



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

19 JUNE 2006
9.17 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Julia Sebutinde Teresa Doherty
For Chambers:	Ms Carolyn Buff
For the Registry:	Mr Geoff Walker
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 Kojó Graham Ms Glenna Thompson Mr Ibrahim Foday Mansaray (Legal assistant) Ms Rebecca Cohen (intern)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanau:	Mr Ajibola E Manly-Spain Ms Anne-Marie Verwiel (Legal assistant)

1 [AFRC19JUN06A - RK]

2 Monday, 19 June 2006

3 [Open session]

4 [The accused present]

09:12:53 5 [Upon commencing at 9.17 a.m.]

6 WITNESS: ACCUSED ALEX TAMBA BRI MA [Continued]

7 [Witness answered through interpreter]

8 PRESIDING JUDGE: Mr Brima, I remind you that you are still
9 on your former oath to tell the truth. Yes, Mr Graham.

09:15:23 10 MR GRAHAM: Good morning, Your Honours. Good morning,
11 Mr Brima.

12 I will proceed this morning, Your Honours, by making an
13 application for the proceedings to be conducted in a closed
14 session. Your Honours, I make this application pursuant to Rule
09:15:46 15 79 of the Rules of Procedure and Evidence. Your Honours, we are
16 making this application simply because we will be putting to
17 Mr Brima, questions that would -- the answers would involve the
18 disclosure of the identity of witnesses who are under the
19 protective measures of this Court.

09:16:47 20 PRESIDING JUDGE: Well, Mr Agha, do I assume that you are
21 not opposing the application for a closed session?

22 MR AGHA: No, the Prosecution has no objection.

23 PRESIDING JUDGE: Yes, I note, Mr Graham, that you did
24 foreshadow in the questioning of the witness that you would be
09:17:12 25 applying for a closed session in relation to the protection of
26 certain witnesses. Yes, we will order a closed session and the
27 press and public will be excluded from the next part of these
28 proceedings; monitors may remain.

29 The reason we find it necessary to order this closed

1 session is to protect the identity of security of protected
2 witnesses.

3 Mr Court Attendant, if you would please close the Court.

09:17:57

4 [At this point in the proceedings, a portion of the
5 transcript, pages 4 to 29, was extracted and sealed under
6 separate cover, as the session was heard in camera.]

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1 [Open sessi on]

2 [Upon resumi ng at 10.58 a.m.]

3 PRESIDING JUDGE: Mr Graham, you don't have any further
4 questions? You don't have any further questions; is that right?

10:56:26 5 MR GRAHAM: No, I don't, Your Honour.

6 PRESIDING JUDGE: Do either of the other two lead counsel
7 wish to ask this witness any questions?

8 MR DANIELS: Yes, My Lord, I will be asking questions of
9 Mr Brima for the second accused.

10:57:22 10 PRESIDING JUDGE: Go ahead, Mr Dani el s.

11 CROSS-EXAMINED BY MR DANIELS:

12 MR DANIELS: Good morni ng, Your Honours. Good morni ng,
13 Mr Brima. I would be grateful if Court Management could make
14 available a copy of the indictme nt for Mr Brima, please.

10:57:43 15 PRESIDING JUDGE: Mr Court Attendant, have you got a copy
16 of the Krio version of the indictme nt?

17 MR WALKER: I do, Your Honour.

18 PRESIDING JUDGE: If you could hand that to the witness.

19 MR DANIELS:

10:58:29 20 Q. Mr Brima, you have been charged together with the second
21 accused. In this 14 count indictme nt references have been made
22 to you acting together or jointly with the second accused. I
23 would like to refer you, with the permission of the Court, to
24 paragraphs 33 and 34 of the indictme nt. To illustrate this point
10:59:25 25 by way of example. Paragraph 33 reads:

26 "The AFRC, including Alex Tamba Brima, Brima Bazzy Kamara
27 and Santigie Borbor Kanu, and the RUF, including Issa
28 Hassan Sesay, Morris Kallon and Augustine Gbao, shared a
29 common plan, purpose or design (joint criminal enterprise)

1 which was to take any actions necessary to gain and
2 exercise political power and control over the territory of
3 Sierra Leone, in particular the diamond mining areas. The
4 natural resources of Sierra Leone, in particular the
11:00:22 5 diamonds, were to be provided to persons outside Sierra
6 Leone in return for assistance in carrying out the joint
7 criminal enterprise."

8 That ends paragraph 33. Paragraph 34 reads:
9 "The joint criminal enterprise included gaining and
11:00:41 10 exercising control over the population of Sierra Leone in
11 order to prevent or minimise resistance to their geographic
12 control, and to use members of the population to provide
13 support to the members of the joint criminal enterprise.
14 The crimes alleged in this indictment, including unlawful
11:01:10 15 killings, abductions, forced labour, physical and sexual
16 violence, use of child soldiers, looting and burning of
17 civilian structures, were either actions within the joint
18 criminal enterprise or were a reasonable foreseeable
19 consequence of the joint criminal enterprise."

11:01:32 20 That ends paragraph 34. Did you hear me read out paragraph
21 33 and 34 of the indictment?

22 A. Yes.

23 Q. Did you understand what I read out in paragraph 33 and 34
24 of the indictment?

11:02:00 25 A. Yes.

26 Q. It is now necessary for me to ask questions of you in
27 relation to whatever relationship you had with the second
28 accused. The questions will focus on the evidence before this
29 Court, from your testimony and from the allegations as set out in

1 the indictment. Do you understand?

2 A. Yes.

3 Q. Mr Brima, no doubt you know the second accused; am I
4 correct?

11:02:44 5 A. Yes.

6 Q. He is referred to in the indictment. With your permission
7 I would like to read the reference in the indictment. I am going
8 to paragraph 3 of the indictment. If you can kindly turn to
9 paragraph 3. The second accused is referred to in the indictment
10 as "Brima Bazzy Kamara, aka Ibrahim Bazzy Kamara, aka Al haji
11 Ibrahim Kamara, was born on 7 May 1968 at Wilberforce village in
12 the Western Area of the Republic of Sierra Leone."

11:03:20

13 Mr Brima, could you please tell this Court by what name do
14 you know the second accused?

11:03:59 15 A. I know him by the name of Ibrahim Kamara.

