

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

WEDNESDAY, 21 JUNE 2006
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Richard Lussick, Presiding
Julia Sebutinde
Teresa Doherty

For Chambers:

Ms Carolyn Buff
Ms Evelyn Campos Sanchez

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:

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
Kanuu:

Mr Geert-Jan Alexander Knoop

1 [ARFC21JUN06A-RK]
2 Wednesday, 21 June 2006
3 [Open session]
4 [The accused present]
09:13:29 5 [Upon commencing at 9.20 a.m.]
6 WITNESS: ACCUSED ALEX TAMBA BRIMA [Continued]
7 [Witness answered through interpreter]
8 PRESIDING JUDGE: Mr Brima, I will remind you once more
9 that you are still on your former oath. Yes, Mr Daniels.
09:17:57 10 MR DANIELS: Morning, Your Honours.
11 CROSS-EXAMINED BY MR DANIELS: [Continued]
12 Q. Good morning, Mr Brima.
13 A. Morning, sir.
14 Q. Yesterday we were talking about the removal of the AFRC
09:18:21 15 from power. I'm going to ask you a few questions in relation to
16 the events that took place. Do you understand?
17 A. Yes.
18 Q. You have already told us that you were in Kono - and
19 correct me if I am wrong - at the time of the pull-out; is that
09:18:42 20 correct?
21 A. Yes.
22 JUDGE DOHERTY: Mr Daniels what do you mean by that?
23 MR DANIELS:
24 Q. At the time the AFRC government was removed from power?
09:19:05 25 A. Yes. During that time when the AFRC was ousted out of
26 power, I was in Kono.
27 Q. Do you know the troop strength of the SLA forces that
28 withdrew from Freetown after the attack by Nigerian forces?
29 A. I cannot give the correct amount or the total number of

1 forces that withdrew from a Freetown, but all I know is that the
2 1st Battalion that was at Wilberforce Barracks, and the 7th
3 Battalion that was at Goderich, the soldiers who were at Murray
4 Town Barracks, as well as Juba Barracks, they all withdrew.

09:20:25 5 Q. Do you know how they with withdrew? And by "they," I'm
6 referring to the 1st and 7th Battalion of the Sierra Leone Army?

7 A. The 1st Battalion and the other battalions, they all
8 withdrew towards the peninsula, going towards Goderich.

9 PRESIDING JUDGE: Mr Daniels, just so that I can clear
09:21:06 10 something up in my own mind. At this point in time that you are
11 questioning the witness about, was he in Kono or was he there to
12 observe what he is giving evidence about now?

13 MR DANIELS: We have established, My Lord, that he was in
14 Kono. Therefore I'm asking him if he knows, so I can go further
09:21:26 15 to probe him about that.

16 JUDGE SEBUTINDE: Also, Mr Daniels, I want to be certain
17 about what this time of the pull-out is exactly in terms of
18 months.

19 MR DANIELS: Very well, My Lord.

09:21:51 20 Q. If you know, please tell this Court when it was that the
21 1st and 7th Battalion pulled out from Freetown, the month?

22 A. It was in February 1998.

23 Q. Do you know which day in February it was, or around which
24 period in February it was?

09:22:25 25 A. Well, I can say mid February.

26 Q. You have told us that you were in Kono at this period in
27 time. Please tell us how you know that these events took place
28 in mid-February 1998 when the 1st and 7th Battalion withdrew from
29 Freetown.

1 A. Well, as I have said in this Court before, I was in Kono
2 when this retreat started and the battalion commander who was
3 with the 16th Battalion, he was able to explain to me that the
4 SLA troops in Freetown had retreated. And my wife too explained
09:23:22 5 to me about the retreat. And my late brother, he also explained
6 to me about the retreat.
7 Q. You have mentioned that the battalion commander told you
8 about this retreat. Can you give us his name, please?
9 A. That was the 16th Battalion commander, he was Colonel AL
09:23:54 10 Sesay.
11 Q. Could you spell that for us, please?
12 A. A-L, Sesay, S-E-S-A-Y.
13 Q. If you know, please tell us when was it that Colonel Sesay
14 informed you about the pull-out of the 1st and 7th Battalion
09:24:32 15 troops from Freetown in February 1998?
16 A. It was in February that they called a general parade in
17 Kono and Colonel Sesay addressed us, the soldiers, who were in
18 Kono.
19 Q. Where would this parade have taken place?
09:24:57 20 A. It was at the 16th Battalion headquarters here.
21 Q. You found out at the 16th Battalion here in Freetown?
22 A. No, the 16th Battalion, it was based at Kono and that was
23 the battalion that was based in Kono. And their headquarters was
24 at Gayia Town.
09:25:33 25 Q. Thank you very much. Do you happen to know the strength of
26 forces within the 1st Battalion, the number of forces, manpower,
27 as you call it?
28 A. Well, I had said in this Court before that a battalion, it
29 depends on the population of the army, but all what I can tell

1 this Court is that the 1st Battalion, the 7th Battalion, and the
2 soldiers who were at Murray Town Barracks and those who were at
3 Juba Barracks, they withdrew from Freetown and all the other
4 battalions, they were intact in the provinces. It was these two
09:26:46 5 battalions and the two barracks that withdrew.

6 Q. Do you know whether when the 1st and 7th Battalion were
7 withdrawing from Freetown -- whether or not they were armed?

8 A. They were armed.

9 Q. How do you know this?

09:27:19 10 A. I knew about that later when I saw some of the soldiers in
11 Kailahun. Then every soldier who joined the Sierra Leone Army is
12 entitled to a personal rifle.

13 Q. There is evidence before this Court that during the
14 pull-out the withdrawing troops ran out of ammunition. Are you
09:28:14 15 aware whether this applied to the withdrawing troops?

16 A. Well, that is not to my knowledge. I do not know about
17 that, whether ammunition became short with them.

18 Q. You initially told us that you have heard that when the
19 troops were withdrawing they went through the peninsula; is that
09:28:48 20 correct?

21 A. Yes.

22 Q. Where is the peninsula?

23 A. The peninsula is towards the western part of Freetown.
24 That is, when you take it from Juba up to Tombo.

09:29:09 25 Q. Is Tombo a coastal town?

26 A. Yes. Yes.

27 Q. Can you spell Tombo for us, please?

28 A. T-O-M-B-O, Tombo.

29 Q. Do you know where the troops headed after Tombo?

1 A. The troops went to Fogbo.

2 Q. You have told us that the troops went from Tombo to Fogbo.

3 How do you know this?

4 A. Well, I knew that during the time when I was able to
09:30:11 5 interact with some of my comrade soldiers in Kailahun, and I knew
6 that also through my brother who was fired that I met here.

7 Q. If you know, please tell us from Fogbo where did the troops
8 go to?

9 A. The troops head for Masiaka.

09:30:49 10 Q. How did the troops move from Tombo to Fogbo?

11 PRESIDING JUDGE: Mr Daniels, he is proceeding to give
12 evidence of a march on which he didn't take part and was nowhere
13 near. So if you want this evidence to have any weight
14 whatsoever, you ought to lay some foundation.

09:31:16 15 MR DANIELS: Very well.

16 Q. You mentioned that you got the information of the troops
17 moving from Tombo to Fogbo via some of your SLA comrades in
18 Kailahun. Do you recall who gave you this information?

19 A. Well, I cannot recall all the names of the soldiers, but my
09:31:45 20 wife, who is Mrs Brima, gave me this information. My late
21 brother, Staff Sergeant Komba Brima, also gave me this
22 information.

23 Q. Please, what did your wife tell you?

24 A. My wife said during the withdrawal from Freetown it was
09:32:12 25 Sergeant Ibrahim Kamara who rescued my family.

26 Q. By Sergeant Ibrahim Kamara, are you referring to the second
27 accused?

28 A. Yes.

29 Q. Go ahead?

1 A. And my wife explained to me all the areas they passed
2 through.

3 Q. When was it that your wife told you?

4 A. My wife told me this in July 1998.

09:32:55 5 Q. Where was it that she told you?

6 A. She was at Yahyah, my home town.

7 Q. And in relation to the pull-out, what is that your brother
8 told you, your brother Komba?

9 A. My brother told me that, he said the withdrawal from
09:33:24 10 Freetown, it was something that was well organised. And he said
11 it was the whole force, 7th Battalion, Juba Barracks and Murray
12 Town Barracks, all the personnels who were there, they all
13 withdrew. He said because that was the order they had from the
14 chief of defence staff.

09:33:55 15 Q. Is the chief of defence staff you referring to -- if you
16 know, is he the same chief of defence staff that was serving
17 while the AFRC was in power? Is he the same person before the
18 pull-out?

19 A. Yes.

09:34:14 20 Q. Is that SO Williams? Correct me if I am wrong.

21 A. It was not SO. SO was the army chief of staff. The chief
22 of defence staff was Brigadier FSY Koroma.

23 JUDGE SEBUTINDE: Mr Daniels, by way of foundation, should
24 the Bench now assume that Mr Brima's wife, accused number two and
09:34:49 25 Mr Brima's late brother Komba were all moving with the
26 withdrawing troops and that is how he got this information?

27 MR DANIELS: I take the point.

28 Q. Mr Witness, you have just told this Court that it was your
29 wife who informed you about the withdrawing troops. The question

1 I want to ask you: How is it that your wife knew about the
2 withdrawing troops from Freetown?

3 A. Well, my wife moved with Sergeant Ibrahim Kamara and my
4 brother. And what my wife saw was what she explained to me.

09:35:53 5 Q. Did she tell you where she moved from with the second
6 accused, Sergeant Ibrahim Kamara?

7 A. She said Sergeant Ibrahim Kamara took her up to Masiaka.

8 Q. Do you know how it is that your brother Komba got to know
9 about the withdrawing troops from Freetown?

09:36:29 10 A. Komba is a soldier and a soldier is supposed to know, he is
11 supposed to know about the troops withdrawing, because he told me
12 that it was the chief of defence staff that gave the orders for
13 the withdrawal of military force.

14 Q. Now, the withdrawing forces that we are both speaking
09:36:59 15 about, you have told this Court that they had arms. You told us
16 that most soldiers are provided with weapons. Do you know
17 whether they had ammunition within the arms that they carried?

18 A. Yes.

19 Q. Again, you were not there, so how is it that you know?

09:37:38 20 A. Any soldier who has a rifle, you must have a magazine full
21 of ammunition, which is supposed to be four magazines in number.

22 MR DANIELS: Your Honours, I will be reading testimony of
23 witness 334, testimony of 17th May 2005, page 68, from lines 8
24 to 15. For Court Management, from there we shall be proceeding
09:39:31 25 to page 69 of the same 17th May 2005, from line 15. Page 69 and
26 page 70.

27 Q. Mr Witness, I am going to read to you testimony of
28 witness 334.

29 MR DANIELS: Your Honours, with your permission I'm reading

1 from line 8 at page 68.

