

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

FRIDAY, 16 JUNE 2006
9.17 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:	Ms Maureen Edmonds
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Melissa Pack Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearance
For the accused Alex Tamba Brima:	Mr Kojo Graham Ms Glenna Thompson Mr Ibrahim Foday Mansaray (legal assistant)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanu:	Mr Ajibola E Manly-Spain

1 [ARFC16JUN06A-RK]
2 Friday, 16 June 2006
3 [Open session]
4 [The accused present]
09:20:47 5 [Upon commencing at 9.17 a.m.]
6 WITNESS: ACCUSED ALEX TAMBA BRIMA [Continued]
7 [Witness answered through interpreter]
8 PRESIDING JUDGE: Yes, Mr Brima, I will remind that you are
9 still on your former oath to tell the truth.
09:21:49 10 Yes, Mr Graham.
11 MR GRAHAM: Good morning, Your Honours, good morning,
12 Mr Brima.
13 THE WITNESS: Good morning, sir.
14 EXAMINED BY MR GRAHAM: [Continued]
09:22:00 15 Q. Mr Brima, this morning we are going to continue from where
16 we left off yesterday. I had asked you a question relating to an
17 attack which you said took place in Makeni. You also told this
18 Court that some SLA soldiers who were deployed with one Major
19 Paul Koroma, that they came to Colonel Mani and lodged a
09:22:43 20 complaint that there was fighting going on and that it was the
21 RUF that attacked. Can you tell this Court what happened after
22 that?
23 A. What happened after that attack, the SLA soldiers that were
24 in Makeni, including myself, we hadn't any problem with regard
09:23:18 25 the fighting and after the fighting we live peacefully in Makeni.
26 Q. Mr Brima, how do you know that the SLA that's now in Makeni
27 had no problem with the fighting that was going on?
28 A. The SLA personnel that were in Makeni they forwarded a
29 complaint to Colonel Mani and I did not see any SLA that

1 participated in that infighting.

2 Q. Can you tell this Court how long you remained in Makeni?

3 A. Roughly, it would be between six to seven months.

4 Q. Do you know which month you left Makeni?

09:24:35 5 A. I left Makeni in August of 1999.

6 Q. And, Mr Brima, apart from the fighting that you just told
7 us about that took place in Makeni when you were there, did
8 anything significant happen during that period, apart from the
9 attack you just told us about?

09:25:13 10 A. Ask the question again, sir.

11 Q. Apart from the attack you have told us about, the RUF
12 infighting you told us about, to which you said the SLAs in
13 Makeni had no problem, I'm saying apart from that incident did
14 anything else significant happen during the period that you were
09:25:34 15 in Makeni?

16 A. I did not know of any other thing that happened in Makeni.

17 Q. Mr Brima, did you go anywhere from Makeni?

18 A. Yes.

19 Q. Please tell this Court where you went?

09:26:05 20 A. After the infighting in Makeni, I decide to come to
21 Freetown because the RUF and the government had signed a peace
22 accord. So when the infighting was in Makeni, as it was over
23 between the two parties, I decided to come over with my family.

24 Q. Mr Brima, how do you know that the RUF and the government
09:26:45 25 had signed a peace accord?

26 A. Well, this is something I heard, and I saw the accord book,
27 which is the Lome Peace Accord. That was the way I came to know
28 that the RUF and the government of Sierra Leone have signed a
29 peace accord.

1 Q. Thank you, Mr Brima. Can you tell this Court why was it
2 that the peace accord was the reason for you to come to Freetown?

3 A. Why it was a reason for me to come to Freetown, immediately
4 they signed the accord, soldiers moved from Freetown, went
09:27:51 5 upcountry.

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

7 A. They used to meet us in Makeni. Even myself sitting here I
8 sent somebody to pick my girl child for me and she was taken to
9 Makeni. And I used to see some of my plot mates that were in
09:28:16 10 Freetown, they used to meet us in Makeni and --

11 Q. Mr Brima, when you say "us," who do you refer to as "us"?

12 A. I'm referring to us, the SLA soldiers.

13 Q. Please continue.

14 A. Even the third accused, who is Corporal Santigie Kanu, left
09:28:48 15 me in Makeni and came to Freetown. So I knew that there was no
16 fighting and there was no problem again.

17 Q. Mr Brima, when did you leave Makeni for Freetown?

18 A. I left Makeni in August of 1999.

19 MR AGHA: Your Honours, can we have some foundation,
09:29:19 20 please, as to how he knows that Five-Five went to Freetown.

21 PRESIDING JUDGE: Yes, Mr Graham.

22 MR GRAHAM: Very well, Your Honours.

23 Q. Mr Brima, please tell this Court how you know?

24 JUDGE DOHERTY: He didn't say Five-Five, Mr Agha.

09:29:46 25 MR AGHA: I beg your pardon, Corporal Santigie.

26 MR GRAHAM: Thank you, Your Honours.

27 Q. Mr Brima, how to you know that Corporal Santigie Kanu left
28 Makeni?

29 A. It was I and Corporal Santigie Kanu stayed at the same

1 house and when he left to come to Freetown he told me. And when
2 he came to Freetown, it was he that I told that he should make an
3 arrangement for my girl child to meet me, and he sent some things
4 from Freetown for me. So this was the way I came to know that
09:30:39 5 Corporal Santigie came to Freetown.

6 Q. Thank you, Mr Brima. Did you leave Makeni alone?

7 A. No. I remained with my family.

8 THE INTERPRETER: The interpreter is sorry. Can the
9 witness come again? The expression "I left" in Krio is ambiguous
09:31:11 10 so that it can make it very lucid.

11 PRESIDING JUDGE: The interpreter wants you to repeat your
12 last answer, Mr Brima.

13 THE WITNESS: My last answers, my last answer says I left
14 Makeni with my family to come to Freetown.

09:31:43 15 MR GRAHAM:

16 Q. Mr Brima, can you tell us which members of your family you
17 left with from Makeni to Freetown?

18 A. I left with my wife. I left with my children. And I left
19 with my younger sister and my mother and my stepmothers.

09:32:18 20 Q. Mr Brima, how did you travel from Makeni to Freetown?

21 A. From Makeni there are vehicles that ply the route from
22 Makeni to Freetown and I came by a vehicle.

23 Q. Can you please tell this Court when did you arrive --
24 excuse me, Your Honours -- did anything happen on your way from
09:32:53 25 Makeni to Freetown?

26 A. Yes.

27 Q. Please tell this Court what happened, Mr Brima.

28 A. When I left Makeni to come to Freetown we boarded two
29 vehicles and my family. Unfortunately, I fell into the West Side

1 Boys' ambush.

2 PRESIDING JUDGE: I can't hear you, Mr Graham. Will you
3 try to speak into the microphone.

4 JUDGE SEBUTINDE: If you turn into the English channel, you
09:33:46 5 will not collide with the interpreter.

6 MR GRAHAM: I am on the English channel, Your Honour.
7 There seems to be a break --

8 JUDGE SEBUTINDE: Because you appear to speak over the
9 interpreter. Before he is finished you are speaking.

09:33:58 10 MR GRAHAM: Very well, Your Honour. I will take careful
11 note. I'm grateful.

12 PRESIDING JUDGE: I think the last answer was,
13 "Unfortunately I fell into the West Side Boys' ambush."

14 MR GRAHAM: I was going to ask him to explain who the West
09:34:18 15 Side Boys were.

16 THE WITNESS: The West Side Boys, they themselves were
17 soldiers.

18 MR GRAHAM:

19 Q. How do you know they were soldiers, Mr Brima?

09:34:33 20 A. Most of them were -- the ones that arrested me were my
21 workmate. Some of them were my platoon mate.

22 Q. Mr Brima, what happened when you fell in the hands of the
23 West Side Boys?

24 A. When we fell into the hands of the West Side Boys, they
09:35:02 25 arrested me, my wife, Corporal Foday Bah Marah, and some other
26 soldiers with whom I travelled with. They handed us over to
27 Junior Lion.

28 Q. Mr Brima, before you go on, who was "they"?

29 A. The West Side Boys.

1 Q. Mr Brima, do you know who arrested you?

2 A. The individual that arrested me, I cannot recall his name,
3 but it is only the commanders name I can recall, and the
4 commander was Junior Lion.

09:35:56 5 Q. How do you know, Mr Brima, that the commander at the time
6 was Junior Lion?

7 A. I was presented before him.

8 Q. Mr Brima, what happened when you were presented to the
9 commander?

09:36:19 10 A. When we were presented to the commander --

11 Q. When you say "we," are you referring to yourself? Please
12 explain what you mean by "we" because you keep using the word
13 "we"?

14 A. When I said "we," I'm talking about myself and my comrade
09:36:48 15 SLA soldiers that were arrested together.

16 Q. Mr Brima, can you tell this Court, to the best of your
17 knowledge, how many of you were arrested? Apart from you and
18 your family members, how many other soldiers were arrested - SLA
19 soldiers?

09:37:09 20 A. Well, I can only recall two, who were Foday Bah Marah and
21 with Sergeant Foday Kamara. The other soldiers, I cannot recall
22 their names.

23 Q. Please, Mr Brima, continue. What happened when you were
24 taken to the commander?

09:37:41 25 A. When they took us to the commander, Junior Lion --
26 Junior Lion ordered us to take off our clothes and we did that.
27 He loaded us in a canoe; we crossed over to the base.

28 Q. What did you cross over?

29 A. We crossed over the river.

1 Q. Do you know which river this was?

2 A. River Rokel.

3 Q. Can you spell Rokel for the convenience of the court,
4 please, Mr Brima?

09:38:24 5 A. R-O-K-E-L.

6 MR AGHA: Your Honours, I believe he said "us" crossed over
7 the river. I'm wondering who us is.

8 PRESIDING JUDGE: He did, Mr Agha.

9 MR GRAHAM: Your Honour, this is a gradual process. I was
09:38:44 10 going to ask him who crossed the river with him.

11 Q. Mr Brima, you just told this Court you crossed the river.
12 Did you cross the river alone?

13 A. No. I crossed the river with the two personnels whose
14 names I have mentioned: my wife and some of the West Side Boys
09:39:11 15 who arrested me, had arrested me, including Junior Lion himself.

16 Q. Mr Brima, what happened when you crossed the river?

17 A. When we crossed the river -- when we crossed the river,
18 they took us to a place called dungeon. They said we should get
19 in so they could lock us up. The only person that they exempted
09:40:04 20 from among the personnel that went, it was only my wife. So when
21 Junior Lion passed that order, I and Corporal Foday Bah Marah, we
22 put up some resistance.

23 Q. Mr Brima, how do you know Junior Lion passed that command?

24 A. It was in my presence. He was the one that took us there.
09:40:42 25 So when we put up that resistance, saying we would not get into
26 the dungeon, that was the time Junior Lion shot at myself, shot
27 at Foday Bah Marah at our feet. There was another commander
28 named Commander Tito. It was Commander Tito who came and
29 challenged he, the Junior Lion, saying that he should not have

1 done so. He said we were SLA soldiers; he shouldn't have treated
2 us that way.

3 Q. What, if anything, happened after commander Tito made the
4 statement?

09:41:47 5 MR AGHA: Object, Your Honour. We've not had any
6 foundation as to how the witness knows Tito is a commander.

7 PRESIDING JUDGE: Yes, Mr Graham.

8 MR GRAHAM:

9 Q. Mr Brima, the Commander Tito you referred to, it that the
09:42:08 10 same Commander Tito that you mentioned that was in Benguema
11 during the attack?

12 A. It was the same Commander Tito.

13 Q. Mr Brima, please tell us what happened after Commander Tito
14 told Junior Lion the statement that you just referred to?

09:42:27 15 A. When he told Junior Lion, Junior Lion said, "These two men
16 we've arrested," - Foday Bah Marah and Corporal Tamba Brima - he
17 said, "if it were Foday Bah, we would have sympathised with him,"
18 he said. But, like myself, while they were coming to Freetown
19 during January 6, I ran away. He said that was why when the
09:42:56 20 vehicle fell into the ambush, when the boys reported to him, he
21 said let them release some of the civilians that were in the
22 vehicles so that we, the soldiers, could be brought to him. So
23 there was an argument between himself and Tito that he should not
24 have fired at us.

09:43:32 25 Q. How do you know?

26 A. I knew this when they arrested me and I was very close,
27 because it was in one veranda that this thing happened. When
28 Tito had given him that advice and when they had this argument,
29 Junior Lion took out his pistol and shot at Tito.

1 Q. How do you know that?

2 A. And Tito died. As I am explaining to you, I knew him. The
3 scene where this event occurred, I was present there.

4 Q. Mr Brima, how did you know that it was --

09:44:35 5 JUDGE SEBUTINDE: We didn't hear a word that you said,
6 Mr Graham - at least I didn't. You need to speak up also.

