to the drill shed. It was only the headquarters
3 company that was at the drill shed.

4 Q. How do you know that, Mr Brima? Before you go on, you
10:16:54 5 mentioned a name, Tombo. Could you please spell that for the
6 Court?

7 A. I can't remember the name.

8 Q. Tombo.

9 A. Okay. T-O-M-B-O.

10:17:13 10 MR AGHA: Your Honours, in that explanation there were a
11 series of answers. Could I kindly ask learned counsel to break
12 down the foundation for each answer. For example, it is
13 mentioned that they advanced towards Tombodu and then how they
14 had knowledge of that. Tombo, I beg your pardon, my
10:17:35 15 pronunciation. And commanders not returning. So it would be
16 easier for each part of the long explanation, if foundation is
17 laid as to how he knows each element.

18 MR GRAHAM: That is what I was coming to do. He mentioned
19 two groups: Tito's group that had left as a result of SAJ Musa's
10:17:54 20 orders and also they advanced to Tombo.

21 Q. Mr Brima, I'm going to ask of you: How did you know that
22 the advance group and Tito's group were not at the drill shell?

23 A. I did not see them at the drill shed.

24 Q. Mr Brima, I'm asking of you --

10:18:23 25 MR GRAHAM: Your Honours, before I go on, I think the
26 second accused wants to use the restroom, with your leave,
27 please.

28 PRESIDING JUDGE: Yes, Mr Kamara, you can leave the Court.
29 I think you better repeat that question, Mr Graham.

1 MR GRAHAM:

2 Q. Mr Brima, I asked you how you know that the two groups that
3 you referred to were not at the drill shed?

4 A. I did not see -- when -- after Commander Tito had spoken to
10:19:09 5 the late Commander SAJ Musa, I did not see him any more. It was
6 only the headquarters, and I did not see the other advance team.
7 It was only the headquarters personnel that were with us, the
8 detained people, and the families of the soldiers.

9 Q. Mr Brima, after you had arrived at the tactics ground, I
10:19:38 10 mean the headquarter team and the company behind them, did any
11 other group --

12 JUDGE SEBUTINDE: Mr Graham, you did not lay the foundation
13 for this place Tombo. The witness mentioned that these two
14 companies had reached Tombo. We don't know how he knows that.

10:19:53 15 MR GRAHAM: Very well, My Lord.

16 Q. Mr Brima, you've mentioned Tombo and the movement of some
17 of the troops to Tombo. Can you explain to this Court how you
18 know that, Mr Brima?

19 A. I knew that when the troops that had gone towards Tombo
10:20:21 20 came back and joined us, those of us who were at -- I mean the
21 tactics ground up the range -- when the troops came, most of the
22 soldiers were saying it.

23 Q. Mr Brima, what were the soldiers saying?

24 A. The soldiers were saying that they had almost reached
10:20:49 25 Tombo, but they received an order to return.

26 Q. Who were they saying this to? Did they say this to you?

27 A. They were saying it generally, not just to me.

28 Q. Mr Brima, what happened after that?

29 A. After that, when we had gone to the range, when -- after

1 Commander O-Five had communicated, he ordered the headquarters to
2 move to a place called Goba Water.

3 Q. Mr Brima, before you move on, you had mentioned range.
4 What do you mean by range?

10:21:56 5 A. Range, according to the military term that I know, it is a
6 place where you go to train to shoot. That's why they call it
7 firing range. When I was at the training school in Benguema, it
8 was at the range that we go to do the shooting.

9 Q. You've told this Court about the movement to the tactics
10:22:32 10 ground and you've also just mentioned range. Did you go to the
11 range? No, it was at the tactics ground that we went towards the
12 range. The tactics ground and the range, if I could do an
13 example, it's like the tactics ground is here and this is the
14 range. Because it was at Benguema that I did my training. When
10:22:58 15 we were going out to do the firing we would go to the range, and
16 from the range we would have another class called tactics. We
17 wouldn't come to the barracks any more, we'd just go across to
18 the right-hand side of the range and that was where the tactics
19 ground was.

10:23:13 20 Q. Approximately if you can tell this Court the distance
21 between the tactics ground and the range?

22 A. Roughly it could be about a hundred metres.

23 Q. Thank you, Mr Brima. Mr Brima, if you could tell this
24 Court did the headquarter team and the company behind them move
10:23:55 25 from the tactics ground?

26 A. Yes.

27 Q. Where did they move to?

28 A. They went to a village called Goba Water.

29 Q. Mr Brima, before I go on, I ask you what happened, please

1 tell this Court, after the personnel had carried the body of
2 SAJ Musa on the door to the tactics ground?

3 A. Repeat the question, sir.

4 Q. What happened to the body of SAJ Musa after he had been
10:24:47 5 carried on the door to the tactics ground?

6 A. Nothing happened to the body. They only lifted to Goba
7 Water village.

8 Q. How do you know that the body was lifted to Goba Water
9 village? And, Mr Brima, please spell Goba Water village before
10:25:18 10 you answer for the convenience of the Court.

11 A. G-O-B-A W-A-T-E-R.

12 Q. Mr Brima, I had asked of you how you know they carried the
13 body to Goba Water?

14 A. When the body was taken to Goba Water it was the
10:25:45 15 headquarters team that went along with the body. So that is how
16 I knew.

17 Q. How did you move? By what means did you travel from the
18 tactics ground to Goba Water?

19 A. Well, it was -- we used the jungle, because the tactics
10:26:19 20 ground was close to the jungle. So from the tactics ground to
21 Goba Water, we used the bush path.

22 Q. What means of transportation did you use, if any, Mr Brima?

23 A. We walked.

24 Q. Mr Brima, can you tell this Court whether you know
10:26:56 25 approximately the distance from the tactics ground to Goba Water?

26 A. No, no, no.

27 Q. Do you know how long the journey took from the tactics
28 ground to Goba Water, Mr Brima?

29 A. Well, I can estimate it as between 45 minutes to one hour.

1 Q. Mr Brima, did you arrive at Goba Water?

2 A. Yes.

3 Q. Did you arrive at Goba Water with anyone else?

4 A. Yes.

10:27:48 5 Q. Please tell this Court, Mr Brima, who did you arrive
6 together with at Goba Water?

7 A. Commander O-Five, the families of the soldiers, we the
8 detained people, Father Mario and the company that was behind.

9 Q. How do you know that all these people arrived at Goba
10:28:25 10 Water, Mr Brima?

11 A. Well, all of us went together to Goba Water and those
12 people were in the headquarters.

13 Q. Mr Brima, do you know whether any of the troops stayed
14 behind in Benguema?

10:28:58 15 A. I don't know that.

16 Q. So Mr Brima, after you had arrived at Goba Water what
17 happened?

18 A. The company that had advanced, all of them came to Goba
19 Water. And when they came, Junior Lion said he was going to kill
10:29:23 20 all of us that had been arrested. So there was a problem, there
21 was an argument between himself and Commander O-Five.

22 Q. Before you go on, please tell this Court how do you know
23 that Junior Lion said that?

24 MR AGHA: Your Honour, objection. First of all, can we
10:29:46 25 find out how we know that advance team even reached there.

26 PRESIDING JUDGE: Yes, you haven't laid any foundation for
27 that, Mr Graham.

28 MR GRAHAM: Thank you, Your Honour.

29 Q. Mr Brima, you have told us the troops that arrived at Goba

1 Water, the headquarter team, you also mention the company and you
2 also just mention the advance team. Can you please tell this
3 Court how you know that the advance team also arrived at Goba
4 Water?

10:30:26 5 A. The advance team and the other team that went, I know that
6 they reached Goba Water because I saw them. And Junior Lion, who
7 was in the advance team as the task force commander, when he
8 arrived at Goba Water, when he knew about the death of SAJ, he
9 accused us, the detained people, and said he was going to kill
10:30:54 10 us.

11 [AFRC15JUNE06B - MD]

12 Q. Mr Brima, before you go on, how did you know that Junior
13 Lion had knowledge of the death of SAJ Musa?

14 A. Well, I told this Court that Commander O-Five communicated
10:31:17 15 with those who had gone -- the troops which had gone to Tombo.
16 Either he had told them that SAJ had died or not, I don't know
17 that.

18 Q. Mr Brima, how do you know he communicated with the troops
19 at Tombo?

10:31:38 20 A. When we were at the firing range, he switched on his set
21 and he spoke to them.

22 Q. Mr Brima, you just made a statement to the effect that
23 Junior Lion had said he was going to take some form of action
24 against some of you, the honourables, and I'm asking you how did
10:32:11 25 you know that Junior Lion made that statement?

26 A. He made the statement in our presence and he made that
27 statement to us, the detained people.

28 Q. Mr Brima, what happened after he made that statement?

29 A. What happened after he had made that statement was that

1 Commander O-Five told him that he should not kill us.

2 Q. How do you know Commander O-Five told him that? How do you
3 know?

4 A. Well, when he came to us and said he was going to kill us,
10:32:56 5 Commander O-Five was close by. That's how I knew.

6 Q. Mr Brima, did anything happen after Commander O-Five made
7 that statement you just referred to?

8 A. The next thing that happened after Commander O-Five had
9 made that statement was that he removed Junior Lion from there
10:33:31 10 and took him to a distance.

11 Q. How do you know that, Mr Brima?

12 A. I saw him take him to a distance away from us.

13 Q. And did anything happen after he had removed him to a
14 distance?

10:33:54 15 A. Nothing happened.

16 Q. Now Mr Brima, you have told this Court about the arrival of
17 the headquarter team, the company behind them, and the advance
18 team. You've told this Court about the arrival at Goba Water.
19 What happened after the arrival of these troops at Goba Water?

10:34:21 20 A. When the troops arrived at Goba Water, after Junior Lion
21 had made that threat that he was going to kill us, including I
22 and the other former honourables, when Commander O-Five had
23 spoken to him, Commander FAT too came. He came and spoke to
24 Junior Lion in our presence.

10:34:51 25 Q. How do you know that, Mr Brima?

26 A. I saw them.

27 Q. And what happened after that, Mr Brima?

28 A. What happened after that incident was that those of us who
29 had been arrested were fortunate to escape.

1 Q. Mr Brima, when you say "those of us" what do you mean by

2 "those of us"?

3 THE INTERPRETER: Could counsel please ask that question
4 again.

10:35:41 5 MR GRAHAM:

6 Q. Mr Brima, you just made a statement about an escape. I'm
7 saying that did you escape alone?

8 A. No.

9 Q. Who did you escape with, Mr Brima?

10:35:55 10 A. I, the third accused Santigie Kanu, and W02 Woyo.

11 Q. Spell that for the Court, please?

12 A. W-O-Y-O.

13 Q. Mr Brima, where were you when you escaped; which part of
14 Goba Water were you?

10:36:48 15 A. It was in the jungle at Goba Water that we were.

16 Q. And, Mr Brima, how did you escape?

17 A. Well, when SAJ had died, the commanders themselves had a
18 dispute among them.

19 Q. How do you know that, Mr Brima?

10:37:21 20 A. When Commander O-Five told Junior Lion and took him along
21 and Commander FAT too came, and the other commanders who came
22 close to Commander FAT, I used to hear the arguments.

23 Q. Mr Brima, you had also mentioned a dispute. Do you know
24 the nature of the dispute?

10:38:06 25 PRESIDING JUDGE: Which question are you asking first; how
26 he heard or --

27 MR GRAHAM: Your Honours, I will go with the question on
28 the dispute and withdraw the first one.

29 Q. Mr Brima, you had mentioned to this Court that there was a

1 dispute, and I'm asking, first, do you know or did you know the
2 nature of the dispute?

3 A. Well, I do not know the nature of the quarrel.

4 Q. How then did you know that there was a dispute?

10:38:51 5 A. Well, from where I was sitting down and from where they
6 were standing I used to hear an argument going on among them.
7 That's how I knew.

8 Q. And, Mr Brima, I'm going to ask of you do you know what
9 happened -- excuse me, Your Honours, before I go on, do you know
10:39:19 10 whether the body of SAJ Musa arrived at Goba Water?

11 A. Yes.

12 Q. How do you know that, Mr Brima?

13 A. The headquarters went along with that body, and I saw the
14 corpse.

10:39:41 15 Q. When you arrived at Goba Water, what happened? Did
16 anything happen to the body of SAJ Musa?

17 MR GRAHAM: Your Honours, before he goes on with the
18 answer, Mr Kanu, the third accused in this matter, wants to use
19 the restroom, with your permission, please?

