

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

THURSDAY, 6 JULY 2006  
9.15 A.M.  
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Mr Simon Meisenberg
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Melissa Pack Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearance
For the accused Alex Tamba Brima:	Ms Glenna Thompson Mr Ibrahim Foday Mansaray (legal assistant)
For the accused Brima Bazy Kamara:	Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanu:	Mr Ajibola E Manly-Spain

1 [AFRC6JUL06A - RK]  
2 Thursday, 6 July 2006  
3 [Open session]  
4 [The accused present]  
09:12:08 5 [The witness entered court]  
6 [Upon commencing at 9.15 a.m.]  
7 WITNESS: ACCUSED ALEX TAMBA BRIMA [Continued]  
8 [Witness answered through interpreter]  
9 PRESIDING JUDGE: Morning. Once again, Mr Brima, I will  
09:17:55 10 remind you are still on oath.  
11 THE WITNESS: Mornings, My Lord.  
12 CROSS-EXAMINED BY MR AGHA: [Continued]  
13 Q. Morning, Your Honours. Morning, Mr Brima.  
14 A. Morning.  
09:18:10 15 Q. Yesterday I was putting the Prosecution case to you that  
16 numerous villages in Bombali were attacked by forces under your  
17 command; do you remember that?  
18 A. Yes.  
19 Q. You then set up your base camp at a place referred to as  
09:18:27 20 Camp Rosos, didn't you?  
21 A. No.  
22 Q. Your brigade command was based at Camp Rosos with you as  
23 the commander, wasn't it?  
24 A. No.  
09:18:47 25 Q. The second accused remained your second in command whilst  
26 you remained at Camp Rosos, didn't he?  
27 A. Never been at Camp Rosos, and the second accused was not  
28 the second in command, as you have said. Then I'm asking for me  
29 to have the indictment, or a copy of the indictment. Because you



1 told me yesterday that you are dealing with the indictment.

2 PRESIDING JUDGE: Just answer the questions for the moment,  
3 Mr Brima.

4 THE WITNESS: Yes, My Lord.

09:19:41 5 MR AGHA:

6 Q. The third accused remained your chief of staff whilst you  
7 remained at Camp Rosos, didn't he?

8 A. No.

9 Q. Whilst at Camp Rosos, you ordered troops under your command  
09:19:53 10 to kill civilians in Rosos and the surrounding areas, didn't you?

11 A. No, that was not so.

12 Q. This was known as Operation Clear The Area, wasn't it?

13 A. No.

14 Q. Accused number two was present when you gave the order to  
09:20:20 15 kill the civilians and clear the area, wasn't he?

16 A. No.

17 Q. The accused number three was also present when you gave  
18 this order to kill the civilians in Rosos and the surrounding  
19 area, wasn't he?

09:20:34 20 A. No.

21 Q. Pursuant to your orders, troops under your command did in  
22 fact kill civilians in Rosos and villages in the surrounding  
23 area, didn't they?

24 A. No.

09:20:52 25 Q. Pursuant to your orders, troops under your command burnt  
26 down numerous civilian villages surrounding Camp Rosos, didn't  
27 they?

28 A. No.

29 Q. Adama Cut Hand was with you at Camp Rosos, wasn't she?



1 A. No.

2 Q. Adama Cut Hand had been with you since Mansofinia until  
3 Camp Rosos, hadn't she?

4 A. No, I was not in Mansofinia. In fact, I was not with Adama  
09:21:35 5 Cut Hand at Mansofinia.

6 Q. Adama Cut Hand is an SLA soldier, isn't she?

7 A. I don't know her.

8 Q. Pursuant to your orders, Adama Cut Hand went to the village  
9 at Mateboi whilst you were based at Camp Rosos, didn't she?

09:21:58 10 A. No.

11 Q. When Adama Cut Hand returned from Mateboi to Camp Rosos,  
12 she brought amputated hands to you at your headquarters, didn't  
13 she?

14 A. No.

09:22:13 15 Q. At this time, Adama Cut Hand was wearing an amputated hand  
16 as a necklace, wasn't she?

17 A. No.

18 Q. You saw the amputated hands, which Adama Cut Hand had  
19 brought back, didn't you?

09:22:37 20 A. No.

21 Q. You saw Adama Cut Hand with a necklace made out of cut  
22 hands around Adama Cut Hand's neck, didn't you?

23 A. No.

24 Q. You did not take any action against Adama Cut Hand about  
09:22:54 25 returning with a pile of amputated arms and hands, did you?

26 A. I was not in fact there.

27 MR AGHA: With the permission of the Court, I'd like to  
28 read a piece of the transcript. This is from witness TF-167,  
29 that is Junior Lion, and it is pages 61 to 63, on 15 September



1 2005. I will be reading from line 5 on page 61 through to line  
2 25 on page 62. My case manager is printing out the document.  
3 Q. "Q.Go on, what happened there?  
4 "A. At Mateboi, the commander Ibrahim -- the commander,  
09:24:45 5 Alex Tamba Brima, sent a team to Mateboi to get all the  
6 civilians to join us at Camp Rosos. But that was not done.  
7 The civilians did not come and another team was sent there.  
8 "Q. Who was the head of that team?  
9 "A. It was Arthur, Captain Arthur.  
09:25:08 10 "Q. How did you know that another team was sent to the  
11 village.  
12 "A. Because I was at the headquarter and all operations  
13 that go I will know because I was commanding the battalion.  
14 "Q. The name identified there, Arthur, can you spell  
09:25:29 15 that, please?  
16 "A. A-U-T-H-E-O [sic].  
17 "Q. Could you just repeat that?  
18 "A. A-U-T-H-O [sic].  
19 "Q. Go on, you were going to say that a second team under  
09:25:52 20 his command, under Arthur's command, went.  
21 "A. The second team went, on their return they came with  
22 a lot of -- they came with a lot of arms, which was brought  
23 by Adama Cut Hand and the head of chief as Arthur.  
24 "Q. You said arms were brought by Adama Cut Hand.  
09:26:13 25 "A. Arms that were amputated.  
26 "Q. How do you know that Adama had done that?  
27 "A. Because he came to headquarter and I saw it.  
28 "Q. I just asked you to wait until finish my question  
29 before you answer. Just so that the court reporter is able



1 to record what I am asking and what you are answering.  
2 Thank, you, witness. Adama Cut Hand can you just spell  
3 that name, please?  
4 "A. A-D-A-M-A, Adama; C-U-T H-A-N-D Cut Hand.  
09:26:59 5 "Q. Who was Adama Cut Hand?  
6 "A. She was a soldier of the SLA.  
7 "Q. Did she hold any particular position in the troop?  
8 "A. No.  
9 "Q. What did you see when she returned from Mateboi?  
09:27:13 10 "A. From Mateboi saw her hanging a necklace that was a  
11 human being hand, fingers.  
12 "Q. And these were amputated?  
13 "A. Yes.  
14 "Q. Was it fingers or hands?  
09:27:27 15 "A. Hands.  
16 "Q. When you saw this were you with anyone?  
17 "A. Pardon.  
18 "Q. When you saw Adama Cut Hand with amputated hands  
19 around her like a necklace, was anyone with you?  
09:27:45 20 "A. I could not understand the question.  
21 "Q. When you saw Adama Cut Hand return from Mateboi, was  
22 anyone with you when you saw her?  
23 "A. Yes.  
24 "Q. Who was with you?  
09:28:05 25 "A. Arthur himself that went on the operation was there,  
26 Ibrahim Bazzy Kamara, Alex Tamba Brima."  
27 That is where I will stop reading. Mr Brima, what do you  
28 have to say about this part of Junior Lion's evidence, where he  
29 says, at Camp Rosos, Adama Cut Hand brought before you amputated



1 arms?

2 A. That aspect of it is a lie. I was not there. That witness  
3 is a witness that took part in the fight and he is trying for him  
4 to be resettled and he has been paid.

09:29:05 5 Q. Now, whilst you were Commander at Camp Rosos, your troop  
6 also attacked the village Batkanu, under your orders, didn't they  
7 ?

8 A. I did not ever get a troop at Camp Rosos, neither go to  
9 Camp Rosos. That is a lie, when he said I was at Camp Rosos.

09:29:40 10 Q. Your troops abducted civilians from that village, Batkanu,  
11 didn't they?

12 A. I was not there and I was not having the troop; that's a  
13 lie.

14 Q. At Camp Rosos, you contacted and reported to SAJ Musa over  
09:29:59 15 the radio, didn't you?

16 A. It is a lie. I was not there and in fact I didn't contact  
17 SAJ Musa.

18 Q. Did you contact anyone at Camp Rosos?

19 A. I was not there. I didn't contact anybody. I hadn't any  
09:30:29 20 means to contact any person. That is a lie when he said I was at  
21 Camp Rosos and contacted somebody.

22 Q. At Camp Rosos, you contacted Issa Sesay over the radio,  
23 didn't you?

24 A. No.

09:30:48 25 Q. You told Issa Sesay your current location, didn't you?

26 A. No. I was not there and I didn't contact Issa Sesay, that  
27 he is alleging that I spoke to at Camp Rosos. He was not at Camp  
28 Rosos.

29 Q. These are general questions, Mr Brima. I'm not talking



1 about Junior Lion in particular. I'm talking about what the  
2 Prosecution case is based on, what many other witnesses said. I  
3 will continue. You and Issa Sesay agreed to support each other,  
4 didn't you?

09:31:33 5 A. Not a day. I never had such an agreement with Issa and, in  
6 fact, I was not in that position.

7 Q. You also spoke to Morris Kallon, after you spoke to Issa  
8 Sesay, didn't you?

9 A. No.

09:31:50 10 Q. You told Morris Kallon that you would continue to pursue  
11 the cause, didn't you?

12 A. That's a lie. I have never done that.

13 Q. That cause was to reinstate the AFRC government, wasn't it?

14 A. It is a lie. I have never fought to bring the AFRC back to  
09:32:22 15 power.

16 MR AGHA: With the permission of the Court I would like to  
17 read a transcript to the witness.

18 PRESIDING JUDGE: Mr Agha, I want to ask you yourself,  
19 before you use that transcript, is it really necessary to refer  
09:32:34 20 to the transcript? You are wasting quite a bit of time doing  
21 this. As an example, the last transcript you referred us to, you  
22 took us through two pages of evidence to ask one question, which  
23 you could have asked without using the transcript and making us  
24 go through it at all.

09:32:55 25 MR AGHA: I will carry on, Your Honour. I will not refer  
26 to the transcript on this occasion.

27 Q. Whilst you were at Camp Rosos, you called Sam Bockarie, aka  
28 Mosquito, didn't you?

29 A. It's a lie.



1 Q. You briefed Mosquito about your location at Camp Rosos,  
2 didn't you?

3 A. No. That was not so.

4 Q. This was the same Mosquito that sent you from Kailahun to  
09:33:27 5 Kono with rice and alcohol in May 1998, wasn't it?

6 A. No.

7 Q. Just outside [indiscernible] Village, pursuant to your  
8 order to clear the area, six civilians were killed by troops  
9 under your command, weren't they?

09:33:54 10 A. No.

11 Q. I would like to turn to another aspect at Camp Rosos, and  
12 that is training at Camp Rosos. You had civilians who you  
13 abducted from various villages in Bombali with you at Camp Rosos,  
14 didn't you?

09:34:12 15 A. No.

16 Q. As your manpower was declining, you forced civilian women  
17 and children to join your troop, didn't you?

18 A. No.

19 Q. You trained men, women and children to fight, didn't you?

09:34:28 20 A. No.

21 Q. The third accused helped some of these children during  
22 their training, didn't he?

23 A. No.

24 Q. Do you know what SBU stands for?

09:34:49 25 A. I don't know the meaning of that, or what it stands for.

26 Q. Once the children had been trained, they were put in Small  
27 Boys Units, weren't they?

28 A. I never knew about that, whether the army had trained small  
29 boys, or you put small boys in a unit and call it Small Boys



1 Unit, no.

2 Q. So you didn't have any small boys trained at Camp Rosos  
3 whilst you were commander?

4 A. I was not in fact there. I was not at Camp Rosos.

09:35:44 5 Q. You saw civilians, who were being trained by troops under  
6 your command, on parade whilst you were at Camp Rosos, didn't  
7 you?

8 A. No. I was not at Camp Rosos.

9 Q. Once trained, these civilians were divided up between the  
09:35:58 10 different companies of your troop, weren't they?

11 A. No.

12 Q. These civilian men, women and children were forced to carry  
13 goods for your troops at Camp Rosos, weren't they?

14 A. No.

09:36:17 15 Q. I would now like to turn to women at Camp Rosos. The women  
16 at Camp Rosos were forced to cook for your troops, weren't they?

17 A. No.

18 Q. Some of the abducted women were given as wives to some of  
19 your troop, weren't they?

09:36:37 20 A. I didn't get the interpreter clearly.

21 Q. Some of the abducted women at Camp Rosos were given as  
22 wives to some of your troop, weren't they?

23 A. No.

24 Q. When these women were given as wives to your troop, they  
09:37:10 25 had to have sexual intercourse with their so-called husbands,  
26 didn't they?

27 A. No.

28 Q. These women, who were given as wives to some of your troop,  
29 were referred to as bush wives, weren't they?



1 A. No.

2 Q. The third accused was responsible for the women abductees  
3 at Camp Rosos, wasn't he?

4 A. No.

09:37:40 5 Q. You appointed a Mammy Queen to assist the women in  
6 resolving their complaints, didn't you?

7 A. No.

8 Q. There was a disciplinary order which the Mammy Queen had to  
9 enforce, wasn't there?

09:37:59 10 A. No.

11 Q. The third accused wrote this disciplinary order, didn't he?

12 A. [No audible response].

13 JUDGE SEBUTINDE: I didn't hear the answer to that last  
14 question.

09:38:26 15 THE WITNESS: No.

16 MR AGHA:

17 Q. You received a copy of this disciplinary order, didn't you?

18 A. I didn't get the interpreter clearly. I do get him  
19 partially, but not clearly.

09:38:56 20 Q. I will repeat the question. You received a copy of this  
21 disciplinary order, didn't you?

22 A. No.

23 Q. Whilst at Camp Rosos, you ordered your troops to loot and  
24 burn Gbinti, spelt G-B-I-N-T-I Village, didn't you?

09:39:21 25 A. No.

26 Q. The third accused commanded the Gbinti operation, didn't  
27 he?

28 A. No.

29 Q. The third accused reported to you that Gbinti had been



1 looted and burnt pursuant to your orders, didn't he?

2 A. No.

3 Q. You are lying when you say that you never went to a place  
4 known as Camp Rosos, aren't you?

09:39:46 5 A. It is not so. I'm saying the truth to you. I didn't go  
6 there. I have never been there.

7 Q. You are lying when you say you never gave orders at Camp  
8 Rosos, aren't you?

9 A. I was not in fact there.

09:40:07 10 Q. In 1998, Camp Rosos was bombed by jets, wasn't it?

11 A. I don't know because I was not there.

12 Q. You ordered Major Eddie to find a new base camp, didn't  
13 you?

14 A. It is a lie.

09:40:30 15 Q. Major Eddie found a new base camp about a day's march away  
16 from Camp Rosos, didn't he?

17 A. No.

18 Q. This base camp later became known as Major or Colonel Eddie  
19 Town, didn't it?

09:40:50 20 A. I know about Eddie Town because there we met the SLAs that  
21 O-Five arrested. When O-Five arrested me, I did not find it,  
22 nor did I name it.

23 Q. You ordered your entire brigade to move from Camp Rosos to  
24 the new camp at camp Eddie Town, didn't you?

09:41:17 25 A. No. I never had a brigade, and I was not in the position  
26 to give orders. I had never been to Rosos.

27 Q. The second accused remained your second in command at  
28 Colonel Eddie Town before the arrival of SAJ Musa, didn't he?

29 A. No. We were at Eddie Town as detainees.



1 Q. The third accused remained your chief of staff at Colonel  
2 Eddie Town before SAJ Musa arrived, didn't he?

3 A. No, that was not so. We were under arrest. We were there  
4 -- we were in Eddie Town as detainees before the arrival of SAJ  
09:42:09 5 Musa.

6 Q. At Colonel Eddie Town, you made laws which your troops had  
7 to abide by, didn't you?

8 A. It is a lie. I have told you I was under arrest. I was a  
9 detainee.

09:42:25 10 Q. Copies of these written laws were distributed to company  
11 commanders, weren't they?

12 A. No.

13 Q. Shortly after setting up your base camp at Colonel Eddie  
14 Town you contacted SAJ Musa over the radio and reported your new  
09:42:46 15 location to him, didn't you?

16 A. No.

17 Q. SAJ Musa told you that he would send reinforcements led by  
18 Commander O-Five, didn't he?

19 A. No.

09:43:01 20 Q. Prior to the arrival of Commander O-Five you made  
21 promotions within your troop at Colonel Eddie Town, didn't you?

22 A. No.

23 Q. You renamed the companies as battalion in anticipation of  
24 the arrival of Commander O-Five's reinforcements, didn't you?

09:43:23 25 A. No.

26 Q. Now, we'll look at the arrival of Commander O-Five at  
27 Colonel Eddie Town. You ordered a group of SLAs under Colonel  
28 King and Junior Lion to meet with Commander O-Five and lead him  
29 to Colonel Eddie Town, didn't you?



1 A. It is a lie.

2 Q. Are you aware that, around this time, RUF Eldred Collins  
3 declared Operation Spare No Soul?

4 A. I don't know about that.

09:44:00 5 Q. Did you ever learn about an operation called Spare No Soul  
6 whilst in Colonel Eddie Town?

7 A. I never knew about that.

8 Q. So you never heard of an operation launched by the RUF to  
9 kill civilians and burn villages?

09:44:28 10 A. It was after the accord, the signing of the peace accord  
11 that I heard about that.

12 Q. I put it to you that you heard about that Operation Spare  
13 No Soul whilst you were at Colonel Eddie Town?

14 A. I also want to tell you that I never heard about that. If  
09:44:48 15 somebody tells you that I heard about that when I was at Eddie  
16 Town, it's a lie. The person must have lied.

17 Q. You ordered your troops to burn villages and kill  
18 civilians, in accordance with the Operation Spare No Soul order,  
19 didn't you?

09:45:16 20 A. It's a lie.

21 Q. On arrival at Colonel Eddie Town, Commander O-Five reported  
22 to you, didn't he?

23 A. I'm happy you've said when we arrive at Eddie Town. But  
24 the commander who took me there, who was Commander O-Five, never  
09:45:33 25 reported to me. I was under arrest.

26 Q. Commander O-Five brought SLA troops with him, who amounted  
27 to about 200 men, didn't he?

28 A. I don't know the figure, but when Commander O-Five took us  
29 to Rosos, I knew all of us who were there were SLAs, despite the



1 families.

2 Q. The brigade administrator, FAT Sesay, took a list of the  
3 troops on their arrival at Colonel Eddie Town, didn't he?

4 A. I don't know about that.

09:46:21 5 Q. After O-Five's arrival, you ordered an attack on Kukuna in  
6 Kambia District, didn't you?

7 A. That's a lie. I was there as a detainee.

8 Q. After this operation, you promoted RUF radio operator  
9 Alfred Brown, didn't you?

09:46:46 10 A. It's a lie.

11 Q. Alfred Brown had worked with RUF Superman in Kono, hadn't  
12 he?

13 A. I don't know about that.

14 Q. You knew Alfred Brown from the time when you were in Kono  
09:47:04 15 with Superman in May 1998, didn't you?

16 A. It was after the disarmament I came to know Alfred Brown,  
17 because he fell in love with a woman that was my cousin.

18 Q. So you never met Alfred Brown before he fell in love with a  
19 woman who is your cousin?

09:47:32 20 A. At all not. I'd never met him before.

21 Q. Prior to SAJ Musa's arrival at Colonel Eddie Town, you were  
22 detained for a brief period by your own troops, weren't you?

23 A. I was detained at Eddie Town.

24 Q. But only for a two- or three-week period, weren't you?

09:48:09 25 A. I can't say the number of days or the number of weeks when,  
26 but I was detained there. Since when Commander O-Five arrested  
27 me and took me to Eddie Town, I was detained before the arrival  
28 of SAJ Musa.