7 MR GRAHAM: Your Honour, I'm speaking up. There must
8 definitely be a problem with this thing.

9 Q. Mr Brima, how did you know - please tell this Court - that
09:44:55 10 Tito died?

11 A. I knew this when I saw Tito's dead body.

12 Q. Did anything happen after that, Mr Brima?

13 A. After that, Junior Lion went and detained us, went and
14 locked us up in the dungeon, he and Foday Kallay were in the
09:45:32 15 dungeon for some days. I cannot recall the number of days we
16 spent there.

17 JUDGE SEBUTINDE: Could the witness repeat who was in the
18 dungeon for a number of days, please?

19 MR GRAHAM: I was about to ask him.

09:45:50 20 Q. Mr Brima, were you in the dungeon alone?

21 A. No. I was in the dungeon with some of the personnel that
22 were arrested together.

23 Q. Can you tell this Court how many of you were in the
24 dungeon?

09:46:11 25 A. Roughly, we were about 13.

26 Q. Mr Brima, did anything happen when you were in the dungeon?

27 A. Yes.

28 Q. Please tell this Court what happened when you were in the
29 dungeon, Mr Brima?

1 A. When we were in the dungeon, they came with other people
2 they arrested. When Junior Lion came and said those people
3 should be locked up in the dungeon and those people joined us up
4 there.

09:47:03 5 Q. Mr Brima, you just told us that they came. [Microphone
6 inactivated]

7 PRESIDING JUDGE: I cannot hear you at all.

8 MR GRAHAM: There seems to be a problem. It keeps
9 breaking. I'm trying hard. Maybe it will work out this way.

09:47:32 10 Q. Mr Brima, you earlier on mentioned one Foday Kallay. Can
11 you tell this Court: Who is he?

12 A. Foday Kallay, he was one of the West Side Boys.

13 Q. I am asking you, Mr Brima, whether anything significant
14 happened when you were in the dungeon?

09:48:04 15 A. Yes.

16 Q. Please tell this Court what happened, Mr Brima?

17 A. They came with -- Junior Lion came with some people he had
18 arrested, and among those people that were brought by Junior
19 Lion, the ones that he had arrested, Mike Lamin was among, RUF

09:48:35 20 Superman was among. There was another RUF called Ray, fair in
21 complexion, he was among. One Alusine [indiscernible] was among.
22 FAT was among. These are the names I'm able to recall.

23 Q. Mr Brima, who is FAT?

24 A. FAT is an SLA soldier and an officer in the Republic of the
09:49:34 25 Sierra Leone Army.

26 Q. Mr Brima --

27 A. Yes.

28 Q. -- the FAT that you just mentioned, is that the same FAT
29 Sesay that you've told this Court about earlier on?

1 A. Yes.

2 Q. Please, Mr Brima, continue with your account.

3 A. When Junior Lion brought these additional detainees, they
4 locked them in the dungeon where we were. We were in that
09:50:48 5 dungeon until Johnny Paul came to Sierra Leone, Freetown.

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

7 A. I knew that after I had been released and came to Freetown.

8 Q. Who released you, Mr Brima?

9 A. Junior Lion.

09:51:13 10 Q. What happened when you were released, Mr Brima?

11 A. Well, before that, when Johnny Paul came to Freetown, it
12 was he who negotiated that I should be released and the other
13 soldiers, after then, we arrived in Freetown in November.

14 Q. November of what year, Mr Brima, please tell this Court?

09:51:49 15 A. November of 1999.

16 Q. So, Mr Brima, can you tell this Court what happened when
17 you arrived in November of 1999?

18 A. When I arrived in November 1999, I met Major Johnny Paul
19 Koroma. He himself had a version of my own story.

09:52:23 20 Q. Mr Brima, before you go on, please tell this Court where
21 did you meet Johnny Paul Koroma?

22 A. I met him in his office at Youyi building at the Miatta
23 conference hall.

24 Q. Please spell Youyi building?

09:52:50 25 A. Y-O-U-Y-I.

26 Q. Thank you. And you also mentioned, I think, a Miatta
27 conference. If you could also spell that for the convenience of
28 the Court, Mr Brima?

29 A. M-I-A-T-T-A, Miatta.

1 Q. Mr Brima, please tell this Court what happened when you met
2 Johnny Paul Koroma?

3 A. When I lodged the complaint to Johnny Paul Koroma he said
4 "Let me go so that I'll be treated."

09:53:40 5 Q. What complaint did you lodge with Johnny Paul Koroma?
6 Please tell this Court, Mr Brima.

7 A. The complaint that I lodged to him was from what I heard
8 from Johnny Paul, he said what made Junior Lion to arrest me was
9 that he betrayed their mission, and he said Tito's death, that is
09:54:16 10 Sergeant's death, he said I was responsible for that.

11 Q. Do you know what he meant when he said you had betrayed; do
12 you know what he meant by that?

13 JUDGE SEBUTINDE: I'm not sure who this "he" is that we're
14 talking about now.

09:54:37 15 MR GRAHAM:

16 Q. Mr Brima, when Johnny Paul Koroma, according to your
17 account, told you about your betrayal, did you understand what he
18 meant by that?

19 A. Well, I did not understand what he meant by that, but what
09:55:02 20 the people who arrested us, that is Junior Lion, explained to
21 him, I believe that that was why he too explained to me so that
22 he could get a version of my own story.

23 MR GRAHAM: Your Honours, before I go on, Mr Ibrahim
24 Kamara, the second accused would want to use the restroom, with
09:55:32 25 your permission.

26 PRESIDING JUDGE: Yes, he is allowed to leave the Court.

27 MR GRAHAM:

28 Q. Mr Brima, can you tell this Court, did anything happen
29 after the conversation between you and Johnny Paul Koroma that

1 you just referred to?

2 A. Yes. Johnny Paul Koroma instructed us, I and Foday Bah, to
3 go to the 34 military hospital so that we can get some treatment
4 for the bullets that pierced [phon] our feet. And, after that,

09:56:27 5 when my foot had healed, Johnny Paul instructed us to go and
6 report at the AHQ, that is, the army headquarters.

7 Q. Mr Brima, can you tell this Court how did Johnny Paul
8 Koroma instruct you?

9 A. Well, he gave me a military instruction. He said, "Now you
09:57:09 10 are well, then you should report at the HQ because you are a
11 soldier."

12 Q. Mr Brima, was this instruction given to you alone?

13 A. No.

14 Q. Please tell this Court who else received instructions from
09:57:33 15 Johnny Paul Koroma?

16 A. Myself, one of those wounded, and some of my colleague
17 soldiers whose names I cannot remember all.

18 Q. Mr Brima, after receiving the instructions from Johnny Paul
19 Koroma, did you do anything?

09:58:03 20 A. I went at Cockerill, which is the HQ, and reported and I
21 gave my particulars to the officer who was in charge of that
22 particular, particular duty and then they verified me.

23 Q. What do you mean?

24 MR AGHA: Your Honour, before learned counsel continues,
09:58:37 25 this relates to foundation and it seems, according to his
26 evidence, and I stand to be corrected by the record, that the
27 accused was instructed by Johnny Paul Koroma to go to the
28 hospital and then, after that, he seems to be getting more
29 instructions from Johnny Paul Koroma. I was just wondering how

1 he got back from the hospital, how he got the instructions. Were
2 they all in the one meeting? Where did they happen?

3 PRESIDING JUDGE: Well, I don't think that goes to
4 foundation, so much, Mr Agha. There is certainly a time gap
09:59:12 5 there between going to the hospital and the evidence he is now
6 giving, but that is open to you in cross-examination to find out
7 details that you want.

8 Go ahead, Mr Graham.

9 MR GRAHAM: I am grateful, Your Honours.
09:59:33 10 Q. Mr Brima, I was asking you what you meant by you were
11 verified when you reported on the instructions of Johnny Paul
12 Koroma?

13 A. Yes. Verified means to -- that is to check my military
14 records and check all my particulars in the army if I was the
10:00:11 15 real person, that is, the right person and I was not alone that
16 went for that verification. There were some personnel there who
17 went and claimed some soldiers' numbers who had died.

18 Q. Mr Brima, how come --
19 THE INTERPRETER: The interpreter is sorry. The last bit
10:00:47 20 of the witness is not clear to him. Could the Court please order
21 the witness to repeat.

22 PRESIDING JUDGE: What, he repeat the whole answer,
23 Mr Interpreter, or an answer from a certain point?

24 THE INTERPRETER: No, My Lord, the tail end of the witness
10:01:02 25 where he, the witness, mentioned one officer that was in charge
26 of the verification.

27 PRESIDING JUDGE: Mr Brima, the interpreter has told us
28 that your answer going up to an officer being in charge of the
29 verification, the rest of it was not received by the interpreter.

1 Could you repeat what you said after that, please.

2 THE WITNESS: Yes, My Lord. The officer that was in charge
3 of AFPC, I reported to him. He was Colonel Memuma Kabia.

4 MR GRAHAM:

10:01:48 5 Q. Please spell that for the Court, Mr Brima?

6 A. M-E-M-U-M-A, Memuma. Kabia, K-A-B-I-A. So she verified me
7 and proved me correct that I was the soldier that had those
8 particulars.

9 JUDGE SEBUTINDE: Mr Graham, what was that acronym? "AF"
10:02:24 10 something.

11 MR GRAHAM:

12 Q. Mr Brima, you mentioned AFPC; could you explain to this
13 Court what you mean by AFPC?

14 A. It means Armed Forces Personnel Centre.

10:02:50 15 Q. Do you remember when, around which time, when you reported
16 for the verification that you've just described to this Court?

17 A. I reported in November of 1999.

18 Q. Did anything happen after you reported on the instructions
19 of Johnny Paul Koroma?

10:03:38 20 A. Well, when I was verified as the right soldier who had
21 those numbers, they started paying me. Every month I was
22 receiving my military salary.

23 Q. Mr Brima, did you -- for how long did you continue to
24 receive your military salary after you were verified, Mr Brima?

10:04:04 25 A. I continued to receive my military salary from November
26 1999 to April 2001.

27 Q. Mr Brima, during the period November 1999 to April 2001,
28 were you assigned any specific -- were you assigned any duties by
29 the Sierra Leonean Army?

1 A. No.

2 Q. So can you tell this Court what you were doing during the
3 period from November 1999 to April 2001?

4 A. Well, like I told this Court, I was a serving soldier and I
10:05:12 5 was going to job every day.

6 Q. Mr Brima, can you explain to this Court by what you mean by
7 you were going to job every day?

8 A. Yes, sir.

9 Q. Can you please repeat the last part of your answer?

10:05:40 10 MR GRAHAM: Your Honour, I'm asking because there seems to
11 be a little problem with the interpretation.

12 Q. What were you doing during the period November 1999 to
13 April 2001?

14 A. November 1999 to April 2001 I was working as an infantry
10:06:06 15 going on fatigue or going on any duty assigned to me that the
16 colonel may propose or instruct us to do.

17 Q. Who is this colonel that you just referred to, Mr Brima?

18 A. It is the same Colonel Mamuna Kabia.

19 Q. So, Mr Brima, what happened what happened after April 2001?

10:06:53 20 A. After April 2001, I resigned from the army and when I had
21 resigned from the army, I was doing business.

22 Q. What kind of business were you doing, Mr Brima?

23 A. I was doing petty trading.

24 Q. Mr Brima, you just told this Court you were doing petty
10:07:41 25 trading. For how long did you continue with this line of
26 business?

27 A. Well, the petty trading that I was doing it continued until
28 the time I was arrested and up until this moment my wife still
29 continues doing it because I used to go to the provinces, go and

1 get palm oil by drums or I go and get hog meat or pig foot by

2 drums and some other business.

3 Q. Mr Brima, you just told this Court that you were arrested.

4 When were you arrested?

10:08:31 5 A. Please repeat the question.

6 Q. You told this Court you were doing your business, which is

7 petty trading, until you were arrested and I am asking you when

8 were you arrested?

9 A. They arrested me on 18 January 2003.

10:08:53 10 Q. Who arrested you, Mr Brima?

11 A. One white man who had come and testified here by the name

12 of John Petrie and another white man who was --

13 THE INTERPRETER: Please, Your Honours, may the witness

14 repeat that name. The interpreter is sorry, may the witness

10:09:24 15 repeat those bits of what he said.

16 PRESIDING JUDGE: Mr Brima, the -- after John Petrie it

17 appears as though the interpreter did not understand what you

18 said. Could you please repeat it.

19 THE WITNESS: Yes, My Lord. I said John Petrie, who was

10:09:49 20 one British soldier who had come and prosecuted us in this Court.

21 Inspector Lebbie of the Sierra Leone Police and so many other

22 policemen.

23 MR GRAHAM:

24 Q. Could you please spell Lebbie. You mentioned one Inspector

10:10:08 25 Lebbie, could you spell it for the convenience of the Court?