10:40:06 20 PRESIDING JUDGE: Yes, Mr Kanu can go.

21 MR GRAHAM: Thank you.

22 PRESIDING JUDGE: Will you repeat your question, please,
23 Mr Graham.

24 MR GRAHAM:

10:40:23 25 Q. Mr Brima, I had asked of you whether you know what happened
26 to the body of SAJ Musa when you --

27 A. I don't know what happened to the body, because it was at
28 Goba Water that we made our escape. I, Santigie Kanu and Woyo.

29 Q. Mr Brima, can you tell this Court how you escaped?

1 A. Since the argument and the confusion was going on between
2 the commanders, they paid less attention to us.

3 Q. What do you mean by "they paid less attention to us"?

4 A. I mean that we, the detained people, after SAJ had died
10:41:36 5 there was not much security concentration on us, the detainees.

6 Q. How do you know that?

7 A. Well, the soldiers who were keeping guard over us, most of
8 them were not there with us any more.

9 Q. Mr Brima, would you please continue with your account of
10:41:59 10 how you escaped from Goba Water.

11 A. Well, from Goba Water we used the bush pass, and Goba Water
12 was in the peninsula jungle, so it was from Goba Water that we
13 escaped, came down to Macdona.

14 Q. Please spell Macdona, Mr Graham?

10:42:25 15 A. M-A-C-D-O-N-A, Macdona.

16 Q. Mr Brima, did anything happen when you got to Macdona?

17 A. Well, from Macdona, we used the bush path and surfaced at
18 Lumpa. That is going towards the provinces.

19 Q. Can you spell Lumpa for the convenience of the Court,
10:43:27 20 Mr Brima?

21 A. L-U-M-P-A.

22 Q. Mr Brima, please continue with your account.

23 A. After we had escaped and arrived at Lumpa, from Lumpa we
24 found our way to Makeni.

10:44:10 25 Q. Mr Brima, do you know when you arrived at Makeni?

26 A. We arrived in Makeni sometime in January of 1999.

27 Q. The journey from Goba Water to Makeni, can you tell this
28 Court how long it took from Goba Water to Makeni?

29 A. I can't recall how long we took now, but we took days on

1 the way before we arrived at Makeni because we were walking, but
2 I can't say the exact number of days that we spent.

3 Q. Mr Brima, did anything happen on the way from Goba Water to
4 Makeni?

10:45:34 5 A. Repeat the question.

6 Q. Mr Brima, I said, did anything happen during your escape
7 from Goba Water to Makeni?

8 A. Nothing happened.

9 Q. Mr Brima, do you know where you were on January 6th, 1999?

10:46:21 10 A. We were walking our way to Makeni, but I did not know
11 exactly where we were.

12 Q. How can you know exactly where you were -- how come you
13 know where you were on January 6th, 1999?

14 A. No, no, no, I do not know the exact place where we were. I
10:46:54 15 was walking. I and Corporal Kanu, we were walking our way to
16 Makeni. I don't know the right town where I was or where we were
17 because we did not use the New Road, we used the Old Road because
18 it had more bushes.

19 MR GRAHAM: Your Honour, at this point, with your kind
10:47:18 20 permission, I would want to make some references from the
21 transcripts.

22 PRESIDING JUDGE: Yes. I think it would be an appropriate
23 time to take the morning break. We will adjourn now and resume
24 at 11 o'clock.

10:47:31 25 MR GRAHAM: Thank you.

26 [Break taken at 10.45 a.m.]

27 [Upon resumption 11.03 a.m.]

28 MR GRAHAM: Your Honour, I'm going to be reading from the
29 transcript of the proceedings of September 27th, 2005,

1 specifically page 50. It relates to testimony of Prosecution
2 witness TF1-184. Your Honours, I will read from line 10.

3 PRESIDING JUDGE: Yes, go ahead, Mr Graham, we have that
4 transcript.

11:08:22 5 MR GRAHAM: Thank you, Your Honour, I'm reading with your
6 permission from line 10.

7 "Q. Slow, Mr Witness.

8 "A. Why I did not answer him was because I had got command
9 from Commander C that, 'Go tell these men, who are at the
11:08:50 10 range, let them leave range, let them use Goba Water. That
11 distance I just took, just about 30 yards. 'Tell these men
12 to leave the range, let them use Goba Water.' I came now
13 to tell Commander C that I have told this men, I just saw
14 them carrying Commander C. "Bup, bup, bup, bup"; they were
11:09:29 15 jogging. Who was behind them? It was Alex Brima and Bio

16 and Woyoh. What did I see? Alex Brima drawing his hand to
17 put it on his nose. I said, 'What happened?' He said,
18 'No, we are to stop the building.' I said, 'Okay, let them
19 put him down. Let them lay him down.' So he was laid
11:10:10 20 down. I said, 'Give me some milk.' They brought the milk.

21 I put it in his mouth. All was coming out. And I place
22 him down -- I place it down. When I remove my hand, I saw
23 blood on my hand. I said, 'My man, that was Alex Brima.
24 What happened?' He said it was a bomb. I say, 'Eh? 'A
11:10:50 25 bomb.' 'Well how is it that it's alone? If it is a bomb
26 he would not have been alone.' So when I removed the
27 element which Commander C was putting on, I saw a hole to
28 tell me that it was a pistol."

29 That ends my reference, Your Honour.

1 Q. Mr Brima, you've heard what I read?

2 A. Yes.

3 Q. Mr Brima, what do you say about this account, as to what
4 happened to SAJ Musa?

11:11:30 5 A. That account or that statement is a lie.

6 Q. Mr Brima, why are you saying that it's a lie?

7 A. Because, it did not happen that way.

8 MR GRAHAM: Your Honours, I'm going to move on to page 55
9 of the transcript of the proceedings of September 27th, 2005.

11:12:12 10 Your Honours, I will be making my references from page 55 and 56,
11 September 27th, 2005. Your Honours, with your permission, I will
12 be reading from page 55 of September 27th, 2005 proceedings.

13 Your Honours, this also relates to the testimony of Prosecution
14 witness TF1-184. Your Honours, I will be reading, with your kind
11:13:49 15 permission, from line 24.

16 Q. I read:

17 "Q. When you say 'they', Mr Witness, you saw them sitting
18 there, who was that?

19 "A. Gullit; Alex Brima, all the council members. Then
11:14:08 20 Alex Brima and Bazy, they met me. He said, 'Well, now,
21 you should be with Alex, Alex Brima.' It was Bazy who
22 told me. I said, 'Okay. Let us go.'

23 "Q. Mr Witness, if you know, after the death of Commander
24 C, who was in command or control of the forces of the AFRC?

11:14:59 25 "A. It was Alex Brima. Straightaway he became
26 major-general, CIC, command-in-chief. Major-General Alex
27 Brima."

28 Mr Brima, what do you have to say on the account of the
29 testimony of witness TF1-184 which I just read to you?

1 A. That statement that you have read to me, witness 184 that
2 was given, is a lie.

3 Q. Mr Brima, were you in command or control of the forces of
4 the AFRC after the death of Commander C?

11:16:13 5 A. No.

6 Q. Did you become a major-general after the death of
7 commander --

8 A. No, no, no.

9 Q. Thank you, Mr Brima.

11:16:43 10 MR GRAHAM: Your Honour, I am going to make further
11 references to the transcript of the proceedings of July 11th,
12 2005. Specifically page 53 of the transcript. This relates to
13 the testimony of Prosecution witness TF1-033. Your Honour, I
14 will be reading from line 26 of page 53. With Your Honours'
11:18:02 15 kinds permission, I read.

16 Q. "Q. What happened after that, Witness?

17 "A. There was a block at Benguema or a building. In it
18 there was a large cache of arms and ammunition which was
19 left behind by ECOMOG and allied forces. So the AFRC and
11:18:32 20 fighters hadn't figured on that. So SAJ Musa and Gullit
21 ordered the fighters to take the arms" --

22 PRESIDING JUDGE: You had better pause. We've only got the
23 one page that you referred us to, Mr Graham. You are going over
24 to page 54, are you?

11:18:57 25 MR GRAHAM: I'm extremely sorry, Your Honours.

26 PRESIDING JUDGE: Just pause there and we will get page 54.
27 I think, for the sake of clarity, it would be best to start
28 again.

29 MR GRAHAM: Thank you, Your Honours. Your Honours, I'm

1 reading from line 26 of page 53.

2 Q. "Q. What happened after that, Witness?

3 "A. There was a block at Benguema or a building. In it
4 there was a large cache of arms and ammunition which was
11:20:02 5 left behind by ECOMOG and allied forces. So the AFRC and
6 fighters hadn't figured on that. So SAJ Musa and Gullit
7 ordered the fighters to take the arms and ammunitions that
8 were found in that building. So they took all they could
9 carry but somebody willfully -- some arms and ammunition
11:20:36 10 were left in the block, so somebody willfully set fire on
11 the building. But SAJ Musa was very close to that building
12 and there was a heavy explosion. The whole building was
13 shattered."

14 That ends my reference. Mr Brima, I ask of you: You've
11:21:21 15 heard the reference I just read relating to the testimony of
16 Prosecution witness TF1-033. Mr Brima, I ask of you: Did you
17 and SAJ Musa order the fighters to take the arms and ammunitions
18 that were found in the building at Benguema?

19 A. No. I never gave any orders to anybody.

11:22:08 20 MR GRAHAM: I move on, Your Honours, to line 20 of page 54
21 of the transcript of July 11th, 2005. It's on the same page I
22 just read from. Your Honours, with your kind permission, I will
23 be reading from line 20.

24 Q. "Q. What happened after that, Witness?

11:22:32 25 "A. Well, during that moment everybody was saddened,
26 including me also, you see, because the death of SAJ Musa
27 shocked everybody. And from that point when we moved
28 Gullit was in full control again. Because when SAJ Musa
29 was around both of them were doing things in common. So

1 when he died Gullit was there at the head of the AFRC so he
2 was in full control again. Then ordered us to move deep
3 into the hills, you see, surrounding Hastings."

4 Mr Brima, I ask of you: Did you become the head of the
11:24:01 5 AFRC after the death of SAJ Musa?

6 A. No. But I would have to make this clear to this Court that
7 this jungle business had nothing to do with AFRC. It was SLA
8 business.

9 Q. Why do you say that, Mr Brima?

11:24:30 10 A. When SAJ Musa addressed us at Colonel Eddie Town, he did
11 say that this is no political issue. This is purely an army or
12 SLA business, to go back and reinstate the army. And AFRC --
13 since February 1998, AFRC had been overthrown. AFRC was never
14 existing again.

11:25:00 15 Q. Thank you, Mr Brima. Mr Brima, did you take full control
16 after the death of SAJ Musa?

17 A. No.

18 Q. Did you order any fighting forces to move deep into the
19 hills surrounding Hastings after the death of SAJ Musa?

11:25:34 20 A. No.

21 Q. Mr Brima, I ask of you again: Prior to the death of SAJ
22 Musa were you and SAJ Musa doing things in common?

23 A. No.

24 Q. What then do you have to say in response to the testimony
11:26:04 25 of Prosecution witness TF1-033 which I just read to you,
26 Mr Brima?

27 A. That statement that you have read, that witness who made
28 that statement, he was lying. He's a liar.

29 Q. MR GRAHAM: Your Honours, I'm going to make further

1 reference from the transcripts of proceedings of this Court of
2 July 11th, 2005, specifically page 55. Thank you, Your Honour.
3 I will be reading, starting with your kind permission, from
4 line 4.

11:27:33 5 Q. Mr Brima, please lend me your ears.

6 "Q. What happened after that?

7 "A. It was in the hills surrounding Hastings that Gullit
8 again ordered Junior Lion and Baski to attack Hastings."

9 Mr Brima, I'm asking of you, did you order Junior Lion to
11:28:05 10 attack Hastings?

11 A. No, Sir.

12 Q. Did you order Baski to attack Hastings?

13 A. No, Sir.

14 Q. Did you order both Junior Lion and Baski to attack
11:28:24 15 Hastings?

16 A. No.

17 MR GRAHAM: Your Honour, that ends my reference to the
18 transcripts. Your Honour, that ends my reference to this
19 particular transcript but I have further references to make to
11:28:51 20 other transcripts as well, if I may just clarify that. Thank
21 you.