16 Q. Do you know the second accused by the name Brima Bazzy
17 Kamara as referred to in the indictment?

18 A. No.

19 Q. Why do you say that?

11:04:29 20 A. Because I don't know him -- I don't know that name for him.

21 Q. Do you know the second accused by the name Ibrahim Bazzy
22 Kamara?

23 A. No.

24 Q. Why do you say that?

11:04:48 25 A. Because I do not know him by those names.

26 Q. Do you know the second accused by the name Al haji Ibrahim
27 Kamara?

28 A. No.

29 Q. Why do you say so?

1 A. Because I do not know him by those names that you're
2 referring to. The name I know for him is Ibrahim Kamara.

3 Q. Do you know whether he has ever made a trip to Mecca so as
4 to be called Al haji ?

11:05:39 5 A. No. I know that he's never gone to Mecca.

6 Q. How are you sure about that?

7 A. Well, I know this -- I have known his second accused for
8 quite a long time now.

9 Q. Do you know the second accused by the name Makavelli The
11:06:12 10 Don?

11 A. No.

12 MR DANIELS: Your Honours, I will spell Makavelli The Don,
13 M-A-K-A-V-E-L-L-I. The D-O-N.

14 Q. Mr Brima, do you know the accused by the Makavelli The Don?

11:06:35 15 A. No.

16 Q. How are you sure about that?

17 A. Because I know the accused's name.

18 JUDGE SEBUTINDE: Mr Daniels, when the witness says they
19 don't know, or the answer to the question is no, I don't know,
11:06:57 20 what is the point of asking whether they're sure of that or how
21 did they know that. I don't quite get the kind of questioning.

22 MR DANIELS: Very well. We just wanted the accused to be
23 certain. We want him to be certain about his references.

24 Q. Mr Brima, have you never known the second accused by the
11:07:30 25 name Dark Angel ?

26 A. I've never known the second accused by that name that
27 you've called.

28 Q. Do you know whether the second accused has ever had or has
29 ever been referred to -- I beg your pardon. Do you know if the

1 second accused had a call sign Dark Angel ?

2 A. No.

3 Q. Do you understand what I mean by call sign?

4 A. Maybe you should explain to me.

11:08:29 5 Q. There is evidence before this Court that the second accused

6 had a call sign by the name Dark Angel. That is to say that

7 throughout certain periods that the conflict took place he was

8 referred to as Dark Angel by radio communication. Did you ever

9 know the second accused to be called -- to have the call sign

11:08:47 10 Dark Angel? That is the question.

11 A. No, I do not know the second accused by any call sign.

12 Q. Do you know whether the second accused has any aliases?

13 A. Yes.

14 Q. Could you please tell this Court?

11:09:23 15 A. The alias of the second accused is IB.

16 Q. Can you spell that for us, please?

17 A. It's just the letter I-B.

18 Q. Does it have any meaning, the letters IB, so far as you are

19 concerned?

11:09:50 20 A. Well, it's a way -- it's a shortened form of Ibrahim.

21 Q. Thank you. Did you ever know the second accused to be

22 referred to as an honourable?

23 A. No.

24 Q. Are you familiar with the expression "honourable"?

11:10:42 25 A. Yes.

26 Q. What does it mean to you?

27 A. Well, to me, it means a man who has state responsibility.

28 Or you are a member of Parliament, they will call you honourable.

29 Q. Did you ever know the second accused to be a member of

1 Parliament?

2 A. No.

3 Q. Thank you. Can you please tell us where it was that you
4 first met the second accused?

11:11:29 5 A. The first place that I met the second accused was at his
6 house.

7 Q. Do you remember when this was?

8 A. I can't remember the year, but it was in the 70s. At that
9 time I was a small boy and the second accused too was a small

11:11:59 10 boy.

11 Q. When you say the 70s, are you referring to the early 70s or
12 to the latter 70s?

13 A. Well, just like I said, I can't determine that. It was in
14 the 70s.

11:12:16 15 Q. You have just told this Court that you met the second
16 accused at his house. Do you recall where this house was that
17 you are referring to?

18 A. The house is at the Wilberforce Village.

19 Q. Within which district?

11:12:42 20 A. Within the Western Area in Freetown.

21 Q. What happened the first time you met him?

22 A. The first time that I met the accused, my father went to
23 visit his own father and that was where I saw the second accused.

24 The only thing that happened between myself and the second

11:13:19 25 accused was that we played together.

26 Q. How come you are able to remember this?

27 A. Well, the second accused's family and my own family are
28 family friends.

29 Q. Did you meet the second accused again after that first

1 incident that you have just referred to?

2 A. We have met so many other times.

3 Q. But do you recall specifically the second time that you met
4 with the second accused?

11:14:26 5 A. I can't recall the second time, but, like I am saying to
6 you, the second accused I have met so many times since I was a
7 small boy.

8 Q. Do you know the age of the second accused?

9 A. Well, I can't tell his age.

11:15:07 10 Q. Did the second accused attend school with you?

11 A. Yes.

12 Q. Please tell the Court when was it that the second accused
13 attended school with you?

14 A. The second accused, since I was a small boy the two of us
11:15:41 15 attended the same primary school.

16 Q. Can you please tell us the name of the primary school that
17 both you and the second accused attended?

18 A. We attended the Services Children's Primary School which is
19 at the Wilberforce Barracks.

11:16:07 20 Q. Were you classmates?

21 A. No.

22 Q. Were you senior to the second accused in primary school,
23 the primary school that you've just referred to?

24 A. Well, I can say that I and the second accused, maybe we
11:16:33 25 were at the same level of education, but we were not in the same
26 class.

27 Q. The question I asked you was whether you were senior to him
28 while you were in your primary school?

29 A. Well, I can't recall whether I was senior to him or he was

1 senior to me.

2 Q. Do you recall the years that you attended primary school
3 together with the second accused?

4 A. Just like I said, it was in the 70s.

11:17:22 5 Q. Did the second accused attend the same secondary school
6 that you attended?

7 A. No.

8 Q. How do you know this?

9 A. Because we went to the same primary school and when he
11:17:47 10 passed his exams he went to a different secondary school and I
11 used to see him in his uniform.

