

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

THURSDAY, 22 SEPTEMBER 2005
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Teresa Doherty, Presiding
Julia Sebutinde
Richard Lussick

For Chambers:

Mr Simon Meisenberg

For the Registry:

Ms Susan Gunstone

For the Prosecution:

Ms Lesley Taylor
Mr Jim Hodes
Ms Shyamala Alagendra
Ms Maja Dimitrova (Case Manager)

For the Principal Defender:

Mr Ibrahim Foday Mansaray

For the accused Alex Tamba
Brima:

Ms Glenna Thompson

For the accused Brima Bazy
Kamara:

Mr Andrew William Kodwo Daniels
Mr Mohamed Pa-Momo Fofanah

For the accused Santigie Borbor
Kanu:

Mr Amadu Koroma
Ms Karlijn van der Voort (legal
assistant)

1 [AFRC22SEP05A - SV]
2 Thursday, 22 September 2005
3 [Accused Brima, Kamara and Kanu present]
4 [Open session]
09:17:47 5 [Upon commencing at 9.20 a.m.]
6 PRESIDING JUDGE: Good morning. Ms Taylor.
7 MS TAYLOR: Good morning, Your Honours. Just prior to the
8 next witness being called, I wonder if I might raise an issue
9 with Your Honours in the sense that we are now getting obviously
09:19:06 10 very close to the end of the Prosecution case. I have discussed
11 the matter with my learned friends for the Defence and it would
12 be my submission that it is in the interests of the parties and
13 indeed the Chamber if there might be a status conference or a
14 status hearing scheduled next week. There are several issues
09:19:24 15 that require ventilation before the Chamber before the
16 Prosecution would be in a position to formally close its case.
17 My submission would be that that take place next Wednesday and
18 that the parties provide items for an agenda to your legal
19 officer before Friday so that everyone is then clear about the
09:19:46 20 issues that perhaps need to be discussed at this stage of the
21 case.
22 PRESIDING JUDGE: Yes, we have also discussed that. Just
23 let me liaise on questions of time, Ms Taylor. I've conferred
24 with my learned colleagues and we suggest or agree that it should
09:20:51 25 be Wednesday. We also feel it appropriate that instead of a
26 hearing of witnesses on that morning we deal solely with the
27 status conference. Again, we will ask for agenda items to be
28 lodged with the legal officer by both sides, both the Defence and
29 the Prosecution, by Friday. I think 3.30 would allow us to draw

1 up an agenda.

2 MS TAYLOR: If Your Honour pleases, there is one other
3 issue that I raise at the moment, and that concerns the issue of
4 Madingo interpretation before the Court. There was obviously
09:21:33 5 some difficulty with that prior to the recess. There are still
6 two Madingo speakers left on the witness list. One being witness
7 TF1-157, who was the witness that we commenced and then ceased.
8 I have had some very brief discussions with the head of the
9 translation unit and will speak to her again this morning about
09:21:55 10 that issue. It had been the Prosecution's hope that we would
11 call those Madingo speakers next in the list for personal
12 reasons; one of those witnesses is a child and is missing school
13 by being in Freetown and one is an elderly witness who is a
14 devout Muslim and would like to return home before Ramadan
09:22:18 15 commences, which is October.

16 PRESIDING JUDGE: October the 4th, isn't it?

17 MS TAYLOR: That's correct. If those issues can be
18 resolved, in speaking with the head of the translation unit, I
19 will then discuss with my learned friends to see if there are any
09:22:32 20 issues that need to be presented before Your Honours. I will
21 undertake to keep my learned friends informed as to the next
22 possible witness order. But I just thought I would raise those
23 issues now with you, Your Honour, and come back to them after the
24 next witness is heard.

09:22:47 25 PRESIDING JUDGE: We were very conscious of the situation
26 with the Madingo interpretations and in the light of the past
27 incidents certain points have been put to court administration.
28 I hope that that has now been resolved. I will await your
29 indications, Ms Taylor.

1 MS TAYLOR: Thank you, Your Honour. They are the only
2 matters that I wish to raise and, with Your Honour's leave, I'd
3 like to be excused. Mr Hodes and Ms Alagendra will remain for
4 the Prosecution.

09:23:24 5 PRESIDING JUDGE: Thank you, Ms Taylor, you can be excused.
6 And I will now ask that the next witness be called.

7 MR HODES: Your Honours, the next witness is TF1-153. He
8 is Christian and will be testifying in Krio.

9 PRESIDING JUDGE: I will just check we have a Krio
09:23:48 10 interpreter because the last indication was that he would be
11 giving evidence in English. Can the interpretation booth hear
12 me?

13 THE INTERPRETER: Yes, Your Honours.

14 PRESIDING JUDGE: Mr Interpreter, do you have a Krio
09:24:02 15 interpreter available?

16 THE INTERPRETER: Your Honours, can you please give us some
17 time to sort this out because we were expecting an English
18 witness this morning. So we need to check with the language
19 office in order to get the interpreters here for the English and
09:24:20 20 Krio.