22 Q. Mr Brima, I ask before I go on, have you ever ordered any
23 attack on Hastings?

24 A. No, Sir.

11:29:11 25 MR GRAHAM: Your Honours, this time I'm going to be making
26 my reference from the transcript of proceedings of September
27 27th, 2005, and specifically I will be reading from page 59.
28 September 27th, 2005. Your Honours, for convenience of the
29 Court, I will also be reading through pageS 60 and 61. Page 60,

1 we will stop at page 60. So pages 59 and 60 of the transcript of
2 September 27th, 2005. This relates to the testimony before this
3 Court by Prosecution witness TF1-184.

4 Q. Mr Brima, lend me your ears. I'm about to read -- make a
11:31:18 5 reference which is rather a bit long, so please listen carefully
6 to what I have to read to your hearing. Your Honours, with your
7 kinds permission I'll start reading from line 15 on page 59.

8 "Q. Go ahead.

9 "A. After he had died, they called this meeting. I didn't
11:31:40 10 go for the meeting. After the meeting, the boy told me
11 that now Commander C is gone. This is what the person told
12 me, whose name I cannot tell, FAT Sesay said. Now
13 Commander C is gone, it is Gullit who is the commander,
14 whether you like it or not you have to subject to the
11:32:06 15 command and presently, as we are going up the hill, we had
16 to wait for the RUF because RUF had informed them that they
17 are coming. They are around Makeni. And we went up the
18 hill. We had buried Commander C. We went up the mountain.
19 And Alex Brima said to me I should hand over the helmet and
11:32:40 20 he held a pistol. He said, 'Give me the suitcase. Give me
21 everything.' I said, 'Take it.' And then he took it.

22 "Q. The items you are referring to, who did they belong
23 to?

24 "A. They were Commander C's."

11:33:28 25 Your Honours. I continues on the next page, page 60, from
26 line 1.

27 "Q. Tell us what happened, if anything, when the train
28 headed up into the mountains?

29 "A. When we reached up the mountains, that is what I am

1 telling you. When we reached up the mountain, Alex Brima
2 said I should hand over everything that Commander C had:
3 The helmet, bandolier, the pistol, the bag, everything. I
4 said, 'Take them.' When the security -- because we were
11:34:21 5 ten, we said, 'Mm, why should I hand over?' But then I
6 said, 'It's an order. One man cannot fight a dozen. If
7 this man wants it, what's my own business, it is only for
8 me to hand over. Whatever you want say, say it, but this I
9 have handed over. We came, we are up the hill and rain
11:35:07 10 fell on us for a complete two days and we decided to come
11 down town. We reached Hastings. There was fighting,
12 fighting going on. We came to Jui. As we were able to
13 bulldoze Jui, there was a poultry at the right-hand side.
14 He, Alex Brima, I saw him in there. We looted the whole
11:35:40 15 poultry. We removed the chicken and the egg, everything in
16 that poultry. And then we arrested the Lebanese and the
17 family and they we went up. At the end, before me, Gullit
18 asked for money when the Lebanese had to pay before he
19 could release them. From there, I don't know how they call
11:36:12 20 them, but I saw women who were in blue. I don't know their
21 names, but I think their name was nuns. I don't know, but
22 I think they were church people. Right there, they told
23 him, Gullit, he confirmed that they should be held. So,
24 they themselves were being captured, so we went up, we went
11:36:41 25 to Allen Town. We are sitting in Allen Town, that was
26 around some minutes after twelve, and they said we should
27 leave to enter the town. That was before January 6th.
28 When we reached there, Alex Brima said I should be at the
29 rear, I should not enter this time."

1 Thank you, Your Honours. That ends my reference to this
2 particular aspect of the testimony of TF --
3 Q. Mr Brima, I'm going to ask of you a few questions in
4 relation to what I just read. Mr Brima, do you know whether any
11:37:48 5 meeting was called after the death of SAJ Musa?
6 A. No.
7 Q. And do you know of any --
8 JUDGE SEBUTINDE: Is that "No, I don't know"?
9 MR GRAHAM:
11:38:14 10 Q. Mr Brima, please explain what you mean by "No"?
11 A. I don't know of any meeting that took place that the
12 witness is alleging and I was not there. Just as I have given
13 evidence in this Court, during those times they are referring to,
14 I had almost made my way to Makeni.
11:38:46 15 Q. Mr Brima, I'm going to ask you --
16 A. Yes.
17 Q. -- after the death of SAJ Musa, did you ask Prosecution
18 witness TF1-184 to hand over to you the helmet and pistol of SAJ
19 Musa?
11:39:09 20 A. No.
21 Q. Mr Brima, do you remember -- sorry, Your Honours. Were you
22 part of any fighting at Jui?
23 A. No.
24 Q. Did you order any attack on Jui?
11:39:37 25 A. No.
26 Q. Mr Brima, do you remember -- sorry, Your Honours. Did you
27 did you loot a poultry owned by Lebanese?
28 A. No.
29 Q. And Mr Brima, do you know whether there were any women in

1 blue whom the Prosecution witness TF1-184 thought were nuns?

2 A. I don't know about them and I have no idea about what that
3 witness is saying, because I was not around that area.

4 MR GRAHAM: Your Honours, I will be making further
11:41:00 5 reference to the transcript of the proceedings of June 13th,
6 2005. Specifically, Your Honours, I will be making my references
7 from pages 57, 58 and 59 of June 13th, 2005 transcript.

8 PRESIDING JUDGE: Yes, go ahead, Mr Graham.

9 MR GRAHAM: Thank you, Your Honours. I will commence my
11:42:31 10 reference from -- by reading with your kind permission from line
11 4 of page 57, and I read.

12 "Q. What happened at Koba Water?

13 "A. Well, while myself and the troops arrived, to my
14 surprise, what I saw, I saw Gullit was in full uniform of
11:43:00 15 SAJ. He had a helmet -- the helmet which SAJ had on. Then
16 I saw SAJ CSO close to Gullit."

17 Thank you, Your Honours, that concludes my reference to
18 page 57.

19 Q. Mr Brima --

11:43:28 20 A. Yes.

21 Q. -- did you ever -- did you, after SAJ's death, put on his
22 uniform?

23 A. No.

24 Q. Did you, after SAJ's death, put on his helmet?

11:44:02 25 A. No.

26 Q. Did Brima, I need you to describe to this Court, if you
27 can, approximately the height of SAJ Musa?

28 A. SAJ Musa is taller than me but I am hefty than him.

29 Q. And please, Mr Brima, if you say --

1 PRESIDING JUDGE: Sorry, what was that? "I am" something

2 "than him."

3 MR GRAHAM:

4 Q. Please, Mr Brima, if you can repeat?

11:44:43 5 A. You said the height. I said, SAJ Musa, he's taller than
6 me. And I am more bulky than SAJ Musa. SAJ Musa might be like
7 the third accused in the shape of the body.

8 Q. Now I come back to the height. You've told this Court that
9 SAJ Musa was taller than you. Approximately, can you tell this
11:45:19 10 Court, how taller was SAJ Musa? How tall, first, how tall was
11 he?

12 A. Well, I cannot be able to give that measurement but he's
13 taller than me.

14 Q. Are you, Mr Brima, how tall are you; do you know?

11:45:45 15 A. I don't know my height.

16 Q. Mr Brima, have you ever had the opportunity to stand
17 side-by-side with SAJ Musa?

18 A. No.

19 Q. Have you ever got close enough to SAJ Musa to be able to
11:46:13 20 approximately tell this Court the difference in your height and
21 that of SAJ Musa?

22 A. Well, SAJ Musa, all I know is that he is taller than me
23 because, if I decide to go far beyond that, he's somebody I know
24 very well.

11:46:44 25 Q. And, Mr Brima, what do you have to say in response to the
26 statement that I just read to you, that was made before this
27 Court, by Prosecution witness TF1-334? Your Honours, and
28 that's -- the statement I just read relates to the testimony of
29 Prosecution witness TF1-334. Mr Brima, please tell this Court

1 what do you have to say in response to the statement I just read
2 to you?

3 A. The statement that you have just read out to me is a lie.

4 [AFRC15JUN06C - CR]

11:46:57 5 Q. Mr Brima, I need to ask you: You've seen SAJ Musa before
6 and you've told this Court that you also know SAJ Musa. Would
7 you say, Mr Brima, from your knowledge of SAJ Musa and your
8 knowledge of his height, whether you and SAJ Musa would fit into
9 the same military uniform size?

11:48:20 10 A. Repeat that question, please.

11 Q. Would you fit, in your opinion, into a military uniform
12 fitted to SAJ Musa's height?

13 MR AGHA: I would object to any opinion evidence coming
14 from this particular witness, Your Honour.

11:48:53 15 PRESIDING JUDGE: I think you should rephrase that, Mr
16 Graham.

17 MR GRAHAM:

18 Q. Mr Brima, I will ask you, and it may not be your opinion,
19 would you fit into SAJ Musa's military uniform?

11:49:04 20 A. No.

21 MR GRAHAM: Your Honours, I'm going to move on to page 58.

22 Q. Mr Brima, let me ask of you as a quick follow-up to the
23 question I just asked. You answered no. Can you please clarify
24 what you mean by no?

11:49:32 25 A. No, SAJ Musa's uniform cannot fit me.

26 Q. Why do you say that, Mr Brima?

27 A. Because I'm more bulky than him.

28 Q. Thank you, Mr Brima.

29 MR GRAHAM: Your Honours, I'm going to move on to page 58

1 of the transcript of the proceedings of June 13th, 2005.

2 Your Honours, with your kind permission, I will be reading from
3 line 22 of the transcript.

4 Q. I read:

11:50:18 5 "Q. What happened?

6 "A. Well, at this temporal base, at that moment, we
7 celebrated Christmas Eve. The Christmas at that temporal
8 base, after which Gullit called on the military
9 supervisors.

11:50:47 10 "Q. How do you know Gullit called on the military
11 supervisors?

12 "A. I myself was there. When he called on the -- he said
13 they should call on the operation commanders and the
14 military supervisors, and the military commanders and
11:51:04 15 battalion commanders to report.

16 "Q. Did these individuals report to Gullit?

17 "A. Yes.

18 "Q. How do you know they reported to Gullit?

19 "A. I, myself, was there where Gullit called them, with
11:51:35 20 supervisor A.

21 "Q. What was said after Gullit called these individuals?

22 "A. Gullit said, 'Now, somebody had had a dream', which
23 was one lady.

24 "Q. Who did he say this to?

11:52:05 25 "A. I and the supervisors and the military commanders that
26 were standing.

27 "Q. What did he say the dream was about?

28 "A. Gullit said, 'Well, now, this woman dreams that
29 SAJ Musa was crying as he was in his grave.' He said SAJ

1 was crying that the troops did not relent and that the
2 troops should advance to Freetown.
3 "Q. Did anything else happen at this point?
4 "A. While he was saying that, he said from now on he
11:52:59 5 was -- he had taken the position of SAJ Musa and that he
6 was lieutenant general and Bazy would still be brigadier
7 general. While he had appointed Five-Five -- sorry, he had
8 promoted him to brigadier and that he had also promoted
9 Woyoh to brigadier."
11:53:32 10 That ends my reference. Mr Brima, I'm going to ask of you
11 a few questions in relation to the testimony of Prosecution
12 witness TF1-334 which I just read to your hearing. Mr Brima, do
13 you know where you were on Christmas Eve?
14 PRESIDING JUDGE: Well, what Christmas Eve?
11:54:14 15 MR GRAHAM: Your Honour, Christmas Eve of December 1998.
16 Thank you, Your Honours.
17 THE WITNESS: I was at -- between Masiaka and Lunsar.
18 MR GRAHAM:
19 Q. Mr Brima, were you involved in any celebrations on
11:54:55 20 Christmas Eve, December 1998 at a temporal base?
21 A. No, I was not involved in any celebration at any temporal
22 base, and I don't even know where the witness is referring to as
23 a temporal base.
24 Q. Mr Brima, did you call any military supervisors on
11:55:48 25 Christmas Eve, December 1998 at a temporal base?
26 A. No, and I don't even know what is military supervisor. I
27 have told you I have been in the army, but I have never come
28 across such a word "military supervisor" except that I have heard
29 it in this Court.

1 Q. Did you call on any military commanders on Christmas Eve
2 1998 at a temporal base?

3 A. No, sir.

4 Q. Mr Brima, did any individuals report to you on Christmas
11:56:39 5 Eve, December 1998 at a temporal base?

6 A. No.

7 Q. Mr Brima, did you tell any individuals about a dream that
8 you had had -- about a dream someone had had, a lady had had,
9 on Christmas Eve, December 1998 at a temporal base?