12 Q. Do you know which secondary school that the second accused
13 attended?

14 A. The was the Services Secondary School .

11:18:13 15 Q. Do you know whether he completed his secondary school
16 education?

17 A. No, I don't know.

18 Q. Do you know whether the second accused is married?

19 A. Yes.

11:18:41 20 Q. Do you know the wife of the second accused, without
21 mentioning her name?

22 A. Yes.

23 Q. For how long have you known her?

24 A. Well, I've known her for the past 12 years now.

11:19:11 25 Q. When was the first time you met with her?

26 A. I met with her in 1992.

27 Q. Where?

28 A. At the second accused's house.

29 Q. Which house is this?

1 A. Hi s family house where they were at Wilberforce Village.

2 Q. Do you know how long the second accused has been married to
3 hi s wi fe?

4 A. I can' t tell how long.

11:20:20 5 Q. Do you know if they have any children together?

6 A. Yes.

7 Q. How many, do you know, without mentioning names?

8 A. Two.

9 Q. All right. Do you know the mother of the second accused,
11:20:41 10 without mentioning her name?

11 A. Yes.

12 Q. When was the first time you met with her?

13 A. When I was a small boy. That was the first time when I met
14 with the mother.

11:21:00 15 Q. And where was this?

16 A. This was at their house at Lumley Road in the Wilberforce
17 Village in Freetown.

18 Q. Do you remember the circumstances of that first meeting?

19 A. My father who had -- was the second accused's father --
11:21:43 20 sorry, no. My father and the second accused's father were best
21 of friends. So when my father goes visiting the second accused's
22 father, he would take me along frequently. And that was where I
23 befriended the second accused, together with hi s elder brother.

24 Q. Do you know the occupation of the wife -- of the mother of
11:22:16 25 the second accused?

26 A. Repeat the question.

27 Q. Do you know the occupation of the mother of the second
28 accused? What work does she do?

29 A. She is a businesswoman.

1 Q. How do you know this?

2 A. Well, I knew this when I used to go to buy from the market
3 when I was a small boy when my mother used to send me. She would
4 send me to the second accused's mother directly. Except if she
11:22:56 5 hasn't got what I wanted at her table, then that would cause me
6 to go and buy from somebody else. But if she had what I wanted,
7 what my mother had sent me for, I would buy from her. My mother
8 would send me directly to her. And up to now, when she brings
9 her wares my wife is one of her best customers.

11:23:33 10 Q. You have just mentioned your wife and we know that you have
11 two wives. Which wife are you referring to, Mr Brima?

12 A. I am referring to both of them.

13 Q. What you are telling this Court is both your wives do
14 business with the second accused's mother?

11:23:54 15 A. Yes.

16 Q. You have also mentioned that your father was familiar with
17 the father of the second accused. Did you know the father of the
18 second accused, or do you know the father of the second accused?

19 A. Yes.

11:24:24 20 Q. When was it that you first met with him?

21 A. The first day when my father took me along to visit them.
22 That was the first day that I knew the second accused's father
23 and I knew his mother.

24 Q. Where is the father of the second accused?

11:24:53 25 A. He is dead.

26 Q. Do you know when he died?

27 A. He died in 1996.

28 Q. Do you know what his occupation was before he died?

29 A. The second accused's father was a driver at the Paramount

1 Hotel .

2 Q. Where is the Paramount Hotel you're referring to?

3 A. The Paramount Hotel is in Freetown at State Avenue Road.

4 At present it is called the Ministry of Defence office.

11:25:58 5 Q. Do you know how he died?

6 A. No.

7 Q. Does the second accused have any brothers that you are
8 aware of with, again, a caution, do not mention any names?

9 A. Yes, he has brothers whom I know.

11:26:41 10 Q. How many brothers does he have that you know?

11 A. He has two brothers.

12 Q. Are they older than him? Deal with one at a time.

13 A. Yes, both of them are older than him.

14 Q. Were his brothers, either of them, ever members of the

11:27:13 15 Sierra Leone Army?

16 A. No.

17 Q. Do you know what occupation they pursue at the moment?

18 A. Well, one of his brothers is not here in Sierra Leone, he's
19 in America. I do not know the job he's doing there. But the
11:27:40 20 other brother who is here is a driver.

21 Q. How do you know this brother to be a driver?

22 A. Well, I have seen him many times when he's driving and I
23 have seen his driving licences.

24 Q. Do you know whether the second accused has any sisters?

11:28:13 25 A. Yes.

26 Q. How many sisters do you know the second accused to have?

27 A. I know of five sisters.

28 Q. Do you know where they are?

29 A. Yes.

1 Q. Again, are they all older than the second accused?

2 A. No.

3 Q. How many are older than him?

4 A. Two.

11:29:07 5 Q. Starting with the eldest, what does she do?

6 A. She too is a businesswoman.

7 Q. To the best of your knowledge, does she stay with the
8 second accused's mother?

9 A. Yes.

11:29:34 10 Q. To the best of your knowledge, is the sister you're
11 referring to -- is she is a married person?

12 A. Yes.

13 Q. And the next one, that is the next eldest sister, is she
14 also resident with the mother of the second accused?

11:30:02 15 A. No.

16 Q. And then starting with the younger ones, the one
17 immediately after the second accused, is she resident with the
18 mother of the second accused?

19 A. Yes.

11:30:21 20 Q. And the one after that, is she also resident with the
21 mother of the second accused?

22 A. Yes.

23 Q. And the last one, is she likewise, or is she also, resident
24 with the mother of the second accused?

11:30:46 25 A. No, she's not here. She's in America.

26 Q. So, to the best of your knowledge, how many of the siblings
27 of the second accused reside with the mother in her house? I'm
28 referring to the boys and the females.

29 A. I think it's four of them that are staying with her at the

1 house.

2 Q. Now, following the death of the father of the second
3 accused, to the best of your knowledge, who is the breadwinner
4 for the family?

11:31:40 5 A. It's the second accused.

6 Q. Do you know when the second accused became the breadwinner
7 of his family?

8 A. Well, since we joined the army, the rice that the second
9 accused used to receive he sent to his mother.

11:32:22 10 Q. How do you know this?