2 "Q. Witness, when you withdrew from Freetown with your
3 honourable, who else withdrew from Freetown?

4 "A. Well, at that time all the AFRC forces withdrew,
09:40:33 5 including Johnny Paul Koroma and other senior military
6 commanders. All withdrew from Freetown.

7 "Q. Was the withdrawal an organised withdrawal from
8 Freetown?

9 "A. No, it was not an organised withdrawal. We ran out
09:40:56 10 of ammunition and everybody was trying to pull-out from
11 Freetown."

12 Mr Witness, you have told us in your words that the
13 withdrawal from Freetown was organised. Witness 334 has told
14 this Court that the withdrawal of troops from Freetown was not an
09:41:34 15 organised withdrawal. What is your reaction to this statement?

16 A. Well, that statement, it did not happen like that. Because
17 the chief of defence staff, he withdrew, and the chief of army
18 staff, he also withdrew, and most of the senior officers of the
19 Republic of Sierra Leone Army, they all withdrew.

09:42:21 20 Q. What do you understand by "organised withdrawal"?

21 A. Well, it is something that -- an information that normally
22 passed to all soldiers. The way we have seen the situation, we
23 cannot withstand it. I have also been fighting at the front. I
24 can get a commander at a point in time, he can see the way the
09:42:45 25 situation is like the enemies will overcome us, so the only way
26 we can do is to withdraw and defend ourselves later, because the
27 enemy is on the offensive. So when you are asking about
28 organised withdrawal, that is how I look at it.

29 Q. Witness 334 also told this Court that "We ran out of

1 ammunition and everybody was pulling out from Freetown." What is
2 your comment on my last --

3 A. From what you have read, when you said they ran out of
4 ammunitions, that did not happen to all the personnel. I will be
09:43:40 5 fighting at the front and I ran out of ammunition, out of my four
6 magazines --

7 THE INTERPRETER: The interpreter is sorry. Can the
8 witness come again? He has missed part of his testimony.

9 PRESIDING JUDGE: Yes, witness, the interpreter did not get
09:44:03 10 what you said. Can you repeat that, please?

11 THE WITNESS: I said a soldier, there are times when he
12 doesn't have ammunition in all his magazines. Maybe he may have
13 two magazines loaded with 40 rounds ammunition. He could take 20
14 rounds from the two magazines and put them in the other empty two
09:44:36 15 magazines.

16 PRESIDING JUDGE: This evidence is all theory. It is all
17 conclusions. It is not evidence at all, Mr Daniels. It is just
18 what this witness's opinion is of what might have happened at a
19 place where he was not.

09:44:57 20 MR DANIELS: Very well.

21 PRESIDING JUDGE: In fact, I do not think you can lead any
22 evidence on the ammunition because you asked him earlier how can
23 you give that evidence about the ammunition, and he said every
24 soldier has a rifle with four magazines. Now, that is just a
09:45:16 25 conclusion that because every soldier has a rifle with four
26 magazine, that the soldiers on the retreat must have had
27 ammunition. It's not even a valid conclusion.

28 MR DANIELS:

29 Q. Mr Witness, do you know as a fact that the withdrawing

1 soldiers had the four rounds of ammunition, the four magazines of
2 ammunition you referred to? Do you know?

3 MS THOMPSON: Your Honour, at this point I think I have to
4 rise. Rather reluctantly, but I think I have to rise. It is
09:46:00 5 impossible for the witness to be able to give evidence of
6 something which he was told, especially things as precise details
7 as ammunition and how many ammunitions each soldier had. He
8 wasn't there. He has already said he wasn't there. The troop
9 movement he may have been told, but these are precise details
09:46:21 10 going to the niceties of how the organisation of the troop
11 withdrawal was. My submission is I do not think this witness can
12 give that evidence.

13 PRESIDING JUDGE: Yes, do you want to reply to that
14 objection, Mr Daniels?

09:46:35 15 MR DANIELS: Very well. All along we have been trying to
16 get foundation from the witness, but if it is that the witness
17 was not present, and if the Court has already directed that the
18 relevance of his testimony would not carry much weight, I will
19 proceed.

09:46:54 20 PRESIDING JUDGE: What I was saying is that his evidence
21 about the ammunition does not carry any weight. It is not even
22 admissible because it is just opinion evidence. It is not based
23 on any fact at all.

24 MR DANIELS: Very well, we shall proceed from here.

09:47:13 25 PRESIDING JUDGE: Just a formal ruling on that objection.
26 I uphold the objection and do not allow that question. Go ahead,
27 Mr Daniels.

28 MR DANIELS: I refer Court Management to our next
29 transcript which I will be reading. That is on page 69, line 15.

1 PRESIDING JUDGE: We have the transcript, Mr Daniels.
2 MR DANIELS:
3 Q. Reading from line 15:
4 "Q. How long did you stay in Masiaka?
09:48:25 5 "A. Well, at Masiaka we spent about three days there
6 because we were waiting for the other troop that were
7 withdrawing.
8 "Q. Who else was in Masiaka when you were there?
9 "A. Well, at Masiaka all the senior commander, including
09:48:41 10 Johnny Paul Koroma, and the army chief, chief of defence
11 staff, the army chief of staff and other senior commander,
12 including some other RUF commanders, were all at Masiaka.
13 "Q. Witness I am going to ask you to break that down.
14 You said chief of defence staff. Remind us, please, who
09:49:06 15 was that.
16 "A. Brigadier SFY Koroma.
17 "Q. And you mentioned chief of army staff. Who was that?
18 Remind us who that was, please.
19 "A. Brigadier SO Williams and other senior military
09:49:20 20 commanders.
21 "Q. Please name other senior military commanders who you
22 saw in Masiaka."
23 That is the end. Mr Witness, did you hear what I just read
24 to you?
09:49:54 25 A. Yes. Yes.
26 Q. Did you know of any senior military commanders who were in
27 Masiaka when the troops were withdrawing?
28 A. Well, as I have told this Court, that the information I
29 got, it was from my comrade soldiers. A lot of senior officers

1 were at Masiaka.

2 Q. Which ones did you get to know about?

3 A. I knew about Brigadier SFY Koroma.

4 Q. Now, this is when the forces were withdrawing. If you
09:50:57 5 know, please tell us would Brigadier SFY Koroma have any command
6 and control over the troops at Masiaka? If you know.

7 A. Well, I don't know about that, but Brigadier SFY Koroma was
8 the chief of defence staff.

9 Q. So after the pull-out, that is from the withdrawal, was he
09:51:37 10 still the chief of defence staff?

11 A. Yes.

12 Q. How do you know that?

13 A. Because no changes occurred wherein he was changed and
14 brought another senior officer in his position.

09:52:08 15 Q. Do you know whether during the pull-out Johnny Paul Koroma
16 was still the army chief in Masiaka?

17 A. Johnny Paul, he wasn't the army chief.

18 Q. Was he the commander-in-chief of the Sierra Leone Army
19 during the pull-out?

09:52:41 20 A. Yes.

21 JUDGE SEBUTINDE: Sorry, I neither heard the question, nor
22 the answer.

23 MR DANIELS: I said, was Johnny Paul Koroma the
24 commander-in-chief of the Sierra Leone Armed Forces after the
09:52:57 25 pull-out from Freetown at Masiaka?

26 JUDGE SEBUTINDE: And what was the answer?

27 MR DANIELS: The answer was yes.

28 Q. Mr Witness, please tell us how you know that Johnny Paul
29 Koroma was still the commander-in-chief of the Armed Forces of

1 Sierra Leone at Masiaka?

2 A. Well, during the AFRC regime, Major Johnny Paul Koroma was
3 the commander-in-chief of the armed forces.

4 Q. Did troops at Masiaka, if you know, take command from him?

09:53:50 5 A. Well, I cannot say with regards that.

6 Q. I read to you the name of Brigadier SO Williams. Was he
7 still in his official position at the withdrawal of the troops
8 from Freetown at Masiaka?

9 PRESIDING JUDGE: I'm sorry, I missed some of that,
09:54:24 10 Mr Daniels. Was he still in his what position?

11 MR DANIELS: Was he still a senior military commander?

12 PRESIDING JUDGE: You said something about position.

13 MR DANIELS: Official position, that's what I said.

14 Q. As army chief during the pull-out?

09:54:51 15 A. Yes.

16 Q. How would you know?

17 A. I knew that he was appointed as the army chief of staff
18 during the NPRC regime, and no changes occurred before the
19 withdrawal stating that Colonel SO was not the army chief of
09:55:26 20 staff.

21 Q. So far as you --

22 THE INTERPRETER: Correction, interpreter. Instead of
23 "NRRC," it should be "AFRC."

24 MR DANIELS:

09:55:38 25 Q. So far as you are concerned, did the army structure, during
26 the AFRC period, did it carry over into the pull-out? Did it
27 still exist when the troops pulled out from Freetown?

28 A. There was the army structure in place while the troops were
29 pulling out from Freetown.

1 MR DANIELS: Your Honours, I'm moving on to 15th September,
2 witness 334, page 26 going on to page 27. 15th September 2005.
3 167, I beg your pardon. 167.

4 PRESIDING JUDGE: Yes, Mr Daniels.

09:57:46 5 MR DANIELS:

6 Q. Reading from line 24:
7 "Q. You can close up the map now, witness. Just keep it
8 on your desk. Thank you. Witness, you got to Masiaka.
9 Was anyone there?

09:58:04 10 "A. Yes, at Masiaka, we met SAJ Musa there.

11 "Q. Anyone else?

12 "A. Issa Sesay.

13 "Q. Who was in command in Masiaka?

14 "A. It was SAJ Musa, because he was the highest in
09:58:24 15 command.

16 "Q. And he was in command of whom there?

17 "A. He was commanding on both RUF and SLA forces that
18 pulled out from Freetown.

19 "Q. Apart from these commanders you have spoken about,
09:58:41 20 apart from the commanders in Masiaka, who else was there?

21 "A. You have all honourables that pulled out, with the
22 exception of Alex Tamba Brima, who was at Kono."
23 Mr Witness, this is the evidence of Junior Lion, witness
24 167.

09:59:19 25 A. Yes.

26 Q. He has told this Court that SAJ Musa was in charge or the
27 highest in command of both RUF and SLA forces that pulled out of
28 Freetown. SAJ Musa was the highest in command while at Masiaka.
29 What do you say to this statement?

1 A. Well, that statement, maybe the time the witness made this
2 statement he reached Masiaka.

3 THE INTERPRETER: The interpreter is sorry. Can the
4 witness come again, please?

09:59:57 5 PRESIDING JUDGE: Can you repeat that, please, Mr Brima?
6 The interpreter did not get it.

7 THE WITNESS: I said the army chief of staff and the
8 defence chief of staff and some senior officers, all of them in
9 Masiaka, and nobody told me that it was SAJ Musa who controlled
10:00:31 10 the troops in Masiaka.