11:57:25 10 A. No.

11 Q. Did you ever on Christmas Eve, December 1998, at a temporal
12 base, tell anyone about a dream that a lady had had to the effect
13 that SAJ Musa was crying in his grave?

14 A. No. That particular talk is very strange to me, except
11:58:04 15 that I've heard it in this Court.

16 Q. Thank you, Mr Brima. I ask of you: Did you, in relation
17 to the dream, also say to any individuals that SAJ was crying and
18 that the troops should not relent and that they should advance to
19 Freetown?

11:58:29 20 A. I don't know about that, and I did not tell anybody that,
21 and nobody ever told me about that. During that time you are
22 talking about, I was not at that place where they are referring
23 to as a temporal base.

24 Q. Thank you. Mr Brima, did you appoint yourself as
11:58:53 25 lieutenant-general in December of 1998?

26 A. No, sir.

27 Q. In December, did you appoint Bazzy -- sorry. Mr Brima, did
28 you confirm Bazzy's position as brigadier-general in December of
29 1998?

1 A. No.

2 Q. Did you, in December 1998, promote Five-Five to brigadier?

3 A. No.

4 Q. Did you, during this same period, promote Woyoh to
11:59:56 5 brigadier?

6 A. No.

7 MR AGHA: Your Honour, may I make a suggestion. Just
8 something I'd like to put out there for perhaps my learned friend
9 as well is that if there is an instance where the accused said he
12:00:22 10 isn't present - for example, in this instance he said he was not
11 there on Christmas Eve - I do appreciate the need to put
12 particular allegations made against an accused, but I'm wondering
13 whether it is strictly necessary to go through all of those
14 accusations when an accused says he was not there in the first
12:00:45 15 place, just by way of expedition, because it will be something
16 which the Prosecution will also have to deal with in its own
17 case, and obviously there are many, many transcripts and
18 references. So it is just really a suggestion to seek the views
19 of the Court and my learned friend Mr Graham on that matter.

12:00:59 20 PRESIDING JUDGE: Thank you, Mr Agha. We appreciate it is
21 just a suggestion. But we are not going to tell Mr Graham what
22 sort of evidence he should get out of his witness. We'll leave
23 the questioning in-chief to Mr Graham.

24 MR GRAHAM: I'm grateful, Your Honours. I will be making a
12:01:25 25 further reference from page -- I'm going on go on to September
26 15, 2005, page 13. Your Honours, I just briefly, with your
27 permission, would want to say that this approach has become
28 necessary, Your Honours, because if you go through the testimony
29 of the Prosecution witnesses you will realise at times there are

1 different accounts given for the same version of events. So it
2 becomes important to put some of these allegations directly to
3 the accused. That is why we have adopted this approach.

4 PRESIDING JUDGE: We are not directing you in any way at
12:02:26 5 all as to how you should question your witness, Mr Graham.

6 MR GRAHAM: I'm grateful, Your Honours. I will move on.
7 Thank you. Your Honours, with your kind permission, I will be
8 reading from line 7 of page 13 of the transcript of from
9 September 15th, 2005.

12:02:51 10 PRESIDING JUDGE: We have got some problems here. That may
11 well be September 16.

12 MR GRAHAM: Sorry, Your Honour, it is September 16. There
13 is a typo here. I'm sorry, September 16. Page 13, reading from
14 line 7.

12:03:18 15 Your Honours, for the convenience of the Court, if we can
16 get the legal officer to print also pages 14 and 15 of the
17 transcript of September 16th, 2005. I'm grateful. I will be
18 reading from page 13 of this transcript of September 16, 2005. I
19 will be reading from line 7. Your Honour, this relates to the
12:06:01 20 testimony of Prosecution witness TF1-167. Your Honours, I read
21 from line 7, with your kind permission.

22 Q. Mr Brima, lend me your ears.

23 "Q. You have described a tussle between the two. What was
24 the relationship at this time like between Alex Tamba Brima
12:06:37 25 and Ibrahim Bazy Kamara?

26 "A. Well, I mean, there was a tussle on who to take over
27 and there was -- it even extended to gunfire, but it was
28 fastly resolved because Alex Tamba Brima was the most
29 senior.

1 "Q. Do you know anything about the relationship between
2 Alex Tamba Brima and any other of the commanders at this
3 stage?

4 "A. At this time the relationship between Alex Tamba Brima
12:07:31 5 was cordial to all other commanders because he was leading
6 the troops."

7 Mr Brima, I'm going to ask of you a few questions in
8 relation to the testimony of TF1-167 which I have just read.
9 Mr Brima, after the death of SAJ Musa, was there a tussle between
12:08:29 10 you and Ibrahim Bazy Kamara?

11 A. No.

12 Q. Mr Brima, did you lead the troops after the death of
13 SAJ Musa?

14 A. No.

12:08:57 15 Q. Mr Brima, what do you have to say in response to the
16 testimony of Prosecution witness TF1-167 which I just read to
17 you?

18 A. The statement that you've just read to me is a lie. That
19 witness is telling lies.

12:09:39 20 MR GRAHAM: Your Honours, I will move on to the transcript
21 of page 14 of September 16, 2005. Your Honours, with your kind
22 permission, I will be reading from line 7 of the transcript.

23 Q. "Q. You have described that the route was changed to come
24 to Freetown when you were in Goba Water. Who gave that
12:10:16 25 instruction?

26 "A. It was given by Alex Tamba Brima."

27 That ends my reference on page 14. Mr Brima, I'm going to
28 ask of you: After the death of SAJ Musa, did you give any
29 instructions at Goba Water about the route to Freetown being

1 changed?

2 A. No.

3 Q. Thank you, Mr Brima. That ends my reference to page 14.

4 But, Mr Brima, I'm going to ask of you: Did you give any
12:11:29 5 instructions at all to any of the fighting forces after the death
6 of SAJ Musa?

7 A. No. I was not in any position to give command or
8 instruction.

9 Q. Were you in a position to order or command anyone to give
12:11:52 10 instructions to the fighting forces after the death of SAJ Musa?

11 A. No.

12 Q. Thank you, Mr Brima.

13 MR GRAHAM: Your Honours, I'm going to move on to page 15
14 of the transcript of September 16, 2005. With Your Honour's kind
12:12:26 15 permission, I will be reading from line 4 of page 15.

16 Q. "Q. Did anything happen after this attack on Hastings?

17 "A. After the attack on our return back to the Peninsular
18 Hills I was promoted by Alex Tamba Brima" --

19 JUDGE SEBUTINDE: Excuse me, Mr Brima, could you desist
12:12:56 20 from that noise, fidgeting with this. It comes through our ears.

21 THE WITNESS: My Lord, I'm not making any noise. I am
22 trying to increase the volume of my set. I'm getting the noise
23 in my headset too.

24 MR GRAHAM:

12:13:23 25 Q. Mr Brima, you just heard what I --

26 JUDGE SEBUTINDE: Please repeat the question.

27 MR GRAHAM: Your Honours, it is just about three lines. I
28 will quickly just read, starting from line 4.

29 Q. Mr Brima, please hear me:

1 "Q. Did anything happen after this attack on Hastings?

2 "A. After the attack on our return back to the Peninsular
3 Hills I was promoted by Alex Tamba Brima from major to
4 lieutenant-colonel."

12:14:04 5 Mr Brima, I ask of you: Did you promote Prosecution
6 witness TF1-167 after the death of SAJ Musa?

7 A. No, I never promoted anybody after the death of SAJ Musa,
8 or even before.

9 Q. Did you have the power to promote anyone after the death of
12:14:44 10 SAJ Musa?

11 A. No, I didn't have such power.

12 MR GRAHAM: Your Honours, I'm going to be making further
13 reference from the transcript of the proceedings of this Court
14 on June 13, 2005. I will be reading from pages 85 and 86 from
12:15:38 15 the transcript of June 13, 2005.

16 PRESIDING JUDGE: There is a problem with the printer,
17 Mr Graham. You were going to read something from page 85 of the
18 transcript of June 13, 2005.

19 MR GRAHAM: Running into page 86.

12:19:01 20 PRESIDING JUDGE: All right. You can specify the lines.

21 MR GRAHAM: Page 86, Your Honour, just the first six lines.
22 From page 85, just the last line.

23 PRESIDING JUDGE: Can you give us the numbers of the lines?

24 MR GRAHAM: Line 29 for page 85 and lines 1 to 6 for
12:19:22 25 page 86.

26 MR AGHA: Your Honours, my case manager tells me if it is
27 of assistance, she can print the pages for you. That's your
28 decision.

29 PRESIDING JUDGE: That would be very kind of her if she

1 could do that, Mr Agha. I hope it is only a temporary
2 arrangement because we are working on the printer now. It looks
3 as though our printer may be fixed. Thank you for the offer,
4 anyway, Mr Agha.

12:20:44 5 MR GRAHAM: Your Honours, reading, with your kind
6 permission, from page 85, line 29.

7 "Q. What happened?

8 "A. Well, as we were in the jungle I, and the remaining
9 troops, were in the jungle Gullit called the director of
10 operations and in turn called the military supervisors and
11 from there he called on the operations commander and said
12 now, as York was closer, the troops should go there and hit
13 York so that we can distract the ECOMOG's attention."
14 Thank you. That ends my reference, Your Honour.

12:21:47 15 Q. Mr Brima, I ask of you: Did you order any attack on York?

16 A. No.

17 Q. Did you command or order anyone to cause an attack on York?

18 MR AGHA: He's a leading question, Your Honour. We'd
19 object.

12:22:18 20 PRESIDING JUDGE: Yes, that's the same question you asked
21 before, Mr Graham.

22 MR GRAHAM: Very well, Your Honour, I will move on. That
23 ends my questions to the accused in respect of the attack on
24 Hastings -- York, sorry. Your Honours, I will be making further
12:22:47 25 reference to the transcript of the proceedings of this Court,
26 July 11, 2005 specifically pages 57, 58 and 59. Your Honours,
27 with your kind permission, I will be reading from line 14 of page
28 57.

29 "Q. What happened after that?

1 "A. That evening we left the hills and came down to
2 Hastings where again we met a large deployment of ECOMOG
3 who had already regrouped again after that attack carried
4 out by O-Five -- sorry, Junior Lion and Baski. And there
12:25:01 5 was a heavy gun battle. And before that a Nigerian soldier
6 who was trying to escape was captured by one of the AFRC
7 fighters. In fact, he was naked. He did that for him not
8 to be identified as a soldier.

9 "Q. How do you know this, Witness?

12:25:39 10 "A. Well, through his confessional because his accent also
11 helps to betray him. He had that hard Nigerian accent. He
12 confessed that he was one of the new arrivals in Sierra
13 Leone to help prosecute the war, but he said he has never
14 fired a shot since he arrived. He said he arrived about
12:26:15 15 three or four days ago before he was captured. So he
16 pleaded for his safety, but to no avail. It was Gullit
17 himself that gunned him down."

18 That ends my reference to page 57 of the transcript. Your
19 Honour, this relates to the testimony of Prosecution witness
12:26:46 20 TF1-033.

21 Q. Mr Brima, did you go to Hastings after the death of
22 SAJ Musa?

23 A. No.

24 Q. Were you involved -- sorry. Mr Brima, did you order any
12:27:41 25 attack on ECOMOG forces at Hastings?

26 A. No.

27 Q. Were you involved in any fighting with ECOMOG forces at
28 Hastings, Mr Brima?

29 A. No.

1 Q. Do you know, Mr Brima, whether a Nigerian soldier was
2 captured by AFRC fighters at Hastings?
3 A. No, I don't know about that, and I was not there.
4 Q. Mr Brima, did you yourself gun down a captured Nigerian
12:28:43 5 soldier at Hastings?
6 A. No.
7 Q. What, then, do you have to say to this Court, Mr Brima, in
8 response to the testimony of Prosecution witness TF1-033, which I
9 just read to you?
12:29:01 10 A. That witness that made that statement is telling lies.
11 Q. Thank you, Mr Brima.
12 MR GRAHAM: Your Honours, I'm going to move on to page 58
13 of the transcript of July --
14 THE WITNESS: Yes, My Lord. I want to ease myself.
12:29:41 15 PRESIDING JUDGE: All right. In view of the time, I think
16 we will take the lunch break now. We'll resume at 2.15 p.m..
17 Mr Brima, we're going to take the lunch break a little early in
18 view of your discomfort. I remind you again, please don't
19 discuss this evidence with anybody.
12:30:05 20 THE WITNESS: Yes, My Lord.
21 [Luncheon recess taken at 12.37 p.m.]
22 [Upon resuming at 2.15 p.m.]
23 PRESIDING JUDGE: Yes, Mr Graham, we were up to page 58 of
24 11 July, 2005.
14:19:49 25 MR GRAHAM: Good afternoons, Your Honours.
26 Q. Good afternoon, Mr Brima.
27 A. Good afternoon, sir.
28 Q. Mr Brima, when we left, I put to you statements made by
29 Prosecution witness TF1-033. I'm going to continue along that

1 line.