21 PRESIDING JUDGE: When you say sort yourselves out, some
22 time, what are you talking about?

23 THE INTERPRETER: It won't go more than five minutes,
24 Your Honour.

09:24:30 25 PRESIDING JUDGE: I see. Mr Hodes, we had understood that
26 it was to be an English speaking witness and apparently so did
27 the interpretation booth. They require a bit of time to get
28 their interpreters in place. Could you just pause while I
29 consult with my colleagues, please.

1 MR HODES: Of course, Your Honour.
2 [The witness entered court]
3 PRESIDING JUDGE: Just a moment. We haven't got an
4 interpreter in place yet, Madam Court Attendant, could you just
09:25:26 5 pause, please.
6 JUDGE LUSSICK: well, is this witness giving evidence in
7 English or Krio? We've been told both.
8 MR HODES: Krio.
9 PRESIDING JUDGE: The indication from the interpretation
09:25:46 10 booth is that it will take them a bit of time to get their
11 interpreter here and themselves in place. The indication is that
12 it will be about five minutes. We'll adjourn for maybe five to
13 ten minutes, please, Madam Court Attendant.
14 [Break taken at 9.28 a.m.]
09:38:25 15 [Upon resuming at 9.40 a.m.]
16 PRESIDING JUDGE: Mr Hodes, unless there is some other
17 matter I will ask Madam Court Attendant to swear in the witness.
18 MR HODES: That's fine.
19 PRESIDING JUDGE: Thank you. Madam Court Attendant, please
09:39:11 20 swear in the witness.
21 WITNESS: TF1-153 [Sworn]
22 [The witness answered through interpreter]
23 PRESIDING JUDGE: Mr Hodes, please proceed.
24 EXAMINED BY MR HODES:
09:39:57 25 Q. Good morning, Mr Witness.
26 A. Good morning.
27 Q. I'm going to be asking you questions this morning and what
28 I want you to do is answer them to the best of your abilities.
29 Is that okay?

1 A. All right.
2 Q. I'm also going to ask you to listen to the translator and
3 not listen to me. And once the translator is finished
4 interpreting my question, then feel free to answer the question.
09:40:29 5 Is that all right?
6 A. All right.
7 Q. Mr witness, where were you born?
8 A. I was born in xxxxxx.
9 Q. And what district is that in?
09:40:43 10 JUDGE SEBUTINDE: We will require some spellings, please.
11 THE WITNESS: xxxxxx.
12 MR HODES:
13 Q. Mr witness, could you spell xxxxxx for me?
14 A. Yes.
09:40:57 15 Q. Please do.
16 A. xxxxxx.
17 Q. And could you also spell for the Court your district?
18 A. Yes.
19 Q. Go ahead.
09:41:25 20 A. xxxxxx. D-I-S-T-R-I-C-T. xxxxxx District.
21 Q. And when were you born, Mr witness?
22 A. Well, I was born on the 20th day of December 1961.
23 Q. Mr witness, where did you grow up?
24 A. Well, I was brought up at xxxxxx.
09:42:11 25 Q. And, if you can, from about what year did you begin living
26 at the xxxxxx?
27 A. Well, when I was born in xxxxxx, after one month my
28 mother brought me to xxxxxx-- my father brought me
29 to xxxxxx in xxxxxx.

1 Q. And what was it that your father was doing that had you
2 living at the xxxxxx?
3 A. During that time my xxxxxx was a xxxxxx.
4 Q. Mr witness, how far did you go in school in Sierra Leone?
09:43:06 5 A. Well, in Sierra Leone I went up to xxxxxx before --
6 THE INTERPRETER: Your Honours, would the witness repeat
7 the last segment of his testimony?
8 PRESIDING JUDGE: Mr witness, please repeat your answer for
9 the interpreter.
09:43:29 10 THE WITNESS: well, please repeat the question.
11 PRESIDING JUDGE: Mr Hodes, you heard that.
12 MR HODES:
13 Q. How far did you go in school, Mr Witness, while in Sierra
14 Leone?
09:43:46 15 A. In Sierra Leone I went up to form 5 and I had a xxxxxx in
16 xxxxxx.
17 Q. Did you work after you got this xxxxxx?
18 A. No.
19 Q. Did you attend school again after receiving this xxxxxx?
09:44:16 20 A. Yes, I had a xxxxxx to go xxxxxx.
21 Q. Where did you go?
22 A. Security reasons, I don't want to show the place. I went
23 to xxxxxx.
24 Q. And what did you study while you were xxxxxx?
09:44:46 25 A. well, I did xxxxxx.
26 Q. Mr witness, how long were you xxxxxx? How long were you
27 out of Sierra Leone?
28 A. well, I left xxxxxx in xxxxxx and I xxxxxx in xxxxxx
29 xxxxxx.

1 Q. Mr witness, when you returned to Sierra Leone had there
2 been a change in the government from the time you left until the
3 time you returned?
4 A. Yes, yes.

09:45:37 5 Q. What was the name of the xxxxxx government when you returned
6 in xxxxxx?
7 A. Well, I left APC in power. When I came now I found that it
8 was the AFRC -- NPRC, sorry.