29 Q. You were detained at Colonel Eddie Town the whole time



1 while you were there; is that correct?

2 A. Yes.

3 Q. You were released by SAJ Musa from detention when SAJ Musa  
4 arrived at Colonel Eddie Town, weren't you?

09:48:51 5 A. He didn't release me.

6 Q. We will briefly look at the period when SAJ Musa arrived at  
7 Colonel Eddie Town, according to the Prosecution. You sent SLAs  
8 under Junior Lion to collect SAJ Musa and lead him to Colonel  
9 Eddie Town, didn't you?

09:49:13 10 A. It's a lie. I was under arrest.

11 Q. Upon his arrival at Colonel Eddie Town, SAJ Musa took over  
12 command from you, didn't he?

13 A. It's a lie.

14 Q. SAJ Musa appointed you as his second in command, didn't he?

09:49:33 15 A. No.

16 Q. SAJ Musa created his own brigade administration when he  
17 became commander at Colonel Eddie Town, didn't he?

18 A. I knew when SAJ Musa went to Eddie Town he was the  
19 commander, from what I heard from the muster parade, what the

09:49:59 20 soldiers told me, the detained people.

21 Q. At that muster parade, you heard him make appointments; is  
22 that correct?

23 A. I heard him -- he gave an appointment to certain people.

24 Q. These certain people were SLAs, weren't they?

09:50:24 25 A. Some were SLAs and then later, one of them who was Junior  
26 Lion. I came to know that he was not an SLA and he is not a  
27 soldier.

28 Q. The second accused was appointed by SAJ Musa as third in  
29 command at Colonel Eddie Town, wasn't he?



1 A. It's a lie. Second accused, too, was under arrest.

2 Q. SAJ Musa appointed the third accused as chief of staff at  
3 Colonel Eddie Town, didn't he?

4 A. It's a lie. The third accused, too, was under arrest.

09:51:09 5 Q. SAJ, at the muster parade, when he was reading out his new  
6 appointments, informed the troop that they were going to re-take  
7 Freetown, didn't he?

8 A. SAJ Musa did say his mission was to come to Freetown and to  
9 reinstate the military.

09:51:34 10 Q. He also, at the muster parade, told the troop about crimes  
11 against humanity, didn't he?

12 A. I didn't hear that and he didn't speak about that.

13 Q. So you didn't hear SAJ Musa saying that the killing of  
14 civilians and the amputation of civilians' arms should be  
09:52:03 15 stopped?

16 A. I didn't hear him -- SAJ Musa speak of any crime.

17 Q. The troop, on SAJ Musa's order, left Colonel Eddie Town  
18 around December 1998 for Freetown, didn't they?

19 A. It's a lie.

09:52:23 20 Q. When did SAJ Musa and his troop advance from Colonel Eddie  
21 Town to Freetown?

22 A. I had given the date to this Court, which was on the 27  
23 November. And SAJ Musa left the headquarters where I was, as one  
24 of the detained people and the families of soldiers, on 29  
09:52:54 25 November 1998.

26 Q. As you advanced on Freetown, SAJ ordered various villages  
27 and towns to be attacked so that he could capture ammunition,  
28 didn't he?

29 A. Well, I can't say he did this or that. But I can say his



1 movement was to come to Freetown, and he gave orders to  
2 various -- to his various commanders.

3 Q. You've already told this Court that you heard him give  
4 orders to attack villages?

09:53:35 5 A. Yes. The areas I heard about, that is what I talked about.  
6 He gave orders to attack Lunsar, that I heard of, and other  
7 areas.

8 Q. At Newton, SAJ Musa gave orders as to how the troop would  
9 move on Freetown, didn't he?

09:54:01 10 A. Yes.

11 Q. SAJ Musa also ordered that, in Freetown, certain groups  
12 were to be targeted, didn't he?

13 A. Yes.

14 Q. These groups included the police, didn't they?

09:54:21 15 A. I didn't hear him speak of police.

16 Q. Did you hear him speak about the targeting of Nigerian  
17 soldiers?

18 A. Well, I knew -- I didn't hear that, but I know the common  
19 enemy that the SLAs were fighting by then were the Nigerians.

09:54:48 20 Q. So did SAJ Musa say that the SLAs were to kill the  
21 Nigerians when they went to Freetown?

22 A. All I knew, the SLAs were fighting against the Nigerian  
23 mercenaries.

24 Q. According to you, I believe you said SAJ Musa said certain  
09:55:18 25 groups would be targeted; is that right?

26 A. I didn't say they should target particular groups. I said  
27 the target was the common enemy, which was the Nigerian, and they  
28 were the people that the SLAs were fighting against, that I knew  
29 about.



1 Q. Would the common enemy also include members of the Sierra  
2 Leone People's Party?

3 A. Well, that one I can't say, because I never heard SAJ Musa  
4 saying that.

09:55:59 5 Q. Would the common enemy include police forces loyal to the  
6 government?

7 A. All I knew was the Nigerians. They were the people he  
8 spoke about that they were the common enemies.

9 Q. Have you heard the word collaborator before?

09:56:28 10 A. Yes.

11 Q. What do you understand that word to mean?

12 A. Well, to me, my elder sister was arrested and detained at  
13 the Pademba Road Prison as a collaborator.

14 Q. Did she tell you why she was detained as a collaborator?

09:56:59 15 A. They said because she is my sister.

16 Q. Were you ordered by SAJ Musa to kill civilians in Freetown  
17 who had collaborated against the old AFRC government?

18 A. I did not come to Freetown and I have never heard that  
19 order from SAJ Musa for me. I was a detainee. I did not partake

09:57:33 20 in any active combat.

21 Q. At Newton, Junior Lion was appointed as task force  
22 commander by SAJ Musa, wasn't he?

23 A. Well, it was from the time that we were at Eddie Town when  
24 SAJ Musa addressed the muster parade I knew that he appointed

09:58:01 25 Junior Lion, who was also known as George Johnson, as task force  
26 commander.

27 Q. In his position as task force commander, Junior Lion  
28 oversaw all operations carried out by the troop, didn't he?

29 A. Yes.



1 Q. You also had abductees who were moving with SAJ's troop on  
2 the way to Freetown, didn't you?

3 A. Well, that was not to my knowledge. All I know is that  
4 there were families of soldiers who were at the headquarters  
09:58:44 5 where I was, and nobody ever told me that he was an abductee.

6 Q. Did you see any of the civilians who were moving with  
7 carrying arms, ammunition, or boxes?

8 A. All I know it that it was the soldiers who were carrying  
9 arms and ammunition. I can tell you that it is very difficult  
09:59:12 10 for a soldier to hand over ammunition to carry for him. He  
11 wouldn't do it. From what I saw at the headquarters where I was,  
12 every soldier had his magazine, apart from those of us who were  
13 detainees and family members of soldiers. But every soldier that  
14 I saw at the headquarters had his rifles and his magazines.

09:59:38 15 Q. You didn't see any of the civilians who were moving with  
16 you carrying anything; boxes, for example, cooking equipment?

17 A. I did not see a civilian doing those things. What I told  
18 you was that family members of soldiers were at the headquarters,  
19 but if I saw different civilians carrying things, no.

10:00:05 20 Q. During your advance to Freetown, Mosquito claimed over the  
21 radio that the troops that were advancing to Freetown were under  
22 his command, didn't he?

23 MS THOMPSON: Your Honour --

24 THE WITNESS: I don't know about that.

10:00:23 25 PRESIDING JUDGE: What was that, Ms Thompson?

26 MS THOMPSON: The witness has already answered, but I was  
27 going to object on the basis that I don't know how the witness  
28 would not know whether Mosquito made a broadcast.

29 PRESIDING JUDGE: It turns out you're right, he doesn't



1 know.

2 MR AGHA:

3 Q. So you didn't hear Mosquito claiming that his troops were  
4 on the advance to Freetown from any of the other personnel whom  
10:00:49 5 you were marching with?

6 A. I don't even know about that, those things that you are  
7 talking about.

8 Q. You were relaying information of the AFRC troop movement as  
9 you advanced to Freetown to Mosquito, weren't you?

10:01:06 10 A. To whom?

11 Q. You were relaying information to Mosquito over the radio  
12 about the advance of the troop to Freetown, weren't you?

13 A. It is a lie. That man is an RUF. I had nothing to do with  
14 him. In fact, he is the man that I escaped from because he  
10:01:33 15 wanted to kill me, and I was not in a position of command, or to  
16 even go and say things to him. It is a lie.

17 Q. Whilst you were in Colonel Eddie Town before SAJ Musa  
18 arrived, you remained in radio communication with Issa Sesay,  
19 didn't you?

10:01:50 20 A. Never.

21 Q. You were updating Issa Sesay on your situation, weren't  
22 you, before SAJ Musa arrived in Colonel Eddie Town?

23 A. No.

24 Q. Whilst you were in Colonel Eddie Town before SAJ Musa  
10:02:06 25 arrived, you remained in radio communication with Morris Kallon,  
26 didn't you?

27 A. The condition in which I was in Eddie Town, I did not have  
28 access to listen to a radio or let alone to talk on a radio. I  
29 never talked to Morris Kallon. That's a lie.



1 Q. Whilst you were in the Colonel Eddie town before SAJ Musa  
2 arrived, you remained in radio communication with Mosquito,  
3 didn't you?

4 A. No.

10:02:45 5 Q. You were updating Mosquito on your situation, weren't you?

6 A. I have told this Court those people were rebels. I had no  
7 respect for them, and I was not there, and I never spoke to  
8 Mosquito.

9 Q. But you had sufficient respect to escape with Morris Kallon  
10:03:03 10 from Kailahun to Kono, didn't you?

11 A. I don't have respect for him. I was escaping. I have no  
12 respect for him. He's guerilla, and I am a trained soldier.

13 Q. You were updating Superman on your situation, weren't you,  
14 before SAJ?

10:03:28 15 A. It's a lie.

16 Q. Not even before SAJ Musa arrived at Colonel Eddie Town?

17 A. I'm telling you that it's a lie.

18 Q. You regarded the RUF leaders as your comrades whilst you  
19 were in both Camp Rosos and Colonel Eddie Town before SAJ Musa  
10:03:47 20 arrived, didn't you?

21 A. No, no, no. Repeat the question. You are mixing things  
22 up. You are talking something that the lawyer has not said.

23 Q. I will repeat the question. You regarded the RUF leaders  
24 as your comrades whilst you were in both Camp Rosos and Colonel  
10:04:25 25 Eddie Town before SAJ arrived at Colonel Eddie Town, didn't you?

26 A. No.

27 Q. You wanted the RUF leaders to support the SLA whilst you  
28 were in Colonel Eddie Town before SAJ arrived, didn't you?

29 A. No.



1 Q. SAJ Musa had fought with Superman in Koinadugu before  
2 coming to Colonel Eddie Town, hadn't he?

3 THE INTERPRETER: Your Honours, can the lawyer repeat the  
4 question again for the interpreter.

10:04:59 5 THE WITNESS: I would like you to repeat the question,  
6 because I did not get the interpreter.

7 MR AGHA:

8 Q. Are you aware that SAJ Musa had fought with RUF Superman in  
9 Koinadugu before coming to Colonel Eddie Town?

10:05:21 10 A. Yes.

11 Q. SAJ Musa, when he arrived at Colonel Eddie Town, didn't  
12 want to have anything more to do with the RUF, did he?

13 A. All I know is that SAJ Musa fought against Superman, and I  
14 heard that from some of my squad mates who came with SAJ Musa.

10:05:45 15 And I knew, from what he said, that he had no good relationship  
16 with the RUF.

17 Q. SAJ Musa wanted to reach Freetown before the RUF, didn't  
18 he?

19 A. Yes. He said that at the muster parade when he was  
10:06:06 20 addressing the troops at Eddie Town.

21 Q. President Kabbah had disbanded the SLA, hadn't he?

22 A. That is what SAJ Musa told us.

23 Q. President Kabbah was relying on Kamajors to fight against  
24 your troop, wasn't he?

10:06:24 25 A. Well, SAJ Musa did not tell me that. What he said at the  
26 muster parade was that the invading force, which was the  
27 Nigerians.

28 Q. So the Nigerians were fighting against your force?

29 A. I've not got you clearly.



1 Q. Whilst President Kabbah was in government, the Nigerians  
2 were fighting against you, your troop, the SLAs?

3 PRESIDING JUDGE: Make it a question, will you? You're  
4 putting it to him as a solid fact.

10:07:03 5 MR AGHA:

6 Q. I will repeat that to you. Whilst the troop was marching  
7 on Freetown, the Nigerians were fighting against you.

8 PRESIDING JUDGE: You have done exactly the same thing,  
9 Mr Agha.

10:07:31 10 MR AGHA: I withdraw the question.

11 Q. SAJ Musa was a commissioned officer in Sierra Leone Army,  
12 wasn't he?

13 A. Yes.

14 Q. SAJ Musa was a part of the former NPRC government under  
10:07:47 15 Captain Strasser, wasn't he?

16 A. Yes.

17 Q. SAJ Musa told you and the rest of the troop that his aim  
18 was to move from Colonel Eddie Town to Freetown in order to  
19 reinstate the SLA, didn't he?

10:08:04 20 A. That was what he told the troops when he was giving the  
21 address at Eddie Town.

22 Q. You were aware that SAJ Musa had been negotiating with the  
23 Kabbah government to reinstate the SLA, weren't you?

24 A. I can't tell you that I know about that, because SAJ Musa  
10:08:29 25 never told me he was negotiating. All I heard, when he addressed  
26 the parade, was to reinstate the national army, which he referred  
27 to as the Sierra Leone Army, the SLA.

28 Q. Prior to the coup, which you took part in, to remove the  
29 Kabbah government in May 1997, you were a soldier from the other



1 ranks, weren't you?

2 A. Well, repeat the question, because I'm not getting you  
3 clearly. You are talking about order, you are talking of that.

4 Q. Prior to the May 1997 coup, you were an other ranks  
10:09:18 5 soldier, weren't you?

6 A. Yes.

7 Q. After the May 1997 coup, which overthrew the Kabbah  
8 government, you were given the title, honourable, weren't you?

9 A. I did not overthrow Kabbah's government. You are talking  
10:09:48 10 about politics now.

11 Q. After May 1997 --

12 A. Well done.

13 Q. -- you were given the title honourable?

14 A. Well, the title that I had was PLO, except that if somebody  
10:10:05 15 calls me honourable on the street, but I never heard that, and I  
16 did not hear somebody call me that.

17 Q. After the May 1997 coup, you were appointed a member of the  
18 AFRC council, weren't you?

19 A. Please ask me again.

10:10:27 20 Q. After the May 1997 coup, you were appointed a member of the  
21 AFRC council, weren't you?

22 A. Yes. I was a member in the AFRC council, but I was not a  
23 member of the Supreme Council.

24 Q. You were a member of the Supreme Council, weren't you?

10:10:50 25 MS THOMPSON: Your Honour, I'm concerned that this is all  
26 evidence that we have heard.

27 PRESIDING JUDGE: We have been over all of this, Mr Agha.  
28 I agree.

29 MR AGHA: I will try to keep it short, Your Honour.



1           PRESIDING JUDGE: I know you are putting your case to the  
2 witness, but you don't have to put the case to the witness where  
3 facts have already been established by other evidence and  
4 admitted by the accused or already denied by the accused.

10:11:18 5           MR AGHA: Thank you.

6           Q.    After the intervention you were promoted to colonel by  
7 Johnny Paul Koroma, weren't you?

8           A.    It is a lie. Johnny Paul Koroma never promoted me.

9           Q.    At Mansofinia you were promoted to brigadier, weren't you?

10:11:50 10          A.    Lord have mercy. I never reached the officer corps, never  
11 in the Sierra Leonean Army. I was a corporal and other rank.

12          Q.    During the march to Freetown in December 1998 you were  
13 second in command to SAJ news, weren't you?

14          A.    No.

10:12:19 15          Q.    You would return to being from other ranks if the SLA was  
16 reinstated, wouldn't you?

17          A.    I have not got you clearly.

18          Q.    When the SLA was reinstated, you became an other ranks  
19 soldier?

10:12:42 20          A.    Before and after I was other ranks in the Sierra Leone  
21 Army.

22          Q.    Did the RUF want to reinstate the Sierra Leone Army?

23          A.    I have told you that I don't know anything about the RUF.

24          Q.    So you don't know why they invaded Sierra Leone in the  
10:13:13 25 early 1990s, what they wanted to do?

26          A.    I was fighting against the RUF. I never knew the RUF  
27 before that year that you have called or during that year that  
28 you have called. All I know is that the RUF was the enemy force  
29 against which the government of Sierra Leone was fighting or



1 which was fighting against the government of Sierra Leone which  
2 the Republic of Sierra Leone Armed Forces was fighting against of  
3 which I am a member, that is the Sierra Leone military force.

4 Q. So from -- when you joined the army until now, you never  
10:14:01 5 learned why the RUF had attacked Sierra Leone?

6 A. I have told you that I don't know about the RUF. They are  
7 guerillas. That is what I know, or what the army calls them, but  
8 I have never asked the RUF and I never asked RUF why they were  
9 fighting.

10:14:25 10 Q. You personally didn't support SAJ's aim of restoring the  
11 SLA, did you?

12 A. It is not a matter of support. This is a matter of a  
13 unanimous decision, all SLA that were with SAJ Musa supported the  
14 reinstatement of the national army.

10:14:50 15 Q. But you didn't, did you?

16 A. That's what I'm telling you that I and SAJ Musa never spoke  
17 about supporting or not supporting. I am a soldier.

18 Q. Did you, as a soldier, want the SLA to be reinstated once  
19 the troop reached Freetown?

10:15:13 20 A. I did not come to Freetown, but relating to the  
21 reinstatement of the army, yes, I wanted that back, because I was  
22 a soldier.

23 Q. The truth is that you supported the aim of the RUF to take  
24 power from the Kabbah government, isn't it?

10:15:36 25 A. That is a lie.

26 Q. You wanted SAJ Musa to be under your command when SAJ  
27 arrived at Colonel Eddie Town, didn't you?

28 A. It is a lie. It did not happen that way.

29 Q. SAJ did not want any of his troop communicating to the RUF



1 on the march to Freetown, did he?

2 A. SAJ Musa did not like the RUF. Even I sitting here does  
3 not like the RUF. I can't talk about the other people. I never  
4 saw where SAJ Musa gave orders that he wanted them to communicate  
10:16:26 5 or he did not want them to communicate. All I know is that SAJ  
6 Musa never liked the RUF.

7 Q. On the march to Freetown, from Colonel Eddie Town to  
8 Freetown, you personally communicated with RUF personnel over the  
9 radio, didn't you?

10:16:49 10 A. No.

11 Q. You didn't think it was in your own best personal interests  
12 for the SLA to be reinstated, did you?

13 A. I have not got you clearly.

14 Q. It wasn't in your own best personal interest for the SLA to  
10:17:15 15 be reinstated, was it?

16 A. That is -- SAJ Musa brought up that word when he addressed  
17 the muster parade and the soldiers, everybody agreed that it was  
18 the reinstatement of the national army -- sorry, when I talk  
19 about the soldiers, I am included, as well.

10:17:47 20 MR AGHA: With the permission of this Court, I would like  
21 to read a portion of the transcript to the witness.

22 PRESIDING JUDGE: Whose transcript is it, Mr Agha?

23 MR AGHA: It is TF 184.

24 PRESIDING JUDGE: Well, look, rather than taking us through  
10:17:53 25 a few pages, can't you simply say: Witness TF said this in  
26 court. Do you still adhere to your answer or not?

27 MR AGHA: I'm just looking at the transcript for accuracy,  
28 Your Honour, in case I'm accused of not quoting --

29 PRESIDING JUDGE: Let that happen if it does happen, but



1 don't waste our time. Ask a question.

2 MR AGHA:

3 Q. TF 184, do you remember that name?

4 A. If you write down his name and I saw it, I can, or maybe I  
10:18:28 5 can't remember him.

6 MR AGHA: Can that be done, Your Honour.

7 PRESIDING JUDGE: I beg your pardon.

8 MR AGHA: Can we write down the name of TF 184 and show it  
9 to him?

10:18:44 10 PRESIDING JUDGE: Yes, you can do that.