11 A. Well, as soldiers we used to discuss things in common
12 amongst ourselves. So if he was sending rice for his mother, I
13 knew about it.

14 Q. And this rice that you are referring to, where would it
11:32:52 15 come from normally?

16 A. It was from the military, the Republic of Sierra Leone
17 military force.

18 Q. So at the time of the -- I beg your pardon. Do you know
19 when the second accused was arrested for crimes before this
11:33:23 20 Court?

21 A. Yes.

22 Q. Give me a rough idea?

23 A. I think it was in May, when he met me in Bonthe under
24 arrest, in 2003.

11:33:45 25 Q. So up to the time of the arrest of the second accused, to
26 the best of your knowledge, was he still the breadwinner of his
27 family?

28 A. Yes.

29 Q. How do you know this?

1 A. I knew this when I used to go and pay visit at his
2 residence and his mother used to tell me.

3 Q. Do you recall the last time you paid such a visit?

4 A. It was in 2003 before they arrested me.

11:34:37 5 Q. This visit you are referring to, did you go there alone?

6 A. Yes.

7 Q. Very well. I will now move on and I would like you, just
8 as you have been doing, to give me what information you know on
9 the second accused's military background.

11:35:18 10 PRESIDING JUDGE: Just before he answers that, are you
11 finished referring him to the indictment, or you have other
12 questions?

13 MR DANIELS: Not to do with the indictment right now.

14 PRESIDING JUDGE: All right. Mr Court Attendant, if you
11:35:35 15 could retrieve that indictment, please, from the witness.

16 MR DANIELS: Thank you.

17 Q. Mr Brima, do you know when the second accused joined the
18 Sierra Leone Army?

19 A. Yes, it was in 1991.

11:36:23 20 Q. Do you recall the exact day and month?

21 A. It was in June, but I cannot recall the exact date.

22 Q. How do you know he joined the Sierra Leone Army in June of
23 1991?

24 A. I knew because I too joined the army that year and he was
11:37:15 25 my platoon mate -- I'm saying, my squad mate.

26 Q. Do you know where the second accused joined the Sierra
27 Leone Army?

28 A. It was at the Benguema Barracks.

29 Q. Where exactly is this?

1 A. It is at the Waterloo rural district, by the peninsula.

2 [AFRC19JUN06 - EKD]

3 Q. You've just said that the second accused was your squad
4 mate. Please explain to us what you mean by squad mate.

11:38:19 5 A. Squad mate, I'm referring to a person that we trained
6 together; a person that we are taught the same thing -- I and the
7 person were taught the same thing together, but both of us are
8 not in the same platoon.

9 Q. Would it mean that both you enrolled to join the army on
11:38:48 10 the same day?

11 A. Well, I wouldn't say so, that it was on the same day.

12 Q. Can you please tell us what is the process of admission
13 when you want to join the Sierra Leone Army?

14 A. Well, initially you have to by all the criteria that were
11:39:24 15 put in place.

16 Q. What I mean is how would you go about joining the
17 process -- how would you go about joining the Sierra Leone Army?
18 What is the process? If you want to join what do you have to do?
19 Stage A, stage B, stage C; what is the process?

11:39:44 20 A. Well, if you don't have the military card that will allow
21 you to join, you would buy it.

22 Q. What is the military card you are referring to?

23 A. In order for you to be recruited in the army as an
24 infantry.

11:40:08 25 Q. Please explain; you were saying.

26 A. If you obtain the card, then you go and report at the
27 training centre and all of you are fall-in together and you will
28 be called according to the number in your card.

29 Q. You have just told this Court that one way of joining is by

1 buying a military card. What do you mean by buying of the
2 military card?

3 A. Well, there were some people who had wanted to join the
4 army but they were unable to get money in order for them to be
11:41:03 5 the buy card. And they hadn't any link with a soldier. So what
6 they preferred was to go and buy the card. Then they got the
7 job.

8 Q. Where would you normally buy this card from?

9 A. You would buy it from any individual or personnel in the
11:41:33 10 army that had an access to get it.

11 Q. Was this recognised as being a proper process?

12 A. Well, regarding that, I wouldn't say so, because I did not
13 buy a card.

14 Q. Do you know whether or not the second accused bought a card
11:42:02 15 to join the Sierra Leone Army?

16 A. Well, the second accused, I wouldn't say he bought card,
17 because at the time we were joining the army, we did it
18 voluntarily.

19 Q. Do you know whether the second accused was ever a vigilante
11:42:41 20 before joining the Sierra Leone Army?

21 A. No, he wasn't a vigilante.

22 Q. By vigilante what do you understand?

23 A. Well, according to my understanding, we had some civilians
24 that were used by the army. They were not trained soldiers.

11:43:11 25 Those were the people we referred to as vigilantes. They were
26 leading us at the front, showing us the terrain from one village
27 to the other.

28 Q. How are you so sure or how do you know that the second
29 accused was not a vigilante as you have told this Court?

1 A. The second accused, he went to the training school and he
2 had his soldier military particulars.

3 Q. Do you recall any witness who has testified before this
4 Court as a vigilante?

11:44:32 5 A. Yes.

6 Q. Could you give me the witness' number assigned to him by
7 this Court?

8 A. For instance, well, the witness whose name I'm about to
9 call, I don't know his number in this Court.

11:45:05 10 Q. Okay, go ahead.

11 PRESIDING JUDGE: Is this a protected witness, Mr Daniels?

12 MR DANIELS: He is not, My Lord.

13 Q. Go ahead.

14 A. The witness that came and testified in this Court that I am
11:45:27 15 aware that he was a vigilante, it was George Johnson, also called
16 Junior Lion.

17 Q. How do you know that George Johnson, also known as
18 Junior Lion, was ever a vigilante?

19 A. Well, when George Johnson went back to be retrained in 2001
11:46:06 20 or 2003 --

21 THE INTERPRETER: Interpreter's correction, or 2003 --
22 2002, not three.

23 THE WITNESS: That was the time Junior Lion was picked up
24 as an individual that was not enrolled in the army before.