9 Q. Mr witness, did you --
09:46:06 10 JUDGE SEBUTINDE: I'm sorry, I didn't understand that
11 correction. Which is which?
12 MR HODES:
13 Q. Mr witness, could you repeat for the Court what the xxxxxx
14 xxxxxx was in xxxxxx when you returned?

09:46:18 15 A. Yes. The xxxxxx government that I met in xxxxxx was called the
16 NPRC government.

17 Q. And, Mr witness, did you know anyone in the NPRC
18 government?
19 A. Yes.

09:46:42 20 Q. Who did you know in the NPRC government?
21 A. I knew Solomon James Anthony Musa.

22 Q. And is he also known as SAJ Musa?
23 A. Yes, that was the name that was abbreviated to SAJ Musa.

24 Q. How was it that you knew this person?
09:47:16 25 A. Well, when we were growing up.

26 Q. How would you describe your relationship with this person
27 when you returned to Sierra Leone?
28 MS THOMPSON: Your Honour, I'm not sure I got the tail end
29 of the witness's last answer. I got "when we were growing up".

1 PRESIDING JUDGE: When growing up, that's all I heard. Was
2 there more?
3 MS THOMPSON: I thought there was more because [overlapping
4 speakers].
09:47:48 5 PRESIDING JUDGE: Sorry, Ms Thompson, I'm talking across
6 you, I apologise. Mr Interpreter, did we have all the answer
7 interpreted?
8 THE INTERPRETER: I only got "when we were growing up".
9 PRESIDING JUDGE: Ms Thompson, you heard that?
09:48:05 10 MS THOMPSON: It is just that my learned friend asked a
11 question which appeared to have come from an answer which we
12 didn't get. That's why we --
13 PRESIDING JUDGE: Well, the interpreter says that was it.
14 Mr Hodes, please proceed.
09:48:18 15 MR HODES:
16 Q. Just to follow up, Mr Witness, you indicated that you got
17 to know this person from growing up. Where did you and SAJ Musa
18 grow up?
19 A. It was in the xxxxxx.
09:48:43 20 Q. When you returned to Sierra Leone in xxxxxx and saw SAJ Musa
21 again, how would you describe your relationship with him at that
22 time?
23 A. It was cordial.
24 Q. And were you able to meet with him and talk to him at that
09:49:09 25 time?
26 A. Yes, I was able to meet him and talk with him.
27 Q. Shortly after your return did anything happen to SAJ Musa?
28 A. Yes.
29 Q. Please tell the Court what happened to SAJ Musa at that

1 time?

2 A. When I came back, it was not up to two months. That was
3 the time that Strasser impeached him in power, because he was the
4 vice during that time.

09:50:01 5 PRESIDING JUDGE: Could I have that answer repeated as I
6 didn't hear some of the words used clearly?

7 THE WITNESS: He was his vice during that time. Strasser
8 was his vice. Because Strasser was the chairman of the
9 Provisional Ruling Council during that time. SAJ Musa was the
09:50:27 10 vice. So Strasser impeached him. So I think that was it.

11 MR HODES:

12 Q. As a result of that where did SAJ Musa go?

13 A. Well, the British government thought it fit that if he had
14 have stayed there would have been a problem. So they gave him
09:50:57 15 asylum. He went to Birmingham in London.

16 Q. Back then in 1993 --

17 JUDGE SEBUTINDE: Mr Hodes, I'm sorry to interrupt. I'm
18 not sure who the "him" refers to. Who was given asylum, whoever
19 it was.

09:51:26 20 MR HODES: Understood, Your Honour.

21 Q. Mr Witness, just to be clear, and not just for this
22 question but for future questions, when you refer to somebody if
23 you could refer to that person by name it would be of assistance
24 to the Court. You just indicated that "he went to Birmingham", I
09:51:42 25 believe. Who is the "he" that you refer to?

26 A. It was Solomon Anthony James Musa, SAJ Musa. He was the
27 one that was given asylum and he went to Birmingham in London.
28 The British government thought it fit that if he had stayed here
29 some other thing would have happened.

1 Q. Now, Mr witness, again back to that time period, ~~xxxxxx~~, to
2 your knowledge was there civil war or a rebellion going on in
3 Sierra Leone?
4 A. Yes, during that time the NPRC government was still
09:52:31 5 fighting the RUF.
6 Q. And by RUF, tell me and tell the Court who the RUF was, if
7 you know?
8 A. Well, how I managed to know about them was when I came to
9 hear about them and I saw all that on the paper and I read about
09:53:16 10 them on the paper. That was how I knew that the RUF existed.
11 And from the BBC News I also knew that they were also in
12 existence. And even the soldiers that were fighting against them
13 and those whom they fought would be brought with the wounds and I
14 used to meet them at 34 Hospital and indeed that was what made me
09:53:37 15 to know that they were RUF rebels.
16 Q. Okay, and you've just used the term "RUF rebels". Are you
17 saying that the RUF was the party fighting the government at that
18 time?
19 A. Yes.
09:53:55 20 Q. Okay. Mr witness, I'm now going to move you forward in
21 time a little bit. Were you still living in ~~xxxxxx~~ in May of
22 1997?
23 A. Yes.
24 Q. Do you recall anything happening in ~~xxxxxx~~ in May of
09:54:18 25 1997?
26 A. Yes.
27 Q. If you would tell the Court what you recall happening in
28 May of 1997?
29 A. Well, during that time I was at ~~xxxxxx~~. I

1 woke up one morning and I heard firing all over, from the hill
2 side, from xxxxxx unto Brookfields area. And we heard
3 announcement on the radio by one Corporal Gborie saying that the
4 AFRC government had overthrown.