2 MR GRAHAM: Your Honours, I will be making my reference
3 from page 58. With Your Honour's kind permission, I will be
4 reading from line 23 of page 58.

14:20:25 5 Q. And I read, Mr Brima, lend me your ears.

6 MR GRAHAM: Sorry, Your Honours, I will read from line 22.

7 "Q. Witness, can you tell the Court who moved to Allen
8 Town?

9 "A. The entire group. The AFRC under the commandership of
14:20:52 10 Gullit.

11 "Q. What happened when you arrived in Allen Town, Witness?

12 "A. Well, Gullit decided that we -- ordered that we should
13 rest there for the rest of the day.

14 "Q. Were you present when he ordered that?

14:21:22 15 "A. Yes."

16 Your Honours, that ends my reference to page 58.

17 Q. Mr Brima, I'm going to ask of you: Did you go to Allen
18 Town after the death of SAJ Musa?

19 A. No.

14:22:11 20 Q. And Mr Brima, was the AFRC under your entire commandership
21 at Allen Town during the period of December -- after December
22 1998?

23 A. Repeat that question again, sir.

24 Q. My question was that: Did you have the entire AFRC under
14:23:00 25 your commandership after December 1998?

26 A. No. AFRC did not exist during that time. The AFRC had
27 finished from February 1998.

28 Q. Mr Brima, did you order the fighting forces to rest for the
29 day at Allen Town after December 1998?

1 A. No.

2 Q. Mr Brima, what then, do you have to say to the testimony of
3 Prosecution witness TF1-033, which I just read to you?

4 A. All that statement that you read to me is a lie. That
14:24:07 5 witness has been lying.

6 Q. Witness, thank you, Mr Brima.

7 MR GRAHAM: Your Honours, I'm going to move on to page 59
8 of the transcript of the proceedings of this Court on July 11,
9 2005. And, Your Honours, that relates to the testimony of
14:24:30 10 Prosecution witness TF1-033. With Your Honour's kind permission,
11 I will be reading from line 9 of page 59. I read:

12 "Q. What happened after that, Witness?

13 "A. Well, all four of the casualties were buried there.
14 Then in the evening, at around 10.00, Gullit ordered the
14:25:05 15 entire group again to move for the Freetown attack.

16 "Q. Did the group move for the Freetown attack?

17 "A. Yes."

18 Your Honour, that ends my reference to page 59.

19 Q. Mr Brima, I need to ask of you, do you know -- excuse me,
14:25:51 20 Your Honours. Are you aware of any casualties being buried any
21 time after December 1998 when the fighting forces had arrived at
22 Allen Town?

23 A. I do not know anything about that, about dead bodies or
24 fighters at Allen Town, and I did not come to Allen Town.

14:26:35 25 Q. Mr Brima, I need to ask you, did you, around 10.00 in the
26 evening on a date after December 1999, sorry 1998, sorry, Your
27 Honours, order the entire group to move for the Freetown attack?

28 A. No, sir.

29 Q. What do you mean by "no," Mr Brima?

1 A. I did not order any group and I was not in a position of
2 command, and I was not in a position to advise any other person.
3 They had senior officers when SAJ died who were with them before
4 I escaped.

14:27:32 5 Q. Mr Brima, who were these senior officers that you just
6 referred to?

7 A. FAT Sesay. He was the senior officer.

8 Q. Anyone else, Mr Brima?

9 A. Eddie. Eddie was a senior officer.

14:28:04 10 Q. And anyone else, Mr Brima?

11 A. Those are the two that I can recall for now.

12 Q. Mr Brima, how do you know that they were officers?

13 A. From Eddie Town, SAJ Musa made it clear that this was not a
14 political movement or issue. It was not a political war that
14:28:40 15 they were fighting. They were fighting purely to reinstate the
16 army, which was a military affair and they had organised the SLA
17 officers --

18 THE INTERPRETER: Your Honours, would the witness go a
19 little bit slow so that the interpreter would be able to catch up
14:29:00 20 with him.

21 PRESIDING JUDGE: You heard that, Mr Brima?

22 THE WITNESS: I've not got it clearly, sir.

23 PRESIDING JUDGE: The interpreter wants you to go just a
24 little slower so he can translate everything you say.

14:29:27 25 MR GRAHAM:

26 Q. Mr Brima.

27 A. Yes, sir.

28 Q. I'd asked of you: How did you know that the persons you've
29 mentioned were officers?

1 A. These ones, they were officers whom I knew in the Sierra
2 Leone Army for a long time before 1998.

3 Q. You've just told this Court that you knew them as officers
4 in the Sierra Leone Army. Have you known them as officers in any
14:30:23 5 other capacity?

6 MR AGHA: Leading question, Your Honour. I'd object to
7 that.

8 PRESIDING JUDGE: Yes, it's leading in that respect,
9 Mr Graham.

14:30:34 10 MR GRAHAM: Very well, Your Honour, I'll rephrase.

11 Q. Mr Brima, the officers that you just mentioned, do you know
12 them in any other capacity, apart from what you've just told this
13 Court?

14 A. Well, FAT Sesay, when SAJ Musa came to Eddie Town, I knew
14:31:12 15 FAT Sesay as an officer who handed over the parade to Commander
16 SAJ Musa.

17 MR GRAHAM: Your Honours, we need to make a reference to
18 the indictment. Your Honours, I am going to be reading, making
19 my reference from paragraph 24, specifically Registry page number
14:32:05 20 6423. Your Honours, the particular reference that I want to make
21 relates to the last three sentences but, with your kind
22 permission, I will quickly read from the beginning of paragraph
23 24 of the indictment, Registry page number 6423.

24 Q. Mr Brima, please lend me your ears.

14:32:28 25 A. Yes.

26 Q. "Between mid February 1998 and about 30 April 1998, Alex
27 Tamba Brima was in direct command of the AFRC/RUF forces in
28 the Kono District. In addition, Alex Tamba Brima was in
29 direct command of AFRC/RUF forces which conducted armed

1 operations throughout the north-eastern and central areas
2 of the Republic of Sierra Leone, including, but not limited
3 to, attacks on civilians in Bombali District between
4 about May 1998 and 31 July 1998. As of about 22 December
14:33:25 5 1998, ALEX TAMBA BRIMA was in command of AFRC/RUF forces
6 which attacked Freetown on 6 January 1999."

7 MR GRAHAM: With Your Honour's kind permission, I would,
8 for the sake of emphasis and the questions to follow, I will read
9 to Mr Brima the last two sentences, Your Honours. I will read
14:33:58 10 that.

11 Q. Mr Brima, please listen. It reads:
12 "As of about 22 December 1998 Alex Tamba Brima was in
13 command of AFRC/RUF forces which attacked Freetown on
14 6 January 1999."

14:34:20 15 MR GRAHAM: Thank you, Your Honours. That ends my
16 reference to the indictment.

17 Q. Mr Brima, I'm going to ask of you a few questions flowing
18 from paragraph 24 of the indictment which I just read to you.
19 Mr Brima, please tell this Court, were you in command of AFRC/RUF
14:34:48 20 forces which attacked Freetown on 6 January 1999?

21 A. No.

22 Q. Did you yourself --

23 MR GRAHAM: Your Honours, I'm going to be making a
24 reference from the transcript of the proceedings of September
14:35:32 25 27th, 2005, specifically page 64. Your Honour, that relates to
26 the testimony of Prosecution witness TF1-184.

27 PRESIDING JUDGE: Yes, go ahead, Mr Graham.

28 MR GRAHAM: I'm grateful, Your Honours. I will be reading
29 from page 64, starting from line 10. With your kind permission,

1 I read:

2 "Q. Who were the people they were going to kill at
3 Wilberforce Barracks?

4 "A. Our relatives, the civilians that were there, fathers,
14:36:59 5 mothers, the fathers and mothers of the soldiers that had
6 went into the bush, the parents of the soldiers. They
7 gathered in the field and they said, 'If your children
8 come, as soon as we see them we are going to spray all of
9 you and then we will leave.' This slowed the troop for the
14:37:29 10 advancement of Wilberforce. They are there, they attacked
11 us. When they attacked us we fought and fought and fought
12 and fought and fought. They removed us from State House.
13 We fought and fought and fought and fought, then it went
14 back into State House. Then Gullit said we should burn the
14:37:59 15 town."

16 That ends my reference from page 64.

17 Q. Mr Gullit, I'm going to ask you, did you give such an
18 order? Mr Brima, can you tell this Court, did you give such an
19 order?

14:38:30 20 A. I did not give that type of order and I'm still telling the
21 Court that I was not in a position to give any order to personnel
22 of the Sierra Leone Army.

23 Q. Thank you, Mr Brima.

24 MR GRAHAM: Your Honours, with your kind permission, I'm
14:39:04 25 going to be making further reference to the transcript of 11th
26 July 2005, page 60. Your Honours, I will be reading from line
27 15. Your Honours, before I go on, I believe I have been
28 mentioning the name "Gullit" all over. The problem is I have
29 referred to -- mentioned the name Gullit, but I do not intend in

1 any way to refer to Mr Brima as Gullit. If the records may
2 reflect that, with your kind permission. Your Honours, I move on
3 to page 60. I will be reading from line 15 of the transcript:

4 "Q. What happened after that, Witness?

14:40:51 5 "A. At Uppgun Roundabout there was another deployment of
6 ECOMOG personnel. So there was a stiff battle between the
7 AFRC fighters and the ECOMOG forces, but eventually the
8 AFRC fighters were able to overwhelm the ECOMOG fighters.
9 So we continued down Kissy Road towards Eastern Police. So
14:41:32 10 as we were moving along, the civilians we came in contact
11 with, Gullit gave the order that they should be killed. So
12 the killing continued up to the point that when we arrived
13 at State House."

14 That ends my reference from page 60, Your Honours.

14:41:52 15 Q. Mr Brima, I'm going to ask of you: Did you order the
16 killing of any civilians in Freetown?

17 A. I did not even come to Freetown. I did not order anybody
18 to kill a civilian and I wasn't in a position, because I was not
19 in command, to ever pass those types of orders to kill civilians.

14:42:22 20 MR AGHA: Your Honour, could we have the time frame,
21 please, in which he is talking about in Freetown?

22 PRESIDING JUDGE: Yes, Mr Graham.

23 MR GRAHAM: Yes, Your Honours. In relation to the evidence
24 of Prosecution witness TF1, it relates to the period after
14:42:47 25 the January 6th invasion of Freetown.

26 PRESIDING JUDGE: You'd better confirm that from the
27 witness.

28 MR GRAHAM: Your Honours, I had read from paragraph 24 of
29 the indictment that preceded my questioning, and the last three

1 sentences talked about the attack on Freetown on 6 January, but I
2 can ask.

3 Q. Mr Brima, did you order the killing of any civilians in
4 Freetown in January of 1999?

14:43:40 5 A. In January 1999, I was not in Freetown, and I did not order
6 anybody to kill civilians in Freetown.

7 Q. Mr Brima --

8 MR GRAHAM: Your Honours, before I proceed, I want to make
9 a reference to the transcript of the proceedings of June 14th,
14:44:12 10 2005, specifically page 4, and I will be going through to page 5
11 as well.

12 PRESIDING JUDGE: Mr Graham, a suggestion: If you're going
13 to make references to the transcript, it would be very helpful if
14 you could give the legal officer an advance list of the pages so
14:45:11 15 that he could print them out in anticipation of the next day's
16 Court proceedings.

17 MR GRAHAM: I'm grateful, Your Honour. We did that
18 yesterday, except today [indiscernible]. But as of now, we are
19 trying to get it together so for the rest of the proceedings this
14:45:31 20 afternoon, we can let him have it and print it and when I have
21 the time, it will save us time. I'm grateful, Your Honour.