26 A. L-E-B-B-I-E, Lebbie.

27 Q. Mr Brima, do you know why you were arrested?

28 A. Yes.

29 Q. Please tell this Court?

1 A. When they arrested me they did not give me any right
2 answer. Initially when they arrested me they said we were
3 planning a coup to overthrow the government of Sierra Leone, that
4 was the Tejan Kabbah government. When we were taken to SSD
10:11:03 5 headquarter at King Harmon Road.

6 Q. What does SSD stand for?

7 A. Special security division.

8 Q. And if you could also spell the name of -- then you
9 mentioned a road, King Harmon Road or something, can you spell
10:11:30 10 that for this Court, please?

11 A. K-I-N-G H-A-M-M-E-R [sic].

12 Q. Please continue with why you were arrested?

13 A. Well, when we went there, they said I was planning a coup
14 and from there they told me again that I was on a subversive
10:12:13 15 movement.

16 Q. Who told you that?

17 A. The Raymond England.

18 Q. Could you spell the name England for us, please, for the
19 convenience of the Court, Mr Brima.

10:12:29 20 A. E-N-G-L-A-N-D.

21 Q. Did anything happen after they told you that?

22 A. We were handcuffed. They handcuffed myself and the third
23 accused and took us to Pademba Road.

24 Q. What do you mean by Pademba?

10:13:08 25 A. Pademba Road Prison.

26 Q. Did anything happened when you were taken to Pademba Road?

27 A. When they took me to Pademba Road, we were going to CID.
28 After 72 hours we went to CID and made a statement. That is the
29 criminal investigation division under the Sierra Leonean police.

1 When we went there to give our statement, or to verify who were
2 the people who were alleged for committing that crime that was
3 when they explained to me that I was having a subversive plan.

4 Q. Who explained to you, Mr Brima?

10:14:04 5 A. I don't know his rank but he was the CID boss, he was Davo.

6 MR AGHA: Your Honour, I would like to come back earlier,
7 because I don't think any foundation has been yet led as to how
8 Corporal Kanu came to be at the SSD station.

9 PRESIDING JUDGE: Yes, Mr Graham.

10:14:33 10 MR GRAHAM:

11 Q. Mr Brima, you have told this Court about your arrest and
12 you have also just told this Court that you were handcuffed and
13 that Corporal Santigie Kanu was also handcuffed. How come that
14 you and Corporal Santigie Kanu were handcuffed? Do you know?

10:15:07 15 A. Well, I can go far beyond that and say that in 2003 whilst
16 we were at home -- myself and Santigie Kanu were living in the
17 same house and the SSD policeman were raiding our house at Juba
18 Hill most frequently. Therefore, this gave us cause to leave the
19 house at that time and we left our family behind. They were
10:15:43 20 there. And the day I was rather unfortunate to be arrested,
21 Corporal Santigie Kanu was there and he was also arrested. And
22 they arrested so many other soldiers. So that is how Corporal
23 Santigie Kanu became one of those to be arrested.

24 Q. Where did this arrest take place?

10:16:18 25 A. This arrest took place at Segbedeh compound at Juba Hill.

26 Q. Can you spell that for the convenience of the court,
27 Mr Brima?

28 A. S-E-G-B-E-D-E-H, Segbedeh compound.

29 Q. Mr Brima, is that what -- the name you just mentioned, what

1 is that? What place is that?

2 A. It is at Juba. That place is at Juba and that is where
3 Johnny Paul Koroma was staying.

4 Q. And you also told this Court that you were arrested
10:17:11 5 together with other soldiers. Do know who these soldiers were?

6 A. They arrested a particular soldier who was called Amos,
7 another soldier by the name of Alie.

8 Q. Can you spell that?

9 A. A-L-I-E, Alie. They arrested another soldier, who was
10:17:44 10 called Corporal Kamara. They arrested Corporal Santigie Kanu,
11 myself and some others whose names I cannot recall.

12 Q. Thank you, Mr Brima. I will go back to where you were
13 telling this Court that you were being told that you had been
14 brought because of subversive activities and I am going to
10:18:19 15 continue by asking, did anything else -- what happened, can you
16 continue with your account of what happened?

17 A. Yes.

18 Q. Please continue.

19 A. When they arrested us, they took us to CID for this
10:18:45 20 verification. When they took us were Pademba Road Prison, that
21 was where I came to know and I saw Sergeant Ibrahim Kamara, who
22 is the second accused.

23 [AFRC16JUN06B - EKD]

24 Q. Did anything happen when you saw the second accused,
10:19:10 25 Ibrahim Kamara?

26 A. When I saw the second accused, I went to make a statement.
27 He also went to make a statement for the same crime alleged.
28 After we had made our statements - and when I say "us" I am
29 referring to myself and the other people who were arrested with

1 me - they took us back to Pademba Road.

2 Q. Mr Brima, how long were you in Pademba Road?

3 MR AGHA: I would object back to the earlier question again
4 on foundation, as to how he knew that the second accused was
10:19:59 5 there to give a statement, and how he knew it was the same crime.

6 PRESIDING JUDGE: Yes, there is no foundation at all for
7 that, Mr Graham.

8 MR GRAHAM: Very well, Your Honours.

9 Q. Mr Brima, you have told this Court about meeting Ibrahim
10:20:15 10 Kamara at the CID office. How did you know that he was also
11 there to give a statement?

12 A. I saw him. He teamed up with the rank with whom I was
13 arrested and we were handcuffed and I was the first person to
14 give my statement and I came back and sat down. And I saw when
10:20:46 15 they came and took Sergeant Kamara to go and give his own
16 statement. When we had all made our statements that particular
17 day at CID, they again loaded us into a police truck and we were
18 drove off to Pademba Road. And whilst we were going in the
19 truck, we were asking ourselves: What is the problem? What is
10:21:07 20 the matter? And that was when he explained to me that he was
21 arrested for so-and-so reason and I also said I have been
22 arrested for so-and-so reason.

23 Q. Thank you, Mr Brima. Mr Brima, the events at Pademba Road
24 in your account will be dealt with in closed session when we make
10:21:32 25 the proper application before this Court. But I will ask you:
26 How long were you in Pademba Road Prisons for?

27 A. I was in Pademba Road Prison for almost a month and few
28 weeks. A month and few weeks that I cannot recall now.

29 Q. Did anything happen after you had been there for a month

1 and a few weeks?

2 A. Yes.

3 Q. Please tell this Court what happened, Mr Brima.

4 A. What happened whilst I was in Pademba Road, they went and
10:22:35 5 took me upon a particular day, the prison officers, they said I
6 had a stranger.

7 Q. Mr Brima, I wouldn't want you to mention any names.

8 PRESIDING JUDGE: What does that mean exactly; "they said I
9 had a stranger"?

10:23:04 10 MR GRAHAM: Yes, they said he had a stranger. I don't
11 know.

12 Q. Mr Brima, could you please just restate the last bit of
13 your answer? I think it is the interpretation, Your Honours.

14 A. Myself, sitting here, what I told the man in Krio are not
10:23:27 15 all that he interpreted. From what I am understanding here, he
16 is adding some of what I'd say and subtracting some of what I
17 say.

18 PRESIDING JUDGE: Mr Brima, did you say "I had a stranger"
19 or did you say "I had a visitor"?

10:23:53 20 THE WITNESS: Well, in Krio, when we say "stranger" I mean
21 a visitor. I mean a visitor.

22 PRESIDING JUDGE: Yes. All right, Mr Graham.

23 MR GRAHAM: I'm grateful, Your Honours.

24 Q. Mr Brima, can you tell this Court whether anything happened
10:24:13 25 after you were told that you had a visitor?

26 A. Yes.

27 Q. What happened, Mr Brima?

28 A. When they told me that I had a visitor, well, I said, "Let
29 me dress up in my cloth that I had on when we went so that I can

1 go." But I never knew that they had come and took Corporal
2 Santigie Kanu.

3 Q. How do you know [Microphone not activated]?

4 PRESIDING JUDGE: I'm not hearing you at all, Mr Graham.

10:25:00 5 MR GRAHAM: Your Honour, I am speaking directly into it.

6 There seems to be some problems. I am speaking directly into the
7 mic.

8 PRESIDING JUDGE: Well, can you start your question afresh,
9 please.

10:25:09 10 MR GRAHAM: Very well, Your Honours.

11 MR AGHA: Could we also perhaps clarify at this stage who
12 "they" were who came?

13 MR GRAHAM: Your Honour, I believe he said earlier on the
14 prison officers when he started his account. He said the prison
10:25:22 15 officers.

16 Q. Mr Brima, I asked how did you know that they had come for
17 Corporal Santigie Kanu?

18 A. Well, it was Corporal Santigie Kanu first whom they came
19 and took away. And when they went for me now, in the cell, I
10:25:49 20 came out and stood in a corridor, that was when I saw them
21 bringing Corporal Santigie Kanu up towards the same block.
22 Clarkson Block.

23 Q. Can you spell that for the Court, please?

24 A. C-L-A-R-K-S-O-N. Then Corporal Santigie Kanu explained to
10:26:11 25 me. He said, "Brother, they have come and decided to take me to
26 go and give a statement again." He said, "They informed me again
27 that they have arrested Johnny Paul, I should go and prosecute
28 him." And that was when I asked him, I said, "What are you going
29 to do?" So the prison officers separated us immediately. They

1 decide not for us to discuss any longer. They went and locked us
2 up in room 18. He was in cell 18 and I was in cell 13. When
3 that had happened, they had locked up Corporal Kanu, they came
4 and took me and carried me to the reception. What I mean, they,
10:27:07 5 the prison officers, and when I went --

6 PRESIDING JUDGE: [Microphone not activated].

7 MR GRAHAM: He said they were taken.

8 PRESIDING JUDGE: There's a big difference between being
9 taken and carried.

10:27:33 10 MR GRAHAM: Once again it is a problem with the
11 interpretation.

12 MS THOMPSON: Your Honour, this is a problem with
13 interpretation because there are words in Krio and English which
14 are the same but have different meaning. The witness said
10:28:09 15 "carried," but it is not carry as we know it in English. It is
16 "taken" in English. When people say they carry someone in Krio
17 it does not mean they are literally carried. It means they are
18 taken. What we are having is a literal interpretation of words
19 from Krio into English which does not work because Krio
10:28:29 20 interpreted that way does not translate that way. The meanings
21 are just too different. This is not the first time.

22 PRESIDING JUDGE: Mr Interpreter, we are relying on you to
23 interpret in the context of what is being said. You've just said
24 you were taken somewhere, Mr Brima. Can you continue from there?

10:28:51 25 THE WITNESS: They took me to the reception and when I went
26 to the reception they said the visitors who have come to visit
27 me, they were upstairs. And they marched me up. I went to the
28 visitors. And when I reached where the visitors were, the
29 visitor started questioning me.

1 MR GRAHAM:

2 Q. How did the visitors question you, Mr Brima?

3 A. The visitors asked me certain things having to do with
4 Johnny Paul, if I knew Johnny Paul. I said yes. If I know where
10:29:46 5 he is now, I said no. And they came out plainly to me and said,
6 "We did not arrest you for making a coup and this subversive
7 plan" they said, "you had in mind is not the reason for which we
8 arrested you. The reason for which we arrested you is for you to
9 come and give evidence against Johnny Paul Koroma at the
10:30:14 10 Special Court." And the people who went to visit me that
11 particular day, if you can give me pen and paper, I will write
12 their names. But if you want me to call their names, I will call
13 their names as well.

14 Q. Mr Brima, I said earlier that we will address those issues
10:30:39 15 in closed session, and we will certainly do that at the
16 appropriate time, so I wouldn't want you to mention any names
17 now. So you can continue your account without mentioning the
18 names. We will do that.

19 A. Yes.

10:30:53 20 MR GRAHAM: Your Honours, before he continues, the third
21 accused, Mr Santigie Kanu, wants to use the rest room.

22 PRESIDING JUDGE: Yes, he can leave.

23 MR GRAHAM:

24 Q. So Mr Brima, you continue with your account without
10:31:16 25 mentioning any names.

26 A. Yes, My Lord. So when these two visitors started
27 questioning me, I asked one of the visitors, because he was a
28 white man, I said, "Please tell me your name." Because the one
29 who was a black man, I knew him, and the one who was the white

1 man wrote his name, he. I asked him where he was working. He
2 said he was working for the Special Court. I also told them that
3 I don't have any story having to do with that man. The man whom
4 I am talking about is Johnny Paul Koroma. And the black man who
10:32:08 5 was interviewing me gave me money. And, like I had said in this
6 Court, he told me that, "You did not commit any crime. All the
7 reason for which they said you were arrested are all lies. It is
8 for this prosecution reason we want to use you." I also told
9 them that I will consider in mind. Therefore, the visitation
10:32:43 10 ended that day and they took me back into my block, which was
11 Clarkson Block, and I was locked up.