09:55:12 5 Q. Where were you living at that time?
6 A. During that time I was at xxxxxx.
7 Q. After you heard about the coup taking place did you see or
8 have contact with anyone concerning the coup in the xxxxxx
9 xxxxxx?

09:55:30 10 A. Yes.
11 PRESIDING JUDGE: Mr Hodes, the witness didn't use the word
12 "coup" and there is a special meaning to that word.
13 MR HODES: I apologise, Your Honour.

14 Q. With regards to what was happening in xxxxxx at that
09:55:51 15 time, did you learn what all the shooting was about?
16 A. Well, everybody was scared a bit. But after a while we
17 heard an announcement on the radio that the AFRC government had
18 overthrown the power that was in existence during that time.
19 Q. After you heard that report did you see or have contact
09:56:36 20 with anyone at the xxxxxx concerning this overthrow
21 by the AFRC?
22 A. Yes.
23 Q. Tell me what happened -- tell us what happened at the
24 xxxxxx?

09:57:09 25 A. Well, during that morning all of us were sitting down, we
26 were surprised. We were asking ourselves what had been
27 happening. So it was not long afterwards we saw Alex Tamba
28 Brima, he came with one Landrover and the British High
29 Commissioner's jeep. He came with it in the xxxxxx. So

1 everybody gathered around him. So xxxxxx went and met xxxxxx. I said,
2 "Fellow, how did this thing manage to crop up?"
3 Q. Mr witness, I'm going to ask you to slow down because the
4 interpreter is going to have to interpret your response from Krio
09:57:47 5 to English just like he's doing for me right now from English to
6 Krio.
7 A. Okay.
8 Q. So I'm going to ask you to sort of slow down with your
9 response, okay?
09:57:59 10 A. All right.
11 Q. Again I apologise for cutting you off, but feel free to
12 continue.
13 A. Well, I said that morning we were sitting, we were all in
14 doubt as to what happened. So we were in that doubt when we saw
09:58:27 15 Alex Tamba Brima, he came into the xxxxxx. He came with a
16 Landrover, the new type Landrover, white one. He said, "well",
17 he said, "they had overthrown". So after when he said that they
18 had overthrown, so people gathered around him, because everybody
19 was surprised.
09:59:07 20 Q. Mr witness, I'm going to ask you a question. You just
21 identified a person that came to xxxxxx by name, Alex Tamba
22 Brima. Had you ever met Alex Tamba Brima prior to this day?
23 A. Yes.
24 Q. Where did you meet Alex Tamba Brima prior to this day?
09:59:35 25 A. xxxxxxat xxxxxx.
26 Q. Now, I'm not going to ask about "we". The question,
27 Mr witness, is whether or not you knew him, Mr Brima. Did you
28 know Mr Brima and how?
29 A. I knew him because xxxxxxthat were xxxxxx

1 at xxxxxx. xxxxxx did things together and xxxxxx
2 so intimate that when we were in the xxxxxx you would not know
3 the difference between us, because all of us used to take
4 xxxxxx. So I know him very well and xxxxxx
10:00:27 5 xxxxxx very well.
6 Q. And, again, it could be an interpretation situation or a
7 translation problem, but you again have referred to xxxxxx" and
8 xxxxxx", and my question to you is about you and Mr Brima
9 specifically. Can you please address you and Mr Brima
10:00:48 10 specifically. How did you know Mr Brima? How did you personally
11 know Mr Brima, specifically, prior to that date in May of 1997?
12 A. Well, there are various ways in which I would be able to
13 identify Mr Brima to show that I know him very well and he also
14 knows me. Because I have done a lot of things to him and these
10:01:23 15 will confirm that I know him, and he also have done a lot of
16 things to me and this will show that I also know him. So there
17 is no doubt that I do not know him.
18 Q. Now the translation in English just came out that you did
19 not know him. So again --
10:01:47 20 PRESIDING JUDGE: I didn't hear that.
21 THE WITNESS: No, I did not say so.
22 MR HODES: Okay, then I misheard it.
23 PRESIDING JUDGE: Happens to the best of us, Mr Hodes.
24 MR HODES:
10:02:04 25 Q. So basically what you're telling us is that you've known
26 Mr Brima for a while; is that correct?
27 A. Yes.
28 Q. And after Mr Brima left the xxxxxx, what else
29 happened in xxxxxx?