11 THE WITNESS: I have seen it.

12 MR AGHA:

13 Q. Now, after SAJ Musa made you all take a blood oath to  
14 reinstate the SLA, you and other members of the --

10:19:26 15 PRESIDING JUDGE: Is this something that Witness TF 184 has  
16 said?

17 MR AGHA: Yes.

18 PRESIDING JUDGE: Well, put it to him. Not that it is  
19 coming from you, but it is something that was said in court.

10:19:37 20 MR AGHA:

21 Q. Witness TF 184 in this court said that after the blood oath  
22 at Newton to reinstate the SLA, that you and other members of the  
23 former AFRC council sat together and disagreed with this  
24 decision?

10:19:57 25 MR FOFANAH: May it please Your Honours, I would like to  
26 object on the grounds that first that question seems rather  
27 [indiscernible] it contains a number of issues. Firstly, did  
28 they take an oath? I mean probably if it can be broken down.

29 PRESIDING JUDGE: Well, look, Mr Fofanah, it is on the



1 record. It is sworn evidence. All he is doing is putting what  
2 was said by this witness and I presume he is going to ask.

3 MR FOFANA: As Your Honour pleases.

4 PRESIDING JUDGE: Go ahead, Mr Agha.

10:20:28 5 MR AGHA:

6 Q. TF 184 said that after SAJ Musa had made you take a blood  
7 oath to reinstate the SLA, that you and the other people who were  
8 former members of the AFRC council, met together and decided that  
9 to reinstate the SLA was not in your best interests. What do you  
10:20:54 10 have to say about that?

11 A. I never took an oath with anybody or take blood oath or any  
12 kind of oath, never, let alone commencing on what you said. I  
13 never took an oath with SAJ Musa or with former AFRC members, not  
14 a day.

10:21:22 15 Q. According to TF 184 when you heard that SAJ Musa's aim was  
16 to reinstate the SLA, you sat together with a group of your  
17 former AFRC council members, who he refers to as the council, and  
18 decided amongst yourselves that it was not in your, the former  
19 council members, best interest to reinstate the SLA?

10:21:51 20 PRESIDING JUDGE: What are you asking him? Are you asking  
21 him is that true? Do you agree with it? Or is that what TF1-184  
22 said.

23 MR AGHA: I said that's what TF 184 said and I'm asking --  
24 [Overlapping speakers]

10:22:03 25 PRESIDING JUDGE: You haven't asked him anything. You just  
26 put it to him that was what was said.

27 MR AGHA: Yes.

28 Q. Now, do you agree with that? Is that correct?

29 PRESIDING JUDGE: Are you asking, is it correct that TF 184



1 said it, or are you asking is what TF 184 said correct?

2 MR AGHA:

3 Q. Is what TF 184 said correct?

4 A. Concerning what?

10:22:33 5 Q. That you met with other former members of the council and  
6 decided that it was not in your best interest to reinstate the  
7 SLA?

8 A. It is a lie. This witness is telling lies.

9 Q. TF 184 also said that when you had this discussion, your  
10:23:08 10 group were of the view that SAJ Musa should be taking orders from  
11 you. Is what TF 184 said correct?

12 A. It is not correct. He is telling lies.

13 Q. TF 184 said the reason why, in your view, SAJ Musa should  
14 be taking orders from you was because you were the original coup  
10:23:40 15 plotters and had placed SAJ Musa in command. Is what TF 184 said  
16 correct?

17 A. He is telling lies. And that thing that he told you is not  
18 correct.

19 Q. When SAJ was killed outside the ammunition dump in Benguema  
10:24:21 20 in December 1998, during the advance on Freetown, you were  
21 present, weren't you?

22 A. Well, you are talking about killing SAJ. I did not see the  
23 person who killed SAJ. All I saw was -- that SAJ was hit by a  
24 fragments, from what I know.

10:24:41 25 Q. Accused number 2, accused number 3, Franklyn Conteh, aka  
26 Woyoh, were all present at the time when SAJ was hit by the  
27 fragments, according to you; is that correct?

28 A. I have not got your question clearly.

29 Q. When SAJ Musa was killed, the second accused, the third



1 accused, Franklyn Conteh, aka Woyoh, were present with you?

2 A. All of us were under arrest as detained people, but I'm  
3 still saying that you said they killed SAJ. I did not see the  
4 person who killed SAJ and I have not told this Court that SAJ was  
10:25:37 5 kill. I said he was hit by a fragment, from what I know, that  
6 led to his death.

7 Q. According to witness TF 184 the people in the council who  
8 were discussing that SAJ should take your orders, included  
9 accused number 2, accused number 3 and Franklyn Conteh, aka  
10:26:14 10 Woyoh. Is that what TF 184 said about those persons being  
11 present in your meeting correct?

12 A. You are telling me about council. I want to know if the  
13 council that you are referring to -- because I have not told you  
14 that a council did hold a meeting, but when you talk about  
10:26:40 15 council, I am doubtful because I do not know what council you are  
16 referring to at that time.

17 Q. I'm quoting the words used by TF 184, what he said?

18 A. What TF1-184 said is a lie.

19 Q. So those three people were not meeting and discussing with  
10:27:06 20 you that SAJ should orders from you and those three people are  
21 again, I will say for clarification, accused number 2 accused  
22 number 3 and Franklyn Conteh?

23 A. We never sat together, or I never sat with them to discuss  
24 these funny things and we respected SAJ Musa as an officer in the  
10:27:35 25 Sierra Leonean Army.

26 Q. You killed SAJ Musa, didn't you?

27 A. It is a lie. If SAJ Musa's family hear about that, they  
28 would not be happy because they know I would not do such a  
29 funnily thing.



1 Q. But some of the SLAs, like Junior Lion, held you  
2 responsible for SAJ Musa's death, didn't they?

3 A. I have not got you clearly.

4 Q. At the time of SAJ Musa's death, some members of the SLA,  
10:28:15 5 including Junior Lion, held you responsible for SAJ Musa's death,  
6 didn't they?

7 A. Well, I want to first tell you that Junior Lion he is not a  
8 member of the SLA that you are referring to. Although  
9 allegations went around that we, the detained people, were  
10:28:41 10 responsible for his death, or that I was responsible for his  
11 death to the individual whom you have just called, Junior Lion.  
12 But he was not an SLA and he is not SLA.

13 Q. Is it correct that some SLAs blamed you for SAJ Musa's  
14 death?

10:29:00 15 A. For Junior Lion in particular, but he is not an SLA. I  
16 cannot talk about any other person who came.

17 Q. Forget about Junior Lion. Other SLAs also held you  
18 responsible for SAJ Musa's death, didn't they?

19 A. No, no. No.

10:29:25 20 Q. It was convenient for you that SAJ Musa died, wasn't it?

21 PRESIDING JUDGE: How is he going to answer that question?

22 MR AGHA: I withdraw the question, Your Honour.

23 Q. After SAJ Musa died you no longer had to bother with  
24 reinstating the SLA, did you?

10:29:43 25 A. I don't even have that idea to reinstate or not reinstate.  
26 When SAJ Musa died, what I thought about was what I did, to  
27 escape.

28 Q. After SAJ Musa died you wanted to overthrow the Kabbah  
29 government with the assistance of the RUF, didn't you?



1 A. That is a lie you are saying.

2 Q. Your aim was to place yourself in a senior position in a  
3 new AFRC government, wasn't it?

4 A. Which new AFRC government? Let me know.

10:30:27 5 Q. After AFRC government which you wanted to put in place  
6 after you had invaded Freetown in January 1999?

7 A. My aim to was to return to the national army, which is the  
8 Sierra Leonean Army and I came back there and I was paid for what  
9 they owed me.

10:30:56 10 Q. Why didn't you continue with the troop into Freetown to  
11 fulfil the objective of reinstating the SLA?

12 A. I told you that I was under arrest, first, and I was not in  
13 the position of any command. And secondly, FAT was the deputy to  
14 SAJ Musa, FAT Sesay, so it was not my duty. What my duty was or  
10:31:24 15 what I thought was to escape and, indeed, I escaped.

16 Q. You could have still continued with the troop into Freetown  
17 during the invasion, if you wanted to, couldn't you?

18 A. I am not in that position. I'm telling you I was a  
19 corporal. I was not in that position.

10:31:43 20 Q. So being a corporal, did that mean that you could not form  
21 a part of the Freetown invasion?

22 A. I am a soldier and I was not part of that Freetown invasion  
23 that you are referring to. I have told you that I escaped when  
24 SAJ died.

10:32:02 25 Q. If your aim was to reinstate the SLA, why did you escape?  
26 Why didn't you continue into Freetown and help reinstate the SLA?

27 A. I have told you -- have I told you that was my aim or that  
28 was SAJ Musa's aim? I have told you that I never took part in  
29 active combat when I was under arrest at Eddie Town and I had no



1 access to rifles. I only cared about my life and my own aim of  
2 escaping was what I did when SAJ Musa died.

3 Q. On SAJ Musa's death you became the overall commander of the  
4 SLAs, didn't you?

10:32:48 5 A. That is where you have lied again. It never happened that  
6 way. After SAJ Musa's death, I escaped.

7 Q. You contacted Mosquito on SAJ Musa's death, didn't you?

8 A. I had no access to a set and I never contacted that person  
9 that you are talking about. And I have told you that person  
10:33:17 10 wanted to kill me and I had no way I could have liked him. And I  
11 was not in a position to contact him or even speak on a set.

12 Q. You requested the RUF to join you in attacking Freetown,  
13 didn't you?

14 A. It is a lie.

10:33:34 15 Q. Mosquito told you that he would send you reinforcements,  
16 didn't he?

17 A. It is a lie. After SAJ's death, I escaped.

18 Q. When you became commander of the troop after SAJ's death,  
19 you appointed the second accused as your second in command,  
10:33:55 20 didn't you?

21 A. That is a lie. I didn't become a commander after SAJ's  
22 death. And the second accused did not become a deputy, deputy  
23 commander to me. After SAJ's death, I escaped.

24 Q. You appointed the third accused as your third in command,  
10:34:23 25 didn't you?

26 A. That is a lie you are saying.

27 Q. You promoted yourself to lieutenant-general, didn't you?

28 A. I never heard of that position, lieutenant-general.

29 Q. You promoted the second accused to brigadier, didn't you?



1 A. It is a lie.

2 Q. You promoted the third accused to brigadier, didn't you?

3 A. It is a lie.

4 Q. You promoted Franklyn Conteh, aka Woyoh, to brigadier,  
10:35:00 5 didn't you?

6 A. It is a lie.

7 Q. You then, after SAJ's death, that when you attacked  
8 Freetown that the police should be killed, didn't you?

9 A. When SAJ died, I escaped. All that you are saying are  
10:35:26 10 lies.

11 Q. You gave an order that the Nigerians should be kill, didn't  
12 you?

13 A. It is a lie.

14 Q. You gave an order that SLPP collaborators should be killed,  
10:35:40 15 didn't you?

16 A. It is a lie.

17 Q. You gave an order that police stations should be burnt  
18 down, didn't you?

19 A. It is a lie.

10:35:52 20 Q. After SAJ Musa's death, you kept the same military  
21 structure in place, didn't you?

22 A. It is a lie. When SAJ died, I fought to escape and indeed,  
23 I escaped. I was not with any military structure.

24 Q. Junior Lion remained as your task force commander, didn't  
10:36:19 25 he?

26 A. Junior Lion, since SAJ appointed him, when I escaped after  
27 the death of SAJ, I did not know his position. All I knew was  
28 that he was a task force commander, according to the appointment  
29 given to him by SAJ Musa before he died.



1 Q. You kept the same number of battalions as SAJ Musa, didn't  
2 you?

3 A. It is a lie.

4 Q. Your brigade advanced in the same way as it had under SAJ  
10:36:56 5 Musa, didn't it?

6 A. I did not have a brigade and I don't know what you are  
7 referring to as a brigade or my brigade. I have told you that  
8 when SAJ died, I escaped.

9 Q. Just outside Freetown you called Mosquito over the radio  
10:37:17 10 set requesting arms, ammunitions and reinforcements, didn't you?

11 A. No.

12 Q. Mosquito agreed to send you arms, ammunitions and  
13 reinforcements for the attack on Freetown, didn't he?

14 A. No.

10:37:39 15 Q. You agreed to keep Mosquito updated on how your advance on  
16 Freetown was proceeding, didn't you?

17 A. That is a lie. Had I been in that position, I wouldn't  
18 have spoken to him. But I was not in that position, and I was  
19 not in the advance on Freetown. All that you are saying are  
10:38:06 20 lies.

21 Q. You also called Issa Sesay over the radio whilst you were  
22 advancing to Freetown, didn't you?

23 A. It is a lie.

24 Q. Issa Sesay told you that he had captured Kono and that he  
10:38:18 25 was on the way to Makeni to reinforce you, didn't he?

26 A. It is a lie.

27 Q. You also called Superman over the radio whilst you were  
28 advancing toward Freetown, doesn't?

29 A. I have told you that I escaped and I have told the Court



1 that I had no business with the RUF, now that you are linking me  
2 with the RUF.

3 Q. Superman also told you that his troops were moving towards  
4 Makeni and that he was coming to reinforce you, didn't he?

10:38:57 5 A. No.

6 Q. You wanted to attack Freetown with a combined SLA and RUF  
7 force, didn't you?

8 A. I did not attack Freetown and I did not want to attack  
9 Freetown. When SAJ died, I escaped. Had no thought that you are  
10:39:22 10 talking about, combined SLA and RUF.

11 Q. At around 5 January 1999 at Orugu - spelled O-R-U-G-U -  
12 village, you gathered your senior officers and gave the order to  
13 attack Freetown, didn't you?

14 A. It is a lie. During those times I was on my way to Makeni.

10:39:49 15 Q. You again ordered all police stations in Freetown to be  
16 burnt down, didn't you?

17 A. That is a lie. I told you it is a made up story.

18 Q. You ordered the execution in Freetown of anyone who opposed  
19 the former AFRC government, didn't you?

10:40:13 20 A. No.

21 Q. You ordered the opening of Pademba road Prison, didn't you?

22 A. No.

23 Q. You wanted the prison open to obtain reinforcements, didn't  
24 you?

10:40:26 25 A. No.

26 Q. Your troop was short of arms and ammunitions, wasn't it?

27 A. I hadn't troops.

28 Q. You ordered that the ordnance at Murray Town Barracks be  
29 captured, didn't you?



1 A. I told you that I had no troops. Who could I have ordered

2 and I did not come to Freetown.

3 Q. You ordered that State House be captured, didn't you?

4 A. No.

10:41:04 5 Q. You also ordered that the radio stations in Freetown be

6 captured, didn't you?

7 A. No.

8 PRESIDING JUDGE: I will interrupt you there, Mr Agha. I

9 think we will take our normal morning break now.

10:41:25 10 MR AGHA: I have just one final question on this.

11 PRESIDING JUDGE: If it is a final question, go ahead and

12 ask it.

13 MR AGHA:

14 Q. Your attack on Freetown was well-planned, wasn't it?

10:41:38 15 A. I was not part of an attack on Freetown, the attack that

16 you are referring to. I don't know whether it was planned or not

17 planned, but I did not come to Freetown or attack Freetown.

18 PRESIDING JUDGE: Thank you, we will adjourn now until

19 11.00 a.m.

10:42:03 20 [Break taken at 10.40 a.m.]

21 [Upon resuming at 11.05 a.m.]

22 PRESIDING JUDGE: Yes, go ahead, Mr Agha.

23 MR AGHA: Thank you, Your Honours.

24 Q. Now, returning to the actual invasion on Freetown itself,

11:01:46 25 pursuant to your orders, Kissi mess police station was burnt down

26 by troops under your command, wasn't it?

27 A. I didn't have any troop under my command, and I didn't come

28 to Freetown. What you have said is a lie.

29 Q. You personally set fire to some vehicles in Fisher Lane,



1 didn't you?

2 A. It's a lie.

3 Q. Pursuant to your orders, the Eastern Police station was  
4 burnt down by troops under your command, wasn't it?

11:02:29 5 A. No.

6 Q. Pursuant to your orders, two police men captured at the  
7 Eastern Police station were executed by troops under your  
8 command, weren't they?

9 A. No.

11:02:45 10 Q. Pursuant to your orders, the CID station in Freetown was  
11 burnt down by troops under your command, wasn't it?

12 A. No.

13 Q. As your troop moved through Freetown, the abductees with  
14 them were forced to carry the ammunition belonging to your  
11:03:06 15 troops, weren't they?

16 A. No.

17 Q. On the morning of 6 January 1999, pursuant to your orders,  
18 troops under your command captured State House, didn't they?

19 A. On 6 January 1999 I was on my way to go to Makeni.

11:03:34 20 Q. Thereafter, State House was used as your headquarters,  
21 wasn't it?

22 A. No.

23 Q. Your senior commanders stayed at the State House  
24 headquarters with you, didn't they?

11:03:51 25 A. No.

26 Q. Your second in command, accused number 2, stayed at State  
27 House with you, didn't he in?

28 A. No.

29 Q. Your third in command, accused number 3, also stayed with



1 you at the State House, didn't he?

2 A. No.

3 Q. You shot and killed three Nigerian men when you arrived at  
4 State House, didn't you.

11:04:22 5 A. No.

6 Q. You also shot and killed a woman when you entered State  
7 House, didn't you?

8 A. No.

9 Q. Pursuant to your orders, Pademba Road was opened and the  
11:04:37 10 prisoners were released by troops under your command, weren't  
11 they?

12 A. No.

13 Q. The released prisoners included police and politicians,  
14 didn't they?

11:04:54 15 A. No, I don't know about that.

16 Q. These soldiers, pursuant to your orders reported to State  
17 House, didn't they?

18 A. I never gave orders and I don't know where the soldiers  
19 reported and I didn't come to Freetown.

11:05:22 20 Q. Steve Bio was one of the politicians who was released,  
21 wasn't he?

22 A. I don't know Steve Bio in person.

23 Q. RUF Gibril Massaquoi was one of the politicians who was  
24 released, wasn't he?

11:05:39 25 A. I saw Gibril Massaquoi later when he met me in Makeni.

26 Q. From the morning of the invasion, you were based in State  
27 House, weren't you?

28 A. It's a lie.

29 Q. You received reports how the invasion was progressing



1 whilst you stayed at State House, didn't you?

2 A. It's a lie.

3 Q. Pursuant to your orders, the radio station was captured by  
4 troops under your command, wasn't it?

11:06:24 5 A. No.

6 Q. Troops under your command also released soldiers who were  
7 being held in the Siaka Stevens stadium, didn't they?

8 A. No.

9 Q. Your task force commander, Junior Lion, reported to you in  
11:06:51 10 State House about the progress of the invasion, didn't he?

11 A. It's a lie.

12 Q. Junior Lion reported to you where the other battalions were  
13 deployed throughout Freetown, didn't he?

14 A. That one, too, is a lie.

11:07:14 15 Q. On 6 January 1999, troops under your command had captured  
16 Freetown, hadn't they?

17 A. It's a lie. I hadn't soldiers under my command. I've told  
18 you, during that time, I was on my way to Makeni.

19 Q. On 6 January, on your orders, a broadcast was made over the  
11:07:37 20 radio to the public by one of your officers that the AFRC had  
21 taken over Freetown, wasn't it?

22 A. It's a lie.

23 Q. By this radio announcement, the public was informed that  
24 you were in command of the forces which had taken over Freetown,  
11:08:02 25 weren't they?

26 A. It's a lie.

27 Q. Mosquito announced over the radio that troops under his  
28 command held Freetown under Commander Yarya, didn't he?

29 MS THOMPSON: Your Honour, how he is supposed to -- I don't



1 know that the witness has said he heard a radio broadcast by  
2 Mosquito.

3 JUDGE SEBUTINDE: I thought Mr Agha is simply putting the  
4 Prosecution case for the accused to respond to, whatever those  
11:08:32 5 allegations may be.