12 Q. Mr Brima, please tell this Court: Did anything happen
13 after that visit?

14 A. After that visit another visitor came and met us again. He
10:33:09 15 was also a policeman. That visitor who came and met us, he came
16 and told me that -- and it was the same place where I met the
17 last visitors was the same place I met this other visitor again.
18 And the first visitors I have spoken about, they went there on
19 the 14th, February 2003. This second visitor who came, he went
10:33:44 20 there on March 2nd, 2003. Well, it was this visitor who now
21 plainly explained to me that I can -- I will be the only reliable
22 witness against Johnny Paul Koroma. And they have found out that
23 I have not been involved in any of those allegations against me.
24 For me to believe, he said, they have charged the people who were
10:34:22 25 involved, which includes Santigie Kanu. And those who were not
26 involved, they are going to release them.

27 Q. Mr Brima, please tell this Court did you say anything in
28 response to what this second visitor told you?

29 A. From what the second visitor told me, the second visitor

1 gave me some influential talks. He said, "That individual who
2 came, who was a black man, do you know that he is part of your
3 relatives, you are related?" I said, "Yes." He said, "Well, I
4 have come to see you purposely. He sent me." For me to accept
10:35:13 5 that I will go and prosecute Johnny Paul. But I also told him
6 that he should go back, I will consider.

7 Q. Did anything happen after this?

8 JUDGE SEBUTINDE: Mr Graham, this word "prosecute" keeps
9 coming through again and again. I for one do not understand what
10:35:42 10 it means in this context. Maybe you could get clarification.

11 MR GRAHAM:

12 Q. Mr Brima, you have used the word "prosecute." Could you
13 explain to the best of your knowledge what you mean by prosecute?

14 A. Well, it's to come and give witness against Johnny Paul.
10:36:02 15 That is what I understand about prosecute.

16 Q. Mr Brima, I asked you whether anything happened?

17 A. Yes, the next thing that happened, that white man who came
18 and gave testimony here, John Petrie, went back to Pademba Road.
19 He called for us, the soldiers. He explained to us that anybody
10:36:41 20 who gives witness against Johnny Paul Koroma, they will release
21 him.

22 Q. And did he tell you where these witnesses were to give
23 evidence against Johnny Paul Koroma?

24 A. It was to come and give witness against Johnny Paul Koroma
10:37:07 25 in the Special Court.

26 Q. And, Mr Brima, this visit that you just described by
27 Colonel Petrie, how many of you did he address during the account
28 that you just referred to?

29 A. Well, they had addressed plenty of us, but they were

1 addressing us in threes.

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

3 A. Because I went in there together with two other soldiers.

4 Q. And, Mr Brima, did Colonel Petrie say anything else?

10:37:53 5 A. Yes, Colonel Petrie said if we gave evidence against

6 Johnny Paul Koroma, they will release us.

7 Q. And did you say anything in response to Colonel Petrie's

8 statement?

9 A. Colonel Petrie's statement, when he told me, I did not give

10:38:16 10 any response. I only told him that I have listened keenly. Then

11 after he had interviewed us all, we went back to the block.

12 Q. How do you know he interviewed you all? How did you know

13 that?

14 A. The way I knew was that we were going in threes. When
10:38:41 15 three people go inside, when they come out, you'll go and sit in

16 the waiting room and some other three will go inside. So that

17 was how we were discussing. Mr Y will tell me his own story,

18 Mr X will tell me his own story and then I will also tell them my

19 own story. That is how it happened.

10:39:02 20 Q. Did anything happen after Colonel Petrie's statement to you

21 and your other colleagues?

22 A. Yes. The next thing that happened, it brought division or

23 segregation amongst us, the soldiers, who were detained at

24 Pademba Road?

10:39:24 25 Q. What do you mean by "segregation"?

26 A. Well, by that I mean, for instance, if I have a dispute

27 with you, then we decide not to talk again. Then those who were

28 willing, they were on one side and the others who were not

29 willing were on the other side. And those who were willing, they

1 were 334 --

2 Q. Before you go on, how do you know that segregation had
3 taken place in the first place?

4 A. When they brought us out to go and take bath, most times we
10:40:13 5 all sit together and discuss.

6 Q. Mr Brima, can you tell this Court what you mean by those
7 who were willing?

8 A. Those who were willing, when I said they were willing,
9 those who are willing to come and give evidence against
10:40:30 10 Johnny Paul. Because they were willing they had started getting
11 special treatment in the prison.

12 Q. What do you mean by "special treatment," Mr Brima; please
13 tell this Court?

14 A. They were going, most times I see them with tutik clean
10:40:56 15 water, sealed one, and they get special food.

16 Q. How --

17 JUDGE SEBUTINDE: I am sorry. I just didn't get that
18 interpretation. Did you hear what he said? I didn't understand.

19 MR GRAHAM: I have not been hearing the interpreter for
10:41:14 20 some time.

21 JUDGE SEBUTINDE: Mr Interpreter, what was it he said?

22 THE INTERPRETER: He said they were have tutik water,
23 sealed one, and they get special food.

24 JUDGE SEBUTINDE: What is tutik water?

10:41:31 25 THE INTERPRETER: Clean water, Grafton, like those in the
26 rubbers that we drink. Pure water.

27 MS THOMPSON: Your Honours, it is just bottled water. It
28 is bottled mineral water that is referred to as tutik water.

29 JUDGE SEBUTINDE: Thank you, Ms Thompson.

1 PRESIDING JUDGE: Mr Interpreter, bear in mind you are
2 there to interpret into the English language. It is not much
3 help to us if we have to interpret what you are saying through
4 counsel. So please bear that in mind.

10:42:13 5 MR GRAHAM:

6 Q. Mr Brima, I need you to tell this Court how did you know
7 that those willing were receiving special treatment?

8 A. As I am explaining to this Court the food that they ate was
9 different from ours and we used to interact and I used to see
10:42:45 10 them with bottled clean water like this. So that was the way I
11 came to know that there was a difference between us.

12 Q. You told this Court about the segregation and you have also
13 told this Court about the special treatment for those who were
14 willing. Can you tell us whether anything else happened between
10:43:16 15 those who were willing and those who were not willing?

16 A. There was a division between those that were willing and
17 those of us that were not willing. The ones that were willing,
18 one of them was [By direction of the Court a portion of this
19 transcript was extracted and filed under seal] he was promoted to
10:43:44 20 be the yard provost of the entire Pademba Road Prisons.

21 Q. Mr Brima, you spell the yard provost for the convenience?
22 Mr Brima, I would want you to spell that but at the same time I
23 remind you not to mention any names. We will address those
24 issues in closed session after we make the appropriate
10:44:15 25 application before this Court.

26 A. Yes, sir.

27 Q. I had asked you to spell to this Court the word you just
28 used, a yard provost?

29 A. Yard, Y-A-R-D; provost, P-R-O-V-O-S-T.

1 Q. Do you know what that means, Mr Brima?

2 A. I got that meaning while I was in the Pademba Road Prisons.

3 I will give an illustration. For instance, like myself and the

4 other detainees that are in the Special Court, then I'm made as

10:45:20 5 the most senior who should take care of the other detainees.

6 I'll punish them. Then anything good that came, it was received

7 by the yard provost.

8 Q. Mr Brima, what happened after that?

9 A. After that --

10:45:53 10 PRESIDING JUDGE: Before we go on, there is some evidence

11 about who the yard provost was.

12 MR GRAHAM:

13 Q. Mr Brima --

14 PRESIDING JUDGE: No, wait. Listen to me, Mr Graham. We

10:46:08 15 are concerned that evidence may have revealed the identity of

16 [By direction of the Court a portion of this transcript was

17 extracted and filed under seal] and we will direct that the

18 evidence regarding the yard provost be redacted from the record.

19 MR GRAHAM:

10:46:30 20 Q. Mr Brima, to avoid the recurrence of that I will move away

21 from this line of questioning and we will address those issues in

22 closed session.

23 PRESIDING JUDGE: All right, Mr Graham. If we are moving

24 away from that line, this would be an appropriate time to take

10:46:49 25 our usual morning break. We'll adjourn the Court and reconvene

26 at 11.00 a.m.

27 [Break taken at 10.45 a.m.]

28 [Upon resuming at 11.05 a.m.]

29 PRESIDING JUDGE: Before we resume with this witness I have

1 an announcement. We have a number of pressing matters that we
2 must address and we are going to do that this afternoon. So when
3 court adjourns for lunch, it will be adjourning until Monday
4 morning at 9.15. In respect to Monday, I can foreshadow a
11:08:24 5 similar adjournment because Monday afternoon there is a
6 continuation of the judges plenary meeting. If those
7 arrangements cause inconvenience to anybody, we apologise. But I
8 can tell you it is entirely unavoidable.

9 In respect to this afternoon, we are hoping that during the
11:08:51 10 adjournment Court Management can make good use of that time by
11 attempting to fix the judges audio visual monitors, which are not
12 working, and also check Mr Graham's microphone.

13 Thank you, Mr Graham. You can continue now.

14 MR GRAHAM: I'm grateful, Your Honours.

11:09:17 15 Q. Mr Brima, prior to the short recess you were talking about
16 a number of visits that you had when you were at Pademba Road
17 Prisons. I am asking you did you leave Pademba Road Prisons at
18 some point in time?

19 A. Yes.

11:09:36 20 Q. When did you leave Pademba Road Prisons, Mr Brima?

21 A. Well, the time I left Pademba Road Prisons was on 7th March
22 2003. Even though the policemen that came to collect the other
23 ones, those that were freed that had no case, those that were not
24 charged, they left me at Pademba Road, they took them out. I was
11:10:25 25 at Pademba Road from the 3rd to the 7th. I was not given a
26 charge, I had no case, I was just left there.

27 Q. Did anything happen when you left Pademba Road Prisons?

28 THE INTERPRETER: The interpreter is sorry. The
29 expression, "when I left na Pademba Road Prison" could mean when

1 I remained or when I left. Could the witness please --

2 PRESIDING JUDGE: Mr Brima, we are getting some comment
3 from the interpreter. If you would just hold for a while until
4 we hear what the interpreter is saying.

11:11:17 5 THE WITNESS: Yes, My Lord.

6 THE INTERPRETER: My Lords, there is a problem with the
7 phrase. At times when it is hanging, when a witness says -- for
8 instance, what the witness has said, "when I left na
9 Pademba Road," meaning it -- it could mean "when I remained at
11:11:34 10 Pademba Road" or "when I left Pademba Road." So that is the area
11 that I was trying to make a clarification so that I will render
12 the thing exactly as the witness meant.

13 PRESIDING JUDGE: I yes, understand. Mr Graham will ask
14 that question again.

11:11:50 15 MR GRAHAM:

16 Q. Mr Brima, please clarify your response to my question.
17 What do you mean? I had asked you when did you leave
18 Pademba Road Prisons?

19 A. It was on 7th March 2003.

11:12:14 20 Q. And did anything happen when you left Pademba Road Prisons,
21 Mr Brima?

22 A. Yes.

23 Q. Please tell this Court what happened when you left
24 Pademba Road Prisons, Mr Brima?

11:12:26 25 A. When this policeman, Sovula, took me from Pademba Road, he
26 took me to the CID.

27 Q. Can you please spell the name --

28 A. 7th March 2003. S-O-V-U-L-A, Sovula.

29 Q. Please continue with your account, Mr Brima?

1 A. He took me the CID, that is the criminal investigation
2 division. That is where I was when Mr Daboh, that is the man
3 that is heading the CID, came ask told me that I should phone to
4 my family so that they should come and bail me.

11:13:38 5 Q. Can you spell the name of the man you just mentioned as the
6 head of the CID for the convenience of the Court, Mr Brima?

7 A. Daboh, D-A-B-O-H.

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

9 A. I talked to him, Daboh, and he referred me to Karrow
11:14:16 10 Kamara. That is K-A-R-R-O-W. When he took me to Karrow Kamara,
11 I ask him to assist me in order to telephone my family and indeed
12 they telephoned my family. It was done by Mr Karrow Kamara. I
13 speak with my wife over the phone. I speak with my elder
14 brother. And I told them that they had brought me to the CID and
11:15:08 15 they would come and release me so they should come with a house
16 book so as to stand on my behalf as a guarantor.

17 THE INTERPRETER: The interpreter is sorry. He did not get
18 the witness very clearly and he apologises. Could the attorney
19 put the question again so that a clarification could be made.

11:15:45 20 MR GRAHAM:

21 Q. Mr Brima, please go over the last part of your response to
22 my question relating to the telephone call that you made from the
23 CID office to members of your family?