11 MR DANIELS:

12 Q. I want to put it to you that SAJ Musa was the highest in
13 command at Masiaka. What do you say?

14 A. With the presence of the senior officers whom I was told
10:00:55 15 they were present in Masiaka, those senior officers wouldn't be
16 in Masiaka and then SAJ Musa had command over them.

17 JUDGE SEBUTINDE: Are we listening to an opinion here or
18 what are we listening to?

19 MR DANIELS: I did not get the answer.

10:01:29 20 Q. I put it to you that SAJ Musa was the highest in command of
21 the RUF and SLA force that pulled out of Freetown. What do you
22 say?

23 A. That is a lie.

24 Q. Do you know the rank of SAJ Musa at the time of the
10:01:48 25 pull-out at Masiaka? Would you know his rank?

26 A. SAJ Musa was a captain.

27 Q. Do you know whether SAJ Musa had command of both the RUF
28 and SLA forces that pulled out of Freetown?

29 A. No, he hadn't command over the RUF.

1 Q. Very well, we are moving on. I am moving to page 29 of the
2 same transcript, line 6 to 20.
3 "Q. Did anything else happen that you were able to recall
4 between Masiaka and Makeni?
10:04:01 5 "A. No.
6 "Q. Did you arrive at Makeni?
7 "A. Yes.
8 "Q. Who was there on your arrival?
9 "A. On my arrival at Makeni, because we went to Port Loko
10:04:16 10 with Ibrahim Bazy Kamara to escort his wife to go to
11 Guinea and we had an accident. So on our arrival at Makeni
12 I did not spend a long time there and I was taken to
13 Kabala.
14 "Q. You said, talking about -- 'we went with Bazy
10:04:35 15 towards Port Loko to leave his wife there.' Who else went
16 with you?
17 "A. All the securities were with me, like Sai du Kambulai,
18 Abravo, Pea Man, Ibrahim Bazy Kamara, his wife, Anifa
19 Bedor. Those I can remember."
10:04:54 20 Mr Witness, did you ever hear of an accident involving the
21 wife of the second accused?
22 A. No.
23 Q. Did you ever know of the presence of the second accused in
24 Port Loko District during the pull-out?
10:05:25 25 A. Well, my wife told me that when they arrived in Masiaka,
26 the --
27 THE INTERPRETER: The interpreter has a problem here. The
28 interpreter has a problem here.
29 PRESIDING JUDGE: Just pause, Mr Brima. The interpreter is

1 having a problem that I would like to hear about.

2 THE INTERPRETER: The expression in Krio, the second
3 accused [Krio spoken] is not clear to the interpreter. It is
4 ambiguous.

10:06:12 5 PRESIDING JUDGE: Mr Interpreter, I did not understand what
6 you said. Could you repeat that, please?

7 THE INTERPRETER: I said the expression [Krio spoken] is
8 ambiguous.

9 PRESIDING JUDGE: What was the expression.

10:06:33 10 THE INTERPRETER: It is in Krio meaning either he left the
11 person there or the very person spoken about left and went
12 elsewhere.

13 MR DANIELS:

14 Q. Mr Brima what did you mean when you used the expression
10:07:04 15 [Krio spoken] in relation to your wife?

16 A. The expression is like he took my wife and handed her over
17 to my brother whilst he left.

18 Q. To the best of your knowledge, is Makeni within the Port
19 Loko District?

10:07:26 20 A. No.

21 Q. Do you know about where the second accused went to?

22 A. I have told this Court, I said he went and left my wife at
23 Port Loko.

24 Mr interpreter, that is not what I have said. Hold on.

10:08:03 25 Hold on. That is what I have said. I said Sergeant Kamara went
26 and left his wife Ani fa in Port Loko whilst he left my wife in
27 the care of my brother in Masiaka.

28 Q. When did your wife tell you this?

29 A. My wife told me this in July of 1998 when I came to my

1 Yarya.
2 Q. I shall move on.
3 MR DANIELS: I'm referring to the same witness, page 32
4 from line number 4.
10:10:22 5 Reading from line number 4.
6 "Q. Now, you said that SAJ Musa went to Koinadugu. Do
7 you know if he went with anyone to Koinadugu?
8 "A. Yes, he went with half of the other troops, but I
9 could not remember all the people he went with.
10:10:45 10 "Q. Do you remember if he went with any commanders whose
11 names you can remember?
12 "A. Yes, he went with Brigadier Mani and Liberian
13 Bropleh.
14 "Q. And you spell, firstly, Mani?
10:10:56 15 "A. M-A-N-I.
16 "Q. And also Bropleh, please.
17 "A. B-O-P-L-E-H [sic].
18 "Q. Brigadier Mani, who was he?
19 "A. He was a member of the Sierra Leone Armed Forces."
10:11:13 20 That is the end.
21 Mr Witness, did you ever hear of SAJ Musa going to
22 Koinadugu?
23 A. I heard about that.
24 Q. With when did you hear about this?
10:11:32 25 A. I heard about this when we met at Eddie Town.
26 Q. Did you hear that he had half of the troops with him, as
27 suggested by Witness 167?
28 A. Well, I don't know the number he referred to as half of the
29 troops, but the soldiers that went to the Kabala axis were with

1 SAJ Musa and Brigadier Mani .

2 Q. Did you hear exactly where it was that SAJ Musa was in
3 Koinadugu?

4 A. SAJ Musa he was based in Kurubonla.

10: 12: 54 5 JUDGE SEBUTINDE: We would like some foundation on that.

6 MR DANIELS:

7 Q. Mr Brima, how do you know that SAJ Musa's base was at
8 Kurubonla?

9 A. Well, when I came to Kono in July, then I went to my home
10: 13: 18 10 town, Yarya, my brother who was shot at Komba, explained to me
11 that SAJ Musa was at Kurubonla. So this was the way I came to
12 know that SAJ Musa was at Kurubonla. And again, at Eddie Town
13 some of my comrades told me that SAJ Musa was at Kurubonla.

14 Q. Are you able to recall the name of a particular comrade to
10: 14: 01 15 told you about SAJ Musa's presence in Kurubonla?

16 A. One, Staff Sergeant Moseray.

17 Q. Kindly spell the name Moseray for us, please?

18 A. M-O-S-E-R-A-Y.

19 Q. You have told this Court that this Moseray told you that
10: 14: 34 20 while you were in Eddie Town. Did Moseray tell you how he knew?

21 A. He was with SAJ Musa.

22 Q. He was with SAJ Musa where?

23 A. He said since the pull-out time from Freetown until they
24 reached Eddie Town where he met SAJ Musa.

10: 15: 04 25 The interpreter is not interpreting well what I am saying.

26 Q. What is it that you want to say?

27 A. I said the staff sergeant who told me this he was with SAJ
28 Musa. When they went around all those areas before they reached
29 Eddie Town.

1 Q. You just said that he went around all those areas before he
2 came to Colonel Eddie Town? Did he tell you which areas he went
3 through with SAJ Musa before he came to Colonel Eddie Town?

4 A. He spoke about Tombo. He also spoke about Fogbo, Masiaka,
10:15:51 5 Makeni, Kabala, and then they came to Kurubonla and then later
6 they came to Eddie Town.

7 Q. Did you know or did you find out when it was that SAJ Musa
8 was at Kurubonla, when in time?

9 A. Well, since the time I came back to Kono in July, when I
10:16:24 10 met my brother in my home town, at that time SAJ Musa was at
11 Kurubonla and my brother told me that.

12 Q. Do you know what SAJ Musa was doing at Kurubonla?

13 A. SAJ Musa was based at Kurubonla where it was his own
14 headquarters. And he was there, he was sending fighting patrol
10:17:08 15 teams.

16 Q. You have just told us that SAJ Musa had his headquarters at
17 Kurubonla. Before I ask you how you know that, what do you mean
18 by his headquarters?

19 A. Well, that is where SAJ Musa was based and that was where
10:17:36 20 Brigadier Mani too was and that was where General Bropleh also
21 was and other senior officers.

22 Q. You said also that from the headquarters SAJ Musa sent
23 fighting patrols. What do you mean by fighting patrols?

24 A. Well, this was a team that goes to attack, that goes to
10:17:59 25 attack the enemy base or the enemy's deployment area.

26 Q. How do you know this?

27 A. I knew this through some of my comrades and I also knew
28 this through Alabama's wife who was -- it was Kabala that Alabama
29 adopted her.

- 1 Q. Do you know where the fighting patrols attacked?
- 2 A. Well, I know about Kabala.
- 3 Q. Before you proceed, how do you know about the attack at
4 Kabala?
- 10:19:01 5 A. I told you that some of my comrades who came with SAJ, they
6 explained to me.
- 7 Q. When, if you know, was this attack at Kabala?
- 8 A. I don't know the correct month, but it was in 1998.
9 [AFRC21JUN06B - SV]
- 10:19:29 10 Q. Do you know of any other attacks carried out by fighting
11 patrols attached to SAJ Musa?
- 12 A. Well, this is the one that I can recall that I know about.
- 13 Q. Do you know if anything happened at this attack in Kabala?
- 14 A. I have told you that this attack at Kabala, that was where
10:20:00 15 Alabama captured Kambi's woman.
- 16 Q. Did you ever hear at any time of the presence of the second
17 accused in Kabala?
- 18 A. No.
- 19 Q. Please explain what you mean by no?
- 10:20:22 20 A. No, I did not hear about it. And my wife told me that
21 Sergeant Kamara, before he left them at Masiaka, before he went
22 to Port Loko, he did not see him again.
- 23 MR DANIELS: Your Honours, I will be referring now to
24 witness 334 of 17th May 2005, page 82. With Your Honours'
10:22:07 25 permission I will read from line 4.
- 26 "Q. Which AFRC honourables do you remember were in Kabala?
- 27 "A. Well, in fact, the vice-chairman was there with
28 Solomon SAJ Musa and Ibrahim Bazy Kamara. He involved in
29 the road accident as he was heading for Kabala. There was

1 Honourable Papah Bangura; he too was in Kabala.
2 "A. Well, at the time [inaudible] point SAJ Musa was
3 commanding the troops in Kabala, because he was the most
4 senior officer -- government official who was there."
10:23:03 5 Q. Did you hear what I just read to you and understand it?
6 A. Yes.
7 Q. What do you say to this statement by witness 334 that
8 SAJ Musa was the most senior government official and he was
9 commanding troops in Kabala? What do you say?
10:23:25 10 A. Well, if other senior officers were not there, SAJ Musa
11 could command the troops. And from what the witness said, maybe
12 there was no senior officer up to the rank of SAJ Musa. That was
13 why SAJ Musa commanded the troops there.
14 Q. If you know, please tell us, while SAJ Musa was in Kabala,
10:24:04 15 who was the next in charge after him? Who was his second in
16 command?
17 A. Well, I don't know.
18 Q. Do you know whether Liberian Bropleh had any official
19 position?
10:24:28 20 MR DANIELS: Bropleh, Your Honours, is spelt B-R-O-P-L-E-H.
21 Q. Do you know whether Liberian Bropleh had any command and
22 control --
23 JUDGE SEBUTINDE: When and where?
24 MR DANIELS: I haven't finished, My Lord.
10:24:53 25 Q. Command and control with SAJ Musa's troops in Kurunbola?
26 A. No, he had never had any command and control over troops.
27 Q. How do you know that?
28 A. Bropleh, whose name you have mentioned, he was a Liberian
29 and he was commanding the STF, that was the Special Task Force.