6 MS THOMPSON: Yes, Your Honour.

7 JUDGE SEBUTINDE: If the accused doesn't know, he will say  
8 he doesn't know.

9 MS THOMPSON: Yes, Your Honour. The point I was making, if  
11:08:39 10 you put the radio broadcast of anybody else to the witness,  
11 unless you say he was present, or you say that you provided that  
12 he heard it, I don't know how the witness is supposed to comment  
13 on somebody else's radio broadcast.

14 JUDGE SEBUTINDE: As the story goes, the accused is now  
11:08:54 15 supposed to be in State House and in charge, which is where he is  
16 supposed to be now hearing all these radio broadcasts. If it  
17 isn't true, he'll say so, I think.

18 MS THOMPSON: I will leave it at that.

19 MR AGHA:

11:09:08 20 Q. Mosquito announced over the radio that his troops held  
21 Freetown under command at Yarya, didn't he?

22 A. It's a lie. I didn't hear that announcement.

23 Q. You come from Yarya, don't you?

24 A. My father came from there.

11:09:32 25 Q. You were the Commander Yarya who Mosquito was referring to,  
26 weren't you?

27 A. You know my name in this Court. You know that my name is  
28 Tamba Brima. So I don't know where you think I'll get that name  
29 Yarya.



- 1 Q. On the day of the invasion, you ordered the execution of 16  
2 Nigerians, who were in the compound at State House, didn't you?
- 3 A. It's a lie.
- 4 Q. These 16 Nigerians were executed by soldiers under your  
11:10:19 5 command, pursuant to your order, weren't they?
- 6 A. That one is a lie.
- 7 Q. On 6 January, pursuant to your order, troops under your  
8 command burnt the harbour police station near Queen Elizabeth  
9 Quay, didn't they?
- 11:10:32 10 A. On 6 January, I was not in Freetown, like you are saying.
- 11 Q. Whilst you were in State House, troops under your command  
12 were also raping women in State House, weren't they?
- 13 A. I was not at State House, according to the allegation you  
14 are putting to me. The important thing is that I never heard  
11:11:06 15 about that. I've told you that I was not in Freetown.
- 16 Q. You raped at least one woman in State House, didn't you?
- 17 A. You are telling lies on me.
- 18 Q. State House was looted by troops under your command, wasn't  
19 it?
- 11:11:26 20 A. I've told you I didn't come to Freetown. I hadn't troops  
21 under my command.
- 22 Q. Whilst you were based in State House, troops under your  
23 command were also executing civilians, weren't they?
- 24 A. No, I never based at State House.
- 11:11:51 25 Q. On 6 January, you met RUF leader Gibril Massaquoi at State  
26 House, didn't you?
- 27 A. You see what you are telling me? Is Gibril Massaquoi an  
28 RUF leader?
- 29 Q. Did you meet Gibril Massaquoi at State House on 6 January?



1 A. On 6 January, I was not in Freetown. Besides, I did not  
2 meet Gibril Massaquoi at the place you are talking about. He  
3 went and met me in Makeni.

4 Q. In the evening of 6 January, Gibril Massaquoi gave an  
11:12:32 5 interview to the BBC on your orders, didn't he?

6 A. That one, he's a rebel. I never gave him an order. And I  
7 was not in the position to give orders. I have told you I never  
8 came to Freetown.

9 Q. Gibril Massaquoi told the BBC that the AFRC and the RUF  
11:13:01 10 were in control of Freetown, didn't he?

11 A. That one, I never heard that.

12 Q. Some RUF fighters had formed a part of your troop, which  
13 invaded Freetown, hadn't they?

14 A. It's a lie. I was never in command of RUF, and even the  
11:13:28 15 SLA, as you are putting it.

16 Q. Shortly after your capture of State House, you informed Sam  
17 Bockarie over the radio that the Nigerians had started to  
18 counterattack, didn't you?

19 A. No.

11:13:47 20 Q. Mosquito agreed to send you reinforcements, didn't he?

21 A. No.

22 Q. Mosquito told you that Issa Sesay had already sent RUF  
23 Rambo to reinforce you, didn't he?

24 A. No.

11:14:01 25 Q. Mosquito agreed to send you arms and ammunition, didn't he?

26 A. No.

27 Q. On this occasion, Gibril Massaquoi also spoke to Mosquito  
28 and requested reinforcements, didn't he?

29 A. I don't know that. They are rebels. If he came and told



1 you that, they are rebels, and I was not in Freetown.

2 Q. On this occasion, Steve Bio also spoke to Mosquito and  
3 requested him to send reinforcements, didn't he?

4 A. I don't know that.

11:14:46 5 Q. Shortly after your capture at State House, you ordered the  
6 arms and ammunition, which you had seized, to be moved to the  
7 rear at Moyamba Town near Mamba Bridge, didn't you?

8 A. It's a lie.

9 Q. You ordered this ammunition to be moved so that it would be  
11:15:12 10 available in case you were forced to retreat from Freetown,  
11 didn't you?

12 A. It's a lie.

13 Q. You ordered the civilian houses in the King Tom area to be  
14 burnt down, didn't you?

11:15:29 15 A. No.

16 Q. These houses were burnt down by troops under your command,  
17 weren't they?

18 A. No.

19 Q. You ordered your troop to open fire on the civilians of  
11:15:49 20 King Tom, didn't you?

21 A. No.

22 Q. Troops under your command did shoot and kill civilians in  
23 King Tom, didn't they?

24 A. No.

11:16:01 25 Q. You managed to hold Freetown for about two weeks, didn't  
26 you?

27 A. No.

28 Q. You were then forced to retreat from Freetown, weren't you?

29 A. I was not in Freetown. I don't know what you are saying.



1 I don't know those that were forced to leave Freetown, but I was

2 not in Freetown.

3 Q. You radioed Mosquito again and requested arms, ammunition  
4 and reinforcements, didn't you?

11:16:35 5 A. No.

6 Q. Mosquito agreed to send you reinforcements who would meet  
7 up with your troop at the Formex Building in Freetown, didn't he?

8 A. No.

9 Q. Mosquito also agreed to provide you with arms and  
11:16:53 10 ammunition, didn't he?

11 A. No.

12 Q. Mosquito ordered you to burn down Freetown, didn't he?

13 A. I have told you, I wouldn't take orders from RUF. You are  
14 telling lies on me. I was not in Freetown and never took orders  
11:17:19 15 from RUF.

16 Q. You ordered troops to burn down Freetown during your  
17 retreat, didn't you?

18 A. No.

19 Q. RUF Rambo arrived with 50 reinforcements for you, didn't  
11:17:30 20 he?

21 A. No.

22 Q. At this time, the front line of the battle was the Eastern  
23 Police Station, wasn't it?

24 A. I don't know, because I was not in Freetown.

11:17:47 25 Q. You received information that the people of Fourah Bay had  
26 killed an SLA, didn't you?

27 A. Except when I heard that in this Court, but I never knew  
28 about that. And I've told you that I was not in Freetown during  
29 the period you are alleging.



1 Q. You wanted to take revenge on the civilians for daring to  
2 kill an SLA, didn't you?

3 A. I have several civilian sisters. I never had that kind of  
4 plan. I have told you I didn't come to Freetown.

11:18:32 5 Q. You wanted to take revenge on the civilians for being  
6 collaborators, didn't you?

7 A. No.

8 Q. You ordered your troop to burn down the area of Fourah Bay  
9 area in Freetown, didn't you?

11:18:53 10 A. No.

11 Q. You moved with the troops yourself while houses in Fourah  
12 Bay were burnt down by troops under your command, didn't you?

13 A. Even myself moved to Make ni after SAJ's death. I have  
14 never come to Freetown.

11:19:13 15 Q. You ordered your troop to kill the people living in the  
16 Fourah Bay area in Freetown, didn't you?

17 A. It's a lie.

18 Q. You moved with the troop yourself while civilians in Fourah  
19 Bay were shot and killed by troops under your command, didn't

11:19:34 20 you?

21 A. No.

22 Q. You ordered your troop to amputate the arms of the people  
23 living in Fourah Bay Road, didn't you?

24 A. No.

11:19:48 25 Q. Around the Fourah Bay Road area, pursuant to your orders,  
26 amputation of civilians' arms were carried out by troops under  
27 your command, weren't they?

28 A. I didn't get you clearly.

29 Q. In the Fourah Bay Road area, troops, pursuant to your



1 orders, amputated the arms of civilians, didn't they?

2 A. No.

3 Q. Your third in command, accused number 3, personally  
4 demonstrated to those SLAs around him how to amputate two

11:20:41 5 civilians' arms, didn't he?

6 A. The third accused never became my third in command like you  
7 are saying, and what you are saying, I have no knowledge about  
8 it. Myself and the third accused were on our way to Makeni.

9 Q. You are familiar with the term --

11:21:08 10 A. This time that you are alleging that we were in Freetown.

11 Q. You are familiar with the term long sleeve and short sleeve  
12 with respect to amputating someone's arm, aren't you?

13 JUDGE SEBUTINDE: Mr Brima, please answer.

14 THE WITNESS: I know about the words you are talking. I  
11:21:36 15 know they're on clothing. Like the coat I'm wearing is a long  
16 sleeve. If you wear clothes that is a short sleeve, you will see  
17 it. I don't know that on human beings.

18 MR AGHA:

19 Q. You have never heard of that term, long sleeve and short  
11:21:54 20 sleeve being referred to regarding amputating people's arms?

21 A. I know about that on clothings. I don't know about it  
22 referring to human beings.

23 Q. So you were unaware that the third accused demonstrated how  
24 to do long and short-sleeve amputations on human beings?

11:22:31 25 A. I was not in Freetown. So when you are saying if I'm not  
26 aware, you leave that issue of awareness. The third accused was  
27 not in Freetown. Both of us were on our way to Makeni.

28 Q. Did you ever learn that the third accused, before you came  
29 into this Court, had demonstrated how to amputate people's arms



1 in Freetown?

2 A. When?

3 Q. At any time before you came before this Court.

4 A. Not a day did I learn about that against the third accused.

11:23:21 5 Q. Long-sleeve amputation is amputation of the arm up to the  
6 wrist, isn't it?

7 A. The language used, amputee is what I know. I don't know  
8 about long sleeve and short sleeve on human beings. I only know  
9 them on clothings, but the word amputee is what I know.

11:23:49 10 Q. Amputations have been carried out by SLAs in Tombodu Town  
11 in Kono District in May 1998, hadn't they?

12 A. It's a lie. Well, ask me the question again.

13 Q. Amputations had been carried out by SLAs in Tombodu Town in  
14 Kono District in May 1998, hadn't they?

11:24:28 15 A. I don't know. May 1998, I was under arrest in Kailahun by  
16 the RUF.

17 Q. And you never came to hear about any such amputations of  
18 arms taking place in Tombodu Town in May 1998?

19 A. Nobody told me about May 1998. When I came to this Court,  
11:24:51 20 was the time I came to learn that people's hands were amputated  
21 in Tombodu.

22 Q. Amputations of people's arms had been carried out by SLAs  
23 under your command in Karina in the Bombali District, hadn't  
24 they?

11:25:08 25 A. That one is a lie.

26 Q. Now your men were carrying out amputations of arms in  
27 Freetown as well, weren't they?

28 A. I didn't have men in Freetown. During the time you are  
29 alleging, I didn't have men in Freetown. I was not in Freetown.



1 Q. The purpose of the amputation of arms was to terrorise the  
2 civilians into supporting your movement, wasn't it.

3 A. The amputation I know about was the one when the RUF  
4 amputated a soldier's arm during the war. I never amputated  
11:26:03 5 somebody's hand. I have never been where somebody's arms were  
6 amputated. To support whom? To support what? It's a lie.

7 Q. So you were never aware, throughout the conflict, that any  
8 civilians' arms had been amputated by any SLA? Is that what  
9 you're saying?

11:26:22 10 A. That's not what I'm saying. I said the very first person I  
11 learnt that his arms were amputated was a soldier whose arms were  
12 amputated by RUF during the war. Since I've been fighting this  
13 war, I have never seen an SLA, a colleague SLA amputating a  
14 civilian's arm.

11:26:48 15 Q. Have you ever heard about a colleague SLA amputating a  
16 civilian's arm?

17 A. I didn't get you clearly.

18 Q. Had you ever heard about a colleague SLA amputating a  
19 civilian's arm?

11:27:06 20 A. Yes, it is only in this Court I heard that Staff Alhaji  
21 amputated people's arms and Savage amputated people's arm.

22 Q. That's an absolute lie, isn't it?

23 A. It's the very big truth I'm telling you.

24 Q. The amputation of arms was also a means of collectively  
11:27:47 25 punishing the civilian population, wasn't it?

26 A. I don't know about that. How can you amputate civilians'  
27 arms and say put it together. Would it be useful to you?

28 JUDGE SEBUTINDE: Mr Brima, we went through this yesterday.  
29 You answer the questions, the lawyer asks the questions, not the



1 other way around.

2 THE WITNESS: My Lord, the interpretation I'm getting from  
3 the interpreter is a factor for why I do give some answers like  
4 that. It is not my intention to ask the lawyer questions. But  
11:28:25 5 the way I get the interpretation is the way I give my answers.

6 MR AGHA:

7 Q. Alternately, the purpose of amputations of the arms was to  
8 punish the civilians for not supporting the SLAs, wasn't it?

9 A. I don't know about that.

11:28:51 10 Q. The SLAs were warning the civilians not to support the  
11 ECOMOG and Nigerians, weren't they?

12 A. Since I'd become an SLA, I've never seen where an SLA  
13 warning a civilian not to support the Nigerians and then amputate  
14 the civilian's arm for that.

11:29:16 15 Q. Are you aware of SLAs telling civilians, when their arms  
16 were amputated, that they should go and get new arms from Pa  
17 Kabbah?

18 A. I don't know about that. It's only in this Court I'm  
19 hearing about that.

11:29:39 20 Q. You were not aware that messages were written and put  
21 around amputees' necks and sent to town, warning the town people  
22 that they would suffer the same fate if they didn't assist you?

23 A. Not a day. It's only in this Court I heard that. I don't  
24 know whom you are referring to, but not a day that I've heard  
11:30:17 25 that the SLA amputated the civilian and say the civilians should  
26 support him.

27 Q. Yes, but are you aware that after the civilians were  
28 amputated, letters were written by the SLAs and put on the  
29 civilians, warning other civilians that they would suffer the



1 same fate? Did you hear about that?

2 A. I heard that, and it is in this Court that I heard that.

3 Q. You heard it in this Court for the first time?

4 A. Yes.

11:31:00 5 Q. After you lost the Eastern Police station, you wanted to  
6 draw the attention of your plight to the international community,  
7 didn't you?

8 A. It's a lie.

9 Q. You thought that you could draw the attention of the  
11:31:16 10 international community by abducting civilians during your  
11 retreat, didn't you?

12 A. That one is a lie. I've told you I was not in Freetown.

13 Q. You ordered your troop to abduct civilians as they  
14 retreated from Freetown, didn't you?

11:31:32 15 A. I never had a troop, ever.

16 Q. Troops under your command used these abducted civilians to  
17 carry their goods as they retreated, didn't they?

18 A. I never had a troop under my command. What you are saying  
19 is a lie.

11:31:52 20 Q. Two government Ministers were captured and executed by  
21 troops under your command at the PWD compound, weren't they?

22 A. That one is a lie. I've told you I never had a troop under  
23 my command. The time you are alleging, I've told you I was not  
24 in Freetown.

11:32:20 25 Q. Troops under your command used the PWD area as a place to  
26 execute civilians and captured ECOMOG troops, didn't they?

27 A. That one is a lie. I never had a troop under my command in  
28 the PWD area or what you are saying.

29 Q. You ordered your troop to withdraw to Kissy Mental



1 Hospital, didn't you?

2 A. It's a lie. I told you I hadn't a troop under my command,  
3 not a day.

4 Q. At Kissy Mental Hospital, you ordered your troop to burn  
11:33:03 5 all of the vehicles outside the hospital, didn't you?

6 A. It's a lie.

7 Q. You personally started setting fire to some of these  
8 vehicles, didn't you?

9 A. I personally never came to Freetown. So what you are  
11:33:23 10 saying that I put fire is a lie.

11 Q. From Kissy Mental Hospital, you saw the citizens of  
12 Freetown welcoming the Nigerian forces, didn't you?

13 A. Repeat, please.

14 Q. From Kissy Mental Hospital, you saw the civilians of  
11:33:45 15 Freetown welcoming the invading Nigerian forces, didn't you?

16 A. It's a lie. I've told you that the period you are  
17 alleging, I was not in Freetown.

18 Q. You regarded the civilians as collaborators, didn't you?

19 A. I've told you I was not in Freetown. And I didn't consider  
11:34:15 20 any civilian to be a collaborator.

21 Q. Not even the civilians who were assisting the Nigerian  
22 invading forces?

23 A. I've told you I was not in Freetown. Don't even say even.

24 Q. My question to you is: If you saw civilians assisting and  
11:34:41 25 celebrating with Nigerian invading forces, would you regard them  
26 as collaborators?

27 A. I didn't see civilians during the time you are talking  
28 about. I was not in Freetown.

29 Q. If you did see civilians celebrating with the Nigerian



1 invading forces, who had driven you out of Freetown, you would  
2 regard them as collaborators, wouldn't you?

3 A. How will I consider them that way?

4 Q. Well, would you consider them as collaborators or not; yes  
11:35:22 5 or no?

6 A. I didn't consider them as collaborators.

7 JUDGE SEBUTINDE: Mr Agha, that last question you just  
8 asked was hypothetical. You have been going well so far until  
9 that last question.

11:35:34 10 MR AGHA: I will try to get back on track, Your Honour.

11 Q. You ordered your troop from Kissy Mental Hospital onwards  
12 to start killing civilians and burning houses of civilians who  
13 you regarded as collaborators, didn't you?

14 A. No.

11:35:52 15 Q. You ordered Osman Sesay aka Changabulanga to go to the  
16 low-cost housing area in Kissy to amputate the arms of civilians,  
17 didn't you?

18 A. No.

19 Q. You ordered other members of your troop to kill civilians  
11:36:16 20 in the PWD area, didn't you?

21 A. That one is a lie. I've told you I hadn't troops, and I  
22 didn't come to Freetown, and I didn't give orders to troops.

23 Q. You also told your troops that civilians in mosques were  
24 collaborators and ordered them to be killed, didn't you?

11:36:44 25 A. No.

26 Q. Your troops abducted nuns from Freetown on your orders,  
27 didn't they?

28 A. I hadn't troops. I hadn't troops that abducted people in  
29 Freetown. And the period you are alleging, I was not in



1 Freetown.

2 Q. At Kissy Mental Hospital, you ordered that these nuns who  
3 were abducted be executed, didn't you?

4 A. No.

11:37:19 5 Q. Pursuant to your order, at least three of the nuns were  
6 shot and killed by troops under your command, weren't they?

7 A. I never gave orders. I was not in Freetown and I hadn't  
8 troops under my command. I was not in the position to give  
9 orders like you are saying to give orders.

11:37:47 10 Q. You, again, contacted Mosquito over the radio whilst you  
11 were at Kissy Mental Hospital and told him that you were  
12 withdrawing from Freetown, didn't you?

13 A. It's a lie. I have told you, that man, I have no business  
14 with him. He's a rebel and I was not in Freetown the period you  
11:38:13 15 are alleging.

16 Q. From Kissy Mental Hospital you and your troop shot and  
17 burnt your way through to Benguema, didn't you?

18 A. No.

19 Q. Once you were pushed out of Freetown, you met up with the  
11:38:39 20 RUF leadership who you had been speaking to over the radio whilst  
21 in Freetown, didn't you?

22 A. The time you are talking about, I was not pushed out of  
23 Freetown. I was not in Freetown and I didn't meet with RUF  
24 command in Freetown. I've told you I was on my way to Makeni or  
11:39:08 25 by then I was in Makeni.

26 Q. You met RUF personnel after you left Freetown, didn't you?

27 A. It's a lie. I didn't come to Freetown, and I didn't meet  
28 with RUF leaders when I left Freetown.

29 Q. You met Issa Sesay when you left Freetown, didn't you?



1 A. It's a lie. I didn't come to Freetown and I didn't meet  
2 with Issa Sesay when I left Freetown. I didn't come to Freetown  
3 during the time you are alleging.