22 PRESIDING JUDGE: Thank you, Mr Graham.

23 MR GRAHAM: Your Honours, I will proceed, with your kind
24 permission, to read, starting from line 7 of page 4. Your
14:46:05 25 Honour, this relates to the evidence of Prosecution witness
26 TF1-334. Line 7, and I read:

27 "A. Whilst myself and the other soldiers captured the
28 State House, we moved to -- as the commanders including
29 Gullit, Bazzy, Five-Five and others, we and others came to

1 the State House, that was around 6.00 to 6.30 in the
2 morning. Myself, together with Tito and other commanders,
3 we moved as Gullit came and said CID and the police station
4 should be burnt down."

14:47:03 5 That ends my reference from page 4.

6 Q. Mr Brima, I'm going to ask of you: Did you order that the
7 CID be burnt down in Freetown in January of 1999?

8 A. No.

9 Q. I will ask you, Mr Brima, did you order that the police
14:47:35 10 station be burnt down in Freetown in December 1999 --
11 sorry, January of 1999?

12 A. No.

13 MR GRAHAM: Your Honour, before I proceed, with your kind
14 permission, I would want to give the legal officer a list of the
14:48:18 15 pages and the dates of the transcript. Your Honours, I will be
16 making my reference, starting from the last line of page 4,
17 reading into page 5 of the transcript of June 14, 2005, reading
18 from line 29:

19 "Q. Witness, you said that Gullit came and said that the
14:49:10 20 CID should be burnt down. I just want to break that down.
21 How do you know that he said that CID should be burnt down?

22 "A. Gullit met me and the other commanders in the State
23 House. And when he arrived later he said the troops should
24 advance towards the Pademba Road prisons and that --"

14:49:36 25 That ends my reference to page 5.

26 Q. Mr Brima, I ask of you: Did you order troops to advance
27 towards the Pademba Road prisons in January of 1999?

28 A. No.

29 MR GRAHAM: I will make an additional reference to page 5

1 of the transcript of June 14, 2005. With Your Honour's kind
2 permission, the reference will commence from line 23 of page 5.
3 I read with your kind permission:

4 "A. Immediately myself and the others who were at State
14:50:19 5 House, including Colonel Tito and others, Gullit said we --
6 the troops should immediately move towards the Pademba Road
7 and capture the Pademba Road prisons. And in fact before
8 the troops moved to the Pademba Road prison, the CID
9 station should be burnt down."

14:50:53 10 Q. Mr Brima, I ask of you: Did you order the capture of
11 Pademba Road prison in Freetown in January of 1999?

12 A. No.

13 MR GRAHAM: Your Honour, before I proceed, I kindly want to
14 hand over the list of transcripts. I will be making another
14:51:27 15 reference from the transcript of the proceedings of June 14,
16 2005, specifically page 20. Your Honours, I will read from line
17 10 of page 20:

18 "A. RFI, we also heard when Mosquito was speaking saying
19 that the troops, which was commanded by Alex Tamba Brima,
14:52:27 20 had captured Freetown and in fact had captured the State
21 House. He said that they will continue to defend
22 Freetown."

23 That ends my reference from page 20.

24 Q. Mr Brima, I ask of you: Did you command any troops that
14:53:09 25 captured in January of 1999?

26 A. No.

27 Q. Did you command any troops that captured the State House in
28 Freetown in January of 1999?

29 A. No.

1 MR GRAHAM: Your Honours, I'm going to move on to page 22
2 of the transcript of June 14, 2005. Your Honours, I will be
3 reading from line 16 of page 22.

4 Q. Mr Brima:

14:54:07 5 "Q. What did you see happen at State House?

6 "A. Well, the first thing I saw to my surprise was one
7 soldier, who was a fighter, who was among the members of
8 the group that I came with in Freetown. This soldier's
9 wife, the wife he had in the jungle, she dressed neatly and
14:54:35 10 lived in the State House compound. To my surprise Gullit
11 called the lady and fired her in my presence. That was the
12 first thing I saw which Gullit did in the State House.
13 That is, she shot and killed the girl. Pardon, he shot and
14 killed the girl."

14:55:09 15 That ends my reference from page 22.

16 Mr Brima, I will ask of you: Did you shoot and kill a girl
17 at the State House in Freetown in January of 1999?

18 A. No.

19 Q. Mr Brima, did you shoot or kill anyone at the State House
14:55:39 20 in January of 1999?

21 A. No.

22 MR GRAHAM: Your Honours, I will move on to page 23 of the
23 transcript of June 14, 2005. It still relates to the testimony
24 of Prosecution witness TF1-334, Your Honours. With Your Honour's
14:56:10 25 kind permission, I'll be reading from line 14 of page 23. Your
26 Honour, I will be reading, starting from line 14:

27 "A. In fact, Gullit questioned them and asked them about
28 their present commander and their strengths. And where
29 they had their military hardware.

1 "Q. How do you know that Gullit questioned them?
2 "A. It was in my presence. I stood while Gullit was
3 questioning them.
4 "Q. Did anything happen after Gullit questioned them?
14:57:27 5 "A. Yes.
6 "Q. What happened?
7 "A. These soldiers did not give any appropriate reply to
8 Gullit's questions. So that made Gullit annoyed. He took
9 a pistol and shot two of the two of the police -- two of
14:57:51 10 these soldiers. And after that he ordered that the
11 remaining should be executed.
12 "Q. Do you know if the others were then executed?
13 "A. Yes."
14 Q. Mr Brima, I'm going to ask of you, did you question any
14:59:00 15 ECOMOG soldiers at the State House in Freetown in January of
16 1999?
17 A. Repeat the question again, sir.
18 Q. I asked you whether in January of 1999 in Freetown, at the
19 State House, whether you questioned any ECOMOG soldiers.
14:59:52 20 A. I did not ask, and I did not come during July 6, 1999. I
21 had not come to Freetown.
22 Q. Mr Brima, I need to ask of you: Did you shoot two police
23 at the State House in Freetown in January of 1999?
24 A. No.
15:00:26 25 Q. Mr Brima, did you order the execution of soldiers from
26 ECOMOG to be executed at the State House in January of 1999?
27 A. No.
28 Q. Thank you, Mr Brima.
29 MR GRAHAM: Your Honours, I'm going to move on to page 26

1 of the transcript of the proceedings of June 14, 2005. That
2 relates to the testimony before this Court of Prosecution witness
3 TF1-334.

4 [AFRC15JUN06F - EKD]

15:02:02 5 MR GRAHAM: With your kind permission I will be reading
6 from line 10 of page 26.

7 "Q. How do you know these women were captured and forced
8 to get sexual intercourse with these men?

9 "A. Well, mostly whilst I was at the State House, even the
10 commanders themselves, women were brought for them. The
11 most beautiful ones from Bazy, Gullit, Five-Five, all of
12 them had new women that day."

13 That ends my reference from page 26, Your Honours.

14 Q. Mr Brima, you heard me read part of the testimony of
15 witness TF1-334. What do you have to say in response to what I
16 just read to you, Mr Brima?

17 A. I'm still telling this Court that that witness has said a
18 lie, and the witness was a paid witness to testify against the
19 three accused that are here.

15:03:40 20 MR GRAHAM: Your Honours, I'm going to move on, with your
21 kind permission, to page 29 of the transcript of the proceedings
22 of this Court of June 14th, 2005. This relates to the testimony
23 of Prosecution witness TF1-334. With Your Honour's kind
24 permission I will be reading from line 19 of page 29.

15:04:22 25 "Q. What else happened?

26 "A. The Central Police Station was burnt down.

27 "Q. Pause, witness. How do you know that the Central
28 Police Station was burned down?

29 "A. It was Gullit who gave the order that it should be

1 burnt down."

2 That ends my reference from page 29, Your Honours.

3 Q. Mr Brima, I need to ask of you: Did you order the burning
4 of the Central Police Station in Freetown in January of 1999?

15:05:18 5 A. No.

6 Q. Mr Brima, what do you mean by no?

7 A. By that I mean I did not come to Freetown, I did not order
8 any anybody to burn a police station, I did not have those type
9 of commands and that witness -- I'm still reiterating that the
15:05:45 10 witness was a paid witness. All what the witness testified to
11 that you've read sum up to lies.

12 MR GRAHAM: Your Honours, I will move on, with your kind
13 permission, to make further reference to page 32 of the
14 transcript of these proceedings of this Court, June 14th, 2005.
15:06:15 15 This relates to the testimony of Prosecution witness TF1-334.

16 PRESIDING JUDGE: Just pause a moment, please, Mr Graham.
17 We'll need to get that page.

18 MR GRAHAM: Very well, Your Honours. I'm grateful.

19 PRESIDING JUDGE: Yes, Mr Graham.

15:06:50 20 MR GRAHAM: With your kind permission I will be reading
21 from line 13 of page 32.

22 "Q. What happened when you got there?

23 "A. In fact, when I and Supervisor A, Gullit and others
24 arrived at the quay, Gullit surprised to see that the
15:07:20 25 Harbour Police Station was still standing erect. He called
26 Operation Commander --

27 "Q. Pause. Would you spell Harbour, please?

28 "A. H-A-R-B-O-U-R.

29 "Q. Witness, you said that Gullit said he was surprised to

1 see Harbour Police Station. Go on, what else did he say?

2 "A. In fact, he called the Operation Commander O-Five and
3 told him that, 'Now as you are here, that station should be
4 burnt down.' And O-Five put fire on the station."

15:08:13 5 That ends my reference from page 32, Your Honours.

6 Q. Mr Brima, I'm going to ask of you: Did you order that the
7 Harbour Police Station be burned down during -- did you order
8 that the Harbour Police Station in Freetown be burned down in
9 January of 1999?

15:09:00 10 A. No. I will still tell this Court in January of 1999 I was
11 not in Freetown. I did not give orders to anybody and I wasn't
12 in a position to give orders to anybody.

13 MR GRAHAM: Your Honours, I'm going to make further
14 reference still to the transcript of the proceedings on June
15:09:32 15 14th, 2005, page 49. Your Honours, that still relates to the
16 testimony of Prosecution witness TF1-334. Page 49.

17 PRESIDING JUDGE: Yes, Mr Graham.

18 MR GRAHAM: I'm grateful, Your Honours. With your kind
19 permission, I will be reading from line 1 of page 49.

15:10:16 20 "Q. Pause. How do you know that Gullit mounted the set?

21 "A. Well, when State House was captured, he mounted the
22 set. He called Mosquito and said now, as he was waiting
23 for the reinforcement, up to now he had not seen the
24 reinforcement and the ECOMOG forces started penetrating.

15:10:53 25 And he heard that the government had made -- talking about
26 the ceasefire, ceasefire, and Mosquito responded by saying
27 that the government is saying a lie. He said, 'Let him
28 begin to burn some areas, especially the important areas'.
29 That ends my reference from page 49 of the transcript.

1 Q. Mr Brima, I'm going to ask of you: Did you communicate
2 with Mosquito from Freetown during the period of January 1999?

3 A. No.

4 Q. Did you cause or command anyone to speak to Mosquito from
15:12:09 5 Freetown in January of 1999?

6 A. No.

7 MR GRAHAM: Your Honours, I will move on to page 66 of the
8 transcript of the proceedings of this Court on June 14th, 2005.
9 It still relates to the testimony of Prosecution witness TF1-334.
10 Your Honours, I will be making my references from pages 66 and
11 67. With your kind permission, I will be making my reference
12 starting from line 20 of page 66.

13 "Q. Did he say anything else after telling you that the
14 people at Fourah Bay had killed one soldier?

15:14:09 15 "A. He said, in fact, he himself will lead the troops to
16 go to Fourah Bay and to burn down Fourah Bay and to kill
17 people in Fourah Bay.

18 "Q. Do you know if this did in fact happen?

19 "A. Yes. Gullit, Bazzy, Five-Five, operation commander,
15:14:44 20 deputy operation commander, Supervisor A and myself and
21 other soldiers moved to Fourah Bay.

22 "Q. Did you arrive at Fourah Bay?

23 "A. Yes, it was just a stone's throw. Savage Square to
24 Fourah Bay is just a stone's throw. So from there Gullit
15:15:20 25 himself partook. Five-Five partook. Everybody who went
26 there partook in the burning."