11:46:37 25 MR DANIELS:

26 Q. Mr Brima, picked up by who?

27 A. By the military police.

28 Q. Where would this have been?

29 A. It was at the Benguema training centre, which is in the

1 Benguema Barracks.

2 Q. Did anything happen as a result of his being picked up by
3 the military police in the Benguema Barracks that you know of?

11:47:25

4 A. They came and locked him up at the military police for a
5 very long time.

6 Q. Where would they have locked him up, please? Where is
7 their location?

8 A. It was at Cockerill compound.

11:47:41

9 Q. You said he was locked for a long time. Can you tell us
10 how long is a long time?

11 A. Well, I cannot tell you the length of time because it has
12 taken a long time. But all I know, he was locked up because he
13 claimed a number which was not his number.

11:48:11

14 Q. Are you saying that he was arrested because he was
15 impersonating?

16 A. Yes.

17 Q. Have you ever known that witness, Junior Lion, to have
18 joined the Sierra Leone Army?

19 A. No.

11:48:29

20 Q. Why do you say so?

21 A. Because when he was picked up by the military police or
22 when they arrested him, they came to realise that the number he
23 claimed to be his wasn't his, and he used to collect salary
24 through that number. But when they came to discover that the
11:49:02 25 number was a number of another soldier, that was why they went
26 and arrested him at the training school.

27 Q. Do you know whose number it is that Junior Lion
28 impersonated?

29 A. It was the number of one soldier that is now serving in

1 Makeni , and he is a signaller .

2 Q. Do you recall the name of that particular soldier ?

3 A. No .

4 Q. How do you know that this soldier you're referring to was a
11:49:56 5 signaller ?

6 A. Well , I know the soldier .

7 Q. How do you know that this soldier you're referring to was
8 stationed at Makeni ?

9 A. I knew this the time when the soldier came for his salary
11:50:25 10 and he was verified at the army headquarters. That was the time
11 the soldier said he stayed at Makeni , and I saw his cord or the
12 line yard that he carried on his uniform. The insignia that I
13 observed on his uniform could be carried only by a Sierra Leone
14 Army signaller .

11:51:09 15 Q. Can you describe this insignia that you are referring to?

16 A. It is something like a rope that you'll pass under your
17 armpit and you fix it here. And the colour was blue and white.
18 So that was the way I came to know that he is a signaller .

19 Q. You just told this Court of an incident where this person,
11:51:49 20 this signaller, came to complain about someone using his
21 identification. Do you recall when this incident took place, the
22 incident you are referring to?

23 A. Which incident, sir?

24 Q. You just told this Court that you got to know that
11:52:15 25 Junior Lion was using the signaller's army number. I'm saying
26 you also told us that you got to know because you were present
27 when he came to complain. I'm saying when was it that this
28 incident took place?

29 A. Well , the incident occurred in 2001 or 2002 .

1 Q. Where would it have taken place?

2 A. It was at the Cockerill army headquarters. It happened at
3 Cockerill, at the army headquarters.

4 Q. At that time was Junior Lion present?

11:53:19 5 A. Yes, that was the time they had come with Junior Lion.

6 Q. From where?

7 A. From Benguema training school after the military police had
8 arrested him.

9 Q. Do you know whether Junior Lion was ever sentenced, as a
11:53:52 10 result of this impersonation, by a court of law?

11 A. No. I don't feel that he was sentenced. I'm saying that I
12 did not observe him being sentenced.

13 Q. Thank you. Now, as regards the second accused, do you
14 recall who his training officer was at Benguema while he was
11:54:30 15 there with you?

16 A. Well, the second accused, they had one Lieutenant Kamara.
17 He was the one that was heading the company under which the
18 second accused was, and the overall training commandant was
19 Colonel Ego Caulker.

11:55:13 20 Q. Can you please spell the second name, Ego Caulker, please,
21 for the convenience of the Court?

22 A. E-G-O. Caulker, C-A-U-L-K-E-R.

23 Q. You just mentioned one Kamara as the training officer of
24 the second accused. Was this training officer also your training
11:55:45 25 officer?

26 A. No. I had my own training officer. I have told this Court
27 that I and the second accused were not in the same platoon. The
28 second accused was in the A Company and I was in the B Company.

29 Q. Who, if you know, was the adjutant to the second accused?

1 A. Well, I cannot recall the adjutant.

2 Q. Do you recall what type of training the second accused
3 underwent during his training at Benguema? What type of training
4 did he go through?

11:56:55 5 A. He went through crash training, because the training lasted
6 for only three months and I went through the same training.

7 Q. Please tell this Court what do you mean by crash training?

8 A. Well, crash training, according to what I came to
9 understand from my instructors in the training school, it was a
11:57:45 10 short-term training; that is, to train us, the soldiers, in order
11 to pursue the war. It wasn't the normal military training,
12 because the normal military training, the duration for it lasted
13 for nine months or six months.

14 Q. So why is it, if you know, that the second accused was
11:58:19 15 given a crash training program?

16 A. From my understanding, I and the second accused had the
17 same training, and rebel war in the country was intensifying. So
18 that was why we were trained this way, in order to forestall the
19 enemy at the forefront.

11:59:05 20 Q. You have mentioned to this Court that the normal training,
21 to use your own words, is either six months or nine months. How
22 different would the normal six-month training be, if at all, from
23 the three-month crash training course you referred to?

24 A. Well, from what I understood from the instructors that
11:59:36 25 trained me, they said the normal military training lasts for six
26 or nine months, but our own training only lasted for three
27 months. So that was why, after we'd been given the three-month
28 training, we went to fight.

29 Q. In the case of the second accused, if you know, what would

1 this training have consisted of, the three-month training?

2 A. The three-month training, I would still tell this Court
3 that the training I went through was the same training the second
4 accused went through. That was training in weaponry,
12:00:43 5 field craft, tactics, drills that we, as well, called parade, and
6 physical training exercises.

7 Q. Thank you. But could you, to be specific now, tell us what
8 normally took place when you underwent your training as regards
9 weapons?

12:01:19 10 A. Well, weapon training in the army, from what I know from my
11 instructors, they said you shoot and kill or you shoot and hit
12 your target. In order to produce any good soldier -- rather, the
13 aim was to produce any good soldier that was able to shoot and
14 kill, as well shoot and hit his target.