4 Q. You met Morris Kallon after you left Freetown, didn't you?

11:40:02 5 You met Superman after you left Freetown, didn't you?

6 A. No.

7 Q. After a meeting with the RUF leadership, you made a joint  
8 plan to again attack Freetown, didn't you?

9 A. I didn't meet with the RUF leader. I didn't plan with RUF  
11:40:30 10 to attack Freetown.

11 Q. The new attack on Freetown would be made jointly by RUF and  
12 SLA forces acting together, wouldn't it?

13 A. I don't know about a new attack. When you said RUF and SLA  
14 soldiers to plan to attack Freetown, I don't know about that  
11:40:58 15 attack.

16 Q. You knew about the old attack, though, didn't you?

17 A. I've told you I don't know about attacks. Even the old  
18 attack you are talking about on Freetown, I don't know.

19 Q. This new joint attack was made at two different places,  
11:41:17 20 wasn't it?

21 A. I don't know.

22 Q. One was at Tombo, and the other was at Hastings.

23 A. I've said I don't know.

24 Q. Both of those joint attacks failed, didn't they?

11:41:31 25 A. I don't know.

26 Q. You, and part of the SLA troop, then pulled out to Makeni  
27 with some members of the RUF, didn't you?

28 A. That one is a lie. I've told you I escaped to Makeni after  
29 SAJ's death at Benguema.



1 Q. You did not make any escape after SAJ's death. You are  
2 lying.

3 A. I'm saying the truth. I escaped after SAJ's death at  
4 Benguema. When his corpse was taken to Goba Water, it was during  
11:42:26 5 that time I escaped, and I'm saying the truth.

6 Q. You commanded the attack, the invasion and the retreat from  
7 Freetown in January 1999 after SAJ Musa's death, didn't you?

8 A. I never commanded and didn't attack or invade Freetown  
9 after SAJ's escape. After SAJ's death, I escaped. So all of  
11:43:06 10 what you are putting to me are lies.

11 Q. After the new joint attack with the RUF, the second accused  
12 and another part of the SLAs went separately into the Western  
13 Jungle, didn't they?

14 A. I don't know.

11:43:33 15 Q. From about mid-January 1999, the second accused was in  
16 command of the SLAs in the Western Jungle around the Port Loko  
17 area of Freetown, wasn't he?

18 A. I don't know. I was not in that area you are talking  
19 about. I don't know.

11:43:57 20 Q. Have you ever subsequently learned, before coming to this  
21 Court, whether the second accused was in command in the West Side  
22 in 1999 after the retreat from Freetown?

23 A. I have never learnt about that, and I've never heard that  
24 he was in command of troops at West Side or West End. The person  
11:44:40 25 I knew was Junior Lion and Foday Kallay who arrested me when I  
26 left Makeni to come to Freetown. Those were the people I knew  
27 were in command and were commanders at West Side.

28 Q. So where was Bazzy -- I beg your pardon, where was accused  
29 number 2 after the retreat from Freetown in January 1999?



1 A. I want to know the person you are calling Bazy.

2 Q. I apologised. I said accused number two. Where was he  
3 after the Freetown invasion in January 1999?

4 A. Before the invasion, when I escaped to Makeni, I never knew  
11:45:47 5 the whereabouts of the second accused. All I heard was that he,  
6 too, escaped.

7 Q. Did you ever learn that he had gone into the West Side  
8 jungle with other SLAs?

9 A. I don't know that one.

11:46:09 10 Q. You didn't ask your old squad mate, the second accused,  
11 what he was up to in 1999, 2000, 2001?

12 A. I didn't ask about him, not even a day about what he's  
13 doing or where he had gone. Not a day. I only knew, since I  
14 escaped from Benguema, that was after the death of SAJ, that the  
11:46:56 15 second accused, too, escaped.

16 Q. Did he tell you that himself, that he had escaped?

17 A. He didn't tell me.

18 Q. The SLAs, after the Freetown invasion that went to the West  
19 Side, were under the command of the second accused, weren't they?

11:47:31 20 A. It's a lie. The person who arrested me at the West Side  
21 was Junior Lion and Foday Kallay. And I knew they were in  
22 command.

23 Q. How did you know that?

24 A. It was when I left Makeni in August 1999 coming to Freetown  
11:48:01 25 it was the time I was arrested. And the person they took me to  
26 was Junior Lion. From him, they took me to Kallay.

27 Q. The second accused remained loyal to Johnny Paul Koroma,  
28 didn't he?

29 A. I don't know.



1 Q. Your loyalties, after the Freetown invasion, were with the  
2 RUF, weren't they?

3 A. That one, he was a rebel. I haven't -- I was not loyal to  
4 them.

11:48:43 5 Q. You fought with Superman against Issa Sesay during their  
6 in-fight, didn't you?

7 A. Perhaps if Issa is opportune to come here, he will tell  
8 you. I never joined Superman to fight. Not a day. I'm still  
9 telling you, I never joined up with Issa to fight against

11:49:14 10 Superman or to join with Superman to fight against Issa. I'm not  
11 an RUF. I'm not a rebel.

12 Q. You wanted to take over the Western Jungle from the second  
13 accused, didn't you?

14 A. I didn't even think about that, and all I'm saying, the  
11:49:39 15 second accused, I never knew he was in the Western Jungle. Those  
16 that I know about are the names I've mentioned to you.

17 Q. You wanted Johnny Paul Koroma to represent the AFRC at the  
18 Lome peace talks, didn't you?

19 A. I don't know where you got that from, but that was not my  
11:50:09 20 thinking.

21 Q. Were you aware that the second accused wanted Johnny Paul  
22 Koroma to represent the AFRC at the Lome peace talks?

23 A. I don't know.

24 Q. A delegation from the West Side went to meet Johnny Paul  
11:50:37 25 Koroma in Liberia in 1999. Were you aware of that?

26 A. I know soldiers went to meet Johnny Paul.

27 Q. Did you know that those soldiers included the second  
28 accused, Hassan Papa Bangura and Junior Lion?

29 A. Well, I never knew all the soldiers who were amongst that



1 group, but I know soldiers went.

2 Q. Did you ever ask the second accused whether he was a part  
3 of that delegation?

4 A. Not a day did I ask the second accused that.

11:51:30 5 Q. Weren't you interested to know whether he was a part of  
6 that delegation?

7 A. I didn't ask him.

8 Q. But were you not interested to know whether he had gone?

9 A. At all, not.

11:51:48 10 Q. You tried to take over the West Side in the absence of the  
11 second accused whilst he was away from that area, didn't you?

12 A. That's a lie.

13 Q. You were arrested by Foday Kallay because he was in command  
14 in the West Side in the second accused's absence, wasn't he?

11:52:23 15 A. It was not Foday Kallay who arrested me. I was arrested by  
16 soldiers and turned me over to Junior Lion who, in turn, turned  
17 me over to Foday Kallay. It was not Foday Kallay who arrested  
18 me.

19 Q. Junior Lion was in Liberia with the West Side delegation at  
11:52:48 20 that time, wasn't he?

21 A. When?

22 Q. When you were arrested, allegedly?

23 A. No. No. No.

24 Q. Foday Kallay was the acting commander of the West Side in  
11:53:02 25 the second accused's absence, wasn't he?

26 A. I don't know Foday Sankoh as an acting commander. When I  
27 was arrested, Junior Lion and Foday Kallay were West Side.

28 Q. Junior Lion did not fire at Foday Bah Marah, did he, in the  
29 West Side?



1 A. He shot me and Foday Bah Marah.  
2 Q. He didn't shoot at Foday Bah Marah, didn't he?  
3 A. He shot him, and he shot me.  
4 Q. You're lying. Junior Lion didn't shoot you in the West  
11:54:01 5 Side.  
6 A. I'm telling you the truth. I'm telling you the truth.  
7 Q. Junior Lion threatened to kill you at Goba Water; is that  
8 right?  
9 A. Yes.  
11:54:13 10 Q. Commander O-Five had to intervene to stop him from killing  
11 you at Goba Water, didn't he?  
12 A. He and FAT.  
13 Q. So why didn't Junior Lion kill you in the West Side in  
14 1999?  
11:54:31 15 A. Maybe Junior Lion would be the best person to answer that  
16 question, but I don't know why he didn't kill me, but he shot me.  
17 Q. You lied about Junior Lion threatening to kill you at Goba  
18 Water, didn't you?  
19 A. I'm not lying. I'm telling you the truth.  
11:54:55 20 Q. You have also lied about Junior Lion shooting you in the  
21 West Side, because he was giving damaging evidence against you,  
22 hasn't he?  
23 A. I'm speaking the truth, and I have the scar.  
24 Q. Junior Lion, when he gave evidence as a Prosecution witness  
11:55:19 25 in this Court, gave it openly, didn't he?  
26 PRESIDING JUDGE: I won't allow that question, Mr Agha.  
27 MR AGHA:  
28 Q. When Junior Lion gave his evidence in this Court, did  
29 anybody in this courtroom ask him whether he shot you at the West



1 Side?

2 A. Since I was not the one asking the questions for the  
3 lawyers, they were the one asking for me, maybe they could  
4 answer, but I don't know.

11:55:53 5 Q. You have just made this up now, this story of Junior Lion  
6 shooting you in the West Side to save your own skin, haven't you?

7 A. This is something that I have experienced that I've  
8 explained to you. It is not a made-up story.

9 Q. Let us move on to look at your retirement. Between your  
11:56:33 10 retirement and your arrest, were you ever involved in politics?

11 A. Yes.

12 Q. What was your involvement?

13 A. I was in a political party, which is the PLP.

14 Q. What does PLP stand for?

11:56:51 15 A. The Peace Liberation Party.

16 Q. Who was the leader of that political party?

17 A. It was Johnny Paul Koroma.

18 Q. Did Johnny Paul Koroma win a seat in Parliament?

19 A. Yes.

11:57:19 20 Q. Did he win a seat in Parliament through an election?

21 A. Yes.

22 Q. And you campaigned for him during that election, didn't  
23 you?

24 A. Well, I was a party member.

11:57:40 25 Q. So you would agree with me that you do know something about  
26 politics and political parties?

27 A. I was a member of a political party.

28 Q. After the conflict, you were also working for the  
29 commission for the consolidation of peace, weren't you?



1 A. Yes.

2 Q. What tasks were you performing for this commission?

3 A. I was not fully employed there.

4 Q. Well, can you give us an example of what kind of tasks you  
11:58:23 5 did while you were there?

6 A. I was just serving Johnny Paul, but I had no position in  
7 that office, because like the time that Kallay arrested the  
8 British, or the British soldiers, I was one of those people who  
9 were used as a delegate to go and negotiate for the release of  
11:58:52 10 those soldiers.

11 Q. Why would they use a lowly corporal like you to go and  
12 negotiate for the release of those soldiers?

13 A. By then, I had left the army, but I knew Kally and the  
14 reason why I was used was to convince Kallay's relatives or his  
11:59:18 15 family members, including his mother and sisters so that Kallay  
16 would release those people. So I went to the immediate family  
17 and brought them to the commissioners.

18 Q. Was Kallay a friend of yours?

19 A. Kally, he's not my friend directly, but we all grew up in  
11:59:40 20 the same area. When they were in need of somebody to convince  
21 him, his mother was somebody they wanted to use, and I was the  
22 one who had easy access to his mother and some of his relatives.

23 Q. Kallay was there when you were thrown in the dungeon in  
24 1999 for about three months after you had been shot by Junior  
12:00:07 25 Lion, wasn't he?

26 A. Yes. It was Kallay who was there; he and Junior Lion.

27 Q. So if he didn't help you then, when you were in real need  
28 of help, why would he want to help you now?

29 A. He has not helped me now.



1 Q. Now, after resigning from the army and your arrest in 1993,  
2 you were doing your own business as a petty trader, weren't you?

3 A. I was not doing business as a petty trader, I was doing  
4 business.

12:00:54 5 Q. Didn't you inform this Court, when you were asked in your  
6 own evidence-in-chief, when you were asked what you were doing  
7 when you left the army, didn't you say you were a petty trader  
8 and you were going into the provinces for palm oil and pig  
9 products?

12:01:18 10 A. I told you that I was doing business, maybe it's what the  
11 interpreter told you, but I said I was doing business. But I did  
12 not tell you that I was a petty trader.

13 Q. Well, I would like to read you that part of your  
14 transcript, with the permission of the Court.

12:01:54 15 MR AGHA: I'll carry on while that is being looked into, to  
16 save time. I'm told it's just coming, Your Honour. It is on  
17 16 June 2006, page 17 and page 18. I shall read from line 19.

18 PRESIDING JUDGE: We don't have page 18, just page 17.

19 MR AGHA: I think page 18 is en route, Your Honour.

12:03:59 20 Perhaps I can start the reading. At page 17:

21 "Q. Who is this colonel that you just referred to,  
22 Mr Brima?

23 "A. It is the same Colonel Muna Kabia.

24 "Q. So, Mr Brima, what happened, what happened after April  
12:04:29 25 2001?

26 "A. After April 2001, I resigned from the army and when I  
27 had resigned from the army, I was doing business.

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

29 "A. I was doing petty trading.



1 "Q. Mr Brima, you just told this Court you were only doing  
2 petty trading. For how long did you continue with this  
3 line of business?

4 "A. Well, the petty trading that I was doing it continued  
12:05:05 5 the time I was arrested and up until this moment my wife  
6 still continues doing it because I used to go to the  
7 provinces, go and get palm oil by drums or I go and get hog  
8 meat or pig foot by drums and some other business."

9 So, Mr Brima, were you or were you not a petty trader after  
12:05:40 10 you were released from army?

11 THE WITNESS: I told you that I was doing business, but I  
12 did not say petty trading, and I don't even know what you mean by  
13 petty trading. But I used to go to the provinces, buy palm oil,  
14 pig foots, take things to the provinces, leave them to my mother,  
12:06:08 15 and I take palm oil from there and bring them here to my wife.

16 Q. Mr Brima, at line 22 and 23, it is your own evidence:

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

18 "A. I was doing petty trading."

19 A. I don't know that type of business that is called petty  
12:06:33 20 trading and I am telling you that I did not tell this Court that  
21 I was doing petty trading. I said I was doing business. I said  
22 I was doing business, petty-petty business. I did not say petty  
23 trading. I was doing small-small business. I said I was doing  
24 petty-petty business. I did not say petty trading, because I  
12:06:59 25 don't know that.

26 Q. I put it to you that is a lie, Mr Brima. You specifically  
27 told this Court that you were doing petty trading.

28 A. I am putting it to you also that I am telling the truth.

29 Maybe what I said to the interpreter and what the interpreter



1 interpreted, but I said was I was doing petty-petty business, not  
2 petty trading. And when I'm speaking Krio, petty-petty business  
3 means small-small business.

4 Q. So what was this small-small business which you were doing?

12:07:47 5 A. I would get pigs' foot from Freetown, I pick it up the  
6 provinces. From there, I get palm oil in drums and bring them to  
7 Freetown for my wife. That was the kind of small-small business  
8 I was doing. That's what I refer to as petty-petty business.

9 Q. So that was your job after you left the army?

12:08:17 10 A. When I left the army, that was my job.

11 Q. Until your arrest?

12 A. Yes.

13 Q. Now, John Petrie gave evidence before this Court, and he  
14 said that, in his presence, he heard you being described -- he  
12:08:38 15 heard you describe your occupation as a minor politician.

16 A. I am telling you that what John Petrie said that I was a  
17 minor politician is a lie.

18 Q. This is what John Petrie heard you say.

19 PRESIDING JUDGE: This is what John Petrie said he heard  
12:09:00 20 him say. I'd rephrase that, Mr Agha. That's misleading to put  
21 it to him like that.

22 MR AGHA:

23 Q. That is what John Petrie heard you say --

24 PRESIDING JUDGE: I beg your pardon? What did I just say?

12:09:16 25 MR AGHA: I beg your pardon, Your Honour. I withdraw that  
26 last question.

27 Q. Now, on 22nd January 2003, you gave a signed statement to  
28 the Sierra Leone police, didn't you?

29 A. Yes.



1 Q. This has already been exhibited as Exhibit P86. In that  
2 statement, your occupation is stated to be diamond miner.

3 A. I saw the exhibit and I told you that that statement was  
4 made under duress. When I say duress, I explained to the Court  
12:10:07 5 that I was under gunpoint.

6 Q. You also made a second statement on 2nd February 2003 to  
7 the Sierra Leone police; do you remember that?

8 A. It's a lie. You talked about it, but I told you I did not  
9 make a statement. I only made one statement; that is the first  
12:10:32 10 statement that you told me about.

11 Q. In this statement which, you say, is a lie, you're also  
12 described as doing diamond mining in Kono.

13 A. I never was somebody -- I never was a digger. I don't know  
14 how to mine diamond. Since I was born, I never was a miner in  
12:10:59 15 Kono or mined diamonds in Kono.

16 Q. Didn't you earlier mention to this Court that your family  
17 was involved in mining in Kono?

18 A. Thank you. I said that.

19 Q. But you yourself have never personally been involved?

12:11:16 20 A. I was not involved in mining. The only thing was that I  
21 used to assist my mother. If she needed feeding for his people  
22 because she had a licensed land, I did assist my sisters. If I  
23 had money, I would give it to them to sponsor the people who were  
24 working for them.

12:11:37 25 Q. You completed a Declaration of Means Form before the  
26 Special Court on 22nd March 2003.

27 MR AGHA: With the permission of the Court, I would like to  
28 show the witness this document. Can Mr Brima also be provided  
29 with a copy?



1 Q. Mr Brima, do you have a copy of that in front of you?  
2 A. Yes.  
3 Q. Does it read on the front "The Prosecutor vs. Tamba Alex  
4 Brima Declaration Of Means Form"?  
12:13:13 5 A. Yes.  
6 Q. Has family name, Brima, first name, Tamba. Then in the  
7 second block -- well, at the bottom of the first block, it has,  
8 "Profession." What does it say against profession?  
9 A. It says diamond miner.  
12:13:35 10 Q. So you're a diamond miner, aren't you? You're not a petty  
11 trader?  
12 A. It's a lie. I'm not a diamond miner and the address they  
13 put on there is not my address.  
14 Q. Is this document written by you in your handwriting?  
12:13:52 15 A. No.  
16 Q. So --  
17 A. No.  
18 Q. Had you ever seen this document before today?  
19 A. I have never seen this document before today.  
12:14:15 20 Q. Can you turn to the final page of the document?  
21 A. Yes, I've turned there.  
22 Q. It says it is dated 12 March 2003 and there's a signature.  
23 That's your signature, isn't it?  
24 A. This is not my signature. I have seen the date there, but  
12:14:33 25 the signature is not mine.  
26 Q. So you never signed this document?  
27 A. I did not see this document and nobody ever gave me this  
28 document that you've presented to me today.  
29 Q. I put it to you, Mr Brima, that you voluntarily signed this



1 document and put your occupation as being diamond miner.

2 A. I am not the one who signed this document. I am not the  
3 one who wrote this document. And this is my first time of seeing  
4 this document. And I'm still telling you that when this Court  
12:15:25 5 arrested me and took me to Bonthe, I was being treated like a  
6 convicted prisoner. All these things, I'm only seeing them now.  
7 I've never seen this document. And I've never signed such a  
8 document.

9 Q. But you have legal counsel representing you, don't you?

12:15:43 10 A. Yes.

11 Q. Did you bring this document to their attention, the manner  
12 in which it's come about?

13 PRESIDING JUDGE: I won't allow that.

14 THE WITNESS: I have never seen it.

12:16:05 15 PRESIDING JUDGE: Don't answer that, Mr Brima.

16 THE WITNESS: Yes, My Lord.

17 PRESIDING JUDGE: I'm not allowing that question.

18 MR AGHA: I withdraw that question, Your Honour. Can I  
19 kindly, with the permission of the Court, ask for this document  
12:16:20 20 to be exhibited?