27 That ends my reference from pages 66 and 67.

28 Q. Mr Brima, I'm going to ask of you: Did you order the
29 burning of Fourah Bay in Freetown in January of 1997?

1 A. No.

2 Q. Did you yourself, Mr Brima, take part in the burning of
3 Fourah Bay in Freetown in January of 1999?

4 A. No.

15:16:17 5 MR GRAHAM: Your Honours, I'm going to, with your kind
6 permission, move on to page 78 of the transcript of the
7 proceedings of this Court on June 14th, 2005. This still relates
8 to the testimony of Prosecution witness TF1-334.

9 PRESIDING JUDGE: Go ahead, Mr Graham. We have that page.

15:16:53 10 MR GRAHAM: I'm grateful, Your Honour. I will be reading,
11 with your kind permission, from line 18 of page 78.

12 "Q. It sounded like the interpreter was not clear about
13 your last couple of sentences. So I am going to ask you
14 just to go back. You said that Gullit told Supervisor A
15:17:21 15 that it looked like the Nigerians were from the front and
16 Guineans from the back. Just let me ask you, do you know
17 who was meant by the Nigerians?

18 "A. The Nigerian ECOMOG force with which we were fighting.

19 "Q. Go on to say - and just take it slowly - what Gullit
15:17:48 20 said after he had said that?

21 "A. He said this time, this is a hasty withdrawal so
22 abductings and burnings should start."

23 That ends my reference, Your Honours, from page 78.

24 Q. Mr Brima, did you tell Supervisor A during the period of
15:18:29 25 January 1999, in Freetown, that the Nigerians were from the front
26 and the Guineans were from the back?

27 A. No.

28 Q. Did you, Mr Brima, in January of 1999, in Freetown, order
29 abductions because of a hasty withdrawal?

1 A. No.

2 Q. Mr Brima, I ask of you: Did you, in Freetown in January of
3 1999, order that burnings should start?

4 A. No.

15:19:44 5 MR GRAHAM: Your Honours, with your kind permission, I
6 believe I will be making my last reference to the transcript of
7 the proceedings of June 14th, 2005, specifically page 97 of the
8 transcript. I'm grateful, Your Honours. With your kind
9 permission, I will be reading from line 15 of page 97.

15:20:55 10 "Q. Now, you said that Gullit said something about these
11 two people. What did he say after that?

12 "A. He said these Godly people who had escaped would go
13 and leak out information. So he was not going to spare the
14 nuns. He ordered Bulldoze to shoot these people. In my
15:21:28 15 presence Bulldoze shot the five nuns and killed them."

16 That ends me reference from page 97, Your Honours.

17 Q. Mr Brima, I'm going to ask of you: Did you order Bulldoze
18 to shoot anyone in Freetown around January of 1999?

19 A. No.

15:22:08 20 Q. Mr Brima, did you order Bulldoze to shoot and kill five
21 nuns in Freetown in January of 1999?

22 A. No.

23 Q. What, then, do you have to say to the testimony of
24 Prosecution witness TF1-334, which I just read to your hearing,
15:22:40 25 Mr Brima?

26 A. I will still tell this Court that that witness had said a
27 lie, and the witness was a paid witness.

28 MR GRAHAM: Your Honours, with your kind permission, I will
29 move on to make further references from the transcript of the

1 proceedings of this Court, September 27, 2005, specifically pages
2 79 and 80 of the transcript. Your Honours, this relates to the
3 testimony of Prosecution witness TF1-184.

4 PRESIDING JUDGE: Go ahead, Mr Graham.

15:23:48 5 MR GRAHAM: Yes, Your Honours. I will be reading, with
6 your kind permission, from line 26 of page 79.

7 "A. He told Road Block to burn down Shankardass. Then

8 Road Block said, 'Papay' --

9 "Q. Just wait a minute, Mr Witness. Who told Road Block
10 to burn Shankardass?

11 "A. Gullit, Gullit, Gullit.

12 "Q. Okay, go ahead.

13 "A. He told Road Block to burn Shankardass. Then Road
14 Block said, 'Papay,' he said, 'I will not do that.' There
15:24:44 15 at the spot, he fired at Road Block's foot. Then Road
16 Block said, 'Eh, that is the way you are treating us now?'

17 "Q. Mr Witness, I'm going to stop you because of the way I
18 have just heard your testimony, which was that he shot at
19 Road Block's foot. First of all, who is 'he'?

15:25:16 20 "A. Gullit."

21 That ends my reference from page 80, the first reference
22 from page 80, Your Honours. I will go on to make one more
23 reference from that page.

24 Q. Before I do that, Mr Brima, I'm going to ask of you: Did
15:25:39 25 you order the burning of Shankardass?

26 A. No.

27 Q. Did you shoot at any person referred to as Road Block?

28 A. No.

29 Q. Mr Brima, did you command or order anyone to cause the

1 burning of Shankardass?

2 A. No.

3 Q. Did you order or command anyone to shoot at the person
4 referred to as Road Block?

15:26:14 5 A. No.

6 MR GRAHAM: Your Honours, I'm going to make another
7 reference from page 80 of the transcript of proceedings of 27
8 September 2004 [sic]. That still relates to the testimony of
9 Prosecution witness TF1-184. With Your Honour's kind permission,
10 I will be reading from line 15 of page 80. Mr Brima, lend me
11 your ears.

12 "Q. Thank you, Mr Witness. What happened after that?

13 "A. From there we went to Shell company by Old Road. We
14 came a little bit. Changabulanga had the mortar. He had a
15:27:12 15 boy that held the mortar. They all had cutlasses. He,
16 Gullit, between God and man, called on a civilian and he
17 amputated his hand -- his or her hand."

18 That ends my reference on page 80.

19 Q. Mr Brima, did you amputate anyone's hand in Freetown during
15:27:52 20 the period of January/February of 1999?

21 A. No.

22 Q. Did you cause or command any individual or individuals to
23 amputate anyone in Freetown during the period January/February of
24 1999?

15:28:12 25 A. No.

26 MR GRAHAM: Your Honours, I'm going to go back to the
27 indictment, specifically paragraph 49 of the indictment. It is
28 Registry page 6249. Your Honours, with your kind permission, I
29 will read paragraph 49. Your Honours, with your kind permission,

1 if I may ask that the witness be given a copy of the indictment.
2 It will spare us the time of having to read the paragraphs from
3 the indictment, if Your Honours do so agree with my humble
4 submission in that regard.

15:29:23 5 PRESIDING JUDGE: He can be given a copy, but I would
6 suggest that you still read the paragraph.

7 MR GRAHAM: Very well, Your Honours, I will do so.

8 PRESIDING JUDGE: Does he need a copy in Krio or in
9 English?

15:29:35 10 MR GRAHAM:

11 Q. Mr Brima, you have heard His Honour. Do you need a copy of
12 the indictment in English or in Krio?

13 A. In English and in Krio.

14 PRESIDING JUDGE: Mr Brima, you have just been given a
15:30:06 15 document. Is that the English version or the Krio version or
16 both?

17 THE WITNESS: The English version.

18 MR GRAHAM: Your Honours, I will be reading quickly from
19 paragraph 49 of the indictment and that is Registry page 6249.

15:30:33 20 PRESIDING JUDGE: Make sure your witness has got that
21 paragraph first.

22 MR GRAHAM: Thank you, Your Honours.

23 Q. Mr Brima, have you located paragraph 49 of the indictment?
24 That is Registry page 6249.

15:30:50 25 A. Yes, but I want the Krio copy of the indictment again.

26 Q. Do you have one with you?

27 A. I have one. Yes, I have one. That's the English version.
28 But I want the one written in Krio.

29 PRESIDING JUDGE: I believe Mr Brima was served with a Krio

1 copy. Is that correct?

2 MR GRAHAM:

3 Q. Mr Brima, were you served with a copy of the indictment in
4 Krio?

15:31:26 5 A. I did not ever receive a Krio copy of the indictment.

6 PRESIDING JUDGE: I think for the time being, Mr Graham,
7 you'll have to read the paragraph out, make sure that he
8 understands it and then ask your questions.

9 MR GRAHAM: Very well. I'm grateful, Your Honour.

15:31:55 10 Q. Mr Brima, please listen to me carefully as I read out
11 paragraph 49 of the indictment. I will be asking of you a few
12 questions in relation to that. With Your Honours' kind
13 permission, I read paragraph 49 of the indictment.

14 "Between 6 January 1999 and 28 February 1999, AFRC/RUF
15:32:24 15 conducted armed attacks throughout the city of Freetown and
16 the Western Area. These attacks included large scale,
17 unlawful killings of civilian men, women and children at
18 locations throughout the city and the Western Area,
19 including Kissy, Wellington and Calaba Town."

15:32:58 20 Mr Brima, you heard me read paragraph 49 of the indictment?

21 A. Yes.

22 Q. And you understand what I just read, Mr Brima, do you?

23 A. Yes.

24 Q. I'm going to ask of you a few questions in relation to what
15:33:24 25 I just read to your hearing and understanding. That is,
26 Mr Brima: Did you yourself conduct armed attacks throughout the
27 city of Freetown, including -- throughout the city and the
28 Western Area, including Kissy, Wellington and Calaba Town?

29 A. No. And from what I have seen in the indictment, between

1 January 6th, '99 to February '99 I wasn't in Freetown.

2 Q. And Mr Brima, I ask you this question as I read from the
3 indictment, because these are specific allegations that have been
4 made against you in the indictment. I ask of you, Mr Brima: Did
15:34:26 5 you command anyone to conduct any such attacks throughout the
6 city and the Western Area, including Kissy, Wellington and
7 Calaba Town?

8 A. No.

9 Q. What do you mean by no, Mr Brima?

15:34:49 10 A. No, I did not command anybody. I did not instruct anybody.
11 I wasn't in Freetown.

12 Q. Mr Brima, I need to ask of you: Were you part of any
13 planning or preparation or instigation for such an attack on the
14 city and the Western Area including Kissy, Wellington and
15:35:16 15 Calaba Town?

16 A. No.

17 Q. Mr Brima, did you cause or command anyone to plan, prepare
18 or instigate such attacks throughout the city and the
19 Western Area, including Kissy, Wellington and Calaba Town?

15:35:42 20 A. No.

21 Q. I will move on to paragraph 56 of the indictment. That is
22 on Registry page 6251. Mr Brima, I would want you to turn your
23 pages over to 6251. That is paragraph 56. Mr Brima, have you
24 located paragraph 56?

15:36:24 25 A. Yes.

26 Q. I will proceed to read quickly paragraph 56 of the
27 indictment.

28 "Between 6 January 1999 and 28 February 1999, members of
29 the AFRC/RUF raped hundreds of women and girls throughout

1 the city of Freetown and the Western Area, and abducted
2 hundreds of women and girls and used them as sex slaves
3 and/or forced them into 'marriages' and/or subjected them
4 to other forms of sexual violence. The 'wives' were forced
15:37:18 5 to perform a number of conjugal duties under coercion by
6 their 'husbands'."

7 That ends my reference. Mr Brima, did you hear what I
8 read?

9 A. Yes, sir.

15:37:36 10 Q. Did you understand what I just read, Mr Brima?

11 A. Yes, sir.

12 Q. I am going to ask of you a few questions. Mr Brima, did
13 you, yourself, rape any women or girls in the city of Freetown
14 and the Western Area, including -- sorry, in the city of Freetown
15:38:10 15 and the Western Area?

16 A. No.

17 Q. Mr Brima, I ask of you: Did you cause or command anyone to
18 carry out rapes in Freetown and the Western Area?

19 A. No.

15:38:35 20 Q. Were you involved, Mr Brima, in any planning or preparation
21 to carry out rapes in Freetown and the Western Area?

22 A. No.

23 Q. Mr Brima, please tell this Court were you aware of any
24 planning and preparation to carry out rapes in Freetown and the
15:39:07 25 Western Area by the fighting forces who entered Freetown on
26 January 6th?

27 A. No, I'm not aware of that.

28 Q. Mr Brima --

29 A. I never thought and made a plan concerning that.

1 Q. Were you part of the fighting forces that forced girls into
2 marriages in the Freetown and Western Area?

3 A. No.

4 Q. Mr Brima, did you command anyone to carry out abductions of
15:40:01 5 girls to be used as sex slaves?

6 A. No.

7 Q. Mr Brima, I ask of you: Did you command anyone to carry
8 out any form of sexual violence in Freetown and the Western Area?

9 A. No.

15:40:34 10 MR GRAHAM: Your Honours, with your kind permission, I
11 would humbly request to refer to paragraph 63 of the indictment,
12 specifically Registry page 6254.

13 Q. Mr Brima, have you, please, located the paragraph?

14 A. Yes, sir. Yes, sir.

15:41:11 15 Q. Mr Brima, lend me your ears.