1 MR DANIELS: Objection, My Lord. Mr Brima did not leave
2 there. We're not aware that he left the xxxxxx.
3 PRESIDING JUDGE: I agree. We've only got them speaking to
4 him on his arrival.
10:02:40 5 MR HODES: Let me clarify.
6 Q. You've indicated that Mr Brima spoke to the people at
7 xxxxxx?
8 A. Yes.
9 Q. And he told everyone there what had happened; is that what
10:02:57 10 your testimony was?
11 A. Yes.
12 Q. What happened next?
13 MR DANIELS: My Lord, perhaps a better question would be
14 did anything happen, because we're not aware if anything
10:03:09 15 happened. It's leading again, My Lord.
16 PRESIDING JUDGE: Yes, avoid leading, Mr Hodes. It's
17 obviously being objected to.
18 MR HODES:
19 Q. Did anything happen next?
10:03:19 20 A. When he had spoken to the people?
21 Q. Correct.
22 A. Yes, a lot of things happened.
23 Q. Go ahead and tell the Court what happened next?
24 A. Well, after when he had stayed at xxxxxx,
10:03:39 25 because of accommodation he decided to go and reside at
26 Spur Loop. So after residing at Spur Loop, he came back to
27 xxxxxx, he called me. He said "[BY ORDER OF THE COURT, THIS
28 NAME HAS BEEN EXTRACTED AND FILED UNDER SEAL]", he said, "what
29 going to happen", he said, "your own situation, I do not

1 understand it. But at any rate your man will be coming." I said
2 who was that? He said, "Solomon Anthony James Musa." He said,
3 "He will be coming because we had sent for him to come." And I
4 said, "Ah." He said, "Don't worry." I said, "Okay. If that's
10:04:13 5 the case, then I am still here." That was what happened when we
6 were at the xxxxxx.

7 PRESIDING JUDGE: Just pause, Mr Witness. Mr Hodes, a name
8 has been mentioned. I understand this is a protected witness and
9 I will ask that that name be under seal in the record. Continue,
10:04:36 10 Mr witness.

11 MR HODES:

12 Q. Mr witness, allow me to just interject one thing, which is
13 witnesses are given some anonymity here in court. Your name is
14 protected, your identity is protected. And so when you answer a
10:05:00 15 question --

16 A. Okay.

17 Q. -- I try not to elicit --

18 A. Okay.

19 Q. -- your identity.

10:05:10 20 A. All right.

21 PRESIDING JUDGE: For purposes of record I would say that
22 if there is any media reporters in the Court precincts who have
23 heard that particular name, I now order and direct that that name
24 not be published in any way. Continue, Mr Hodes, thank you.

10:05:30 25 MR HODES: Thank you.

26 Q. So Mr Brima at this point was telling you that SAJ Musa
27 would be coming back. Is that what your testimony was?

28 A. Yes.

29 Q. At some point did SAJ Musa return to Sierra Leone?

1 A. Yes, yes.
2 Q. And did you meet with SAJ Musa once he returned to Sierra
3 Leone?
4 A. Yes.
10:06:07 5 Q. Did anything happen once you met with SAJ Musa?
6 A. Yes.
7 Q. If you would, tell the Court what happened when you met
8 with SAJ Musa?
9 A. Well, when SAJ came -- I heard a rumour that he had come.
10:06:46 10 But when he came, Alex Tamba Brima, with all the other council
11 members, took SAJ Musa to go and rally in town so as to gain
12 popularity. So I myself was at xxxxxx awaiting until he
13 came. He came late in the evening and he did not have any chance
14 to see me. And he said well, I should see him in the morning.
10:07:10 15 So early in the morning I went and met him. When he saw me again
16 he expressed his sympathy, because I had come home, nothing had
17 happened, I did not have any job. And up to the time that he
18 came back and he decided that okay, he said he would not allow me
19 to go anywhere and that I was going to stay with him, and that if
10:07:29 20 I stayed with him it would be possible for me to get a job. So
21 that was what I did. So I waited for him. The other day I met
22 him, they found a place for him at xxxxxx, and xxxxxx and him
23 went and xxxxxx there. Until when a decision was taken so as to
24 go another -- somewhere else.
10:07:47 25 Q. Mr witness, again I'm going to ask you to slow down, take
26 little breaks. If you'll notice the Court is trying to take
27 notes and the interpreter is trying to interpret directly from
28 Krio to English.
29 A. Okay.

1 Q. So if in your response you can slow down a little bit or
2 even take a pause I think both the interpreter and the Court
3 would appreciate it. Is that all right?
4 A. Okay.

10:08:30 5 Q. Just to go over that response, you were able to meet with
6 SAJ Musa I think the day after he arrived?
7 A. Yes, sir.

8 Q. And at that time he asked you to stay with him?
9 A. Yes.

10:08:47 10 Q. And you stayed in a house with him, I believe you
11 indicated, on xxxxxx?
12 A. Yes.