21 PRESIDING JUDGE: Yes. Do the Defence wish to say  
22 anything?

23 MS THOMPSON: No, Your Honour.

24 PRESIDING JUDGE: The photocopy of a Declaration of Means  
12:16:38 25 Form, which is dated 12th March 2003, in the name Alex Tamba  
26 Brima, will be admitted as Exhibit P98.

27 [Exhibit No. P98 was admitted]

28 MR AGHA: Perhaps if that document can be retrieved from  
29 Mr Brima.



1           PRESIDING JUDGE: Yes, together with any other documents he  
2 may have.

3           MR AGHA:

4           Q.    Now, Mr Brima, returning to your address.

12:17:18 5           A.    Yes, Mr Agha.

6           Q.    You were arrested at Johnny Paul Koroma's house in 2003,  
7 together with accused number three and other soldiers, weren't  
8 you?

9           A.    Yes.

12:17:40 10          Q.    Johnny Paul Koroma was in the house prior to your arrest,  
11 wasn't he?

12          A.    Even when I was being arrested, he was there.

13          Q.    Did Johnny Paul Koroma manage to escape at any time?

14          A.    It was only when I came to the Special Court that I knew  
12:18:13 15 that he has been arrested.

16          Q.    But had you heard, before you appeared in this Court, that  
17 he had escaped?

18          A.    No. What I heard was that they arrested Johnny Paul  
19 Koroma.

12:18:27 20          Q.    So you never heard, until you came into this Court, that  
21 Johnny Paul Koroma was not under arrest?

22          A.    Yes.

23          Q.    This was not being discussed amongst the other detainees at  
24 the Special Court?

12:18:47 25          A.    Talk about what? I said it was only when I was arrested  
26 and brought to the Special Court that I knew that Johnny Paul  
27 Koroma was not arrested, or that was when I knew that Johnny Paul  
28 Koroma was not under arrest.

29          Q.    When was that about?



1 A. That was when I was taken to Bonthe, 2003.

2 Q. Now, you were no longer in the army and, according to you,  
3 you were a petty trader. What were you doing meeting with Johnny  
4 Paul Koroma in his house with the third accused and other  
12:19:32 5 soldiers?

6 A. Johnny Paul Koroma was my party chairman, and I've been  
7 used to visiting him. And there was no problem between us that  
8 could have made me not to go visiting him. It was an easy access  
9 for me when I'm coming to town from where I was living, number 2  
12:19:57 10 Babadorie Drive, Juba Hill.

11 Q. You were arrested for plotting to overthrow the government  
12 and for being a part of a subversive movement, weren't you?

13 A. They told lies about me, because I was not found guilty and  
14 I was not charged. I was even released. From the investigation,  
12:20:28 15 they found out that I had no case to answer. But, really, when I  
16 was arrested, they said it was for a coup. The arrest went on  
17 for long. In fact, they said it was subversive coup or  
18 subversive movement. Later, I found out that they were telling  
19 lies about me.

12:20:45 20 Q. Accused number two told you that he had been arrested for  
21 the same crime, didn't he?

22 A. He did not tell me, even. I saw it. I saw him at Pademba  
23 Road.

24 Q. But you asked him why he was under arrest, and you  
12:21:05 25 discussed amongst yourself, and he told you he was arrested for  
26 the same crime?

27 A. They arrested him for the same crime, because we were all  
28 under the same block at Pademba Road Prison. And when we went to  
29 give statement, or when we were going for identification parades,



1 we all went together, so all of us who were in that group were  
2 there for the same crime.

3 Q. Accused number three was arrested for that crime as well,  
4 wasn't he?

12:21:40 5 A. He was arrested. Just like I was saying, he was arrested.

6 Q. You, the second accused, and the third accused, and Johnny  
7 Paul Koroma were planning another coup against the Kabbah  
8 government when you were arrested, weren't you?

9 MS THOMPSON: Objection, Your Honour.

12:22:02 10 PRESIDING JUDGE: Yes, Ms Thompson.

11 MS THOMPSON: That is not an allegation before this Court.  
12 I don't know that this witness is on trial for treason.

13 PRESIDING JUDGE: What do you say to that, Mr Agha?

14 MR AGHA: It is the contention of the Prosecution he was  
12:22:18 15 involved in an earlier coup. He admits himself that he is  
16 friendly to Johnny Paul Koroma and goes and visits him, and it is  
17 our contention that he, again, was with the other two accused,  
18 planning another coup.

19 PRESIDING JUDGE: I won't allow that question, Mr Agha.

12:22:34 20 MR AGHA:

21 Q. Now, when you were questioned on 14 February 2003, you were  
22 told the reason for your arrest was for you to give evidence  
23 against Johnny Paul Koroma at the Special Court, weren't you?

24 A. I want to know where I was questioned, whether it was CID  
12:23:03 25 or at Pademba Road Prisons.

26 Q. This is on 14 February 2003.

27 A. I want to know the place.

28 Q. You mentioned in your evidence --

29 A. Because when they went and met me at Pademba Road, it was



1 to recruit me to come and testify against Johnny Paul. That is  
2 what they told me. I called out the people's name, John Berry,  
3 who was an investigator in this Court, Lieutenant-Colonel John  
4 Petrie and Commissioner Gbekie.

12:23:39 5 Q. Let us say, that when you were questioned at Pademba Road  
6 on 14 February 2003, you were told that the reason for your  
7 arrest was for you to give evidence against Johnny Paul Koroma at  
8 the Special Court; is that right?

9 A. That was what they went to recruit me -- the reason why  
12:24:03 10 they want to recruit me. They said they needed me. I asked them  
11 why. They said they wanted me to testify against Johnny Paul  
12 Koroma.

13 Q. At that interview, you claim that a black man who was  
14 interviewing you gave you money, didn't you?

12:24:19 15 A. It was not a black man. It was the commissioner, whose  
16 name I called. He gave me money.

17 Q. So, according to you, no black man who was interviewing you  
18 gave you money?

19 A. Well, I can't tell you his colour, whether he is black, but  
12:24:45 20 he is a Sierra Leonean like myself, and I know him. But I can't  
21 describe his skin colour.

22 Q. It is a lie that anyone gave you money during that  
23 interview on 14 February, isn't it?

24 A. It's the truth that I'm telling you. Had they not given  
12:25:08 25 me, I wouldn't talk about it. Had I co-operated with them, for  
26 what they told me, they would have paid me money and I would left  
27 here to go to Canada, because that was part of the negotiation;  
28 that they would give me \$15,000, then they would take me out of  
29 Sierra Leone to Canada.



1 Q. Johnny Paul Koroma wasn't even under arrest then, was he?

2 A. Well, I didn't know. But, since we were arrested and taken  
3 to Pademba Road, they were always telling us that they had  
4 arrested Johnny Paul Koroma.

12:25:40 5 Q. It's a lie that you were told that the reason for your  
6 arrest was for you to give evidence against Johnny Paul Koroma at  
7 the Special Court, isn't it?

8 A. It's the truth that I'm telling this Court, and that is the  
9 reason they told me. They came out openly and told me that.

12:26:07 10 This thing that we've arrested you for, which is the coup, you  
11 have no case to answer; subversive movement, you have no case to  
12 answer. And even among those people whom we have charged, we  
13 have not charged you because you have been innocent in relation  
14 to everything. And that one that concerns the diamond, they said

12:26:24 15 they understood that I was mining diamond. And I said, no, I was  
16 not mining diamonds. I was assisting my mother. I would give  
17 her money to sponsor her workers. I will give my sisters to  
18 sponsor their workers. And they even left here and went to Kono.  
19 From what they said, they said they were going to her. When they

12:26:42 20 came, they told me that I am not involved in mining. From what  
21 they explained to us, that is exactly the information we got  
22 about you. And all what that was related to was that they said  
23 they had arrested Johnny Paul Koroma and they wanted me to  
24 testify against him. And I was not the only person --

12:27:01 25 Q. Mr Brima.

26 A. They first called the third accused.

27 Q. Mr Brima.

28 A. Yes.

29 Q. Where did you get the diamond from if you weren't a diamond



1 miner?

2 A. I'm telling you, yes. When my family, my sisters were  
3 mining, I was sponsoring them. They had their lands. They had  
4 their licences. I give them money. When they get their products  
12:27:26 5 and they want to sell them, they would bring them to me and I  
6 would sell it for them.

7 Q. Now, Lieutenant-Colonel John Petrie, at Pademba Road  
8 Prison, didn't tell you and the other soldiers that anyone who  
9 gave evidence against Johnny Paul Koroma would be released, did  
12:27:43 10 he?

11 A. He told me to come and testify against Johnny Paul Koroma.

12 Q. You had been released from Pademba Road Prison by the time  
13 John Petrie met the soldiers there, hadn't you?

14 A. It's a lie. I'm not saying he did not go there -- I did  
12:28:20 15 not go there in my absence, that I didn't know of what. I was at  
16 Pademba Road when John Petrie went there. I was in the Pademba  
17 Road Prisons. Maybe what you're saying is that he went there in  
18 my absence that I did not know about. But when I was there, he  
19 went there.

12:28:38 20 Q. He did go there and speak to the soldiers. One of the  
21 soldiers he spoke to was the third accused, and he asked the  
22 third accused why he was being detained there.

23 A. The third accused, from what I have told you, was that I  
24 left him at Pademba Road, but when I was at Pademba Road with the  
12:28:59 25 third accused, John Petrie went there. He spoke to the third  
26 accused; he spoke to me and he spoke to the second accused and he  
27 spoke to the soldier with whom we had all been arrested for the  
28 coup, and later I saw that it was subversive movement or  
29 subversive plan. Because up to now, I have not understood that



1 word.

2 Q. You are lying, aren't you? It was the third accused who  
3 told you that John Petrie had visited the jail after you had  
4 already gone.

12:29:32 5 A. I know John Petrie so much, from the first day that I was  
6 arrested, because I asked him personally for his name and he told  
7 me. And when he went to Pademba Road, I would ask him what his  
8 name was and he would still go on and tell me.

9 Q. Now, coming back to your interviews at Pademba Road, you  
12:29:57 10 were interviewed again on 2 March by the same people who had  
11 interviewed you before; is that right?

12 A. I made one statement when I was at Pademba Road. He showed  
13 that statement to me and I told you it's a lie; I didn't make  
14 that statement.

12:30:19 15 Q. At Pademba Road, you had a second interview. You mentioned  
16 you had a first interview in February, February 14th. You then  
17 mention that you were again met for another interview at Pademba  
18 Road on March 2nd. Do you recall that?

19 A. Well, I'm telling you that I did not tell you that they met  
12:30:43 20 me or went to interview me or take notes from me. They  
21 interviewed me when I was at Pademba Road. But to say I made a  
22 statement --

23 Q. Were you interviewed on 2nd March at Pademba Road?

24 A. Yes, they interviewed me, but it is not in any written  
12:31:03 25 form.

26 Q. You were released from Pademba Road Prison on 7th March  
27 2003, weren't you?

28 A. Yes.

29 MR AGHA: With the permission of the Court, I would like to



1 show the accused a document. While we are waiting for the  
2 document to be distributed, what it actually is, is the original  
3 indictment against the accused.

4 Q. Mr Brima, do you have a copy of this document?

12:32:24 5 A. No. I don't have a copy.

6 MR AGHA: Can one, with the permission of the Court, be  
7 provided to Mr Brima.

8 Q. Mr Brima, you will see that this document reads at the top,  
9 "The Special Court for Sierra Leone," "The Prosecutor against  
12:32:56 10 Alex Tamba Brima, also known as Tamba Alex Brima, also known as  
11 Gullit," "Indictment." Do you see that?

12 A. Yes.

13 Q. If I can ask you to go to the very last page of the  
14 indictment, you will see it is dated the 3rd day of March 2003,  
12:33:25 15 isn't it?

16 A. Yes.

17 Q. And there is also a signature there. Do you see that?

18 A. Yes.

19 Q. Underneath the signature is "David M Crane, The  
12:33:43 20 Prosecutor"?

21 A. Yes.

22 Q. Now, what I would like to ask you, Mr Brima, is that when  
23 you were interviewed on 2nd March, did the people who interviewed  
24 you tell you that the Special Court would indict you, unless you  
12:34:06 25 agreed to give evidence against Johnny Paul Koroma?

26 A. They did not tell me that. They said that I should testify  
27 against Johnny Paul Koroma.

28 Q. According to you, they told you at that 2nd March  
29 interview, you were the only reliable witness against Johnny Paul



1 Koroma, didn't they?

2 A. They said I was one of the reliable witnesses to testify  
3 against Johnny Paul Koroma.

4 Q. But despite all the roughing up and other bad treatment  
12:34:49 5 which you received from your detainees, they didn't threaten that  
6 they would indict you unless you gave evidence against Johnny  
7 Paul Koroma, did they?

8 A. I've not got you clearly.

9 Q. Well, you allege in this Court that, whilst you have been  
12:35:11 10 detained in the past, you have been roughed up and maltreated by  
11 those people who are meant to be detaining you, haven't you?

12 A. Where? At Pademba Road or Bonthe?

13 Q. At a number of places; at Bonthe Island?

14 A. At Bonthe Island I was maltreated.

12:35:41 15 Q. Were you maltreated at Pademba Road?

16 A. Yes. How do they call it? Solidity or solidarity  
17 confinement? But I call it in the army steady baton. And it is  
18 the bare flow that I laid down with only a blanket.

19 Q. Now, Mr Brima --

12:36:06 20 A. Till I left Pademba Road, it was only twice.

21 Q. Mr Brima, when you were interviewed on 2nd March, was it  
22 suggested to you you would not be indicted by the Special Court  
23 if you gave evidence against Johnny Paul Koroma?

24 MS THOMPSON: Asked and answered, Your Honour.

12:36:24 25 PRESIDING JUDGE: Yes, move on, Mr Agha.

26 MR AGHA:

27 Q. Now, you lied when you indicated that the real reason for  
28 your arrest was to persuade you to give evidence against Johnny  
29 Paul Koroma, didn't you?



1 A. Mr interpreter, I have not get you.

2 THE INTERPRETER: Your Honours, can the lawyer repeat the  
3 question again for the interpreter?

4 MR AGHA:

12:36:55 5 Q. You lied when you indicated that the real reason for your  
6 arrest was to persuade you to give evidence against Johnny Paul  
7 Koroma, didn't you?

8 A. It's not a lie. It's the truth I'm telling this Court.

9 Q. Now, we've heard your evidence in this Court about your  
12:37:27 10 involvement from the events of May 1997 until the time you left  
11 your army. What evidence or any criminal conduct could you give  
12 against Johnny Paul Koroma?

13 A. I am not a lawyer. Or I am not a judge or a police. So I  
14 don't know which conduct I should give to him. Had I known about  
12:37:54 15 criminal business, maybe I would have given him.

16 Q. Did you see Johnny Paul Koroma commit any crimes?

17 MS THOMPSON: Your Honour, I object to this line of  
18 questioning. It seems to me like my learned friend is fishing  
19 for something which -- I don't know what the import of it is  
12:38:10 20 here. But the witness's evidence is that he was told that  
21 certain things would be given to him or would be done to him if  
22 he gave evidence against Johnny Paul Koroma. He did not say he  
23 knew what sort of evidence he was to give against Johnny Paul  
24 Koroma. How is he to know what evidence or the quality of the  
12:38:32 25 evidence that whoever was talking to him was seeking?

26 PRESIDING JUDGE: Mr Agha, why are we sitting here looking  
27 at a document which is known as the original indictment? Will  
28 you get to the point, please?

29 MR AGHA: I apologise. I'd moved on from that document. I



1 should have ask canned for it to be exhibited.

2 PRESIDING JUDGE: Why should it be exhibited? What  
3 evidence have you gleaned from it?

4 MR AGHA: Well, the significance -- well, at least it will  
12:39:00 5 be part of the Prosecution's case that he was interviewed on  
6 2nd March, and he was never threatened in any way that he should  
7 be indicted by the Special Court if he didn't give evidence  
8 against Johnny Paul Koroma, yet, the very next day, this  
9 indictment is signed. I would have thought that that would be  
12:39:23 10 the kind of tactic which the investigators would have used,  
11 bearing in mind the other treatment which, apparently, had been  
12 meted out to the accused.

13 PRESIDING JUDGE: All right. You're saying it's relevant  
14 for that purpose?

12:39:36 15 MR AGHA: Yes, Your Honour.

16 JUDGE SEBUTINDE: Mr Agha, what is the relevance of  
17 7th March, the date on the face of this record?

18 MR AGHA: My understanding is it is signed on 3rd March and  
19 then it's issued. I would assume it would go before a Trial  
12:39:55 20 Chamber. I would have to be sure, to be confirmed.

21 JUDGE SEBUTINDE: You said this witness was interviewed on  
22 2nd March. Are you also assuming that he was shown this document  
23 on 2nd March, or what?

24 MR AGHA: No, I'm just indicating it was signed on  
12:40:18 25 2nd March.

26 JUDGE SEBUTINDE: I, personally, do not see the connection  
27 between this witness's alleged intimidation at Pademba Road on  
28 2nd March and the signing of this document on 3rd March in the  
29 office of the OTP. I don't see the connection myself.



1 MR AGHA: The connection I was trying to make, Your Honour,  
2 is that if the Prosecution really wanted him to be a reliable  
3 witness against Johnny Paul Koroma, they would have used such a  
4 threat and saying that, unless you agree to be a witness against  
12:40:53 5 Johnny Paul Koroma, we will indict you before the Special Court.

6 JUDGE SEBUTINDE: But the witness has just stated in his  
7 evidence that no such threat was given to him by the Special  
8 Court.

9 MR AGHA: Yes.

12:41:11 10 JUDGE SEBUTINDE: So he's agreeing with you that they  
11 didn't threaten him using this indictment. Why are we admitting  
12 it into evidence? To prove what?

13 MR AGHA: To prove, in the position of the Prosecution, it  
14 is an unusual circumstance that such a threat would not have been  
12:41:25 15 used, bearing in mind how keenly the Office of the Prosecution  
16 wanted this witness to give evidence.

17 JUDGE SEBUTINDE: Mr Agha, you have put to the witness that  
18 no such threat was made, and he has agreed with you that no such  
19 threat was made to him on 2nd March 2003. Do you see my point?  
12:41:46 20 You and the witness are ad idem on this issue. Why are we  
21 admitting this document? To prove what.

22 MR AGHA: For the purpose to show the date that it's been  
23 signed.

24 PRESIDING JUDGE: Doesn't that all go towards the proof of  
12:42:07 25 something that the witness has admitted anyway? Why do you need  
26 this to prove that?

27 MR AGHA: I'm in your hands, Your Honour. There is no need  
28 to exhibit it if you feel it is not necessary. I will withdraw  
29 the request.



1           PRESIDING JUDGE: Well, for the reasons given by you, we  
2 reject the tender. Now, you have an objection to the last  
3 question you asked, which was what crimes did you see Johnny Paul  
4 Koroma commit. I think that was your question, Mr Agha. It's  
12:42:41 5 been objected to. What is your reply to that?

6           MR AGHA: Well, it is the assertion that the witness was  
7 wanted to be a witness against Johnny Paul Koroma, and he was to  
8 be one of the reliable witnesses. So, what I was trying to find  
9 out, is what evidence could he possibly give to make him any kind  
12:43:05 10 of witness which any Prosecution would want to have at all, based  
11 on what he's told this Court.

12           PRESIDING JUDGE: I think you're asking a bit much of the  
13 witness to come up with crimes he might have seen Johnny Paul  
14 Koroma commit. If you have got some specific thing to put to  
12:43:28 15 him, you can do that. But what is a crime and what isn't a crime  
16 is a matter of legal interpretation as well, you know,  
17 particularly in an international court where some of the crimes  
18 can be complex. I won't allow the question in that form,  
19 Mr Agha. You can be more specific, perhaps, but I'm not allowing  
12:43:47 20 that question.

21           MR AGHA: I'm obliged, Your Honour.

22 Q.    Mr Brima, did you see Johnny Paul Koroma kill any  
23 civilians?

24 A.    Never did I see Johnny Paul Koroma kill a civilian.

12:44:04 25 Q.    Did you see Johnny Paul Koroma rape any women?