1 Q. Please stop there. How do you know that Nigerian Bropleh
2 was commanding the special force?
3 A. Not a Nigerian, I mean Liberian Bropleh. Since I joined
4 the army, the Liberians who withdrew, that is I am talking about
10:25:45 5 the Liberian soldiers, whilst the war was raging in Liberia, when
6 they came to Sierra Leone General Bropleh was their commander and
7 they were fighting alongside with the Republic of Sierra Leone
8 Army.
9 Q. How do you know they were fighting alongside the Sierra
10:26:10 10 Leone Army?
11 A. They had their office at army headquarter, and I had also
12 fought alongside with some of them.
13 Q. What about senior officer Mani, M-A-N-I, do you know
14 whether he had any command position in Kurubonla?
10:26:48 15 A. Well, at Kurubonla, like I have said to you, from what I
16 heard from my comrades, Brigadier Mani was not there at the early
17 times when the SLA soldiers withdrew from Freetown to upcountry.
18 Q. Very well. I'll move on.
19 MR DANIELS: Your Honours, I am moving to witness 167,
10:27:34 20 transcript of 15 September 2005 at page 30, going on to 31.
21 JUDGE SEBUTINDE: Please put on your microphone.
22 MR DANIELS: Page 30, going on to 31. I will read.
23 PRESIDING JUDGE: We now have to get page 31, if you can
24 just pause there. Go ahead, Mr Daniels.
10:29:36 25 MR DANIELS: Thank you.
26 Q. Reading from page 30 at line 23.
27 "Q. Did anything happen in Kabala whilst you were there?
28 "A. There was a meeting held so we could go and attack
29 Kono.

1 "Q. Do you recall who was present at that meeting?
2 "A. You have Hassan Papa Bangura, you have Ibrahim Bazy
3 Kamara, you have Biorbo Sesay, and some other commanders,
4 and Superman.
10:30:14 5 "Q. Who chaired the meeting?
6 "A. Superman chaired the meeting.
7 "Q. You have said a name, Biorbo Sesay. Is that the same
8 Borbor you referred to earlier?
9 "A. Yes.
10:30:28 10 "Q. How do you know this meeting took place?
11 "A. Because I was there.
12 "Q. Where did it take place?
13 "A. At Kabala.
14 "Q. Do you know in particular where?
10:30:52 15 "A. No.
16 "Q. Apart from deciding to attack Kono, was anything else
17 said at this meeting that you are able to recall?
18 "A. Yes. What was said on the meeting was that SLAs
19 should come together with the RUF commanders so that we can
10:31:15 20 go to Kono. But SAJ Musa refused and he took his own way
21 to Koinadugu, whilst we moved to Kono."
22 That is the end. Witness, do you know of a person by the
23 name of Superman?
24 A. Yes.
10:31:49 25 Q. Please tell the Court who Superman is to you. Who is he?
26 A. Superman is an RUF rebel.
27 Q. When was the first time you got to know of him?
28 A. It was in 1997.
29 Q. How do you know he's an RUF rebel?

- 1 A. Well, I knew that through a meeting that we attended.
- 2 Q. Which meeting?
- 3 A. It was a council meeting.
- 4 Q. Where did you attend this council meeting?
- 10:32:30 5 A. It was at the house of Major Johnny Paul Koroma in
6 Freetown.
- 7 Q. When was it, if you can remember, that you went for this
8 meeting?
- 9 A. I cannot recall the month, but I know that we held a
10:32:48 10 meeting there and that was the first time for me to know him.
- 11 Q. Was he introduced to you?
- 12 A. Well, not officially, but we met and shook hands.
- 13 Q. What was his position, if you know, within the RUF?
- 14 A. I am not a rebel. I don't know any position that he has
10:33:16 15 within the RUF.
- 16 Q. Did you know him to be a senior or junior member of the
17 RUF?
- 18 A. Well, I have told you that I don't know about RUF.
- 19 Q. Do you know about any meeting being chaired by Superman at
10:33:38 20 Kabala?
- 21 A. I don't know.
- 22 Q. Are you aware of the presence of the second accused at any
23 meeting in Kabala?
- 24 A. I don't know.
- 10:33:55 25 Q. Are aware of the presence of SAJ Musa at any meeting in
26 Kabala?
- 27 A. I don't know.
- 28 Q. You have told this Court that at one point in time the
29 relationship between the AFRC and the RUF was very tense, to use

1 your own words. You were referring to February 1998. I can give
2 you your transcript. Mr Witness, on 8th June you told this Court
3 that the relationship between the RUF and the AFRC from February
4 1998 was very strange, because the RUF -- there was a problem
10:35:18 5 between the RUF and the AFRC from February 1998. They felt they
6 should claim superiority over the SLA, or the RUF, as it was
7 called.

8 Do you know anything about the relationship between the
9 AFRC and the RUF after February 1998?

10:35:44 10 A. After February 1998 the AFRC was no longer existing.

11 Q. Did the AFRC -- did the soldiers, the SLA soldiers, have
12 any alliance with the RUF after February 1998?

13 A. Well, the SLA never had any business with the RUF that I
14 know about.

10:36:23 15 Q. So if I put it to you that after the pull-out the SLA had
16 no business with the RUF, what would you say?

17 A. Well, I have said from what I know, because those times you
18 are talking about, when the soldiers withdrew from Freetown, I
19 have told this Court that the RUF arrested me and they arrested

10:36:56 20 Johnny Paul Koroma and some other senior officers. So the
21 relationship had a problem with the RUF.

22 Q. Thank you.

23 MR DANIELS: Respectfully, Your Honours, I'll be reading
24 from the transcript of 334, 17th May 2005 at pages 83 and 84.

10:38:49 25 Respectfully, Your Honours, I'll be reading from line 8 on page
26 83.

27 Q. Please listen, Mr Witness.

28 A. Yes.

29 Q. "A. Gullit was the immediately senior commander who was in

1 Kono, while he was controlling mining. So as he heard
2 about our drive from Freetown according to the soldiers who
3 had come from Kono, so he too decided to leave Kono to
4 travel to Kailahun.

10:39:27 5 "Q. You said that there were commanders called to that
6 meeting. Can you name the commanders who you remember
7 attended that meeting?

8 "A. SAJ chaired the meeting. We had Colonel SO Williams
9 who was there, there was also Honourable Ibrahim Bazy
10:39:46 10 Kamara, there was Honourable Papah Bangura, there was Denis
11 Mingo and other senior and junior commanders of both the
12 RUF -- of both the SLA and RUF. They were all present at
13 this meeting.

14 "Q. Your Honours, these are all names you have heard
10:40:11 15 before. I do not think I need to spell them. SO Williams
16 you've heard before, Ibrahim Bazy Kamara, Papa Bangura and
17 Denis Mingo, all ones that were spelt earlier. Was there
18 any decision made at this meeting?

19 "A. Yes, indeed, because later after SAJ Musa had decided
10:40:34 20 and that it was necessary to recapture Kono, so indeed they
21 said that all commanders should go together with their men
22 and move towards Binkolo and collect Johnny Paul Koroma and
23 then move towards Kono.

24 "Q. So where was Johnny Paul Koroma at this time?

10:40:55 25 "A. Well, Johnny Paul Koroma was with his entire family
26 and securities at Magbonkinah, the village near --
27 Magbonkinah, a village close to Binkolo.

28 "Q. I spelt that earlier; it's M-A-G-B-O-N-K-I-N-E-H, near
29 Binkolo, B-I-N-K-O-L-O. How do you know that what you said

1 was said at the meeting was actually said? How do you know
2 this?
3 "A. Well, this was an open meeting because SAJ Musa tried
4 to address everybody since we've lost the ground, because
10:41:36 5 there no control. After Operation Pay Yourself there was
6 no control. So SAJ decided to call the soldiers to be
7 present at that meeting. But just because we are closer to
8 them, so we are right in front and listening to what was
9 going on at the meeting."
10:42:06 10 That's the end. Mr Witness, do you know Superman to have
11 any other name?
12 A. Yes.
13 Q. Please tell us.
14 A. He is called Denis Mingo. Mingo.
10:42:45 15 Q. Do you know about any meeting chaired by SAJ Musa at
16 Kabala?
17 A. No.
18 PRESIDING JUDGE: Where does it say that meeting was at
19 Kabala?
10:43:11 20 MR DANIELS: I beg your pardon. The very next line. I did
21 not read it. The very next line, line 15 to 16.
22 PRESIDING JUDGE: Well, that doesn't really say anything
23 about a meeting at Kabala.
24 MR DANIELS: Very well.
10:43:40 25 PRESIDING JUDGE: While you're considering that,
26 Mr Daniels, I think this is an appropriate time to have the
27 morning break. We'll adjourn the Court now for a short break.
28 We'll come back at five past eleven.
29 [Break taken at 10.45 a.m.]

1 [Upon resuming at 11.05 a.m.]

2 PRESIDING JUDGE: Yes, Mr Daniels.

3 MR DANIELS: Your Honour, before I proceed, I will read
4 from page 82 a portion which will answer the query which Your
11:04:23 5 Lordship asked.

6 PRESIDING JUDGE: Thank you, Mr Daniels. Just pause, we'll
7 get the legal officer to --

8 MR DANIELS: It has already been referred to --

9 PRESIDING JUDGE: Previously, has it?

11:04:37 10 MR DANIELS: Yes, page 82.

11 PRESIDING JUDGE: Yes, we have that.

12 MR DANIELS: Reading from line 13.

13 "Q. What happened when you arrived in Kabala?

14 "A. We got to Kabala. A meeting was called.

11:04:54 15 "Q. Who was the meeting with?

16 "A. SAJ Musa called all the commanders to report so that
17 they could discuss how to plan to retake Kono. Because
18 while we were in Kabala we saw soldiers who were moving,
19 coming Kabala, and they said that Gullit had left Kabala
11:05:21 20 and has gone to Kono --

21 "THE INTERPRETER: Your Honours, please let the witness go
22 back to the last piece of information.

23 "MS PACK: I would rather ask the question again.

24 "Q. You were talking about what was said at that meeting,
11:05:39 25 I think. Just go through that slowly. What was said at
26 that meeting?