12:02:28 15 Q. Do you know whether the second accused ever went on to do a
16 six-month training course in the SLA?

17 A. No.

18 Q. What do you mean by no?

19 A. No, he did not go for a six-month training course. He went
12:02:54 20 for three months. Both of us passed out the same month and the
21 same year.

22 Q. Do you know whether the second accused ever went for the
23 nine-month training course?

24 A. No, he did not go for a nine-month training course.

12:03:20 25 Q. Do you know why the second accused joined the Sierra Leone
26 Army?

27 A. Well, for that, My Lord, the best answer could be given by
28 the second accused. I am unable to tell the reason as to why he
29 trained the army.

1 Q. Do you know whether the second accused had training in
2 international humanitarian law?

3 A. No, we did not get training on that law.

4 Q. What does international humanitarian law mean to you?

12:04:30 5 A. Well, it is in this Court that I've heard about
6 international humanitarian law.

7 Q. So do you have any idea what it means?

8 A. Well, I don't have an idea as to what it means.

9 Q. At the time that the second accused was undergoing his
12:05:20 10 training, can you tell this Court, was he paid a salary?

11 A. Yes.

12 Q. How would this salary be paid?

13 A. They paid -- they used to pay the second accused and myself
14 through the pay officer. If you go to receive your salary, you
12:06:14 15 are paid according to seniority. If you go to receive your
16 salary in the army, that is another parade, it is called pay
17 parade.

18 Q. How often would you have received a salary around that time
19 when you were passing out? How often would you have received
12:06:52 20 your salary?

21 A. Well, we used to receive our salaries monthly, at the end
22 of the month.

23 Q. Did you get your salary every single month or throughout
24 your training period in Benguema?

12:07:11 25 A. Throughout my training period in Benguema I used to receive
26 my salary.

27 Q. Do you know whether the same applies to the second accused?

28 A. Yes.

29 Q. Do you know the first military ranking of the second

1 accused?

2 A. I knew him initially as lance-corporal .

3 Q. To the best of your recollection when was the second
4 accused made a lance-corporal ?

12:08:11 5 A. That was in '92 when I saw him, 1992.

6 Q. Do you know the military number of the second accused?

7 A. Yes.

8 Q. Can you tell us this number?

9 THE INTERPRETER: The interpreter is sorry, could the
12:08:48 10 witness come again slowly?

11 THE WITNESS: SLA 18165617.

12 MR DANIELS:

13 Q. How do you know this number?

14 A. Well, firstly, we used to interact at the training school
12:09:23 15 and he had a senior -- his number is senior to mine because he
16 was in a senior platoon or company. So when we went for
17 exercises or on foot parade, if I saw Sergeant Kamara at the
18 parade, I waited for him first because if I were to stand before
19 him I knew I was not going to be paid before him. And he
12:10:13 20 collected his salary before me because he was my senior.

21 Q. You told this Court that the first ranking of the second
22 accused was that of lance-corporal ?

23 A. Yes.

24 Q. Your last answer referred to the second accused I believe
12:10:37 25 as Sergeant Kamara?

26 A. Yes.

27 Q. From the designation of lance-corporal what is the next
28 military ranking?

29 A. The next military ranking is corporal .

1 Q. Do you know when the second accused was made a corporal in
2 the Sierra Leone Army?

3 A. Yes. It was in 1993 when the second accused became a
4 corporal .

12:11:30 5 Q. Do you know where the second accused was stationed at the
6 time he became a corporal in the Sierra Leone Army?

7 A. The second accused was stationed in Freetown.

8 Q. Did the second accused become a corporal together with you?

9 A. No, I became a corporal before him.

12:12:16 10 Q. From the designation corporal , moving progressively, what
11 is the next ranking in the Sierra Leone Army?

12 A. Sergeant.

13 Q. Do you recall when the second accused was made a sergeant
14 in the Sierra Leone Army?

12:12:45 15 A. Well, I cannot recall the year but I saw him as a sergeant.

16 Q. At the time you saw him as a sergeant was the second
17 accused senior to you in military ranking?

18 A. Yes.

19 Q. So you are saying that when you passed out, he was senior
12:13:13 20 to you, then you became senior to him until eventually he became
21 senior to you again. Is that a fair assessment?

22 A. Yes.

23 Q. For us who are layman we want to know, is there a
24 difference between a sergeant and a staff sergeant?

12:13:54 25 A. Yes.

26 Q. Can you please enlighten us?

27 A. Well, the sergeant carry three stripes on his shoulder.

28 Then --

29 THE INTERPRETER: The interpreter is sorry, could the

1 witness come again.

2 THE WITNESS: The staff sergeant, he too carried three
3 stripes with a crown which is the coat of arms on the top of the
4 three stripes. So the staff sergeant carried the coat of arms,
12:14:51 5 while the sergeant only carried the three stripes.

6 MR DANIELS:

7 Q. So who in your estimation would be the most senior of the
8 two?

9 A. The staff sergeant.

12:15:06 10 Q. Why do you say so?

11 A. Because after the sergeant, the next promotion you will get
12 is a staff sergeant.

13 Q. Mr Bri ma --

14 A. Yes.

12:15:24 15 Q. -- the indictment refers to the second accused as having
16 risen to the rank of staff sergeant. Do you ever recall the
17 second accused as a staff sergeant within the Sierra Leone Army?

18 MR DANIELS: And with the greatest respect to Your Honours,
19 this reference can be found in paragraph 4 of the indictment,
12:16:00 20 which is found at Registry number 6240. It is a very short
21 sentence so with your permission I will just read it. It says,
22 and this is referring to the second accused, "He joined the
23 Sierra Leone Army on 20th May 1991 and rose to the rank of a
24 staff sergeant."

12:16:40 25 Q. What would you say to this sentence I just read out to you,
26 that the accused rose to the rank of a staff sergeant? What, if
27 any, is your reaction?

28 A. He didn't rise to that rank. I wouldn't steal a rank,
29 because it does not happen in the army. I know him as a

1 sergeant. I never had a promotion to that of a staff sergeant.
2 Because if he had the promotion of a staff sergeant, I would have
3 known. So all that you've read that the second accused was a
4 staff sergeant is a lie.