26 A.    Not a day did I see him rape a woman.

27 Q.    Did you see Johnny Paul Koroma force other people to carry  
28 his goods?

29 A.    No.



1 Q. Did you see Johnny Paul Koroma severely beat up any  
2 civilians without any provocation?

3 A. No.

4 Q. According to you, you were not on the Supreme Council where  
12:44:42 5 Johnny Paul Koroma sat; is that right?

6 A. Yes.

7 Q. From the time of the intervention, when was the next time  
8 you saw Johnny Paul Koroma?

9 A. It was in Buedu in the Kailahun District when I was under  
12:45:12 10 the arrest of the RUF. It was at that time that I saw him.

11 PRESIDING JUDGE: We're going to interrupt you there,  
12 Mr Agha. You can continue this after lunch. We're going to take  
13 the lunch break now. Court attendant, can you please take  
14 delivery of any documents in possession of the witness.

12:45:32 15 MR AGHA: I'm just wondering, Your Honour, if I can ask a  
16 couple more questions. There may be some closed session material  
17 to deal with straight after lunch. That time could be saved in  
18 preparing for the closed session, if it's allowed.

19 PRESIDING JUDGE: After lunch, Mr Agha.

12:45:50 20 MR AGHA: Thank you, Your Honour.

21 [Luncheon recess taken at 12.44 p.m.]

22 [Upon resuming at 2.18 p.m.]

23 PRESIDING JUDGE: Before we start, Madam Court Management,  
24 somebody has been to this Bench and interfered with the documents  
14:16:13 25 on top of the Bench and also with my microphone. I would ask you  
26 to do some investigation and find out what happens in the lunch  
27 hour in this Court.

28 MS EDMONDS: Yes, I will look into that, Your Honour.

29 PRESIDING JUDGE: Mr Manly-Spain, did you have something to



1 say?

2 MR MANLY-SPAIN: No, Your Honour.

3 PRESIDING JUDGE: You are still under oath, Mr Brima. Yes,  
4 go ahead, Mr Agha.

14:16:43 5 THE WITNESS: We, My Lord.

6 MR AGHA:

7 Q. Mr Brima, when you escaped from Kailahun to Kono in 1998,  
8 roughly what was the date when you next saw Johnny Paul Koroma?

9 A. I will not be able to give you the exact date, but it was  
14:17:08 10 the month that I came to Freetown in November 1999.

11 MR AGHA: Your Honour, I would like to make an application  
12 for a brief closed session under Rule 75 for the protection of a  
13 witness. That witness has already given evidence before this  
14 Court and the application is in order to safeguard the security  
14:17:33 15 of that witness.

16 PRESIDING JUDGE: What are you going to do? Mention his  
17 name?

18 MR AGHA: I will be mentioning a position which in the past  
19 the Court has deemed may disclose his identity.

14:17:54 20 PRESIDING JUDGE: Seeing as I don't know what you're going  
21 to say, Mr Agha, I will have to take you at your word that this  
22 is necessary under Rule 75.

23 Members of the public, we are going to have to close this  
24 Court for a very short period. The reason is that a protected  
14:18:12 25 witness may have his identity revealed from the oncoming passage  
26 of evidence. For a brief period, we'll close the Court.  
27 Monitors, if any, may stay.

28 Madam Court Management, can you please attend to that.

29 [At this point in the proceedings, a portion of the



1 transcript, pages 86 to 92, was extracted and sealed under  
2 separate cover, as the session was heard in camera.]

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1 [Open session]

2 MR AGHA:

3 Q. Mr Brima, your whole sorry about detainees at Pademba Road  
4 Prison who agreed to give evidence against JPK, Johnny Paul  
14:41:57 5 Koroma, is a lie, isn't it?

6 A. It's not a lie. I, myself, was among them. It was because  
7 I did not accept. If I'd accepted, perhaps I would have been on  
8 your own side.

9 Q. You were released from Pademba Road Prison and taken to the  
14:42:19 10 CID on 7th March 2003, weren't you?

11 A. Yes.

12 Q. You didn't see John Petrie at the CID on 7th March 2003,  
13 did you?

14 THE INTERPRETER: Your Honour, can counsel give us the last  
14:42:37 15 name, please?

16 MR AGHA: Petrie, P-E-T-R-I-E.

17 PRESIDING JUDGE: Yes, Mrs Thompson.

18 MS THOMPSON: I was objecting, because we have been through  
19 this morning, whether or not this witness saw John Petrie at the  
14:42:52 20 CID, if my memory serves me right. There was some question about  
21 whether he saw him there or not.

22 PRESIDING JUDGE: I don't have any direct recollection of  
23 that, Ms Thompson.

24 MS THOMPSON: My mistake. It might have been at the  
14:43:12 25 Pademba Road Prison.

26 JUDGE DOHERTY: My note says there was a question about him  
27 being interviewed on 2nd March, John Petrie.

28 MS THOMPSON: My mistake.

29 PRESIDING JUDGE: Go ahead, Mr Agha.



1 MR AGHA:

2 Q. Mr Brima, you didn't see John Petrie at the CID on  
3 7th March, did you?

4 A. I saw him there. They were the ones who arrested me there.

14:43:37 5 Q. John Petrie did not place you under gunpoint at the CID  
6 station on 7th March, did he?

7 A. He put me under gunpoint.

8 Q. John Petrie did not say to you at the CID station that if  
9 you moved, he was going to shoot you, did he?

14:43:59 10 A. He said so. If he did not say so, I would not have come to  
11 say so.

12 Q. John Petrie did not rough you up at the CID station, did  
13 he?

14 A. Well, the guards that were with him roughed me up,  
14:44:14 15 including he himself.

16 Q. So he personally roughed you up?

17 A. He was the one that gave the order.

18 Q. John Petrie did not force you to sign any ledger book under  
19 gunpoint at the CID station, did he?

14:44:31 20 A. He and the officers that were there forced me. When I say  
21 "forced," he was not there alone.

22 Q. You voluntarily signed the ledger at the CID station with  
23 your name Tamba Brima aka Gullit, didn't you?

24 A. It's a lie. I was forced, and I want to tell this Court  
14:44:55 25 that, even the day that they said they took me from Pademba Road,  
26 I was there. Your Honours, I was not charged. From the 3rd,  
27 when they released the other prisoners, I was left there alone.  
28 The 7th, it was in the evening they took me to the CID.

29 Q. Mr Brima, you have made up this story about John Petrie



1 forcing you to sign the ledger book, because it contains damaging  
2 evidence about your true identity, doesn't it?

3 A. It's a lie. I did not make up a story. From day one, how  
4 I was arrested up to the time that I came to this Court, if you  
14:45:32 5 could believe my story, John Petrie treats me until the time I  
6 came to this Special Court from the time that he arrested me from  
7 Johnny Paul Koroma, he took me to CID, inside the headquarters on  
8 to Pademba Road, went in to Pademba Road, on to CID, came again  
9 to the Special Court.

14:45:48 10 Q. When John Petrie gave evidence before this Court, prior to  
11 that time, who else had you told about John Petrie forcing you to  
12 sign the ledger book at the CID station?

13 A. Well, it was the opportune time that I was waiting for that  
14 I myself will speak. That is why I told my lawyers I wanted to  
14:46:18 15 speak.

16 Q. Why didn't you raise it earlier?

17 A. With whom?

18 Q. When John Petrie himself gave evidence before this Court,  
19 did anyone ask him about whether he forced you to sign a ledger  
14:46:34 20 book?

21 A. I just comment on that. I am saying this is the opportune  
22 time for me to tell the Court so that everybody would know that  
23 Lieutenant-Colonel John Petrie, he played a role on my arrest on  
24 to this Court. From day one, when I was arrested to Johnny Paul,  
14:46:57 25 that was 18th January, up to the time I came to this Court, that  
26 is the time that the opportunity has arisen for me to tell the  
27 Court. The lawyer who was cross-examining, I did not give them  
28 any question. So they know law more than I do.

29 Q. I put to you that the opportune time would have been when



1 John Petrie was here, in person, so he could have answered your  
2 allegation.

3 PRESIDING JUDGE: Look, Mr Agha, I won't allow that  
4 question. This witness is not in control of the  
14:47:27 5 cross-examination that might be asked by his counsel. The  
6 arguments are available for you to put in your final submissions.

7 MR AGHA: I withdraw that question, Your Honour.

8 Q. All your evidence about John Petrie maltreating you is a  
9 lie, isn't it?

14:47:56 10 A. It is truth. It is not a lie. John Petrie, he was not  
11 alone, but, John Petrie, all the way that he treated me up to the  
12 time that I came to this Court, I knew that he really treated me  
13 badly, and he treated me so that I could come here. That is how  
14 I concluded.

14:48:16 15 Q. Mr Brima, all your evidence about John Petrie forcing you  
16 to sign documents is a lie, isn't it?

17 A. I told this Court that I'm not lying. It's true. All that  
18 I said about John Petrie, it's true.

19 Q. You have lied throughout the course of your evidence,  
14:48:34 20 haven't you?

21 A. No.

22 Q. You lied --

23 A. It's not like that. I did not lie.

24 Q. -- you lied when you said you have never been called Alex,  
14:48:45 25 didn't you?

26 A. I don't get you clearly.

27 Q. You lied when you said you had never been called Alex,  
28 didn't you?

29 A. That's not my name. I did not lie. My name is Tamba



1 Brima.

2 Q. You lied when you said your nickname was not Gullit, didn't  
3 you?

4 A. It's not a lie. It's the truth.

14:49:12 5 Q. You lied when you said you were not a part of the coup of  
6 25th May 1997, didn't you?

7 A. I did not lie. I said the truth. I said I was not part of  
8 that.

9 Q. You lied when you said that you were appointed to the  
14:49:32 10 council due to the good works of your father, didn't you?

11 A. It was not a lie. It was the truth that I was telling this  
12 Court.

13 Q. You lied when you said you were not a member of the Supreme  
14 Council, didn't you?

14:49:43 15 A. I did not lie. It was the truth that I spoke. I was not a  
16 member of the Supreme Council that you refer to.

17 Q. You lied when you said --

18 A. And I've never been a member.

19 Q. -- you lied when you said you were too ill to take up your  
14:50:00 20 duties as a PLO, didn't you?

21 A. I did not lie. That's why I told this Court that, most of  
22 the documents that I went in search of, I did not release them.

23 Q. You lied when you said you were not in Kono in May 1998,  
24 didn't you?

14:50:16 25 A. It's the truth that I've told you. One day, the  
26 opportunity will arise when people will come and tell this Court  
27 that I have not been to Kono.

28 Q. You lied when you said that Commander O-Five took you under  
29 arrest from Yarya to Colonel Eddie Town, didn't you?



1 A. I did not lie. It's the truth that I have spoken, that  
2 O-Five arrested me at Yarya and took me to Eddie Town.

3 Q. You lied when you said that you played no role in the  
4 attack on Karina, didn't you?

14:50:54 5 A. I was not there.

6 Q. You lied when you said you were never at Camp Rosos, didn't  
7 you?

8 A. Camp Rosos and Karina, the time that the place was  
9 attacked, I was in Kailahun under arrest.

14:51:15 10 Q. You lied when you said you did not take part in the  
11 Freetown invasion in January 1999, didn't you?

12 A. It's the truth that I told you. If you had investigated,  
13 you perhaps wouldn't have arrested me.

14 Q. Mr Brima, is there any part of your evidence which is the  
14:51:39 15 truth?

16 A. I do not get you clearly.

17 Q. Is there any part of your evidence which you have given  
18 before this Court which is the truth?

19 A. The evidence I gave to this Court, all is true.

14:52:04 20 MR AGHA: I have no further questions, Your Honour. This  
21 completes the cross-examination for the Prosecution.

22 PRESIDING JUDGE: Thank you, Mr Agha. Defence, as I said  
23 before, this witness is not a common witness, and that means that  
24 only the counsel who called the witness and examined this witness  
14:52:26 25 in chief has a right to re-examine the witness. That counsel  
26 will be Ms Thompson. Ms Thompson, are you prepared to go ahead  
27 with re-examination now?

28 MS THOMPSON: Yes, Your Honour.

29 PRESIDING JUDGE: Proceed then, please.



1 RE-EXAMINATION BY MS THOMPSON:

2 Q. Mr Brima, I'm just going to ask you a few questions, just  
3 to clarify some grey areas.

4 MS THOMPSON: Your Honours, most of what I ask him will  
14:53:14 5 pertain to the exhibits which my learned friend tendered during  
6 his cross-examination. First of all, may I ask that the witness  
7 be shown P7.

8 Q. Mr Brima, before I ask you to turn over to what I want to  
9 show you, if you recall, on 28th of this month -- you have been  
14:54:20 10 asked several questions throughout cross-examination. One of  
11 those was that you were promoted to the rank of sergeant  
12 immediately after the coup. Do you recall being asked that?

13 A. Yes.

14 Q. Now, if you turn over to the second page of the exhibit  
14:54:37 15 that you have.

16 A. Yes.

17 Q. There is a list of names at the top. Number six at that  
18 list is Staff Sergeant Alex T Brima.

19 A. Yes, I've seen it.

14:55:01 20 Q. I want you to go down to read, right at the bottom of that  
21 page, there is something "Ministry of Defence"?

22 A. Yes.

23 Q. At the bottom there is, "Substantive Promotion - Officer,  
24 Armed Forces of the Republic of Sierra Leone." Do you see that?

14:55:31 25 THE INTERPRETER: Your Honour, could counsel please go over  
26 that last bit of the question.

27 MS THOMPSON:

28 Q. "Substantive Promotion - Officer, Armed Forces of the  
29 Republic of Sierra Leone."



1 MR AGHA: I'd object at this stage, Your Honour.

2 PRESIDING JUDGE: What is the basis?

3 MR AGHA: The basis is that during cross-examination no  
4 question arose out of this document relating to the promotion of  
14:55:53 5 any individual.

6 PRESIDING JUDGE: Until we hear what the question is, it  
7 may be designed to negate a false impression given by his  
8 answers. Let's hear where Ms Thompson is going.

9 MR AGHA: Yes, Your Honour.

14:56:04 10 MS THOMPSON:

11 Q. Now, if put that to one side, Mr Brima. That's all I  
12 wanted to show you. Now, have you seen any gazette or document  
13 issued by the AFRC giving you a promotion?

14 A. No. Except this one that I'm seeing here now in this  
14:56:30 15 Court.

16 Q. Have you seen any minutes of any meeting by the AFRC -- any  
17 meeting held by the AFRC where it says you have been promoted?

18 A. No.

19 Q. Have you seen any newspaper cuttings reporting any  
14:56:57 20 promotion to you?

21 A. No.

22 Q. Correct me if I am wrong, after corporal, the next rank is  
23 sergeant; is that true?

24 A. Yes.

14:57:10 25 Q. Before you get to staff sergeant?

26 A. Yes.

27 Q. Thank you.

28 MS THOMPSON: The exhibits can be retrieved.

29 Q. Now, whilst we're on documents, have you ever seen



1 documents released by the AFRC - I'm not talking about newspapers  
2 or anything - describing you as a member of the Supreme Council?

3 A. No.

4 Q. Have you ever come across any document, released by the  
14:58:12 5 AFRC in this Court or anywhere else, which lists the name of the  
6 people who were members of the Supreme Council?

7 A. No.

8 MR AGHA: Your Honour, I object to this line of  
9 questioning.

14:58:24 10 PRESIDING JUDGE: Why is that, Mr Agha?

11 MR AGHA: During the examination-in-chief, it was dealt  
12 with whether or not the accused was or was not a member of the  
13 Supreme Council. In cross-examination, a newspaper cutting was  
14 put to him showing his name as a member of the Supreme Council.  
14:58:41 15 This is not a new issue arising. The issue of whether he was a  
16 member of the Supreme Council was raised during his  
17 examination-in-chief, Your Honour.

18 PRESIDING JUDGE: I will allow the question, Mr Agha. Go  
19 ahead, Ms Thompson.

14:58:55 20 MS THOMPSON: Thank you, Your Honour.

21 Q. Now, you have been shown a number of decrees in this Court  
22 by the AFRC.

23 A. Yes.

24 Q. Have you seen any decree which created a body known as the  
14:59:11 25 Supreme Council?

26 A. I have not seen it here.

27 Q. What about outside of this Court?

28 A. I did not see it.

29 MS THOMPSON: Your Honours, may I ask that P85 be flagged



1 up.

2 Q. Now, if you remember, Mr Brima, this was a document  
3 tendered by my learned friend for the Prosecution. It's an  
4 article about someone who claims to have met someone called  
15:00:17 5 Brigadier Gullit, which the Prosecution is saying is you. Do you  
6 recall ever meeting anybody called Eric Beauchemin?

7 A. No, I never recalled that I met somebody with that name and  
8 I never met with any person bearing that name.

9 Q. Just in case I have mispronounced it, it is -- if you look  
15:00:49 10 at the next sentence, "After a day in rebel territory, by Eric,"  
11 and that's the surname. That's the person I'm talking about.  
12 Have you ever met Hassan Isaac Munu? That's the name in the  
13 first paragraph.

14 A. No, never have I met a person that bears that name.

15:01:21 15 Q. If you look in the second paragraph -- I'm not going to  
16 take time to read the whole thing, because it's already in  
17 evidence -- but the second paragraph, third line from the bottom  
18 of that paragraph, there is a quotation purportedly from this  
19 person called Gullit which starts with, "My name was Good." Have  
15:01:55 20 you ever been referred to as Good?

21 A. No.

22 Q. There is also, in the first paragraph - perhaps I should  
23 have gone to that earlier - reference to someone called Brigadier  
24 Five-Five, which the Prosecution says is the third accused. Do  
15:02:13 25 you know whether the third accused went to school?

26 A. Yes, he went to school.

27 Q. Do you know what level of education he has?

28 A. It is the fifth form or special five. Because the school I  
29 attended, they had a special five, that is collegiate.



1 MS THOMPSON: I think the interpreter better say that  
2 again.  
3 THE INTERPRETER: Collegiate.  
4 PRESIDING JUDGE: Was that collegiate?  
15:02:55 5 MS THOMPSON: The school he attended, not the school -- I  
6 think the witnesses's school he attended was interpreted as "the  
7 school I attended." If the witness can say it again for the  
8 interpreter to reinterpret.  
9 MR AGHA: I object to that question, Your Honour.  
15:03:06 10 PRESIDING JUDGE: Why is that, Mr Agha?  
11 MR AGHA: In cross-examination, I don't believe any  
12 questions were put to the witness regarding the education of the  
13 person referred to as Brigadier Five-Five in this article.  
14 PRESIDING JUDGE: I will allow the question, Mr Agha. This  
15:03:23 15 goes to the identity of this person mentioned in the document. I  
16 think the witness has got a right to explain what that document  
17 is referring to. Can you are remember the last question you  
18 asked, Ms Thompson?  
19 MS THOMPSON: Yes, Your Honour. The last question was the  
15:03:45 20 level of education. The witness said he did go to school. My  
21 question was the level of education of the third accused.  
22 Q. If you can give us the answer, please?  
23 A. The third accused's level of education is fifth form or  
24 special five student.  
15:04:08 25 Q. I think you named the school earlier. What school?  
26 A. Yes. It is the West African Methodist Collegiate School.  
27 Q. Thank you.  
28 JUDGE SEBUTINDE: I'm sorry, that was Methodist something  
29 School?



1 MS THOMPSON: West African Methodist Collegiate School.  
2 Your Honours, may I ask that that be retrieved and Exhibit P86 be  
3 shown to the witness.  
4 Q. Mr Witness, that is a record of interview, and you have  
15:05:26 5 told this Court you were present at that interview on  
6 22nd January 2003. May I just ask you --  
7 THE INTERPRETER: Your Honour, could counsel please tell us  
8 the date of the interview again.  
9 MS THOMPSON: 22 January 2003.  
15:05:51 10 THE WITNESS: Yes.  
11 MS THOMPSON:  
12 Q. Now, the details at the top, can you tell us who filled  
13 those in?  
14 A. Yes. It was one CID officer.  
15:06:10 15 Q. It's a long time ago now, but can you remember how many  
16 police officers were present on this occasion?  
17 A. Well, I was aware of one police officer called Musa. He  
18 said he was from the Congo Cross Police Station, that he came  
19 from there. And there were other police officers present.  
15:06:48 20 Q. I wanted a number, actually, but if you can't remember, it  
21 doesn't matter. Now, am I right in saying that this was an  
22 arrest to do with subversive movement, is it?  
23 THE INTERPRETER: Again, Your Honour, could counsel please  
24 call the charge again.  
15:07:04 25 MS THOMPSON:  
26 Q. Was it the arrest --  
27 A. I did not get the interpreter.  
28 Q. Was this the arrest to do with the subversive movement,  
29 alleged subversive movement?