13 Q. At some point did SAJ Musa ask you to do anything?
14 A. Yes.

10:09:27 15 Q. What did SAJ Musa ask you to do?
16 A. Well, when xxxxxx and him xxxxxx at xxxxxx, because I was
17 xxxxxx to him - xxxxxx,
18 xxxxxx - he said that he did not want to give xxxxxx that
19 job, that sort of job. He and Tamba Brima came together and
10:09:58 20 said, "Let us don't leave TF1-153 sitting just like that. Let
21 him go and do something." And they decided that I should be sent
22 to xxxxxx. So they sent me to xxxxxx as xxxxxx.

23 Q. And Mr witness, feel free to refer to yourself as TF1-153
24 or me.

10:10:28 25 A. No problem.

26 Q. Okay?
27 A. Yeah.

28 Q. Prior -- well, let me ask you this: what did you do after
29 SAJ Musa asked you to take on this xxxxxx? Did you do anything

1 after SAJ Musa asked you to take on this xxxxxx?
2 A. Yes, I accepted, you know, to take up the xxxxxx, and I did
3 take up the xxxxxx.
4 Q. And where did you go?
10:11:01 5 A. I went to xxxxxxDistrict, xxxxxx. Then I was at xxxxxx
6 xxxxxx.
7 Q. And, if you would, tell the Court what you did as xxxxxx
8 xxxxxx - xxxxxx, rather, in xxxxxx?
9 A. My own responsibility during that time was to oversee the
10:11:40 10 people who were xxxxxx, so that they could xxxxxx
11 within their terms of reference which were laid down so that they
12 could xxxxxx. So we were there to see that they did
13 not go beyond the rules that were laid down.
14 Q. And while you were in xxxxxx did you see other
10:12:20 15 officials or representatives from the AFRC?
16 A. Yes.
17 Q. And also while you were in xxxxxx did you see other
18 representatives or xxxxxx from the RUF?
19 A. Yes.
10:12:50 20 Q. And were the representatives from the AFRC and the RUF
21 reporting to anyone in particular?
22 A. Well, yes, because that was what doubted me. When we went,
23 we were about 20 to 30 in number, you see, as xxxxxx
24 xxxxxx. We had xxxxxx that were
10:13:38 25 given to us. So when we went to the xxxxxx, when they were xxxxxx
26 the xxxxxx, we ourselves were doubting as to where they were
27 xxxxxx. So one day Gullit himself came -- I
28 mean, Alex Tamba Brima himself came to xxxxxx. Because during
29 that time they said that I was just there to drink and

1 perambulating around in xxxxxx. But when he himself came and I
2 expressed my own views to him and he said, "No, they are just
3 trying to disqualify you." And I went and explained to xxxxxx
4 xxxxxx, "xxxxxx" --

10:14:10 5 Q. Mr witness, I'm going to stop you there. You're using a
6 lot of "we" and "they" and this. What we need is names and
7 identities as opposed to the use of pronouns.

8 A. Okay.

9 Q. So, if you would -- I'm going to cut you off and ask you
10:14:30 10 about your response. You indicated that Mr Brima came to xxxxxx
11 Town?

12 A. Yes, I saw him and we talked.

13 Q. And what is it that you and Mr Brima discussed in xxxxxx
14 Town?

10:14:49 15 A. When he came, when he came to xxxxxx Town, I was the very
16 first individual that he wanted to see. He sent for me, I went
17 and met him. Because he had a name that he used to call me and
18 that is the name that he used to call me. And he said, "How was
19 the xxxxxx?" And I explained to him everything. At that time
10:15:14 20 people had been saying that I was a man who was just drinking and
21 getting drunk, I did not even care about the xxxxxx. But when he
22 himself went, he saw that all that they had said about me wasn't
23 true. So he himself decided that if he came down to Freetown
24 he'd come and tell Solomon Anthony James Musa everything that had
10:15:48 25 transpired between me and him in xxxxxx as to what were my duties
26 in town.

27 Q. Mr witness, did you tell Mr Brima anything else about what
28 was going on in Koidu Town during the time you were there?

29 A. Yes.

1 Q. what else did you tell him, Mr Brima, about what was
2 happening in xxxxxx?
3 A. One of the things that I told him was about our welfare,
4 because since the time that we went there we were not paid. So I
10:16:40 5 told him that we needed money. And during that time we had
6 worked for more than a month and we did not see anything and all
7 the other xxxxxx had been grumbling.
8 Q. And let me just clarify one thing. You were xxxxxx
9 xxxxxx. what was being xxxxxx in that area at that time?
10:17:08 10 A. They were xxxxxx.
11 Q. And your duties as a xxxxxx was to do what with
12 regards to -- was it with regards to the diamonds themselves?
13 what were your duties as a xxxxxx?
14 A. Well, my job as a xxxxxx during that time
10:17:39 15 was to see that those that had proper xxxxxx should work within
16 the terms of their references. That if they had a xxxxxx
17 they should not be taken to other people or should not be
18 smuggled out. So I was a watchdog to tell the government that
19 such and such a person had a xxxxxx which the government
10:18:00 20 would have to interfere and they would -- they should work in
21 percentages and they had to arrange it between themselves and to
22 see that they did the work according to the conditions that were
23 given to them and that was the purpose of we watching them.
24 Q. Again, Mr Witness, I'm going to ask you that if you
10:18:21 25 anticipate your answer is going to be long to pause maybe a
26 little bit and give the interpreter and the Court time to catch
27 up; okay?
28 A. All right. Okay.
29 Q. As part of your duties did you report to Mr Brima about