27 "A. SAJ Musa summoned all the commanders. He said that
28 now that we had information from soldiers that Gullit had
29 left the ground and that they did not attack him and yet he

1 had just left and gone to Kailahun. And Kono is a
2 strategic position, so it was better to go and retake Kono
3 and make there -- and defend there properly. By taking
4 Kono they will get international recognition from the
11:06:14 5 community and we will have recognition from the present
6 government that they were fighting.
7 "Q. You mentioned another name, Kailahun, which is spelt
8 K-A-I-L-A-H-U-N. You also said Gullit had left the ground.
9 Where he had left." [Sic]

11:06:58 10 Q. Mr Witness, do you know of any meeting chaired by SAJ Musa
11 at Kabala.
12 A. No, I don't know.
13 Q. Were you a senior commander while you were in Kono?
14 A. I have never been a senior commander in Kono.

11:07:28 15 Q. Are you aware of a decision by SLA forces in Kabala to
16 retake Kono Town?
17 A. No.
18 Q. You don't know or you're not aware?
19 A. Well, I don't know.

11:07:58 20 Q. Do you know whether the second accused was at any time in
21 Kono?
22 A. No, I don't know.
23 Q. Very well.

24 MR DANIELS: Your Honours, we are moving on to witness 167.
11:08:37 25 I have already given information to Court Management on the pages
26 we shall be referring to, starting from Wednesday, 18th May.
27 PRESIDING JUDGE: Mr Daniels, I think we had better give
28 credit where credit's due. It's not Court Management whose
29 getting all of these, it's the chambers legal officer.

1 MR DANIELS: Credit is due, My Lord. Reading from page 2
2 of witness 167 on 18th May 2005.
3 JUDGE SEBUTINDE: Mr Graham, my transcript says TF1-334.
4 MR DANIELS: 334, I beg your pardon. 334, that is correct.
11:09:43 5 "Q. Good morning, witness. Yesterday afternoon I had been
6 asking you questions about who was in overall command in
7 Kono. And before that I had asked you where Johnny Paul
8 Koroma had gone on his arrival to Kono and you had
9 indicated that he went to a village near Woama, Tankoro.
11:10:11 10 You said he was there for two days and then he went to
11 Gandorhun. Just to remind you where we were yesterday.
12 Now, witness, before Johnny Paul Koroma left for Gandorhun
13 - and, Your Honours, I will repeat the spelling,
14 G-A-N-D-O-R-H-U-N - before Johnny Paul Koroma left for
11:10:38 15 Gandorhun, did anything happen in the village where he was
16 staying?
17 "A. Yes, because the second day we went to -- I, and the
18 operation commander and others, we went to where Johnny
19 Paul was. When we were there in front of me, Johnny Paul
11:10:56 20 called all the other commanders and he was addressing them.
21 He said now that he was about to go to Kailahun he was
22 telling us that Kono should be defensive ground for the
23 junta forces. And now that Kono should be the defensive
24 ground we should make sure that Kono was a [inaudible]
11:11:24 25 area? And after which we should have the [inaudible] so
26 that we could train them. And secondly, we should make
27 sure that we defend Kono thoroughly, because as he was
28 going he had plans to go and meet the leader in Liberia and
29 after that he would go to Burkina Faso and Libya so as to

1 be able to get arms and ammunition so as to reinforce us in
2 Kono so that we will be able to defend Kono thoroughly.
3 And he said that we should make sure that as the civilians
4 had betrayed us because when the military left Kono the
11:12:12 5 civilians went and called the Kamajors. They came and took
6 over the [inaudible] so as we wanted to enter they
7 attacked us. So this clearly showed that the people did
8 not like us in Kono. So we should not tolerate them, we
9 should not encourage them and we should make sure that they
11:12:41 10 do not even come here in Koidu Town. And that so for us to
11 be safer the houses that surrounded should be completely
12 burnt down so that we would be able to make a strong
13 defensive. Then, as Johnny Paul said these words, he was
14 supported by Issa Sesay."

11:13:15 15 Mr Brima, did you understand what I just read to you?

16 A. Yes.

17 Q. Are you aware of an order being given by Johnny Paul Koroma
18 that Kono should be made a defensive ground?

19 A. No, I'm not aware because I wasn't there.

11:13:43 20 Q. Well, I'm putting it to you that Johnny Paul Koroma ordered
21 that Kono should be made a defensive ground.

22 PRESIDING JUDGE: I can't allow that. I can't allow that,
23 Mr Daniels. He just said he doesn't know.

24 MR DANIELS: Very well.

11:14:16 25 Q. Did you ever hear about Kamajor forces attacking Sierra
26 Leone forces in Kono?

27 A. Yes.

28 Q. Who are the Kamajor forces to you? What does Kamajor mean
29 to you?

1 A. Kamajors are local traditional hunters. That is in the
2 Mende language. If it were a Kono language, they are referred to
3 Donsos. They themselves are hunters.

4 Q. You have told us that you were aware of the Kamajors
11:15:13 5 attacking SLA forces in Kono. What do you know about these
6 attacks?

7 A. These attacks, as you rightly read, I was in Kono. Before
8 I withdrew from Kono, the people came and told me that the
9 Kamajors had arrived and they've started killing soldiers and set
11:15:37 10 fire on them. I was unable to bear the situation. That was why
11 I escaped from Kono.

12 Q. Were you in Kono at a time that the Kamajor forces entered
13 into Kono in February of 1998?

14 A. I did not see them, but it was the information that I got
11:16:12 15 that Kamajors had started killing soldiers towards Sewafe. That
16 made me not to stay in Kono.

17 Q. Can you please spell Sewafe for the Court?

18 A. S-E-W-E-F-E [sic].

19 Q. And where is Sewafe in relation to Kono?

11:16:51 20 A. It is in the Kono District.

21 Q. Who told you, who gave you this information that the
22 Kamajors were killing SLA soldiers?

23 A. The civilians. Some were my relatives.

24 Q. When exactly was this that you heard this information?

11:17:13 25 A. It was in February before I pulled out from Kono.

26 Q. Do you know why the Kamajor forces entered Kono Town?

27 A. Well, except later when I came to realise that -- when I
28 was made to understand that it was the Lebanese that went and
29 called them.

1 Q. When later did you find out that it was the Lebanese that
2 called in the Kamajors to enter into Kono?

3 A. Before they arrested me and brought me here I used to go
4 back to my home town in Kono and my cousins used to tell me that
11:18:10 5 it was one Lebanese that went and called the Kamajors, and the
6 Lebanese name is Amuda. And the Kono people had burned that
7 Lebanese.

8 Q. Please, could you hazard a spelling of Amuda, please?

9 A. A-M-U-D-A.

11:18:48 10 Q. Please go on.

11 A. My people told me that it was Amuda, the chairperson for
12 the Lebanese in Kono, was the one that went and called the
13 Kamajors.

14 Q. Do you know how the Lebanese called the Kamajors to Kono?

11:19:27 15 A. He said the Lebanese contributed money. He went and gave
16 the money to the Kamajors so that the Kamajors could come over to
17 Kono to secure them.

18 Q. Do you know where Amuda got the Kamajors from?

19 A. Well, I don't know the exact place where he got them.

11:19:58 20 Q. Do you know if the Kamajors attacked the SLA forces first
21 or did the SLA attack the Kamajors? Which was it?

22 A. It was the Kamajors that first launched the attack.

23 Q. Do you know where the battle took place, the fight?

24 A. It was in the Kono District.

11:20:35 25 Q. Did you ever hear about Johnny Paul Koroma giving an order
26 that houses and --

27 JUDGE SEBUTINDE: Mr Daniels, are we going to have any
28 foundation on this evidence that you have just led?

29 MR DANIELS: Very well.

- 1 Q. You've just told us that there was some fighting between
2 the Kamajors and the SLA forces. How did you know about that?
- 3 A. I have told you that it was my relative that explained that
4 to me.
- 11:21:18 5 Q. Which relative explained this to you?
- 6 A. It wasn't one relative, not two. They were many, the ones
7 that told me.
- 8 Q. Are you able to give a name?
- 9 A. My uncle. That is, Tamba Sumana.
- 11:21:45 10 Q. Can you spell that for us, please?
- 11 A. S-U-M-A-N-A, Sumana.
- 12 Q. Do you know whether Tamba Sumana was present when the SLA
13 forces were attacked by the Kamajors in Kono?
- 14 A. Well, I left them in Kono and, according to what he told
11:22:16 15 me, he was in Kono unto the date of the disarmament.
- 16 Q. So the question I asked you: Did he tell you whether or
17 not he saw the Kamajors attack the SLA forces?
- 18 A. Well, he said he saw Kamajors burning soldiers alive. And
19 they went and asked in each household, they even went to my own
11:22:48 20 household. They went and asked if I was there. And they traced
21 every soldier or the soldier's family.
- 22 Q. And where was it that he told you this information?
- 23 A. In Koidu Town.
- 24 Q. Koidu Town in?
- 11:23:19 25 A. Kono District.
- 26 Q. Very well.
- 27 MR DANIELS: Your Honours, we shall be referring to page 4
28 of the same transcript.
- 29 Q. Reading from line 8, from the word "now":

1 "Q. Now, you said that Johnny Paul Koroma said that Kono
2 should be a civilian no-go area. Please explain what you
3 mean by that.

4 "A. That is we should not tolerate any civilian who was
11:24:57 5 not part of us to live within the area. In fact he even
6 ordered that we should make sure that we clear them and
7 even to execute those who are not ready to join the
8 movement.

9 "Q. By civilians who are not part of you, what does he
11:25:24 10 mean by civilians who were not part of you?

11 "A. Well, especially those who are strong enough to join
12 the movement they would be part of us, and those that were
13 not strong enough should be executed. Because they should
14 not go anywhere so as to give information about our present
11:25:45 15 location and about our movement.

16 "Q. You also said something about civilians betraying the
17 movement. Can you explain what you meant by that?

18 "A. Well, as I said, betray, he meant that as we were
19 about to go to Kono in our attacks the information that we
11:26:08 20 had was that the civilians they went and brought the
21 Kamajors and brought them to the ground. And when they
22 came in, we and the troops who came to take over Kono we
23 were attacked by the Kamajors. This had proved that the
24 civilian population should not be trusted.

11:26:32 25 "Q. When you say we received information that civilians
26 had betrayed you, who are you meaning when you say 'we'?

27 "A. I and the entire troops that entered Kono we had this
28 information."

29 That ends my reading. Mr Bri ma, did you ever hear about an

1 order given by Johnny Paul Koroma that those who did not join the
2 movement should be executed in Kono?

3 A. No, I did not hear about that.

4 Q. Do you know whether Johnny Paul Koroma in February of 1998
11:27:34 5 declared Kono as a no-go area?

6 A. I don't know.

7 Q. Do you know who was in charge of Kono under the SLA
8 immediately you pulled out from Kono in February 1998?

9 A. The battalion --

11:28:14 10 THE INTERPRETER: The interpreter is sorry. The battalion
11 commander's name is not clear to him.