24 A. Well, when I called them I speak with my wife, I speak with
11:16:08 25 my elder brother, and I told them to come with my house book.
26 Not mine; the house book. So they told me that they had left to
27 come and meet me at the CID so the discussion ended between us.
28 While I was at the CID I requested for some of the exhibits that
29 were taken from me. They referred me to one man called Abu Mans.

1 Q. Mr Brima, before you go on please tell -- you just
2 mentioned exhibits. When were exhibits taken from you?

3 A. These exhibits, it was the time they arrested me. When
4 they had come to the SSD headquarters, that was the time the
11:17:26 5 police searched me and took everything from me.

6 Q. What did they take from you, Mr Brima?

7 A. They took my watch, my ring, they took me wallet and some
8 documents that were in the wallet. And then I handed over the
9 diamond I had to John Petrie, that is the white man. Those are
11:17:29 10 the things that I can recall for now.

11 MR AGHA: Your Honour, could it be clarified - I stand to
12 be corrected by the record - whether these exhibits were taken
13 from him when he was initially arrested at SSD for allegedly
14 plotting the coup or on his rearrest after he was released from
11:18:31 15 Pademba Road.

16 PRESIDING JUDGE: His current evidence is they were taken
17 at SSD headquarters. You can question that if you want to when
18 you get a chance, Mr Agha.

19 MR GRAHAM:

11:18:43 20 Q. Mr Brima, these items you just mentioned that were taken
21 from you, is that what you describe as the exhibits?

22 A. Yes, that's what I have described as exhibits.

23 Q. Mr Brima, please continue with your account. You were
24 telling this Court that you made an inquiry about the exhibits.
11:19:17 25 Please continue with your account?

26 A. When I asked Mr Abu Mans, he said the officer on duty that
27 had the key, where all the exhibits were, wasn't around. So I
28 patiently sat and waited.

29 Q. You just mentioned a name. Could you spell that for the

1 convenience of the Court?

2 A. A-B-U, Abu; Mans, M-A-N-S. So when I had asked for that,
3 that was the time Mr Abu Mans told me that the man that held the
4 key wasn't around. I told him - he, Mr Abu Mans - that I was
11:20:31 5 going to ease myself, that is I had wanted to use the gents.
6 After I had used the gents and came back, I saw Lieutenant
7 Colonel John Petrie at the CID. And I saw the white man that
8 visited me while I was at the Pademba Road Prison and the
9 commissioner that visited me. The white man's name is John Berry
11:21:22 10 and the police commissioner that went and me was Tamba Pujeh
11 Gbeki.

12 Q. Before you go on, you have mentioned two names in the
13 course of your testimony. Please spell these two names for the
14 convenience of the Court.

11:21:38 15 A. John Berry, B-E-R-R-Y. Tamba Pujeh Gbeki: T-A-M-B-A,
16 Tamba; P-U-J-E-H, Pujeh; Gbeki, G-B-E-K-I.

17 Q. Thank you, Mr Brima. Please continue with your account?

18 A. So Abu Mans told me to go down to reception so as to
19 receive my items from there. Okay. So I was going down to the
11:22:37 20 reception. There I met one of the persons I was arrested with,
21 who had already been released before, who used to come and report
22 to the CID every morning. I and that individual spoke.

23 He told me that they had already been released but he was
24 told that he had to report at the CID every day. So I, too,
11:23:28 25 asked him how he was bailed from the CID. He told me that it was
26 his family that came with their house book and stood on his
27 behalf as a guarantor. So he too asked me what was my problem.
28 I told him that I had telephoned my wife and elder brother and
29 they were on their way coming. So he asked me if he can recall

1 their number. I said yes. So I gave him the number.

2 In my presence he telephoned my elder brother, and I and my
3 elder brother talked. My elder brother informed me that he was
4 right in the compound of the Criminal Investigations Department.

11:24:42 5 Then I told him to put up the phone, that I too was coming down.

6 So Joseph took his phone, the brother with whom I was.

7 When I came down to ask for my exhibit, somebody tapped me
8 on the left part of my shoulder and I turned. When I turned
9 behind I saw Colonel Petrie in military uniform, and I saw John

11:25:32 10 Berry and about two to three SSDs. About two or three SSDs

11 personnels. And they placed me under gunpoint.

12 Q. Mr Brima, can you please tell this Court which of your
13 brothers do you refer to as the elder brother that you spoke to
14 on the phone?

11:25:57 15 A. That is Sahr Brima.

16 Q. Could you do well to explain to this Court what you mean by
17 they put you at gunpoint?

18 A. By that I mean all the people that were near to me that
19 held guns, they pointed the muzzles of their guns towards me.

11:26:39 20 And Colonel Petrie uttered a statement saying that if I should
21 move he was going to shoot at me. So I myself, I obeyed. That
22 was the time they called me to go up to sign for myself.

23 From the discussion I had with that brother, Joseph, who
24 gave me his phone through which I made a call to my brother at
11:27:16 25 the CID, I discussed with him telling him, "Joseph, this thing
26 which these people have asked me to sign, is it bad or good?" So
27 Joseph said the way they bailed him, if the CID could allow me to
28 sign for myself, maybe they had wanted to let me go. So I went
29 to sign.

1 When I had wanted to sign on the book, the name that was
2 written on the book, I did not accept to sign.

3 Q. Your brother that you mentioned and told this Court that
4 you spoke to him on the phone, is he your blood brother?

11:28:28 5 A. Yes.

6 Q. And you also mentioned a Joseph in the course of your
7 testimony before this Court. Who is Joseph, Mr Brima?

8 A. Joseph was one of the people that was arrested with me.
9 And all of us, all of us were at the Pademba Road Prisons. But
11:29:04 10 he was fortunate for him to be released and the second accused
11 together.

12 Q. [Overlapping speakers]

13 A. How I came to know that, they went and read out the names
14 out the Pademba Road Prisons. Out of the people that were not
11:29:31 15 charged by the CID or the police, I was the only one that was
16 left there. All of them, the rest were released.

17 Q. In the course of your testimony you just told this Court
18 that whilst at the CID office you were called to come and sign.
19 Can you tell this Court who called you?

11:29:59 20 A. I was called by Karrow Kamara.

21 Q. And you've just told this Court that you were asked to
22 sign. What were you asked to sign, Mr Brima; please tell this
23 Court?

24 A. They told me to sign on one ledger book and they said I
11:30:27 25 should sign for my own release. When I talked to Karrow Kamara
26 himself, saying "How about my exhibit?", he said I should sign
27 and go, the next day I should come, because the person who held
28 the key wasn't around. So when they placed the book before me to
29 sign, the name that I saw there wasn't my name. The name that I

1 saw was Tamba Brima Gullit. So I refused that, I was not going
2 to sign.

3 Q. Did you sign the ledger, Mr Brima?

4 A. Yes, I signed it.

11:31:30 5 Q. Why did you sign the ledger, Mr Brima?

6 A. Why I signed the ledger book, I was under gunpoint and they
7 forced me to do the thing to sign it, saying that I hadn't a
8 problem with them.

9 Q. Who forced you to sign, Mr Brima?

11:32:05 10 A. John Berry and John Petrie and Karrow Kamara himself.

11 [AFRC16JUNE06C - MD]

12 Q. Did anything happen after they forced you to sign the
13 ledger, Mr Brima?

14 A. After they had forced me to sign the ledger, and I said I
11:32:31 15 was not going to sign the ledger, they roughed me up.

16 Q. What do you mean by they roughed you up, Mr Brima?

17 A. They cheated me on my shoulder and another person cheated
18 me this way.

19 PRESIDING JUDGE: What does cheating on the shoulder mean,
11:32:57 20 and cheating this way, that's not English.

21 MR GRAHAM:

22 Q. Mr Brima, you just told this Court that you were roughed up
23 and you gave a response. Please clarify for the convenience of
24 the Court what do you mean by they roughed you up?

11:33:17 25 A. What I meant by they roughed me up, one man held my
26 shoulder here, and the other man held my hands behind. Then, I
27 too accepted and, I said I was going to sign, but Joseph was near
28 me during that time. I myself told him, "Joseph, bear me
29 witness. I'm signing this document but I'm not going to sign it

1 willingly but because I'm forced." When I signed the document,
2 the same people that scolded me were the same people that scolded
3 me and placed me in the Land Rover.

4 Q. So, Mr Brima, what happened -- Mr Brima, for the sake of
11:34:39 5 clarification, for reasons of interpretation, I'm going to ask
6 you, Mr Brima, to repeat your response to the question that I
7 just asked.

8 A. I said the same people who had roughed me before, who made
9 me to sign that document, that ledger, were the same people that
11:35:13 10 roughed me from up the CI building, down to the basement and
11 placed me in the vehicle.

12 Q. Mr Brima, please tell this Court what happened after you
13 were roughed and placed in the vehicle?

14 A. What happened, they drove me off to Jui Police Barracks.

11:35:47 15 Q. How do you know --

16 A. And locked me up there.

17 Q. Mr Brima, how do you know that they drove you to Jui
18 barracks?

19 A. Well, my eyes were not covered. They only handcuffed my
11:36:09 20 hands behind and my feet, but I saw where we were going and when
21 we arrived at Jui, I knew it was Jui because I know there.

22 Q. Mr Brima, please tell this Court, did anything happen when
23 you arrived at Jui barracks?

24 A. When I arrived at the Jui Police Barracks with the people
11:36:45 25 that I have called who escorted me, they locked me up at the Jui
26 cell. I was there from the 7th onto the 10th of March 2003.

27 Q. Mr Brima, during the period that you were at Jui barracks,
28 did anything happen?

29 A. Yes. While I was at the Jui barracks, after I had spent

1 three days in the cell, I saw the same John Berry. Later I saw
2 another white man who I came to know as John Berry -- John
3 Anthony, rather. They placed me in a vehicle and they drove off
4 to Hastings airfield. Even during that time they were taking me
11:38:10 5 to that place, they handcuffed my hands and my feet. So when we
6 reached at Jui -- I said when we reached at Hastings airfield,
7 they untied the handcuff from my feet, and I saw one helicopter
8 that was parked there. They took me into that helicopter. After
9 I had entered into the helicopter, they handcuffed my feet again.
11:39:08 10 The helicopter flew to Bonthe.

11 Q. How do you know that the helicopter flew to Bonthe,
12 Mr Brima?

13 A. I knew that when we arrived in Bonthe.

14 Q. Mr Brima, were you told why you were roughed up? Sorry,
11:39:39 15 Your Honours. Were you told why you were arrested by John
16 Petrie?

17 A. No, he did not tell me why he arrested me.

18 MR AGHA: Your Honour, I'm not sure if we've established
19 that John Petrie did actually arrest him.

11:40:15 20 PRESIDING JUDGE: Yes, Mr Graham.

21 MR GRAHAM:

22 Q. Mr Brima, did you subsequently get to know why you were
23 taken to Jui Police Barracks and locked up?

24 PRESIDING JUDGE: Well, there's been an objection to you
11:40:42 25 leading evidence on something that hasn't been substantiated.
26 Mr Agha objected to your leading evidence about John Petrie
27 arresting the accused without you having first laid some
28 foundation for that. I'm calling on you to reply to that
29 objection.

1 MR GRAHAM: Very well, Your Honour. Your Honours, I'm
2 going to lay some foundation in that regard.

3 Q. Mr Brima, you've told this Court about an incident that
4 happened at the CID office. You've told this Court that you were
11:41:31 5 roughed up and subsequently placed in a vehicle and taken to Jui
6 barracks. Were you told anything by those who roughed you up and
7 placed you in the vehicle and took you to Jui Police Barracks?

8 A. Yes.

9 Q. What did they tell you, Mr Brima?

11:41:53 10 A. They said I did not cooperate with them to give evidence
11 against Johnny Paul Koroma.

12 Q. Did you say anything in response to that?

13 JUDGE SEBUTINDE: Mr Graham, who is "they"?

14 MR GRAHAM: Your Honours, I believe he told this Court that
11:42:28 15 he was roughed up by John Petrie.

16 JUDGE SEBUTINDE: Some individual must have said the words
17 that he quoted.

18 MR GRAHAM: Very well.

19 JUDGE SEBUTINDE: That is the individual I want to learn.

11:42:40 20 MR AGHA: Your Honours, I don't believe he's actually
21 specified who roughed him up.

22 MR GRAHAM:

23 Q. Mr Brima, can you please tell this Court, in respect of the
24 incident that happened at the CID office, who were those who
11:42:56 25 roughed you up?

26 A. John Petrie, John Berry, Karrow Kamara, Dabo, with some SSD
27 personnels.

28 Q. Mr Brima, you also told this Court that you were told that
29 you were being arrested because you refused to cooperate. Who

1 told you that, Mr Brima?

2 MR AGHA: I object, Your Honour. I don't think he
3 mentioned that he was told that he was being arrested.

4 PRESIDING JUDGE: Yes, Mr Graham.

11:43:42 5 MR GRAHAM:

6 Q. Mr Brima, you've told this Court that a statement was made
7 to you to the effect that you were not cooperating; can you tell
8 this Court who told you that, Mr Brima?