12:17:33 5 Q. Did the second accused pass out of military training as a
6 uniformed soldier?

7 A. Yes.

8 Q. Who would normally provide this uniform to the second
9 accused?

12:17:51 10 A. Well, it's the Government of Sierra Leone.

11 Q. What would they normally provide you with when you come out
12 as a recruit, you know, once you finish your training?

13 A. They will give you your normal military uniform supplies.
14 But because the war was raging, it was a combat that we had.

12:18:31 15 Q. Can you spell combat?

16 A. C-O-M-B-A-T.

17 Q. What do you mean by combat?

18 A. The combat is a uniform. You only wear that uniform when
19 the country is on stand-by or when war is raging in the country.

12:18:55 20 But during normal military times you wouldn't wear the combat,
21 except if you went to the bush camp.

22 Q. So do you know if all the second accused's squad mates were
23 provided with combat uniforms?

24 A. Yes, all of us, they provided us with combat uniform. No
12:19:13 25 soldier would allow you to dress in a different way.

26 Q. You just referred to the term "stand-by." What do you mean
27 by "stand-by"?

28 A. Stand-by is when there is problem in a country, for
29 instance, when we were fighting the rebel war, 24 hours every

1 soldier must be on stand-by. For instance, like you are talking
2 to me now, if you were my commander, maybe you would tell me,
3 "Corporal Brima, board this truck and you're going to the front."
4 I wouldn't go to my house, I will go right away to the front.

12:20:14 5 Q. Which war are you referring to when you talk about being on
6 stand-by for war? Which war are you referring to?

7 A. The rebel war, that the RUF rebels attacked the Government
8 of Sierra Leone.

9 Q. After the training of the second accused do you know where
12:20:50 10 his first assignment was?

11 A. Yes.

12 Q. Please tell us.

13 A. After our training at Benguema, we were divided into
14 battalions and units and departments. I was fortunate to fall
12:21:16 15 into the navy because they conducted an exam for us. The second
16 accused was sent to Daru, which was then the 3rd Battalion, or
17 they called it the Tiger Battalion.

18 Q. Can you spell Daru, please?

19 A. D-A-R-U.

12:21:52 20 Q. Where is Daru within Sierra Leone? Where is it situated,
21 within which district?

22 A. Daru is in the Kailahun District.

23 Q. Was he assigned to a particular barracks?

24 A. Yes, the Moa Barracks, because that battalion was in
12:22:17 25 control of the entire Kailahun District.

26 Q. Can you spell Moa, please?

27 A. M-O-A.

28 Q. Do you know if anything happened when he was assigned to
29 the Moa Barracks in Daru, as you have just told this Court?

1 A. Well, when he went to his own battalion, I didn't
2 communicate with him, because I had no access to communicate with
3 him. But all I knew was that he was at the war front, because
4 Daru was the war front.

12:23:07 5 Q. How do you know that he was assigned to the Moa Barracks?

6 A. After training, like when I said we were divided into
7 companies, battalions, that was when I knew that his own posting
8 called for Daru. And he left me at the training school when he
9 went to Daru.

12:23:41 10 Q. Do you know what he was doing when he was in Daru? What
11 was his particular assignment?

12 A. Well, I can't tell that. All I knew was that he was at the
13 front.

14 Q. Do you know for how long he was stationed at the Daru
12:24:14 15 Barracks?

16 A. Well, I can't tell how long he stayed at the Daru Barracks.

17 Q. Do you know when exactly it was that he took up his
18 assignment at Daru Barracks?

19 A. I can't tell you that. But all I can tell this Court is
12:24:39 20 that the second accused was at the front and Daru was the most
21 intensive area when the RUF was infiltrating Sierra Leone.

22 Q. What do you mean when you say it "was the most intensive
23 area"? I didn't hear you. Was it "tense" or "intensive," if I
24 could be corrected?

12:25:08 25 JUDGE SEBUTINDE: The word that came through was
26 "intensive."

27 THE WITNESS: I said "tense."

28 MR DANIELS:

29 Q. Very well, we stand corrected. Mr Bri ma, can you please

1 explain what you mean by Daru being the most tense area?

2 A. Daru in the Kailahun District, the Kailahun Town itself, it
3 was that road that the RUF rebels used to enter Sierra Leone. So
4 any soldier at that time who went to Daru, if you were
12:25:51 5 lucky -- if you came back and we saw you, then you were lucky,
6 because during the war every day the rebels advanced.

7 Q. Is Daru close to any neighbouring country?

8 A. Yes, it was close to Liberia.

9 Q. How close?

12:26:17 10 A. Well, I can't determine that now. But from my own
11 estimation, it's like 40 miles or 50 miles.

12 Q. You have told this Court that you know the second accused
13 very well. How would you describe him as a soldier?

14 A. He was a loyal and a honest serving soldier.

12:27:02 15 Q. What do you mean when you say he was a loyal and honest
16 serving soldier?

17 A. Well, when I joined the army the second accused, till I
18 left the army, I never heard that he committed any crime. I'm
19 not sure he's had any high crime in the army. If he was a
12:27:32 20 soldier that committed a crime, maybe they would have stripped
21 him of his rank, because we've seen so many soldiers who had
22 fallen short or who were trouble causers. They will demote you
23 or dismiss you.

24 Q. Are you aware of the fighting capabilities of the second
12:28:10 25 accused?

26 A. Well, like I have told this Court, the second accused was
27 in Daru. And I have told this Court that in those days any
28 soldier whom they said went to Daru, if you are not brave enough
29 you wouldn't go. So their own area was intense.

1 Q. So what you are saying is that the second accused was a
2 brave soldier?

3 A. Well, I wouldn't say he was a brave soldier, because I did
4 not see him fighting during the war.

12:28:50 5 Q. Would you describe him as being a patriotic soldier?

6 A. Yes.

7 Q. Why would you say so?

8 A. Because he did not commit any crime that I know of and he
9 served the army loyally.

12:29:17 10 Q. Did you ever visit the barracks where the second accused
11 was stationed at Daru? Have you ever been there?

12 A. Yes.

13 Q. Did you visit the barracks while the second accused was
14 assigned to Daru?

12:29:44 15 A. Well, during that time I did not visit there.