12 THE WITNESS: The battalion commander, Colonel AL Sesay, he
13 was in charge of the SLAs in Kono.

14 MR DANIELS:

11:28:56 15 Q. Do you know who was in charge of the RUF in February 1998
16 in Kono?

17 A. I don't know.

18 Q. Did you ever hear about the civilians in Kono being accused
19 of betraying the SLAs?

11:29:29 20 A. Well, I did not hear about it.

21 Q. Are you aware of any executions that took place in Kono in
22 February 1998 by the Kamajors?

23 A. Yes.

24 Q. Do you know of any person personally that was killed by
11:30:15 25 Kamajors in February 1998?

26 A. They killed one popular soldier in Kono whom they called
27 Nonkor.

28 Q. Could you please spell Nonkor for the convenience of the
29 court?

1 A. N-O-N-K-O-R.

2 Q. And how did you know that a popular soldier was killed by
3 the Kamajors in Kono?

4 A. That soldier had been going to Kono for a long time and he
11:31:01 5 stayed very close to my family house. So he was one of the
6 soldiers that was very popular in Kono because he's born in Kono,
7 a native.

8 Q. How do you know he was born in Kono?

9 A. I know that Kono is his home town because since I was a
11:31:25 10 little boy I used to meet him there. And he speaks Kono, as I
11 do.

12 Q. And where did he tell you this?

13 A. It was not he that told me. It was my cousins, my
14 relatives, that explained this to me.

11:31:51 15 Q. Do you know how he died?

16 A. Repeat it again, sir.

17 Q. [Overlapping speakers]

18 JUDGE SEBUTINDE: Mr Daniels, could you desist from talking
19 over the interpreter. That's how we lose your questions. Please
11:32:09 20 repeat your question.

21 MR DANIELS:

22 Q. Do you know how he died?

23 A. Yes, they said they placed a tyre round his neck, they
24 sprinkled petrol on it and scratched a match.

11:32:36 25 Q. Do you know whether the RUF was in Kono in February 1998?

26 A. Yes, RUF was in Kono.

27 Q. How did you know that?

28 A. Well, I knew that, from the time I was in Kono, I saw the
29 RUF.

- 1 Q. Who did you see in the RUF in Kono?
- 2 A. I saw one RUF called Moriba.
- 3 Q. Can you spell that for us, please?
- 4 A. M-O-R-I-B-A.
- 11:33:44 5 Q. How do you know that Moriba was an RUF?
- 6 A. He used to pay me visits intermittently, and I observed the
7 way he dressed, and he had a rifle.
- 8 Q. How was Moriba dressed?
- 9 A. Moriba, he was in civilian clothes and trousers and he wore
11:34:25 10 a beret which was a military beret, and I saw him again holding a
11 rifle.
- 12 Q. Was he a senior commander of the RUF?
- 13 A. I don't know.
- 14 Q. Do you know who his commander was?
- 11:34:54 15 A. I don't know.
- 16 Q. To the best of your knowledge, did the RUF and the SLA
17 forces ever act jointly in Kono in February 1998?
- 18 A. Before I left Kono I did not see the RUF and the SLA
19 working together.
- 11:35:33 20 Q. Again, were you aware at any time of the presence of the
21 second accused in Kono in February 1998?
- 22 A. No, I did not hear that, that the second accused was in
23 Kono in February 1998.
- 24 Q. Did you ever hear of the presence of the second accused in
11:36:12 25 Kono in March 1998?
- 26 A. No, I did not hear about it.
- 27 Q. After you left Kono, do you know whether the RUF remained
28 in Kono?
- 29 A. Well, when I left Kono and returned I met the RUFs in Kono.

1 Q. Very well. I shall read you another passage from the same
2 transcript.

3 MR DANIELS: Your Honours, I am now moving to page 5,
4 starting from line 13.

11:37:37 5 JUDGE SEBUTINDE: For the record, that is 18th May 2005.

6 MR DANIELS: 18th May 2005, page 5, line 13.

7 Q. "Q. Now, you have also said that you were to defend Kono
8 thoroughly. Perhaps if you could just repeat and clarify
9 what was said on that subject.

11:38:07 10 "A. Well, this was the statement that SAJ gave us in
11 Kabala. When I left with my commanders -- when we went
12 to -- it was a sort of enforcement that John gave to
13 this -- excuse me, Your Honours, the witness is fast.

14 "PRESIDING JUDGE: Mr Witness, go a [inaudible] slow so the
11:38:28 15 interpreter can [inaudible].

16 "MS PACK:

17 "Q. I will ask you to answer that question again, and
18 please take it slowly. You were talking about the subject
19 that you had spoken about earlier that you were to defend
11:38:53 20 Kono thoroughly. Just explain what was meant by that, what
21 you heard.

22 "A. Well, Johnny Paul addressed me and my commanders that
23 we went to this meeting that Kono should be thoroughly
24 defended because -- because Kono was a vital area and if
11:39:16 25 captured and defended it then we would be able to draw the
26 attention of the international community and we would also
27 be able to draw the attention of the Sierra Leone
28 government and we would be able to get diamonds from Kono
29 so as to be able to support the movement.

1 "Q. Now, the other matter that you spoke about that was
2 said -- something about houses being burnt down. Would you
3 just repeat that and explain what was said in relation to
4 that?

11:39:59 5 "A. Well, Johnny Paul said, since he was addressing me and
6 other commanders that were there, since he had declared
7 Kono as a no-go area, he said then we should make sure that
8 all the houses that were surrounding us should be burnt
9 down so that no civilian will be able to settle in Koidu
11:40:27 10 Town.

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

14 "A. Johnny Paul told us that now that he was about to go
11:40:46 15 he was going to pass through Kailahun, he was going to
16 Kailahun. Liberia, from there he would be able to see the
17 President of Liberia. He would go to Burkina Faso, from
18 there he would go Libya and purchase arms and ammunition
19 for us so that -- he would purchase arms and ammunition so
11:41:04 20 as to send them to us in Kailahun, so as to be able to
21 defend Kono thoroughly."

22 Did you hear and understand what I just read to you?

23 A. Yes, sir.

24 Q. Are you aware that Johnny Paul Koroma intended to go to
11:41:42 25 Liberia at any point in 1998?

26 A. No.

27 Q. Are you aware that the -- do you know whether Johnny Paul
28 Koroma had an intention at any time to go to Burkina Faso?

29 A. No, I don't know.

1 [AFRC21JUN06C-RK]

2 Q. Do you know whether Johnny Paul Koroma ever went to
3 Kailahun?

4 A. Yes.

11:42:30 5 Q. Do you know when Johnny Paul Koroma went to Kailahun?

6 A. He arrived in Kailahun in March of 1998.

7 Q. How do you know he arrived in Kailahun in March of 1998?

8 A. Well, I have told this Court before this time that I was
9 arrested in Kailahun and I, myself, went to Kailahun and I saw
11:43:12 10 Johnny Paul in Kailahun.

11 Q. Are you aware, and please answer yes or no, you can go on
12 to explain afterwards, whether or not Johnny Paul Koroma ever
13 gave an instruction to the second accused to burn down houses in
14 Kono in 1998?

11:43:56 15 A. No. No.

16 Q. Do you know if Johnny Paul Koroma gave any instruction to
17 anyone about the burning of Kono in 1998?

18 A. No.

19 Q. Do you know whether or not the second accused burnt houses
11:44:32 20 in Kono in 1998?

21 A. No.

22 Q. By "no," what do you mean?

23 A. He did not burn down houses -- the second accused did not
24 burn down houses in Kono, and the second accused did not order
11:44:57 25 for the burning of houses in Kono.

26 Q. How do you know?

27 A. My people told me that it was RUF Superman gave the order
28 for them to burn down houses and even my family house was burnt
29 down.

- 1 Q. Your family house where in Kono?
- 2 A. At Yardu, in Koidu Town. Number 9 Yardu Road.
- 3 Q. Can you spell that, please.
- 4 A. Y-A-R-D-U, Yardu.
- 11:45:59 5 Q. Do you know who burnt down your family house?
- 6 A. It was the RUF rebels.
- 7 Q. How do you know that it was the RUF rebels that burnt down
- 8 your family house in Koidu Town?
- 9 A. My relatives that I have spoke about in this Court, they
- 11:46:29 10 were in Kono until the end of the war and they were the ones that
- 11 explained to me.
- 12 Q. Do you know when your family house was burnt down?
- 13 A. It was in March 1998.
- 14 Q. Do you know if Johnny Paul Koroma ever gave an order to the
- 11:47:10 15 second accused for him to defend Kono in March 1998?
- 16 A. No.
- 17 Q. Do you know whether Johnny Paul Koroma ever gave an order
- 18 to the second accused to make Kono a no-go area?
- 19 A. No.
- 11:47:44 20 Q. Can you explain what you mean by "no"?
- 21 A. No, Johnny Paul did not give those orders to the second
- 22 accused for him to burn down Kono and Johnny Paul did not give
- 23 that order to the second accused. And the second accused, my
- 24 people did not explain to me that they saw him in Kono.
- 11:48:31 25 JUDGE SEBUTINDE: I'm sorry, Mr Daniels, I don't understand
- 26 the foundation for the answer that the witness just gave, saying
- 27 that Johnny Paul did not instruct A 2 with these two orders.
- 28 What is the foundation for that?
- 29 MR DANIELS:

1 Q. Mr Witness, I asked you a question. The question was: Do
2 you know if Johnny Paul Koroma gave any order to the second
3 accused to defend Kono? Your answer was "no." I'm asking you to
4 explain what you mean by "no." No, that the second accused was
11:49:17 5 not given any order by Johnny Paul Koroma to defend Kono. What
6 do you it mean by "no"?

7 A. By that I mean the second accused, from what I got from
8 people, they did not see him in Kono.

9 Q. How do you know that the second accused was not seen in
11:49:43 10 Kono?

11 A. If they have seen him there, they would have told me and my
12 family know him. If they had seen him, if they had seen him,
13 they would have explained to me at the time I reached Kono.

14 Q. The second question I asked you was: If you know whether
11:50:10 15 JPK gave an order to the second accused to make it a civilian
16 no-go area. You also answered "no." Can you explain what you
17 mean by "no" to the second question?

18 A. Well, as I have told this Court, the people said it was the
19 RUF Superman that burnt down Kono, and they did not see the
11:50:38 20 second accused there. If he was there, they would have told me.
21 And the order which they said Johnny Paul gave to the second
22 accused, the second accused wasn't in Kono.

23 Q. If I heard you right, you just told this Court that it was
24 the RUF, to be precise, you said it was Superman who burnt down
11:51:14 25 Kono. Is that what you have just told this Court?