9 A. It was Lieutenant-Colonel Petrie. He was the one that told
11:44:05 10 me that.

11 Q. Mr Brima, when you got to the Hastings airfield and you
12 were put into the helicopter, what happened after that?

13 A. The helicopter flew me to the Bonthe Island.

14 Q. What happened when you arrived at Bonthe Island, Mr Brima?

11:44:48 15 MR AGHA: Have we established how he knew he went to Bonthe
16 Island, Your Honour? I don't recall.

17 MR GRAHAM: Your Honour, I believe earlier I asked him a
18 question in response to that.

19 PRESIDING JUDGE: Yes. He did say earlier that the
11:45:06 20 helicopter flew him to Bonthe, but the objection now is: How
21 does he know that?

22 MR GRAHAM:

23 Q. Mr Brima, please tell this Court how you know that you were
24 flown to Bonthe?

11:45:18 25 A. It was when we arrived in Bonthe, at the airfield, that was
26 the time I realised that I had been taken to Bonthe. While I was
27 in the navy, I had worked in Bonthe and, at one time, I had
28 deployed in that airfield, in the island. That was the way I
29 came to realise that it was in Bonthe they took me.

1 Q. Thank you, Mr Brima. Mr Brima, please tell this Court what
2 happened when you arrived at Bonthe?

3 A. When I arrived in Bonthe, they placed me in one Land Rover
4 vehicle that was at the airfield.

11:46:21 5 Q. Who placed you in the Land Rover, Mr Brima, please tell
6 this Court?

7 A. John Petrie, John Berry, Sumasa, Pa David, the head of the
8 OSD, Pa David.

9 Q. Please tell the Court, do you know what OSD stands for,
11:46:59 10 Mr Brima?

11 A. I don't know its meaning but they are the same people
12 called the SSD force. I came to know about that name OSD during
13 the restructuring in the army, when I came. The year 1999 to
14 2000.

11:47:33 15 Q. Mr Brima, I stand to be corrected, you just mentioned and
16 described one of the names that you mentioned as the head of the
17 OSD. How did you know that the name you mentioned, the person
18 you referred to, was the head of the osd?

19 A. Most of the time they went and raided my house at Juba
11:47:56 20 Hills it was a mixed operation, combined with Nigerians and SSD
21 personnel. And Pa David himself used to go there. And it was
22 through that way that I came to realise that he was the head of
23 the SSD. And he used to pay visit to Raymond England, who was
24 very close to me at Juba hill. Again, he used to pay a visit to
11:48:54 25 one white man that used to work with the police and he used to
26 pay visits to Keith Biddle, the former inspector general of the
27 Sierra Leone Police.

28 Q. Mr Brima can you tell this Court, before you go on, how
29 come you know about these visits you just referred to?

1 A. These visits, I knew about it because the house where I was
2 living at Juba Hill is the second house building at Juba Hill,
3 and Raymond England is my neighbour. Keith Biddle was my
4 neighbour. The other white man I was talking about that I said,
11:49:52 5 he used to visit, whose name have not been able to call, he and
6 Keith Biddle were living in the same compound. So that was how I
7 came to know that that man was the CID boss.

8 JUDGE SEBUTINDE: Mr Graham, there was a name that the
9 witness --

11:50:12 10 MR GRAHAM: He mentioned [overlapping speakers].

11 JUDGE SEBUTINDE: You haven't heard what I am saying.

12 MR GRAHAM: Very well, Your Honours.

13 JUDGE SEBUTINDE: There is a name that the witness
14 mentioned after Pa David initially when he was talking about the
11:50:24 15 people who placed him in the vehicle. Something Musa, I heard
16 him right.

17 MR GRAHAM: Yes.

18 JUDGE SEBUTINDE: I am not sure about that name.

19 MR GRAHAM: He mentioned Somasa, I believe.

11:50:36 20 Q. Mr Brima, if you could spell the name Somasa for the
21 convenience of the Court?

22 A. S-O-M-A-S-A, Somasa.

23 Q. Mr Brima, you've told this Court about you being flown to
24 Bonthe; what happened when you were put in the Land Rover?

11:51:03 25 A. They drove me up to the detention.

26 Q. Who drove you, Mr Brima?

27 A. One white man, who was called John Anthony.

28 Q. And what happened when they drove you to the detention,
29 Mr Brima?

1 A. When they took me to the detention, they locked me up. And
2 all my clothing and the trousers I had on, they took it off of
3 me, and they gave me an overall. That overall I still have here.
4 And I was without overall those people forced me to sign that
11:52:01 5 document. I said, "What document is this?" They said, "No, they
6 will not tell me. I should sign it." And the person who brought
7 it before me to sign, he was called Mr Bona. He is a police
8 officer.

9 Q. Can you spell for the Court before you continue, Mr Brima,
11:52:25 10 Mr Bona, the name you just mentioned?

11 A. B-O-N-A.

12 Q. Please continue with your account.

13 A. He, Mr Bona, forced me to sign the document. I asked him
14 what document is this. He didn't bother to tell me.

11:52:53 15 Q. How do he force you, Mr Brima, to sign the paper?

16 A. How he forced me sign the paper, he was with armed men, and
17 that Mr Bona is a police. I have seen him at Special Court here.
18 He is working here. One day, I was so fortunate, when we were
19 taken out of the facility, to come to Court here, I saw Mr Bona,
11:53:29 20 and I know him.

21 Q. So, Mr Brima, please up to this time, Mr Brima, did anyone
22 tell you under whose authority you were flown and taken to
23 detention at Bonthe?

24 MR AGHA: Leading question, Your Honour. I'd object to
11:53:51 25 that.

26 PRESIDING JUDGE: Yes, you can rephrase that so that it's
27 not leading, Mr Graham.

28 MR GRAHAM: Yes.

29 Q. Mr Brima, do you know why you were taken to Bonthe?

1 A. It was later that I knew why I was taken to Bonthe.

2 Q. Mr Brima, can you please tell this Court, to the best of
3 your knowledge, why you were taken to Bonthe?

4 A. Well, how I came to know later the reason why they took me
11:54:32 5 to Bonthe, it was when I appeared in Court at Bonthe and, with my
6 hands cuffed, I appeared before Justice Itoe. That was when I
7 knew the reason why I was arrested.

8 Q. Where did you appear before Judge Itoe? Where?

9 A. At Bonthe.

11:55:10 10 Q. And what happened when you appeared before Judge Itoe?

11 A. I was handcuffed and I was having on that of my garb or
12 overall, as we call it, when the Judge told me that I have 17
13 count charges, and they were read in my presence.

14 Q. Mr Brima, did anything after he -- the learned Judge told
11:55:52 15 you that?

16 A. Yes. After the Judge had told me that, they read the paper
17 in my presence.

18 Q. Mr Brima, do you know how long you were in Bonthe?

19 A. I was in Bonthe for almost 6 months.

11:56:37 20 Q. Thank you, Mr Brima. Mr Brima, I'm going to move onto ask
21 of you a number of questions relating to the allegations against
22 you contained in the indictment.

23 MR GRAHAM: Your Honours, just a few seconds to confer with
24 my learned friend.

11:57:00 25 [Defence counsel conferred]

26 MR GRAHAM:

27 Q. Mr Brima, in the course of your testimony I've put to you
28 at various times specific allegations contained in the indictment
29 and you've given your responses before this Honourable Court.

1 Now, there are still a number of allegations which I need to put
2 to you, Mr Brima.

3 MR GRAHAM: And, Your Honours, I'm going to start by, with
4 your kind permission, making a reference to paragraph 38 of the
11:58:05 5 indictment, specifically Registry page 6246, paragraph 38 of the
6 indictment.

7 Q. Mr Brima, do you have a copy of the indictment before you?

8 A. No.

9 Q. With your kind permission.

11:58:33 10 PRESIDING JUDGE: Yes, Madam Court Attendant, is there a
11 copy of the indictment you can give the witness?

12 MS EDMONDS: Yes, Your Honour, we have English or Krio.

13 PRESIDING JUDGE: Which are you asking for, Mr Graham? Are
14 you asking for the English or the Krio version?

11:58:52 15 MR GRAHAM: Thank you, Your Honour.

16 Q. Mr Brima, you heard His Honour. Are you asking for the
17 English or Krio version?

18 A. I'm asking for both.

19 PRESIDING JUDGE: Well, look, you can only read one at a
11:59:04 20 time; why do you want both?

21 THE WITNESS: Well, it was in Krio -- that it is in Krio
22 that I'm testifying now.

23 PRESIDING JUDGE: All right. So you want the Krio version?

24 THE WITNESS: Yes, sir.

11:59:24 25 PRESIDING JUDGE: Yes, give him the Krio version, please,
26 Madam Court Attendant.

27 MR GRAHAM:

28 Q. Mr Brima, I was going to be reading from paragraph 38 of
29 the indictment which is on Registry page number 6246?

1 A. This has no number here.

2 PRESIDING JUDGE: Look, you are referred to paragraph 38.

3 MR GRAHAM: Yes, paragraph 38.

4 A. Yes, Sir.

12:00:31 5 MR GRAHAM: With Your Honour's kind permission, I will

6 quickly read to the accused paragraph 38 of the indictment.

7 Q. And Mr Brima, please lend me your ears?

8 "At all times relevant to this Indictment, members of the

9 RUF, AFRC, Junta and/or AFRC/RUF forces... subordinate to

12:00:57 10 and/or acting in concert with Alex Tamba Brima, Brima Bazzy

11 Kamara and Santigie Borbor Kanu, conducted armed attacks

12 throughout the territory of the Republic of Sierra Leone,

13 including Bo, Kono, Kenema, Koinadugu, Bombali and Kailahun

14 and Port Loko Districts, and the city of Freetown and the

12:01:28 15 Western Area. Targets of the armed attacks included

16 civilians."

17 Q. Mr Brima, please, did you hear me read paragraph 38 of the

18 indictment?

19 A. Yes, sir.

12:01:45 20 Q. Mr Brima, did you understand what I read?

21 A. Yes, sir.

22 Q. I'm going to ask of you a few questions, Mr Brima, in

23 relation to that what I just read. Mr Brima, please tell this

24 Court, did you conduct any armed attacks in Bo?

12:02:00 25 A. No.

26 Q. Did you conduct any armed attacks in the district of

27 Kenema?

28 A. No.

29 Q. Did you conduct any armed attacks in Koinadugu District?

1 A. No.

2 Q. Mr Brima, did you conduct any armed attacks in Port Loko
3 District?

4 A. No.

12:02:28 5 Q. Mr Brima, did you command or order anyone to conduct armed
6 attacks in Bo District?

7 A. I did not command and I did not instruct anybody to attack
8 Bo District.

9 Q. Did you command or order anyone to conduct armed attacks in
12:02:52 10 Kenema District?

11 A. No.

12 Q. Did you command or order anyone to conduct armed attacks in
13 Koinadugu and Port Loko Districts?

14 A. No.

12:03:08 15 Q. Were you, Mr Brima, yourself, involved in the planning or
16 preparation of any armed attacks in Bo?

17 A. No.

18 Q. In Kenema?

19 A. No.

12:03:17 20 Q. Koinadugu?

21 A. No.

22 Q. Port Loko District?

23 A. No.

24 Q. Mr Brima, I'm going to ask of you did you, acting in
12:03:28 25 concert with Ibrahim Bazy Kamara and Santigie Borbor Kanu,
26 conduct a campaign to terrorise the civilian population in
27 Sierra Leone?

28 A. No.

29 Q. Did you, at any point, Mr Brima, during the period I

1 referred to, act in concert with Ibrahim Bazy Kamara and

2 Santigie Bobor Kanu?

3 A. No.

4 MR GRAHAM: Your Honours. With your kind permission I'm
12:04:14 5 going to move onto paragraph 43 of the indictment. 41, sorry,
6 Your Honours. Sorry, Your Honour, I think it's 43. It's
7 paragraph 43 of the indictment. With Your Honours' kind
8 permission I will read.

9 Q. Mr Brima, have you located paragraph 43 of the indictment?

12:04:45 10 A. Yes, sir.

11 Q. "Between about June 1st, 1997 and 30th June 1997, AFRC/RUF
12 attacked Tikonko, Telu, Sembehun, Gerihun and Mamboma,
13 unlawfully killing an unknown number of civilians."

14 Mr Brima, did you hear me read paragraph 43 of the
12:05:18 15 indictment?

16 A. Yes.

17 Q. Did you understand what I read?

18 A. Yes.

19 Q. Mr Brima, I'm going to ask of you did you, yourself, kill
12:05:31 20 anyone in Bo District?

21 A. No.

22 Q. Did you command anyone to kill anyone in Bo District?

23 A. No.

24 Q. Mr Brima, were you involved in the preparation and planning
12:05:50 25 of the killing of civilians in the Bo District?