16 Q. When was it that you visited Daru Barracks?

17 A. I visited Daru Barracks in '93.

18 Q. Can you describe the typical living conditions that would
19 prevail at the Daru Barracks?

12:30:20 20 A. Well, the house was --

21 PRESIDING JUDGE: 1993?

22 MR DANIELS: That is so.

23 THE WITNESS: The housing was not enough for the military
24 personnel and the toilet facilities at Daru was poor. You could
12:30:36 25 say one platoon would have only two toilets, or one company. So
26 you see.

27 MR DANIELS:

28 Q. Can you describe the sleeping quarters that would prevail
29 at that time, the sleeping quarters of the rank and file soldiers

1 at the Daru Barracks?

2 A. Like I said, the sleeping quarters were not enough. You
3 would meet soldiers sleeping outside. Some soldiers would be
4 lying down at the canteen.

12:31:12 5 Q. Now, these structures you are referring, or where the
6 soldiers were residing, would they be concrete structures or
7 would they be swish -- what kind of material, what kind of
8 environment was it?

9 A. It was like mud building.

12:31:33 10 Q. So this would prevail for all the soldiers who were going
11 to the front; is that correct?

12 A. Well, some soldiers who went to the front hadn't a house in
13 the barracks. So you would only go and stay with a friend who
14 wasn't married.

12:32:02 15 Q. Would these barracks have flowing water?

16 A. No. Mostly we fetched water from the River Moa.

17 Q. Did the barracks have any supply of electricity?

18 A. No.

19 Q. So how would the soldiers -- how would they survive in the
12:32:43 20 night without electricity?

21 PRESIDING JUDGE: I'm just wondering at the usefulness of
22 this evidence, Mr Daniels. You are describing conditions at the
23 barracks at a time when your client was not there.

24 MR DANIELS: Very well, My Lord. We just want to have an
12:33:03 25 overview of the living conditions that prevailed in the country
26 per se. That is a direction, but I will take the cue.

27 Q. Do you know whether the second accused was given any
28 subsequent assignment after his being stationed at the Daru
29 Barracks?

1 A. Well, from what I observed was that later the second
2 accused became a driver.

3 Q. Where did the second accused become a driver?

4 A. He became a driver in Daru and they were the ones who came
12:34:09 5 for the rations and they would take those rations to the front.
6 I was fortunate to have met him once whilst I and my commander
7 were coming from Bunce to collect rations in Freetown. When we
8 collected our own ration, I and my commander, at Murray Town, we
9 drove down to the wharf and packed it on a boat. The second
12:34:45 10 accused, when they collected their own ration, they would take it
11 to the front.

12 Q. How are you able to remember this?

13 A. How I came to remember this is that after the second
14 accused had gone to the front, that was the place where the two
12:35:10 15 of us met again. Then I saw him driving a truck and I spoke to
16 him.

17 Q. Do you know whether the second accused was given any
18 subsequent assignment after his second assignment as driver at
19 the Daru Barracks?

12:35:33 20 A. Well, like I have told this Court, he was an escort driver.

21 Q. Please explain what you mean by "escort driver"?

22 A. By escort driver I mean when the war had become intense in
23 Sierra Leone, the commanders would come for rations in Freetown
24 and the drivers were referred to as escort drivers. Because it
12:36:21 25 was not just one driver that carried one vehicle; sometimes three
26 of them. If your vehicle fell into an ambush and a driver was
27 killed, the other driver could take over the vehicle and go.

28 Q. So throughout his second and third assignment, where was
29 the second accused stationed, starting with the second assignment

1 first?

2 A. Well, the second accused, all I know is that he still
3 maintained his family house, but he was attached to the ATS, that
4 is the Army Transport Service.

12:37:21 5 Q. Where is the ATS?

6 A. The ATS is at the Tima Barracks at Murray Town.

7 Q. During the period of the third assignment you're referring
8 to, where was he situated?

9 A. Well, I don't know where he was.

12:37:53 10 Q. Do you know if the second accused is still a member of the
11 Sierra Leone Army?

12 A. Well, I can't tell for now.

13 Q. Do you know if the second accused has ever been discharged
14 from the Sierra Leone Army?

12:38:31 15 A. Well, I think he has been discharged.

16 Q. Do you have any idea when he was discharged, if at all?

17 A. Well, I don't have an idea as to when he was discharged.

18 Q. Would you know his ranking, his military ranking, at the
19 time of his discharge?

12:39:15 20 MR AGHA: I would object to that. I believe the witness --

21 PRESIDING JUDGE: You don't have a right to object. This
22 is cross-examination. You can take that up when you
23 cross-examine. But how can he answer that question, Mr Daniels,
24 when he doesn't know when he was discharged?

12:39:32 25 MR DANIELS: I thought I heard him say he was not sure.
26 We're not certain, you know.

27 PRESIDING JUDGE: If he is not sure of that how can he be
28 sure of the rank.

29 MR DANIELS: That is why it was qualified by if he knew,

1 but the point is taken Your Honour.

2 PRESIDING JUDGE: You can ask him if he knows.

3 MR DANIELS:

4 Q. Do you know what the second accused's rank was at the time
12:40:17 5 he was discharged?

6 A. Well, when I was with the second accused in the army, he
7 was sergeant.

8 MR DANIELS: My Lord, we are moving into another area. I
9 am not sure whether this is an ideal time.

12:40:40 10 PRESIDING JUDGE: Yes, thank you, Mr Daniels. We are going
11 to adjourn now, Mr Brima. I will remind you you are not
12 permitted to talk about the case or the evidence with anybody
13 while you are in the course of giving evidence. As we announced
14 on Friday, a plenary meeting of the judges has been called for
12:40:58 15 this afternoon. So we are going to have to adjourn until
16 tomorrow. So the Court will rise now and we'll resume this
17 hearing at 9.15 a.m. tomorrow morning.

18 [Whereupon the hearing was adjourned at
19 12.44 p.m., to be reconvened at on Tuesday, the
12:41:55 20 20th day of June 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ALEX TAMBA BRIMA	2
EXAMINED BY MR GRAHAM	4
CROSS-EXAMINED BY MR DANIELS	30