26 JUDGE DOHERTY: Mr Daniels, he said it twice.

27 MR DANIELS: Very well.

28 Q. Please, how do you know that it was Superman that burnt
29 down Kono?

1 A. When I left Kailahun, in July of 1998, I came to Kono. I
2 saw the central township of Koidu Town burnt down and, after the
3 peace accord had been signed, when I went to Kono, my people
4 explained to me that it was Superman who gave that order, and
11:51:58 5 some of them, that were within the RUF controlled area, they
6 worked with the RUF, and they explained to me that it was
7 Superman who gave that order in order for the houses to be burnt
8 down.

9 Q. Were these relatives who told you about the burning of
11:52:32 10 Kono, do you know whether they were present when these burnings
11 took place?

12 JUDGE DOHERTY: Mr Daniels, the witness has answered those
13 questions already. He said "My relatives were there until the
14 end of the war and they explained it to me."

11:52:49 15 MR DANIELS: Very well. I will then move on to page 7 of
16 the same transcript, reading from line 4. That is 18 May 2005
17 for the record.

18 "Q. Witness, after you had heard Johnny Paul Koroma say
19 these things, did you hear anything else being said at this
11:53:44 20 meeting?

21 "A. Well, after, Johnny Paul had given this statement,
22 Issa Sesay reinforced Johnny Paul's statement. He said
23 that, as I was standing with the other commanders, he said
24 they that were out in the jungle, he say he saw how they
11:54:15 25 had been fighting. They did not allow houses. He said he
26 did not want civilians to come by them because civilians
27 were traitors. He said that civilians had betrayed them,
28 we should not tolerate them, we should not allow them to
29 come near us and that we should burn the houses in Kono and

1 this would make them not come closer to our area. So he
2 was also very happy and he supported what Johnny Paul said.
3 "Q. Witness you have spoken about commanders being
4 present at this meeting. Please could you identify who you
11:55:07 5 saw present at this meeting, apart from Issa Sesay and
6 Johnny Paul Koroma?
7 "A. You had operation commander, he was there. We had
8 Superman, he was operations commander for the RUF. We had
9 Honourable Sammy [inaudible]. We had Honourable Rambo, who
11:55:43 10 was CSO. We also had Akim Turay."
11 That ends my reading. Mr Witness, do you know Issa Sesay?
12 A. Yes.
13 Q. Are you aware of Issa Sesay giving any command for the
14 burning of houses in Kono in support of Johnny Paul Koroma?
11:56:33 15 A. No, I'm not aware of that.
16 Q. Do you know Honourable Sammy, referred to by 334 in this
17 statement?
18 A. I don't know any honourable that had that name, Honourable
19 Sammy.
11:57:12 20 Q. Do you know any Honourable Rambo?
21 A. I don't know any honourable that has that name, Rambo.
22 Q. Have you ever heard of Akim Turay?
23 A. Well, the Akim that I heard about, I don't know whether his
24 surname is Turay.
11:57:59 25 Q. Do you know of any Akim that was in Kabala at any time in
26 1998?
27 A. No.
28 Q. Do you know of any Akim that was in Kono in February 1998?
29 A. No.

1 Q. Do you know whether Issa Sesay had any relationship with
2 Johnny Paul Koroma?
3 A. Yes.
4 Q. What relationship do you know about between Issa Sesay and
11:59:05 5 Johnny Paul Koroma?
6 A. Issa Sesay escorted Johnny Paul Koroma to Kailahun.
7 Q. How do you know this?
8 A. I saw Issa himself. I saw Johnny Paul in Kailahun and he,
9 Issa, himself was the one that went with Johnny Paul and they met
11:59:44 10 me in Kailahun.
11 Q. Do you know whether Johnny Paul Koroma -- whether Issa
12 Sesay took instructions from Johnny Paul Koroma during this
13 period?
14 A. I don't know, because I wasn't there.
12:00:22 15 Q. Do you know whether Johnny Paul Koroma took instructions
16 from Issa Sesay at any time in 1998?
17 A. That I can say, yes, because when they arrested Johnny
18 Paul, they were the ones that instructed him, this is what should
19 be done, that is what should be done.
12:00:59 20 JUDGE SEBUTINDE: I'm not sure I understand who "they" are.
21 MR DANIELS: I will clarify with the witness.
22 Q. You just told this Court that they would give instructions
23 to Johnny Paul. Who are you referring to when you say "they"?
24 A. I'm referring to Issa Sesay and the RUF during the time
12:01:32 25 they arrested Johnny Paul in Kailahun.
26 Q. At the time that they had arrested Johnny Paul in Kailahun,
27 were the SLA working together with the RUF?
28 A. No.
29 Q. So would you say that the SLA were taking instructions from

1 the RUF?

2 A. No.

3 Q. I shall move on. Just before I move on, Mr Witness, how do
4 you know that they were not taking instructions? That is, how do
12:02:51 5 you know that the SLAs were not taking instructions from the RUF
6 in Kailahun?

7 A. Well, they arrested us, we, the SLAs, and the SLAs did not
8 go to the front through the orders of the RUF. All the SLAs that
9 went to Kailahun, they arrested us, except the ones I don't know.
12:03:23 10 But the ones that I know, all of us were arrested in Kailahun.

11 Q. So you are saying that the RUF had total control of
12 Kailahun during the period that you were there?

13 A. Yes.

14 MR DANIELS: Your Honours, I'm moving again to pages 8 and
12:03:56 15 9 of the same transcript. Reading from line 21.

16 "Q. Witness, you were talking about the senior -- the
17 commanders who were present at this meeting and I'm going
18 to ask you to take these names very slowly and to talk as
19 slowly as you can so that everyone is able to write down
12:04:43 20 what you are saying. Now, you had identified the
21 commanders in addition to Issa Sesay and Johnny Paul
22 Koroma. You had identified Honourable Sammy and you had
23 identified Honourable Rambo and you had identified someone
24 called Akim. Now would you give the Chamber the full name
12:05:09 25 of Akim, if you know it.

26 "A. Akim was Captain Akim Turay and he was an SLA.

27 "Q. Thank you. The spelling of the Turay is as I have
28 indicated, it is T-U-R-A-Y. Akim, A-K-I-M. Was there
29 anyone else - and if you can take each name individually so

1 that I have time then to repeat the spelling for their
2 Honours?
3 "A. Yes, Mike Lamin was also present.
4 MS PACK: Lamin, L-A-M-I-N.
12:05:40 5 "Q. Anyone else?
6 "A. The junior commanders, they were also there, including
7 myself.
8 "Q. Now, for the sake of clarity, you have been talking
9 about an operational commander. Is that individual you
12:05:57 10 have identified as 'A' previously?
11 "A. Yes, My Lord.
12 "Q. Witness, you have said that Johnny Paul Koroma said
13 these things at this meeting. After this meeting did
14 anything happen in Koidu Town?
12:06:11 15 "A. When Johnny Paul gave this order immediately before
16 he left I and my comrades and my operational commander we
17 started carrying out the order in Kono."
18 Q. Did you hear and understand what I just read to you?
19 A. Yes.
12:06:59 20 Q. From what I have read to you, did you hear me mention the
21 name of the second accused as being present at this meeting?
22 A. No, I did not hear you say that.
23 Q. Do you know Captain Akim Turay, an SLA?
24 A. Well, I have told you that I do not know his surname, but I
12:07:34 25 know one Captain Akim. It is his surname that I don't know.
26 Q. Please tell us about this Captain Akim that you know?
27 A. He is an SLA officer and he was a captain.
28 Q. Did you know him to ever be in Kono in 1998?
29 A. Say that again, sir.

1 Q. Do you know whether he was present in Kono in 1998?

2 A. Well, the Akim that I am referring to, he met me at
3 Kailahun and they all went together with Major Johnny Paul
4 Koroma.

12:08:57 5 MR DANIELS: Your Honours, I will be referring to the
6 transcript of 19 May 2005, witness 334. We will be starting from
7 page 7.

8 PRESIDING JUDGE: How many other pages, while it's being
9 printed?

12:10:13 10 MR DANIELS: Very well. Page 7, page 8, page 11, page 12,
11 page 37 and 38.

12 Page 7, reading from line 22.

13 "Q. Witness, yesterday you spoke about Bazy and his
14 position in the command structure in Kono when he arrived.

12:12:57 15 Did he remain as overall commander of the SLAs in Kono
16 throughout your time in Kono?

17 "A. Well, Bazy continued to be commander until the
18 arrival of Gullit in Koidu Town.

19 "Q. Do you remember when, in relation to your departure
12:13:18 20 from Koidu Town, Gullit arrived?

21 "A. Well, it was close to May, mid-May. And that was the
22 time when there was confusion between the RUF and the SLA
23 in Koidu.

24 "Q. So what happened when Gullit --

12:13:43 25 MR FOFANAH: Excuse me, Your Honours. Again the witness
26 has mentioned a month and we do not know what year.

27 MS PACK:

28 "Q. If you would identify the year, witness.

29 "A. 1998.

1 "Q. Witness, do you know what position Gullit had when he
2 arrived in Koidu Town close to the middle of May?
3 "A. Well, yes, he came as advisor for both the SLA and
4 the RUF. And as he came, indeed, he took command from
12:14:12 5 Bazy.
6 "Q. Took command of what from Bazy?
7 "A. I mean, he immediately became the SLA commander."
8 That ends the reading.
9 Q. During the period May to mid-May of 1998, where were you?
12:14:52 10 A. I was under arrest in Kailahun.
11 Q. You heard what I just read out to you?
12 A. Yes.
13 Q. Did you understand it?
14 A. Yes, sir.
12:15:28 15 Q. Were you, around the middle of May, an advisor to the SLA,
16 that is the Sierra Leone Army?
17 A. No, I have never been an advisor to the Sierra Leone Army.
18 Q. Around the same period, May 1998, were you an advisor to
19 the RUF?
12:15:51 20 A. No, I have never been an advisor to the RUF and I am not an
21 RUF.
22 Q. Did you at any time around May or mid-May take over command
23 from the second accused in Kono?
24 A. No. The person who gave that statement is lying. The time
12:16:27 25 frame that you have spoken about, I was in Kailahun in custody
26 and I have never taken command from the second accused in Kono.
27 So that witness's statement is a lie. He is lying.
28 Q. Have you ever known Bazy to be a commander in Kono in May
29 1998? I beg your pardon, Bazy Kamara. I'm reading from the

1 transcript.

2 A. Well, the person you are referring to, who is Ibrahim
3 Kamara, the second accused, I did not meet him in Kono.

4 Q. You have told this Court that you were in Kailahun in May
12: 17: 39 5 of 1998. Did you ever go back to Kono?

6 A. Yes.

7 Q. When was this?

8 A. Well, I went back to Kono in July 1998.

9 Q. Were you ever an SLA commander in Kono in May of 1998?

12: 18: 19 10 A. No.