26 A. No.

27 JUDGE SEBUTINDE: I'm sorry, I didn't hear the full
28 question that you asked.

29 MR GRAHAM: I think it's vacant in my connection.

1 Q. Mr Brima, I'm going to ask of you whether you were involved
2 in the preparation and planning of killing of civilians in Bo
3 District?

4 A. No.

12:06:30 5 MR GRAHAM: With Your Honours' kind permission I am going
6 to move onto paragraph 44 of the indictment relating to Kenema
7 District. Mr Brima, if you can locate paragraph 44 of the
8 indictment. With Your Honours' kind permission, I will read.

9 "Between about May 25th, 1997 and about 19th February 1998,
12:06:55 10 in locations including Kenema town, members of AFRC/RUF
11 unlawfully killed an unknown number of civilians."

12 Q. Mr Brima, did you hear me read?

13 A. Yes.

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

12:07:19 15 A. Yes.

16 Q. I'm going to ask of you, Mr Brima, did you, yourself, kill
17 anyone in Kenema District?

18 A. No.

19 Q. Did you command anyone to kill anybody in Bo District?

12:07:34 20 A. No.

21 Q. In Kenema District?

22 A. No, sir.

23 Q. Mr Brima, were you involved in the preparation and planning
24 of the killing of civilians in Kenema District?

12:07:47 25 A. No.

26 MR GRAHAM: Thank you. Your Honours, with your kind
27 permission, I will move on to paragraph 47.

28 Q. Mr Brima, if you can locate paragraph 47 of the indictment?

29 A. Yes, My Lord. I am not feeling well.

1 PRESIDING JUDGE: What's the problem, Mr Brima?

2 THE WITNESS: The problem is I am getting a severe
3 headache. And as I'm sitting here now, I am feeling cold under
4 my feet, even in my palm.

12:08:37 5 PRESIDING JUDGE: Well, do you want to have a short break?

6 THE WITNESS: Yes, sir.

7 PRESIDING JUDGE: All right. We will take 15 minutes and
8 come back here at 20 past 12.00.

9 [Break taken at 12.05 p.m.]

12:22:12 10 [Upon resuming at 12.20 p.m.].

11 PRESIDING JUDGE: Yes, Mr Brima, we will try to do
12 something about the temperature in this Court as well. It's a
13 little cold at the moment. We will see if we can alter the
14 temperature.

12:26:02 15 THE WITNESS: Yes, sir.

16 MR GRAHAM: Yes, Your Honours, I was going to refer to
17 paragraph 47 of the indictment.

18 Q. Mr Brima, if you can locate paragraph 47 of the indictment?

19 A. Yes.

12:26:38 20 MR GRAHAM: With Your Honours' kind permission I will
21 quickly read paragraph 47 of the indictment.

22 "Between about 14 February 1998 and 30 September 1998, in
23 several locations, including Heremankono, Kabala, Kumalu,
24 Kurubonla, Katombo, Koinadugu, Fadugu and Kamadugu, members
12:27:06 25 of the AFRC/RUF unlawfully killed an unknown number of
26 civilians."

27 Q. Mr Brima, did you hear me read the indictment?

28 A. Yes.

29 Q. Do you understand what I read?

1 A. Yes, sir.

2 Q. Thank you. Mr Brima, I'm going to ask of you: Did you
3 yourself kill anyone in Koinadugu District?

4 A. No.

12:27:36 5 Q. Did you command anyone to kill anybody in
6 Koinadugu District?

7 A. No.

8 Q. Were you involved in the preparation or planning for the
9 killing of civilians in Koinadugu District?

12:27:56 10 A. No.

11 Q. Thank you, Mr Brima.

12 MR GRAHAM: Your Honours, I'm going to move to paragraph 50
13 of the indictment. With Your Honours' kind permission, I will
14 quickly read.

12:28:21 15 "Port Loko. About the month of February 1999, members of
16 the AFRC/RUF fled from Freetown to various locations in the
17 Port Loko District. Between about February 1999 and
18 April 1999, members of AFRC/RUF unlawfully killed an
19 unknown number of civilians in various locations in Port
12:28:58 20 Loko District, including Manaarma, Tendakum and Nonkoba."

21 That ends my reference to it.

22 Q. Mr Brima, do you understand what I've just read to you?

23 A. Yes, sir.

24 Q. Thank you. I'm going to ask of you a few questions.

12:29:19 25 Mr Brima, did you yourself kill anyone in Port Loko District?

26 A. No.

27 Q. Did you command anyone to kill anybody in Port Loko
28 District?

29 A. No.

1 Q. Were you involved in the preparation or planning for the
2 killing of civilians in Port Loko District?

3 A. No.

4 MR GRAHAM: Your Honours, I'm going to move on to paragraph
12:29:50 5 53 of the indictment.

6 Q. Mr Brima, please, have you located paragraph 53 of the
7 indictment?

8 A. Yes.

9 MR GRAHAM: Your Honours, with your kind permission, I will
12:30:12 10 read paragraph 53 of the indictment:

11 "Between about 14 February 1998 and 30 September 1998,
12 members of the AFRC/RUF raped an unknown number of women
13 and girls in locations in Koinadugu District such as
14 Kabala, Koinadugu, Heremakono and Fadugu. In addition, an
12:30:51 15 unknown number of women and girls were abducted and used as
16 sex slaves and were forced into 'marriages' and/or
17 subjected to other forms of sexual violence. The 'wives'
18 were forced to perform a number of conjugal duties under
19 coercion by their 'husbands'."

12:31:20 20 That ends my reference to paragraph 53.

21 Q. Mr Brima, do you understand what I've just read?

22 A. Yes.

23 Q. Mr Brima, please tell this Court, did you rape any women at
24 Koinadugu District?

12:31:46 25 A. No.

26 Q. Mr Brima, did you abduct or use any woman, or did you
27 abduct or cause any woman or girls to be used as sex slaves in
28 Koinadugu District?

29 A. No.

1 JUDGE DOHERTY: Mr Graham, you've asked two questions in

2 one.

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

4 going to break it down.

12:32:23 5 Q. Mr Brima, did you abduct any women or girls in

6 Koinadugu District?

7 A. No.

8 Q. Did you cause any women or girls to be used as sex slaves

9 in Koinadugu District?

12:32:45 10 A. No.

11 Q. Did you force any women or girls into marriage in

12 Koinadugu District?

13 A. No.

14 Q. Did you, Mr Brima, subject any women or girls to any form

12:33:13 15 of sexual violence in Koinadugu District?

16 A. No.

17 Q. Did you command or order anyone to subject any women or

18 girls to any form of sexual violence in Koinadugu District?

19 A. No.

12:33:43 20 Q. Thank you.

21 MR GRAHAM: Your Honours, I'm going to be making further

22 reference to paragraph 57 of the indictment. With Your Honour's

23 kind permission, I will quickly read.

24 Q. Mr Brima, have you located paragraph 57 of the indictment?

12:34:13 25 A. Yes.

26 Q. I will read:

27 "About the month of February 1999, AFRC/RUF fled from

28 Freetown to various locations in the Port Loko District.

29 Between February 1999 and April 1999, members of the

1 AFRC/RUF raped an unknown number of women and girls in
2 various locations in the District. In addition, an unknown
3 number of women and girls in various locations in the
4 District were used as sex slaves and were forced into
12:35:07 5 'marriages' and/or subjected to other forms of sexual
6 violence by members of the AFRC/RUF. The 'wives' were
7 forced to perform a number of conjugal duties under
8 coercion by their 'husbands'.
9 That ends my reference to paragraph 57, Your Honours.

12:35:38 10 Q. Mr Brima, do you understand what I just read?

11 A. Yes.

12 Q. Mr Brima, did you, yourself, command or order women or
13 girls, in Port Loko District, to be used as sex slaves?

14 A. No.

12:36:13 15 Q. Did you, Mr Brima, in Port Loko District, command or order
16 women and girls to be forced into marriages?

17 A. No.

18 Q. Did you, yourself, Mr Brima, in Port Loko District, during
19 the period under reference, command or order women and girls to
12:36:41 20 be subjected to sexual violence by members of the AFRC/RUF?

21 A. No.

22 Q. Did you command or order anyone to cause women and girls,
23 in Port Loko District, to be raped during the period under
24 reference?

12:37:09 25 A. No.

26 Q. Thank you.

27 MR GRAHAM: Your Honour, with your kind permission, I'm
28 going to move on to paragraph 64 of the indictment.

29 Q. Mr Brima, please locate paragraph 64 of the indictment.

1 With Your Honour's kind permission, I will read paragraph 64 of
2 the indictment. It relates to Port Loko.

3 "In about the month of February 1999, the AFRC/RUF fled
4 from Freetown to various locations in the Port Loko
12:38:01 5 District. Between February 1999 and April 1999 members of
6 the AFRC/RUF mutilated an unknown number of civilians in
7 various locations in the District, including cutting off
8 limbs."

9 MR GRAHAM: Your Honours, that ends my reference to
12:38:28 10 paragraph 64.

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

12 A. Yes.

13 Q. I'm going to ask of you: Did you amputate the limbs of any
14 civilians in Port Loko District?

12:38:45 15 A. No.

16 Q. Did you order the amputation of limbs of any civilian in
17 the Port Loko District?

18 A. No.

19 Q. Were you involved in the preparation and planning of
12:39:09 20 amputation of limbs of any civilians in the Port Loko District?

21 A. No.

22 MR GRAHAM: Your Honours, with your kind permission, I'm
23 going to come to paragraph 60. Your Honours, I'm going to
24 quickly read paragraph 60 of the indictment.

12:39:56 25 Q. Mr Brima, have you located paragraph 60 of the indictment?

26 A. Yes.

27 Q. "Between about 25 May 1997 and about 19 February 1998, in
28 locations in Kenema District, including Kenema town,
29 members of AFRC/RUF carried out beatings and ill-treatment

1 of a number of civilians who were in custody."

2 MR GRAHAM: Your Honours, that ends my reference to
3 paragraph 60.

4 Q. Mr Brima, do you understand what I've just read?

12:40:39 5 A. Yes.

6 Q. Mr Brima, please tell this Court: Did you carry out any
7 beating or ill-treatment of any civilians in custody between 25
8 May 1997 and 19 February 1998 in Kenema District?

9 A. No.

12:41:11 10 Q. Mr Brima, please tell this Court, did you command or order
11 the beating and ill-treatment of any civilians in custody between
12 the period under reference in Kenema District?

13 A. No.

14 Q. Mr Brima, were you involved in the preparation and planning
12:41:35 15 of any beating and ill-treatment of civilians in custody between
16 the period under reference in Kenema District?

17 A. No.

18 Q. Thank you, Mr Brima.

19 MR GRAHAM: Your Honours, on the same page, I'm going to
12:41:54 20 move on to paragraph 61 of the indictment.

21 Q. Mr Brima, have you located paragraph 61 of the indictment?

22 A. Yes.

23 MR GRAHAM: With Your Honour's kind permission I will read:
24 "Between about 14 February 1998 and 30 September 1998,
12:42:25 25 members of the AFRC/RUF mutilated an unknown number of
26 civilians in various locations in the District, including
27 Kabala and Konkoba (or Kontoba). The mutilations included
28 cutting off limbs and carving 'AFRC' on the chests and
29 foreheads of the civilians."

1 That ends my reference, Your Honours.

2 Q. Mr Brima, do you understand what I've just read?

3 A. Yes, sir.

4 Q. I'm going to ask of you, Mr Brima: Did you, yourself,
12:43:12 5 mutilate any civilians within Koinadugu District?

6 A. No.

7 Q. Did you command or order the mutilation of civilians within
8 Koinadugu District?

9 A. No.

12:43:32 10 Q. Were you involved in the planning and preparation for the
11 mutilation of civilians in the Koinadugu District?

12 A. No.

13 MR GRAHAM: Your Honours, I'm going to move on to paragraph
14 65 of the indictment. With Your Honour's kind permission, I will
12:44:13 15 quickly read:

16 "At all times relevant to this Indictment, throughout the
17 Republic of Sierra Leone, AFRC/RUF routinely conscripted,
18 enlisted and/or used boys and girls under the age of 15 to
19 participate in active hostilities. Many of these children
12:44:46 20 were first abducted, then trained in AFRC/RUF camps in
21 various locations throughout the country and thereafter,
22 used as fighters."

23 Q. Mr Brima, do you understand what I've just read?

24 A. Yes.

12:45:14 25 Q. I'm going to ask of you: Did you, yourself, Mr Brima,
26 conscript, enlist or use any children under the age of 15 years
27 to participate in active hostilities?

28 A. No.

29 Q. Did you abduct any child or children to be trained in camps

1 and then used as fighters?