1 anything that was happening in xxxxx based on your duties as
2 a xxxxx?
3 A. Yes, because he would come and go during that time. So
4 when he came, the advantage that I had to see him, I would go and
10:19:14 5 explain to him everything. And even the xxxxx that they had
6 been xxxxx for, they had not been going through the way that
7 they were supposed to go. So we did not know the person who had
8 been collecting the xxxxx, because during that time what was
9 in the terms of reference was not in operation. When people xxxxx
10:19:31 10 for xxxxx and they had the xxxxx they would --
11 Q. Please, slow down. Thank you.
12 A. They would distribute it into two piles. They said one for
13 the government and one for the owner, that is the man who had his
14 xxxxx. That did not go down well with us. So later on I went
10:20:02 15 and explained to him, with other xxxxx, and he
16 said he would take appropriate action and he said he was going to
17 take the information to SAJ in Freetown. So during that time I
18 my self found out that the xxxxx, they had become very,
19 very dangerous. So I went and told my xxxxx managing
10:20:32 20 officer who was Mr --
21 THE INTERPRETER: Your Honours, I did not get that name
22 properly.
23 PRESIDING JUDGE: Mr Witness, can you repeat the name of
24 the mines manager again, please, for the interpreter.
10:20:46 25 THE WITNESS: Mr xxxxx. He was one xxxxx,
26 xxxxx. Even Mr Alex Tamba Brima, he himself knows
27 him. So I told him that -- I told him that this place was
28 looking dangerous. I said the way I saw the whole thing, I said
29 it's better for my location to be changed, send me some other

1 where, some other site. The mining site, every day at times when
2 you go in the morning you would see dead bodies by the xxxxx.
3 MR HODES:
4 Q. Mr witness, what did xxxxx -- did xxxxx do anything
10:21:49 5 based on your concerns?
6 A. Yes.
7 Q. Please tell the Court what xxxxx did?
8 A. During that time when I lodged the complaint, at that time
9 Mr Alex Tamba Brima had left xxxxx and he had come to Freetown.
10:22:08 10 So I myself went -- I went and explained to xxxxx and
11 he took me to the headquarters, the xxxxx headquarters. So when
12 we went there he took out a VHF set. We had a contact number for
13 SAJ's VHF set in Freetown. So we communicated with him and I
14 explained to him everything, saying that the way I see things,
10:22:40 15 certain things -- I said in fact Gullit had left this place and
16 he was going with a report to you. And he said that he himself
17 had seen Gullit.
18 Q. Again I'm going to ask you, and I apologise for doing this
19 to you -- but I'm going to ask you to slow down and pause if you
10:23:05 20 realise that your answer is running a little bit long.
21 A. All right. Okay, okay.
22 Q. Now the question to you was did xxxxx do anything based
23 on the concerns you raised with him?
24 A. Yes.
10:23:29 25 Q. If you would, please tell the Court what xxxxx did
26 based on your concerns?
27 A. Well, first of all, they had one xxxxx who was one RUF
28 commander. He was the one that was collecting the xxxxx. So
29 he was -- I went and explained to Mr xxxxx. I said,

1 "Please sir", I said, "These things that are happening in xxxxx
2 here", I say, "I do not understand and this is the first time of
3 coming here, to come and work here". I say, "If this is the way
4 things are going, it's good for us to report this matter". He
10:24:23 5 said, "Yes". He said, "It is true". He said, "Come, let's go",
6 and we went to the xxxxx in xxxxx and there is one VHF
7 set and that VHF set -- and, thank God, I had the contact number
8 for SAJ in Freetown. So we contacted him through the VHF set.
9 we scanned the set. Because I myself, I am a xxxxx. We can
10:24:50 10 scanned the set, I got him. So I asked him -- I said when -- I
11 explained everything to him. I said I had even explained to
12 Mr Alex Tamba Brima about everything that is happening and he
13 said that he was coming to explain that -- discuss with you. He
14 said, yes, Gullit had explained that. He said but the things
10:25:12 15 that are happening in Freetown, he said he himself was confused,
16 he said because --
17 Q. Mr witness, I'm going to again ask you to slow down and I'm
18 going to again ask you to pause and I hate to have to continue to
19 interrupt you, but as long as your answers are going to be this
10:25:32 20 long you must give the interpreter time to catch up and you must
21 give the Court time to keep up with you. So again I'm going to
22 interrupt you.
23 At this point you've indicated that you expressed your
24 concerns to xxxxx and you have gotten on a radio set to SAJ
10:25:59 25 Musa. First and foremost I'm going to ask you about something
26 you just said and I believe the interpretation was that you were
27 an xxxxx and that's how you knew how to use the radio.
28 were you in the xxxxx, Mr witness?
29 A. I did not say that I was an xxxxx.