1 A. Yes.

2 Q. Now, if you look in the body of the second paragraph under  
3 "Interview"?

4 A. Yes.

15:07:35 5 Q. Don't read it aloud. The second sentence, "We are going to  
6 interview," just read that sentence to yourself and I will ask  
7 you a question in a moment.

8 A. I've not seen it.

9 Q. The sentence beginning, "We are going to interview," it is  
15:08:18 10 five lines down under the heading, "Interview." It starts, "We  
11 are going to interview in respect of the shooting incident"?

12 A. I want to know the number of the page. I want to know the  
13 number of the page, if it is 79 or 80.

14 Q. No, no --

15:08:55 15 JUDGE SEBUTINDE: It is page 79, that's 19379. That's the  
16 front page of this document, and it's in the part which starts,  
17 "Interview." There is a big headline, "Interview."

18 THE WITNESS: Yes. Yes. Yes.

19 JUDGE SEBUTINDE: Now, four lines down, there is a sentence  
15:09:12 20 which begins, "We are going to interview you."

21 THE WITNESS: I am seeing that, My Lord.

22 MS THOMPSON: Sorry, my page hasn't got that numbering on  
23 it.

24 Q. Carry on. Just read that.

15:09:34 25 A. "We are going to" --

26 Q. No, just read it to yourself.

27 A. Yes, I have read it.

28 Q. Is there anything there about a coup or about subversive  
29 movement?



1 A. No.

2 Q. Turn over.

3 A. Yes.

4 Q. Just before you get to halfway down, there is a question,  
15:10:28 5 "Q. I want to ask you some questions." Do you see that?

6 A. Yes.

7 Q. "I want to ask you some questions with regards to this case  
8 and what you have explained so far." Had you been interviewed  
9 before 14:50 hours on 22nd January?

15:10:58 10 A. Ask me again.

11 Q. Had you been interviewed by the police before 14:50 hours  
12 on 22nd January?

13 A. No.

14 Q. Now, I want you to go, not the next page, but the page  
15:11:28 15 after that, 82. I have got that numbering now.

16 A. Yes.

17 Q. Right at the bottom, the last line reading, "When  
18 Lance-Corporal Daniel Sandy was arrested, a paper was discovered  
19 with him containing Tamba Brima." Is that Tamba Brima you?

15:11:56 20 A. No.

21 Q. The name Tamba Brima, is that your name? That's what I'm  
22 asking?

23 A. It is my name.

24 Q. Thank you.

15:12:37 25 MS THOMPSON: Your Honours, if that can be retrieved.

26 Q. Now, a lot of evidence has been given in this Court about  
27 the execution of the 27 soldiers -- 24 soldiers. Do you recall  
28 that?

29 A. Yes.



1 Q. On 29th June -- if Your Honours will forgive me, I don't  
2 want id to have to go to the transcript for each and every -- I  
3 just take it that it's on record. The evidence was that these  
4 were the people tried for the coup of 25th May 1997. Do you  
15:13:25 5 recall that?

6 MR AGHA: Your Honour, I object to this line of  
7 questioning. This incident regarding the execution of the  
8 soldiers was raised in examination-in-chief.

9 PRESIDING JUDGE: Yes, but didn't you ask some questions in  
15:13:33 10 cross-examination? Isn't this a subject that arises out of  
11 cross-examination?

12 MR AGHA: If it is in respect of a new matter, it may be,  
13 but the death or the execution of these people was a matter which  
14 has already been addressed in his evidence-in-chief.

15:13:50 15 PRESIDING JUDGE: Look, Mr Agha, the Defence is entitled to  
16 ask questions to clarify any answers that the accused may have  
17 given to questions asked in cross-examination and, as long as the  
18 Defence questions in re-examination concern matters that arose  
19 out of cross-examination, they are permissible.

15:14:25 20 MR AGHA: Thank you, Your Honour.

21 PRESIDING JUDGE: Yes, Ms Thompson.

22 MS THOMPSON: I have forgotten where I was.

23 JUDGE SEBUTINDE: You were talking about the 24 executed --

24 MS THOMPSON: Yes. I'm grateful, Your Honour.

15:14:34 25 Q. Your evidence was that these 24 men were the men who had  
26 been tried and convicted for the coup of May 25th; yes?

27 A. Yes.

28 Q. Now, were you or have you ever been arrested and tried for  
29 the coup of May 25th, 1997?



1 A. No.

2 Q. Are you aware if the second accused has ever been arrested  
3 and tried for the coup of 1997?

4 A. No, he has never been held for that.

15:15:18 5 Q. What about the third accused?

6 A. No. He was never arrested for a coup that happened on May  
7 1997.

8 Q. You were also asked as to whether Zagalo was a friend of  
9 yours. Your answer was that he is an older man for you.

15:15:48 10 MS THOMPSON: Your Honours, may I ask that Exhibit P88 be  
11 shown to the witness.

12 THE WITNESS: Yes.

13 MS THOMPSON:

14 Q. You were asked by the Prosecutor about your relationship  
15:16:18 15 with Zagalo and you claimed he was an older man for you.

16 A. Yes.

17 Q. Now, you should have in front of you P88, which is a  
18 statement of Abu Sankoh, Zagalo. Right at the bottom of that  
19 page, the second line from the bottom, "I was born at Beccles  
15:16:45 20 Street."

21 A. Yes.

22 Q. Can you read that sentence out for me, please?

23 A. "I was born at Beccles Street in Freetown on 22nd October  
24 1959, and my late father" --

15:17:09 25 Q. Thank you, that's all I wanted. Was he your contemporary?

26 A. No.

27 Q. Now, still on this exhibit, you were asked on 29th June by  
28 my learned friend on the other side and, in fact, it was also put  
29 to you today, that you went to Pademba Road to free Johnny Paul.



1 You were one of those who went to Pademba Road to free Johnny  
2 Paul. Now, may I ask that you look at page 9 of that document.  
3 A. Yes.  
4 Q. The tenth line from the top.  
15:18:17 5 A. Yes.  
6 Q. There is a new sentence with the word "we".  
7 A. Yes.  
8 Q. Please do not read it aloud, but if you can read it right  
9 down to the bottom, and I will ask you the question that I wish  
15:18:35 10 to ask you.  
11 A. "We travelled" --  
12 Q. Please read it to yourself. Mr Brima, are you through? Is  
13 your name mentioned there as one of those who went with Zagalo to  
14 Pademba Road Prisons?  
15:21:09 15 A. No.  
16 Q. Did you command Corporal Gborie to make an announcement  
17 over the SLBS?  
18 A. No.  
19 Q. Now, if you look at page 8 of that same document which you  
15:21:43 20 have.  
21 A. Yes.  
22 Q. Eight lines from the bottom, sentence beginning with,  
23 "Lance-Corporal Gborie."  
24 A. Yes.  
15:22:00 25 Q. Now, there are just two sentences. Can you just read that,  
26 please, and I'll ask you the question.  
27 A. Yes, I have read it.  
28 Q. Are you mentioned as one of those who ordered Corporal  
29 Gborie or commanded Corporal Gborie to go so SLBS to make an



1 announcement?

2 A. I did not get you clearly.

3 Q. Is your name mentioned by Zagalo as the person who ordered  
4 Corporal Gborie to go to the SLBS to announce the coup?

15:23:05 5 A. No.

6 Q. Thank you.

7 MS THOMPSON: May I ask that that be retrieved from the  
8 witness, and 91 be given to him, please.

9 Q. You've got Exhibit 91 with you now, have you?

15:24:02 10 A. Yes.

11 Q. Now, I want you to look at 14.

12 A. Yes.

13 Q. I want you to look at 14.

14 A. Yes.

15:24:16 15 Q. Beginning, "Opinion based on." Can you just read out for  
16 the record where the tick is in 14?

17 A. Paramedical staff.

18 Q. Thank you. And 16, do you see the name Sergeant Brima K?

19 A. Yes.

15:24:52 20 Q. Do you know who that person is?

21 A. Yes.

22 Q. Can you tell us who that person is?

23 A. It was my late brother, Komba.

24 Q. Now, you told this Court that, on the death of your father,  
15:25:19 25 Captain Thomas and Tarawallie visited you and gave you a gift and  
26 a paper to collect rice.

27 A. Yes.

28 Q. Do you know, first of all, if there is a tradition in  
29 Sierra Leone when a death occurs?



1 A. I did not get the interpreter.

2 Q. Do you know if there is a tradition in Sierra Leone, on the  
3 death of someone, by those who come to see the grieving  
4 relatives.

15:26:22 5 A. Yes.

6 Q. Can you tell this Court what that is?

7 A. Well, we can say the people are going to sympathise with  
8 you for the funeral. As I was a soldier, if I lost my wife, the  
9 army and some officers, at least, will go and sympathise with me  
10 for the funeral. And when they go to sympathise with you, they  
11 either give you money, or they give you rice in order for you to  
12 take care of the funeral. This do happen in the army.

13 MS THOMPSON: If that can be retrieved, and 93 be shown to  
14 the witness.

15:27:43 15 THE WITNESS: Yes.

16 MS THOMPSON:

17 Q. Mr Brima, have you got that in front of you?

18 A. Yes.

19 Q. Now, this has been tendered as the full AFRC cabinet as at  
15:28:01 20 July 11th, 1997. What I'm going to ask you is about certain  
21 names in this document?

22 A. Yes.

23 Q. If you start from your extreme left, five going down,  
24 number five, are you aware -- have you seen it, I beg your  
15:28:30 25 pardon, where it says "Mr Robin OL Mason"?

26 A. You mean the first page or the second page?

27 Q. The second page. The column on your left, reading from one  
28 going down, number five.

29 A. Yes.



1 Q. Where it says, "Mr Robin OL Mason."  
2 A. Yes, I have seen that.  
3 Q. Was there an Attorney-General Secretary of Judicial Affairs  
4 in the AFRC cabinet called Mr Robin OL Mason?  
15:29:28 5 A. No.  
6 Q. Now, going down to number 10, Captain ABS Jumu Jalloh, was  
7 that the Secretary of Works and Labour?  
8 A. No.  
9 Q. Number 16, Mrs Rogers Wright, Secretary of Education.  
15:29:57 10 A. No.  
11 Q. Now, if you go to the second column, "Advisers to the  
12 PLOs," Mr Syl Juxon Smith, are you aware --  
13 A. I haven't seen there yet. I haven't seen there yet.  
14 Q. The middle column, we have got "Advisers to the PLOs."  
15:30:31 15 A. Yes, I've seen that.  
16 Q. Next to PLO 1, we have got Mr Syl Juxon Smith.  
17 A. I've seen that.  
18 Q. Do you know whether he was ever an adviser to PLO 1?  
19 A. I don't know.  
15:30:52 20 Q. Was Mr Hindolo Trye an adviser to PLO 2?  
21 A. No.  
22 Q. What about retired Brigadier Lymon -- I think this is M  
23 Lymon, to PLO 3.  
24 A. No.  
15:31:12 25 Q. Now still on that page, if you go further down under  
26 "Supreme Council."  
27 A. Yes, I have seen there.  
28 Q. Now, you have got number one to the end, 23 and 24, and it  
29 continues to the next column.



1 A. Yes, I've seen that.

2 Q. Now, from 23 to number 36.

3 A. Yes.

4 Q. Are you aware if any one of those representatives were ever  
15:31:44 5 a member of the AFRC?

6 A. No.

7 Q. No, they were not, or no, you are not aware?

8 A. I don't know.

9 Q. Thank you very much.

15:32:24 10 MS THOMPSON: Your Honour, if that can be retrieved and 84  
11 flagged up.

12 JUDGE SEBUTINDE: Did you say 84?

13 MS THOMPSON: P84, yes, Your Honour.

14 Q. Now, Mr Brima, two days ago it is now, 4th July, my learned  
15:33:12 15 friend for the Prosecution put to you that Brigadier Mani was the  
16 Chief of Defence Staff; do you recall that?

17 A. Yes.

18 Q. And your answer was, "No, he was a staff officer in the  
19 defence headquarters."

15:33:27 20 A. Yes.

21 Q. Now Exhibit P84, I want you to turn to page 2.

22 A. Yes.

23 Q. I want you to go to the bottom of the page under "Others."  
24 Do you see that?

15:33:53 25 A. Yes, I've seen that.

26 Q. It starts with one Kamara Allieu Badara. Are you there?

27 A. Yes.

28 Q. I want you to go to the third line, number 4.

29 A. Yes.



1 Q. Can you read out what it says, please?

2 A. "Koroma SFY, Brigadier-General Chief of Defence Staff  
3 (brother to Major Johnny Paul Koroma)."

4 Q. Thank you. Now, when my learned friend was putting  
15:34:49 5 questions to you, he said to you that the AFRC, after February  
6 1998, transformed itself into an army, and you all maintained  
7 your positions. Do you recall that?

8 A. Yes.

9 Q. Do you know what happened to Brigadier SFY Koroma?

15:35:09 10 A. Yes.

11 Q. What happened to him?

12 A. He was one of 24 officers that were executed by a firing  
13 squad.

14 Q. After February 24, do you know where he went?

15:35:33 15 A. No.

16 MS THOMPSON: That can be taken back, Your Honour.

17 Q. Mr Brima, you were asked a lot of questions yesterday about  
18 your health and whether you were well enough to fight.

19 A. Yes.

15:36:01 20 Q. Now, your evidence was that you had travelled earlier to  
21 Kono with a medical orderly which had been given to you. That is  
22 right, isn't it?

23 A. Yes.

24 Q. Did you have a doctor or a medical personnel with you in  
15:36:16 25 Yarya?

26 A. No.

27 Q. Did Yarya have a doctor?

28 A. No.

29 Q. Does Yarya have hospital?



1 A. No.

2 Q. Did Yarya have a hospital at the time?

3 A. It hadn't a hospital during that time.

4 Q. Do you know if there was a function in hospital in Kono at  
15:36:45 5 that time, in Kono District at that time?

6 A. No.

7 PRESIDING JUDGE: Does that mean you don't know, or there  
8 was no functioning hospital?

9 THE WITNESS: No, I did not see a hospital that was  
15:37:03 10 functioning.

11 MS THOMPSON:

12 Q. Now, when you came back to Freetown and you reported for  
13 duty.

14 A. Yes.

15:37:21 15 Q. Did you have to go through a medical?

16 A. No.

17 Q. If you recall, the discharge book was shown to you.

18 A. Yes.

19 Q. Were you examined by any medical personnel before you were  
15:37:43 20 discharged?

21 A. No.

22 Q. I'm coming to the last few questions now, Mr Witness. You  
23 were asked yesterday about how you would have known what SAJ Musa  
24 was saying at the muster parade when you were in detention. Do  
15:38:06 25 you recall that?

26 A. Yes.

27 Q. Now, what I want to ask you is: can you explain to us how  
28 you were kept in detention at Colonel Eddie Town, or Eddie Town?

29 A. Well, we are in a house. We are locked up in a house, and



1 we had armed men that were guiding us. If you want to use the  
2 toilet, we were escorted. That is, I and other detainees.

3 Q. Were you let out at all during the day, for any reason,  
4 apart from using the convenience?

15:38:58 5 A. Yes. At times, SAJ was addressing the muster parade. All  
6 of us were brought out and were taken to the muster parade.

7 Q. This place that you called Eddie Town, do you know how big  
8 it was?

9 A. I cannot tell you its size, because we were not privilege,  
15:39:32 10 including the other detainees, to walk around.

11 Q. Finally, today you were asked a lot of questions about the  
12 people who visited you at Pademba Road. There was the issue of  
13 one who gave you money, who you said gave you money.

14 A. Yes.

15:40:00 15 Q. Now, the answer which came through was, "No, it wasn't a  
16 black man." Do you recall that?

17 A. I can recall that.

18 Q. Mr Brima, I'm going to ask you the question again, because  
19 I think it was an interpretation problem. Was this person a  
15:40:29 20 white man?

21 A. No, the person was not a white man.

22 Q. So this person was a black man as in a black African?

23 A. Yes.

24 Q. Thank you. Did there come a time during the AFRC regime  
15:41:04 25 when you ceased to be called PLOs and were called COs?

26 A. No.

27 Q. Thank you very much, Mr Witness.

28 MS THOMPSON: Your Honour, that is all I have for  
29 re-examination.



1           PRESIDING JUDGE: Thank you, Ms Thompson.

2           MS THOMPSON: Your Honour, I think we have finished before  
3 we -- well, we anticipated my learned friend was going to finish  
4 some time tomorrow and then we will re-examine. I didn't think  
15:41:41 5 re-examination was going to be very long, but I had indicated  
6 because of the length of time this witness had been in the  
7 witness box, we had to send the witnesses back. I think there  
8 was an email that went out today regarding chiefdom elections and  
9 all of that, which some of them wanted to go back to. The plan  
15:42:00 10 is that they are ready for Monday, and not tomorrow, as I had  
11 indicated yesterday. I really did not anticipate that tomorrow  
12 would be a free day.

13           PRESIDING JUDGE: Just before I get around to that,  
14 Mr Brima, please bear with us. You are now finished giving  
15:42:19 15 evidence. We are going to adjourn Court soon, so if you will  
16 just be patient and sit there.

17           THE WITNESS: Yes, My Lord.

18           PRESIDING JUDGE: We will be able to adjourn Court very  
19 soon and you can step out of the witness box. Ms Thompson, I  
15:42:38 20 know we finished a little earlier than Mr Agha's schedule  
21 estimated. Do I take it there is no prospect of being able to  
22 get a Defence witness here to give evidence tomorrow?

23           MS THOMPSON: No, Your Honour. Initially we had planned  
24 for them to be here so they will give evidence on Monday, this  
15:42:56 25 Monday gone. That was when we thought there was a possibility  
26 that Mr Agha would finish earlier, which was the original  
27 estimate, having spoken to him. Obviously, as things progressed,  
28 it wasn't going to materialise and we had to send them back.  
29 They were all anxious to go back to their respective places.



1 This is the farming season, and we had kept them here for quite a  
2 long time.

3 PRESIDING JUDGE: I don't want you to tell me the areas  
4 they went back to, if it might lead to disclosing their identity.  
5 I can assume, then, that the next witnesses that you intended to  
6 call are not readily available here in Freetown?

7 MS THOMPSON: No, Your Honour.

8 PRESIDING JUDGE: Thank you, Ms Thompson. Mr Agha, you did  
9 finish earlier than you thought you would. It looks as though it  
10 is inevitable that we adjourn until Monday morning. I will give  
11 you a chance to say something, if you wish to, on that matter.

12 MR AGHA: No, Your Honour. Only that I did try my best to  
13 expedite my cross-examination so the witness would not be in that  
14 position over the weekend. It is unfortunate that there are no  
15 witnesses available. Really, I have nothing more to say about  
16 that, Your Honour.

17 PRESIDING JUDGE: I appreciate that. Thank you, Mr Agha.  
18 What I mean is I appreciate your efforts to expedite the  
19 cross-examination so the witness wouldn't spend another weekend  
20 with cross-examination hanging over his head.

21 In the circumstances, we are going to have to adjourn to  
22 Monday morning until 9.15.

23 [Whereupon the hearing adjourned at 3.48 p.m.,  
24 to be reconvened on Monday, the 10th day of  
15:43:18 25 July 2006, at 9.15 a.m.]

26  
27  
28  
29



EXHIBITS:

Exhibit No. P98	70
Exhibit No. P99	93

WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ALEX TAMBA BRIMA	2
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