2 A. No.

3 Q. Did you command or order any individual or individuals to
4 abduct any child or children to be trained in camps and used as
12:46:03 5 fighters?

6 A. No.

7 Q. Mr Brima, were you, yourself, involved in the planning and
8 preparation for the conscription and enlistment of children under
9 the age of 15 years -- enlist or use any children under the age
12:46:47 10 of 15 years to participate in active hostilities?

11 A. No.

12 Q. Mr Brima, were you involved in any planning and preparation
13 for the abduction of children to be trained in camps and used as
14 fighters?

12:47:06 15 A. No.

16 MR GRAHAM: Your Honours, I'm going to quickly move on to
17 paragraph 67 of the indictment.

18 Q. Mr Brima, have you located paragraph 67 of the indictment?

19 A. Yes.

12:47:43 20 MR GRAHAM: With Your Honours' kind permission, I will
21 quickly read paragraph 67 of the indictment.

22 "Between about 1 August 1997 and about 31 January 1998,
23 AFRC/RUF forced an unknown number of civilians living in
24 the district to mine for diamonds at Cyborg Pit in Tongo
12:48:11 25 Field."

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

27 A. Yes.

28 Q. Mr Brima, I'm going to ask of you: Did you force anyone
29 living within Kenema District to mine diamonds at Cyborg Pit in

1 Tongo Field?

2 A. No.

3 Q. Did you plan or prepare with anyone to force any

4 individuals living within Kenema District to mine diamonds at

12:48:53 5 Cyborg Pit in Tongo Field?

6 A. No.

7 MR GRAHAM: Your Honours, I'm going to move on to paragraph

8 75.

9 Q. Mr Brima, have you located paragraph 75 of the indictment?

12:49:31 10 A. Yes.

11 Q. "Between 1 June 1997 and 30 June 1997, AFRC/RUF forces

12 looted and burned an unknown number of civilians houses in

13 Telu, Sembehun, Mamboma and Tikonko."

14 That ends my reference. Mr Brima, do you understand what

12:50:04 15 I've just read?

16 A. Yes, sir.

17 Q. Mr Brima, I'm asking of you: Between about 14 February

18 1998 and 30th September 1998 did you, yourself, loot and burn any

19 civilian homes?

12:50:30 20 JUDGE SEBUTINDE: Mr Graham, you are reading dates which

21 are not relevant to paragraph 75.

22 MR GRAHAM: Yes, I'm sorry, I think I confused that with

23 paragraph 76. I am grateful for that.

24 Q. Mr Brima, let me repeat the question. Between the period

12:50:48 25 June 1st, 1997 and 30th June 1997, did you, yourself, loot and

26 burn civilian houses within the Bo District?

27 A. No.

28 Q. Did you, yourself, Mr Brima, command or order anyone to

29 loot or burn any civilian houses within the Bo District?

1 A. No.

2 Q. Mr Brima, were you involved in any preparation and planning
3 for the looting and burning of civilian houses in Bo District
4 between June 1st, 1997 and June 30th, 1997?

12:51:45 5 A. No.

6 Q. Mr Brima, I've read to you, at various times, specific
7 allegations contained in the indictment and I've also just read
8 to you specific paragraphs of the indictment containing specific
9 allegations. Mr Brima, I'm going to ask you: Do you have
12:52:26 10 anything to say about all the allegations contained in the
11 indictment against you?

12 A. Yes.

13 Q. Mr Brima, please tell this Court what you have to say in
14 response to the allegations against you contained in the
12:52:46 15 indictment before you?

16 A. Well, if the Prosecution had asked me before I should have
17 realised that all the areas that you've mentioned, I've never
18 been there. And the AFRC hadn't any force. It was the Sierra
19 Leone Army that had force and the AFRC -- after February 14, 1998
12:53:29 20 the AFRC did not exist again in Sierra Leone. And according to
21 this indictment which says I have the greatest responsibility, my
22 rank did not allow me to commit these type of things in the army.
23 My rank, by my responsibility in the army, I could only be in
24 care of seven men.

12:54:18 25 But I myself sitting here with my two accused brothers, we
26 are really baffled as to why this Court had arrested us. There
27 are senior officers in the army, they are still working. Those
28 officers were in the jungle. Why this Court should arrest us,
29 we, the other ranks. So this is the thing which doubt me all

1 based in this indictment.

2 And the two parties that signed the peace, the RUF and the
3 Government of Sierra Leone, the government gave a state pardon to
4 all parties, the combatants, and the ex-combatants, so I am
12:55:42 5 surprised why we were arrested. And I'm making it as a notice to
6 this Court today, that this is a political issue, because we were
7 arrested and they lied at us that we were the people that toppled
8 the government of President Tejan Kabbah. And most of the
9 witnesses that testified here whose names you said I should not
12:56:37 10 call, it was Colonel Petrie who went at Pendemba Road Prisons,
11 took us out so as to give evidence against Johnny Paul Koroma,
12 and the ones that were willing to give the evidence were released
13 and those are the people that came here saying lies against us.
14 And those people were at Pendemba Road Prisons, they took them
12:57:21 15 out from there, they lodged them in hotels and gave them money.

16 And why should we be classed as those responsible, while
17 senior officers, who were in the army, were in the jungle and are
18 still in the army, and they have been promoted to high ranks,
19 more than the ranks they had before. And when they said I
12:58:03 20 know -- I don't know in this Court, I should have stopped any bad
21 that people had about to do, if I was present there, that is a
22 clearly military matter.

23 And we are aware that a junior soldier should always report
24 to his boss and, in the military, that is the Sierra Leone Army,
12:58:44 25 there is no alias in a rank, no alias in a name. I wouldn't call
26 the present army chief of staff, or the chief of defence staff,
27 by saying Major-General Mboma, am entitled to call him
28 Major-General Sam Mboma. Well, what I've observed in this
29 indictment that is troubling me, I'm hearing brigadier, general,

1 while we, according to the rank and file, we did not reach to the
2 level of NCO in the army. So, for us, we want to know that
3 blanket amnesty, or the pardon that was given or granted at the
4 Lome Peace Accord, if it is a blanket amnesty that contracts that
13:00:04 5 it becomes smaller and smaller because, the blanket amnesty only
6 covers those people that it favours. Young men like us, that it
7 did not cover, were the people arrested and, according to the
8 time -- according to what they told me when I was arrested and
9 taken to Bonthe it was because I did not accept to give evidence
13:00:47 10 against Johnny Paul Koroma. And the same thing happened to the
11 second accused, Sergeant Ibrahim Kamara, while we were at
12 Pademba Road Prisons, he was released. Later, when he was
13 captured, they took him to Bonthe where he met me in detention.
14 He told me that it was because --

13:01:22 15 PRESIDING JUDGE: Just pause there please, Mr Brima,
16 there's been an objection. Yes, Mr Agha.

17 MR AGHA: I understand that the accused is stating his
18 position but I'm not quite sure now it is a proper way in which
19 he is doing it, the realms in which he is now associating with
13:01:48 20 the second accused. These are matters which are properly left to
21 being led in evidence-in-chief. So I would humbly submit that he
22 restrict himself to himself, if he wants to say something
23 regarding his own position, rather than matters which should more
24 properly be led in evidence.

13:01:58 25 PRESIDING JUDGE: No, I will allow the question. I will
26 allow him to continue his evidence. Keep going, Mr Brima.

27 THE WITNESS: I said, when they arrested the second
28 accused, and when he met me at Bonthe Island, it was the same
29 thing that he told me. He said because the government had wanted

1 him to prosecute me, because I refused to prosecute Johnny Paul,
2 that is why they have arrested him also and taken to Bonthe.
3 Yes, if this Court is here today, it should listen to us to say
4 our own bits. If senior officers in the army today, the police
13:02:54 5 and the prisons, they have the amnesty or the State pardon
6 covering them all, why shouldn't it cover us too? And, we were
7 under command. We had nothing to say because the commander had
8 the final say. So I, this is what I have to say before this
9 Court, the arrest that this Court arrested us and placed us here,
13:03:28 10 we only believe that it is because we refused to prosecute Johnny
11 Paul because those who are coming here today to prosecute us,
12 like 184, 167, or -- and the other numbers that I cannot recall
13 -- they went and recruited them in the Pademba Prisons. Let this
14 Court know that if I was ready to give evidence against Johnny
13:04:00 15 Paul, maybe I would have been one of the Prosecutor's best
16 witness. But, from the indictment that I read, I can see that I
17 had a different rank.

18 Let us now assume I'm a staff sergeant. To whom will I
19 give command? A company? A brigade? A battalion? A section?
13:04:28 20 Or a unit? And according to the rank I had in the army, it is
21 only a section that I had command over, and my rank was corporal.
22 And if I was the last corporal, maybe I would have commanded the
23 section. I am now asking if seven men committed atrocities,
24 which were --

13:05:00 25 PRESIDING JUDGE: [Indiscernible]

26 THE WITNESS: -- that they had --

27 PRESIDING JUDGE: Just a minute Mr Brima, these are
28 arguments that could be put forward at the end of the case. It's
29 not evidence any more.

1 MR GRAHAM: Yes.

2 Q. Mr Brima --

3 A. Yes.

4 Q. -- I asked just for your specific response to the
13:05:20 5 allegations contained in the indictment, and you've told this
6 Court, in your own words, what your response to the allegations
7 are. You rightly heard Your Honour's observation on the scope --

8 A. Yes.

9 Q. -- of your testimony now, and it seems to be moving way out
13:05:46 10 of the response that I was expecting. So, Mr Brima, with
11 respect, if you are done with your response to the allegations to
12 the indictment then you can rest there because, if you continue,
13 then we will be compelled to have to completely -- this is not
14 the proper platform to make the statements that you are making
13:06:07 15 now. So if you are done --

16 PRESIDING JUDGE: He is there and available. It's not a
17 question of him being done. He is there in the witness box
18 available to answer questions that you put to him, Mr Graham.

19 MR GRAHAM: Yes.

13:06:18 20 PRESIDING JUDGE: If you've got any other questions, you
21 are allowed to put them.

22 MR GRAHAM: Very well, Your Honour.

23 Q. Mr Brima, do you have anything to say specifically to the
24 allegations contained in the indictment? I just want you to
13:06:38 25 restrict, you know, just specifically?

26 A. All what they wrote in the indictment definitely are all
27 lies.

28 MR GRAHAM: Thank you, Mr Brima. Your Honours,
29 respectfully, the next set of questions will be in a closed

1 session, and we will make the proper application hopefully when
2 we come back on Monday, as I understand.

3 PRESIDING JUDGE: Yes. Thank you, Mr Graham.

4 MR GRAHAM: I am grateful, Your Honours.

13:07:25 5 PRESIDING JUDGE: Madam Court Attendant, could you please
6 collect that copy of the indictment from the witness.

7 And, Mr Graham, I'm not in any way attempting to hurry you
8 up at all but, just as a matter of interest, have you got any
9 estimate of how much longer you will be examining in chief?

13:07:54 10 MR GRAHAM: Your Honours, all things being fair, I should
11 conclude that within the first hour of our next sitting so that
12 would be probably Monday morning.

13 PRESIDING JUDGE: All right. Thank you, Mr Graham. We are
14 now going to adjourn until -- yes, Mr Agha?

13:08:10 15 MR AGHA: Your Honour, if I can just raise one very small
16 matter by way of alerting the Court, and I will be very brief
17 because we seem to have overrun our time. That is, as Your
18 Honours are aware, the accused has been giving quite a large
19 amount of evidence over a number of days, and he has raised
13:08:28 20 various issues which the Prosecution will need to investigate.

21 Now some of these issues relate to trying to acquire some
22 documents. Now, at this point in time, our investigators are
23 doing our best to acquire those documents but it may be that we
24 will have to approach this Court for some necessary orders, so
13:08:46 25 that we can perhaps get these documents more expeditiously
26 because we feel that these could be better used in testing the
27 evidence of the accused at cross-examination rather than
28 rebuttal. So it's just really to alert Your Honours to the fact
29 that should we need to make such application we would hope that

1 it could be dealt with expeditiously. Thank you, Your Honour.

2 PRESIDING JUDGE: All right. Thank you for that, Mr Agha.
3 Needless to say we will deal with the specific application when
4 it is made.

13:09:16 5 Mr Brima, once again, I caution you, you are not permitted
6 to discuss the evidence, or the case, with anybody at all while
7 you are still in the process of giving evidence.

8 THE WITNESS: Yes, My Lord.

9 PRESIDING JUDGE: This Court now will adjourn until
13:09:32 10 9.15 a.m. on Monday morning.

11 [Whereupon the hearing adjourned at 1.10 p.m., to be
12 reconvened on Monday, the 19th of June 2006, at
13 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ALEX TAMBA BRIMA 2

EXAMINED BY MR GRAHAM 2