16 "Between 6 January 1999 and 28 February 1999, members of
17 the AFRC/RUF mutilated an unknown number of civilian men,
18 women and children in various areas of Freetown, and the
19 Western Area, including Kissy, Wellington and Calaba Town.

15:41:48 20 The mutilations included cutting off limbs."

21 That ends my reference to paragraph 63 of the indictment.

22 Mr Brima, did you hear me read?

23 A. Yes.

24 Q. Did you understand what I just read, Mr Brima?

15:42:07 25 A. Yes.

26 Q. I'm going to ask of you a few questions. Mr Brima, did
27 you, yourself, carry out any mutilations of civilians in the
28 Freetown and Western Area?

29 A. No.

1 Q. Did you cause or command anyone to carry out mutilations in
2 Freetown and the Western Area, Mr Brima?

3 A. No.

4 Q. Mr Brima, were you involved in the planning and preparation
15:42:45 5 of mutilations in Freetown and the Western Area?

6 A. No, I did not plan. I was not involved in any of the
7 things that you have read.

8 Q. Did you cause or command anyone to plan and prepare any
9 mutilations in Freetown and the Western Area?

15:43:10 10 A. No, I did not command anybody to hack somebody in Freetown.

11 MR GRAHAM: Your Honours, with your kind permission, I will
12 move on to paragraph 72 of the indictment, specifically Registry
13 page 6256.

14 Q. Mr Brima, have you located paragraph 72?

15:43:47 15 A. Yes, sir.

16 MR GRAHAM: With Your Honours' kind permission, I will
17 read:

18 "Between 6 January 1999 and 28 February 1999, in
19 particular, as the AFRC/RUF were being driven out of
15:44:11 20 Freetown and the Western Area, members of the AFRC/RUF
21 abducted hundreds of civilians, including a large number of
22 children, from various areas in Freetown and the
23 Western Area, including Peacock Farm, Kissy and
24 Calaba Town. These abducted civilians were used as forced
15:44:47 25 labour."

26 That ends my reference from paragraph 72 of the indictment.

27 Mr Brima, did you hear me read paragraph 72 of the indictment?

28 A. Yes.

29 Q. Did you understand what I read, Mr Brima?

1 A. Yes, sir.

2 Q. I'm going to ask of you, Mr Brima: Did you yourself abduct
3 children in Freetown?

4 A. I did not capture, I did not take anybody; I did not come
15:45:31 5 to Freetown.

6 Q. Mr Brima, did you command anyone to abduct children in
7 Freetown and the Western Area?

8 A. I did not command anyone to catch children in Freetown.

9 Q. Mr Brima, were you involved in the planning and preparation
15:46:03 10 for abducting children in Freetown and the Western Area?

11 A. No, I did not plan, I did not prepare to capture any child
12 in Freetown and the Western Area.

13 Q. Mr Brima, were you involved in the planning and preparation
14 for the abduction of civilians in the Freetown and Western Area?

15:46:42 15 A. I did not catch, I did not plan so as to catch civilians
16 and take them away in the Western Area of Freetown.

17 MR GRAHAM: I will want to, with your kind permission, make
18 another reference to paragraph 79 of the indictment.

19 Q. Mr Brima, please, have you located paragraph 79 of the
15:47:15 20 indictment?

21 A. Yes, sir.

22 Q. With Your Honours' kind permission, I will quickly read
23 paragraph 79 of the indictment. I read:

24 "Between 6 January 1999 and 28 February 1999, AFRC/RUF
15:47:50 25 forces engaged in widespread looting and burning throughout
26 Freetown and the Western Area. The majority of houses that were
27 destroyed were in the areas of Kissy, Wellington and Calaba town;
28 other locations included the Fourah Bay, Upgun, State House and
29 Pademba Road areas of the city."

1 That ends my reference to paragraph 79 of the indictment.

2 Mr Brima, did you hear me read paragraph 79 of the
3 indictment?

4 A. Yes.

15:48:32 5 Q. Do you understand what I read in paragraph 79?

6 A. Yes, sir. Yes.

7 Q. Mr Brima, I'm going to ask of you a few questions. Did
8 you, yourself, loot any houses in Freetown?

9 A. No.

15:48:59 10 Q. Did you, Mr Brima, order command anyone to loot houses in
11 Freetown?

12 A. I did not order anybody to loot houses in Freetown between
13 January 6 and February 28, 1999.

14 Q. Mr Brima, were you involved in any form or manner in the
15:49:27 15 preparation and planning for the looting of houses in Freetown?

16 A. I was not involved. I was not prepared to plan to loot any
17 house in Freetown within this time frame January 6 to February
18 28, 1999.

19 Q. Mr Brima, I ask of you: Did you command anyone to burn
15:50:00 20 houses in Freetown and the Western Area?

21 A. No, I did not command anybody to burn a house in Freetown
22 or the Western Area.

23 Q. Mr Brima, were you involved - you, yourself - in the
24 planning and preparation for the burning of houses in the
15:50:24 25 Freetown and Western Area?

26 A. No.

27 Q. Mr Brima, did you cause or command anyone to plan and
28 prepare for the burning of houses in Freetown?

29 A. I did not make, I did not plan, I did not prepare anybody

1 for these sorts of acts in Freetown.

2 Q. Mr Brima, thank you very much. I have read to you specific
3 allegations from the indictment and you have given your responses
4 before this Honourable Court. I am going to ask you, Mr Brima,
15:51:09 5 did you, in concert with anyone, order the commission of any of
6 the allegations contained in the indictment in Freetown?

7 A. No, I did not order any other person to do these things or
8 for people to commit these sort of crimes or these problems in
9 Freetown.

15:51:39 10 Q. Thank you, Mr Brima.

11 A. Thank you too.

12 MR GRAHAM: That ends my reference to the indictment. I'm
13 going to move on to a new area.

14 PRESIDING JUDGE: Yes, thank you, Mr Graham. Well, Madam
15:51:58 15 Court Attendant, if you will collect that indictment from the
16 witness. Yes, Mr Graham.

17 MR GRAHAM:

18 Q. Mr Brima, before I started putting to you specific
19 allegations from the indictment, you had told this Court in your
15:52:31 20 own words that you escaped to Makeni from Goba. You escaped to
21 Makeni -- sorry, you escaped to Makeni from Goba Water.
22 Mr Brima, can you please tell this Court what happened when you
23 arrived at Makeni?

24 A. Fortunately for me when I arrived in Makeni, I met my
15:53:08 25 mother there and my family.

26 Q. Mr Brima, where in Makeni did you meet your mother and your
27 family?

28 A. I met them at Matankor Street.

29 Q. Could you please, Mr Brima, spell that for the convenience

1 of the Court?

2 A. M-A-T-A-N-K-O-R, Matankor.

3 Q. Please go on with your account.

4 A. I found my mum, my stepmother, my wife, with my brother.

15:54:03 5 All of them in Makeni at Matankor Street, and I lived with them.

6 I, and the third accused, who are the ones that were there, who

7 was corporal Santigie Kanu.

8 Q. Mr Brima, I ask of you: How did you meet members of your

9 family in Makeni?

15:54:38 10 A. I met them in Makeni. By then the commander for the SLA,

11 it was Colonel Mani.

12 Q. How do you know that the commander for the SLA at the time

13 was Commander Mani?

14 A. I knew that through my brother, because he was one of the

15:55:07 15 most senior SLA commander who was on the ground, and he was the

16 one that was commanding all the SLAs there.

17 Q. Mr Brima --

18 MR AGHA: Could the witness kindly specify which brother he

19 meant and which brother was --

15:55:24 20 MR GRAHAM: I was getting there.

21 MR AGHA: I beg your pardon.

22 MR GRAHAM:

23 Q. Mr Brima, please tell this Court which of your brothers

24 gave you the information about Commander Mani -- Colonel Mani

15:55:45 25 being in charge?

26 A. It was my two brothers. It was my two brothers, Kai and

27 Komba.

28 Q. Mr Brima, your family members, did you know they were in

29 Makeni?

1 A. Ask that question again.

2 Q. Did you know your family members were in Makeni?

3 A. I did not know that.

4 MR AGHA: From when?

15:56:22 5 MR GRAHAM:

6 Q. Mr Brima, let me ask you again. When you escaped from Goba
7 Water and you got to Makeni, I'm asking you that prior to you
8 getting to Makeni, did you know whether your family members were
9 in Makeni?

15:56:44 10 A. No, I did not know that my family members were in Makeni.
11 The only thing that I knew was Makeni, through the civilians that
12 were coming towards Freetown part, whom we met on the way when we
13 were going to Lunsar, they told us that Colonel Mani was in
14 Makeni, and because of the fact that Colonel Mani stayed in
15:57:14 15 Makeni, I and the third accused decided to go to him. That is
16 what made us to go to Makeni.

17 Q. Thank you, Mr Brima, but I was asking -- you told this
18 Court that you did not know that your family members were in
19 Makeni. I am asking of you: How, then, did you get to meet
15:57:33 20 them?

21 A. I managed to meet my family the time we reached in Makeni.
22 When we arrived in Makeni, I and the third accused, through
23 soldiers, who are with Colonel Mani, they are the ones who told
24 me that my family are in Makeni, and they led me to where they
15:58:02 25 were, I and the third accused, and we went to the house.

26 Q. Who were these soldiers who told you that your family
27 were in Makeni?

28 A. It was my comrade SLA soldiers. Some were my workmates,
29 some were my platoon mates, some were my squad mates.

1 Q. Mr Brima, what happened after you met your family members?

2 A. I was happy because I had not lived in Makeni. I left my
3 family at Yarya, from the time that I was arrested by O-Five.

4 When I met my family, I said thanks to God. I even met my child,
15:59:02 5 so I was happy about that and I lived with them in the same
6 house.

7 Q. How long did you live with them in the same house,
8 Mr Brima?

9 A. I lived with my family in the same house up to August 1999,
15:59:23 10 but I was there when they signed the ceasefire or the peace
11 accord in Lome.

12 Q. Mr Brima, during the period that you were in Makeni with
13 members of your family, did anything significant happen?

14 A. Well, there was infighting between the Superman group from
16:00:02 15 the RUF and the Issa group, or the Mosquito group, of the RUF.

16 Q. How do you know that there was infighting between Superman
17 and the Issa/Mosquito group?

18 A. I got that from the soldiers who were based in Makeni, whom
19 I met there before, who directed me to my family. Some were my
16:00:33 20 squad mates, some were my platoon mates, some were my work mates.

21 Q. What did they tell you, Mr Brima, about this infighting
22 between Superman, on one side, and then Issa and Mosquito?

23 A. What they told me, they said that we -- that I mean I and
24 they, that's the SLA soldiers. There was no fight between the
16:01:06 25 SLA soldiers and the RUF, but the Superman group of the RUF had
26 attacked Issa and the whole personnel of the RUF. And I was in
27 Makeni Town when that attack took place, when we, the SLAs, all
28 went to -- with SLA personnel, went to Colonel Mani.

29 Q. Mr Brima, you just told this Court that you were in Makeni

1 when an attack took place. Can you tell this Court, if you
2 recall, when did this happened, this attack you just referred to
3 in Makeni? When did this happen?

4 A. I cannot recall the right month, but it was in 1999. I
16:01:57 5 will only say that it was early 1999.

6 Q. Mr Brima, how do you know that this attack took place?

7 A. How I knew that this attack took place, I saw some of the
8 SLA soldiers who were deployed with Major Paul Koroma, who were
9 deployed to us, Magburaka route. They came to Colonel Mani and
16:02:34 10 they come and lodged a complaint that there was fighting going on
11 and the fighting that was going on did not concern them. It was
12 RUF that attacked RUF.

13 PRESIDING JUDGE: Is that a convenient place to stop for
14 the day?

16:02:58 15 MR GRAHAM: That is so, Your Honour. I'm very grateful.

16 PRESIDING JUDGE: Mr Brima, we're going to adjourn now
17 until tomorrow morning. I remind you once more, please do not
18 discuss the evidence with anybody. We'll adjourn the Court to
19 9.15 tomorrow morning.

16:03:17 20 THE WITNESS: Yes, My Lord.

21 [Whereupon the hearing adjourned at 4.00, to be
22 reconvened on Friday, the 16th day of June
23 2006, at 9.15 a.m.]

24
25
26
27
28
29

WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ALEX TAMBA BRIMA 2

EXAMINED BY MR GRAHAM 3