11 Q. Do you know of any confusion between the RUF and the SLA in
12 Koidu around May to mid-May of 1998?

13 A. Yes.

14 Q. Please tell us.

12: 18: 59 15 A. Well, from what I heard from my platoon and squad mates,
16 they said the RUF had wanted the SLA to take command from them.
17 And the SLA soldiers who were in Kono, they also did not agree.
18 They said they will not come and be commanded by an untrained
19 person and they will not come and be commanded by a guerilla
12: 19: 36 20 fighter.

21 Q. How did you know about this confusion you have just spoken
22 about?

23 A. It is my comrades who explained to me.

24 Q. Which comrades explained this to you?

12: 20: 00 25 A. I cannot get you the right names now, but I mean my comrade
26 soldiers.

27 Q. When was it explained to you?

28 A. This was at Eddie Town. That was where they explained that
29 to me.

1 MR DANIELS: Thank you. We shall move on. I'm going to be
2 reading from the transcript of the 19 May, page 11, line 18.
3 "Q. Witness, I'm not going to ask you about Masingbi Road
4 burning now. I am keen to get back to the meeting to which
12: 21: 29 5 you referred. I asked you the question how you knew that
6 Gullit held the positions you said he held in Kono and you
7 refer to a meeting held at Five-Five spot on his arrival in
8 Koi du Town. What happened at that meeting?
9 "PRESIDING JUDGE: There are about three questions in
12: 21: 54 10 there, Ms Pack. Let's take them one at a time.
11 "MS PACK:
12 "Q. The question is what happened at the meeting at
13 Five-Five spot when Gullit arrived in town?
14 "A. Well, when Gullit arrived in Kono and he drove
12: 22: 14 15 directly to Five-Five spot, he called Bazzy, he called the
16 operations commander with whom I was with, commander A, I
17 was there also and Leather Boot was there -- "
18 That ends the reading, Your Honours.
19 Q. Mr Witness, do you know the Five-Five spot in Koi du?
12: 22: 47 20 A. Yes.
21 Q. Where exactly is it?
22 A. It is on the Masingbi Road, going towards Congo bridge.
23 Q. Can you please tell Masingbi?
24 A. M-A-S-I-N-G-B-I-N [sic], Masingbi.
12: 23: 38 25 Q. Did you ever have a meeting at the Five-Five spot in Koi du
26 Town?
27 A. No.
28 Q. Did you ever drive to the Five-Five spot in Koi du Town?
29 A. No.

1 Q. Did you ever call the second accused from the Five-Five
2 spot in Koidu Town?

3 A. The second accused, when I went to Koidu Town in Kono
4 District, I did not meet the second accused there. And I did not
12:24:31 5 call any meeting that they have alleged that I called the second
6 accused to a meeting. And the month that you are talking about,
7 in that particular month I was in custody in Kailahun.

8 Q. Did you at any time call the operations commander from the
9 Five-Five spot?

12:25:02 10 A. No.

11 MR DANIELS: We shall move on, Your Honours. I shall be
12 reading from 334's transcript of 19th May 2005, page 37. Reading
13 from line 20.

14 "Q. Name who was in the SLA brigade, please.

12:26:35 15 "A. There was Colonel Ibrahim Bazzy Kamara and he was the
16 head.

17 "Q. Pause there. Did he remain as the head of the
18 brigade for all your time in Kono?

19 "A. He continued in that position until the arrival of
12:26:59 20 Gullit.

21 "Q. Can you name any other members of the brigade while
22 you were in Kono.

23 "A. There was Operation Commander A and military
24 supervisors and the deputy operation commander. They were
12:27:16 25 all members of the brigade."

26 Did you hear and understand what I just read to you?

27 A. Yes.

28 Q. I apologise, I did not get your answer.

29 A. Yes, I have heard all what you have read.

1 Q. Do you know of an SLA brigade in Kono in 19 --

2 A. No.

3 Q. Have you ever known the second accused to be referred to as
4 a colonel?

12:28:17 5 A. I do not know him for that kind of rank, colonel.

6 Q. Has the second accused, to your knowledge, ever been
7 promoted to the rank of colonel?

8 A. They have never promoted him for that rank and he is too
9 small for that rank.

12:28:45 10 Q. Can you explain what you mean by "he is too small for that
11 rank"? That is what I heard the interpretation was, small. Is
12 that what you said, that he was too small for the rank?

13 A. I said, in the service he is too young for that rank. That
14 I mean most of the senior officers whom he had worked with were
12:29:22 15 colonels. Almost they were all old men.

16 Q. Did you ever know the second accused to be the head of a
17 brigade in Kono?

18 A. No. I had never known him to be a brigade head man at Kono
19 and there was never a brigade at Kono in the Sierra Leone Army.
12:29:50 20 It was the battalion that we had there.

21 Q. Did you ever take position from the second accused in Kono?

22 A. No, not a day I have ever taken that position in Kono.

23 MR DANIELS: I shall be referring to next to the transcript
24 of 167 of 15 September 2005, pages 38 and 39. Your Honours, I
12:32:00 25 shall be reading from line 22.

26 "Q. I'm going to ask you just a little about the command
27 structure that you have described being set up in this
28 meeting that you attended. Firstly, was there anyone in
29 overall command?

1 "A. Yes, Denis Mingo he was the overall commander.
2 "Q. Was there anyone who was second to him?
3 "A. Second to him was Ibrahim Bazy Kamara. Then you
4 have --
12:32:42 5 "Q. Pause a moment. Was he, to your knowledge, always in
6 the position of being second to Denis Mingo whilst you were
7 in Kono?
8 "A. Yes, but on the last days on our pull-out from Kono
9 Alex Tamba Brima came from Kailahun with some reinforcement
12:33:07 10 and on their arrival to Kono when going to Masofinia, Alex
11 Tamba Brima was in command and Bazy was two to him.
12 "Q. When you say on his arrival he was in command, who
13 was he in command of, Alex Tamba Brima, on his arrival?
14 "A. On his arrival at Kono, you have Denis Mingo who was
12:33:35 15 the overall commander. Next to him is Alex Kambia Brima,
16 because he was senior than Ibrahim Bazy.
17 "Q. As far as you know, did Ibrahim Bazy Kamara have any
18 other position, apart from the --
19 "A. Yes, he was in charge of the G4.
12:33:58 20 "Q. What do you mean by the G4?
21 "A. Keeping arms and ammunitions.
22 "Q. Now, you have said that Denis Mingo was in overall
23 command in Kono. Do you know if there was anyone to whom
24 he reported?
12:34:16 25 "A. Yes, Denis Mingo at that time report straight to Sam
26 Bockarie, aka Mosquito, at Kailahun."
27 Mr Witness, did you hear and understand what I just read to
28 you. That is the testimony of Witness 167, Junior Lion, George
29 Johnson.

1 A. Yes.

2 Q. Have you ever known the second accused to be subordinate to
3 Denis Mingo in Kono?

4 A. No.

12:35:19 5 Q. What do you mean by no?

6 A. I have never known him and I have never heard that the
7 second accused or was under Superman who was an RUF.

8 Q. Why do you say so?

9 A. The second accused is a soldier. The name that you called,
12:35:49 10 Denis Mingo, Superman, is an RUF and the second accused will
11 never say he would take command from an RUF.

12 Q. The expression G4 in military parlance, does it mean
13 anything to you?

14 A. Well, from what I have heard in this Court about the G4 is
12:36:17 15 a new appointment that I heard about in this Court. And from
16 what I have read from most of the statements, those are rebel
17 appointments. I don't ever know about what is called G4 in the
18 army. And in the army when you see that paper, G4 is responsible
19 for ammunition, is a lie.

12:36:45 20 Q. Did you ever know the second accused to be responsible for
21 arms and ammunition in Kono in 1998 at any time?

22 A. No, I don't know ever know him for that kind of
23 responsibility.

24 Q. Please explain what you mean by no?

12:37:10 25 A. I don't ever know the second accused as somebody who was
26 taking care of arms and ammunitions in Kono during the year you
27 are talking about.

28 Q. Have you ever known Denis Mingo, also known as Superman, to
29 be an overall commander at Kono in 1998?

1 A. Yes.

2 Q. How did you know?

3 A. When I came from Kailahun, I came together with Morris
4 Kallon to Kono. It was Superman to whom Mosquito sent a message
12:37:58 5 for me to be arrested again and when Morris Kallon went there,
6 when we got the message, he came and informed me. That was how I
7 came to know that Superman was in control of Kono.

8 Q. Do you know when Superman became in charge of Kono?

9 A. I don't know the right month, but it might be since the SLA
12:38:38 10 troops withdrew from Freetown until the time I came there and met
11 him there. That was the time I knew that the man was the
12 commander in Kono.

13 Q. You said you came to Kono two times. On which occasion was
14 this what you are referring to?

12:39:01 15 A. I did not come to Kono twice. I said when I came from
16 Kailahun, myself and Morris Kallon we came to Kono, that was in
17 July 1998.

18 Q. Did you ever bring reinforcement from Kailahun to Kono?

19 A. No. No.

12:39:32 20 Q. So what is your reaction to the statement that you brought
21 reinforcement from Kailahun to Kono? What is your reaction to
22 that portion of the statement I just read to you?

23 A. It is a lie. That witness is lying and that witness was a
24 paid witness and it is a witness who has been trained for a long
12:40:06 25 time and it is a witness who has always been causing problems for
26 the second accused and it is a witness that has always put plenty
27 allegations against the second accused that he was arrested.

28 Q. Were you ever on your way to Masofinia at any time in 1998
29 from Kono?

1 A. No.

2 Q. What is your reaction to that part of the statement given
3 by Witness 167?

4 A. 167 is a liar and before 167 came to this Court, I am
12:40:59 5 telling the Court that the Sierra Leone police was training him
6 against us. And 167 has caused the arrest the second accused
7 three times in Freetown here. And while they were arresting the
8 second accused, he would go to the police and he would be free.
9 And it is true the arrests that were made of the second accused,
12:41:25 10 that we came to know that 167 was an informant for the Sierra
11 Leone police. So he has nothing good that he can say about us.
12 And all what you have read in this statement that I have heard, I
13 know that they are all lies.

14 Q. Mr Witness, you have made quite a lot of allegations and I
12:41:49 15 would like to ask you how you know -- you came by all these
16 allegations, but respectfully, Your Honour, looking at the time
17 could we address those issues first thing tomorrow morning?

18 PRESIDING JUDGE: Yes, thank you, Mr Daniels.

19 We're going to adjourn the Court now. I will remind you,
12:42:13 20 again, Mr Brima, the usual caution not to discuss the case or the
21 evidence with anybody while you are in the process of giving
22 evidence. We will adjourn this case until 9.15 tomorrow morning.

23 [Whereupon the hearing adjourned at 12.45 p.m.,
24 to be reconvened on Thursday, the 22nd day of
25 June, 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

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