1 Q. Okay. The question I just asked you was not whether you
2 were an xxxxx. The question I just asked you is were
3 you in the army?
4 A. I think that you do not understand Krio. I said -- what I
10:26:38 5 meant was that "I mean" and "army" are not the same.
6 Q. Again, I'm going to ask you this question again and it may
7 not be you and me, it may be the interpretation, but the question
8 I asked you was simple. Were you in the army?
9 A. No, I have not been a soldier before.
10:27:02 10 Q. Okay. Now to get back to the question I asked previously,
11 you've explained to the Court that you did talk to xxxxx and
12 that at some point you and he radioed SAJ Musa. As a result of
13 all of that, Mr Witness, did anything happen to you?
14 A. xxxxx?
10:27:30 15 Q. Yes.
16 A. Well, except after when we had spoken, it was then
17 Mr xxxxx told me that he was going to transfer me to
18 xxxxx.
19 Q. Mr Witness, did you go to xxxxx?
10:27:51 20 A. Yes.
21 Q. Can you spell xxxxx for the Court?
22 A. You have various ways in which to spell xxxxx. You have a
23 xxxxx or xxxxx. There are a lot of ways to spell xxxxx.
24 Q. I understand that. When I ask for spellings all I'm asking
10:28:20 25 you to do is the best you can; okay?
26 A. To my own knowledge it is xxxxx.
27 Q. Mr Witness, did you hear of anything happening in Freetown
28 in February of 1998?
29 A. Yes.

1 Q. How did you hear of something happening in Freetown in
2 1998?
3 A. Well, you see, I am a man -- I always liked current
4 affairs, I was always by my radio when I was in xxxxx. So on the
10:29:19 5 505 News I heard that ECOMOG troops have overrun Freetown at that
6 time.
7 [AFRC22SEP05 - CR]
8 Q. As a result of that information, did you do anything?
9 A. Yes.
10:29:46 10 Q. What did you do, Mr witness?
11 A. Well, immediately when I had that information, I left
12 everything because at that time I had rented a room at xxxxx
13 xxxxx, so I went there immediately and I went to see
14 where my other xxxxx were, so that I would be
10:30:13 15 able to plan what to do next.
16 Q. Mr witness, you indicated you went there. Where is
17 "there"?
18 A. I went to xxxxx.
19 Q. I don't think I have asked you to spell xxxxx, but to the
10:30:34 20 best of your abilities, can you spell xxxxx?
21 A. xxxxx.
22 Q. Mr witness, when you arrived in xxxxx, did you speak to
23 anyone?
24 A. Well, except my landlord, whom I spoke to.
10:31:12 25 Q. Did you do anything in xxxxx?
26 A. I didn't do anything. I run away because of what I saw.
27 Q. What did you do see?
28 A. Well, by the time I reached xxxxx, it was in the evening
29 hours. At that time the Kamajors were coming from that xxxxx

1 xxxxx end to enter. It was at that time I couldn't even see my
2 men, so I left xxxxxx and I went to the highway. I saw the
3 men dressed in Kamajor uniforms and they were coming. They met a
4 boy sitting by the market. So they spoke in Mende, "who is this
10:32:02 5 one that has this courage. Let's test this courage." So they
6 surrounded the boy, I saw them surround the boy. The next minute
7 I saw that they removed his heart and carried it in their hands
8 and they were shouting. That terrified me, and I ran and entered
9 xxxxxx and took my things and headed for the xxxxxx area. I
10:32:31 10 came back towards the xxxxxx Road, but I couldn't reach xxxxxx,
11 so I just passed by xxxxxx. I didn't check for any other person
12 because of what I had started seeing.

13 MR DANIELS: Excuse me, Your Honours, if we could have a
14 time frame exactly?

10:32:52 15 MR HODES:

16 Q. Mr witness, to the best of your abilities, can you estimate
17 when this particular incident occurred when you had returned to
18 xxxxxx, if you can?

19 A. It was in the evening hours. It was in the evening hours.
10:33:26 20 I can't remember the right time, but it was in the evening and it
21 was getting dark at that time. It was getting dark at that time.

22 Q. I believe you indicated that you left xxxxxx at this
23 point. Where did you go from xxxxxx?

24 JUDGE SEBUTINDE: Excuse me, I think what Defence counsel
10:33:50 25 was asking for by time frame was month, year, that kind of time
26 frame, not necessarily day or time of day. I haven't heard
27 questions to that effect being put to the witness.

28 MR HODES:

29 Q. Mr witness, if you recall, I asked you whether or not

1 anything had happened in Freetown in February of 1998.
2 A. Yes.
3 Q. And you talked about the ECOMOG intervention.
4 A. Yes.
10:34:22 5 Q. If you can, would you approximate for the Court when this
6 incident outside of xxxxx Town happened?
7 A. It was in the same February, the same day, because I came
8 in the evening to xxxxx. It happened on the same day,
9 because when I heard the news, I didn't do anything else, I just
10:34:54 10 tried to go to xxxxx with the same clothing that I had on to join
11 my other xxxxx so I would know exactly what
12 to do next. Having saying that, I didn't do anything else. I
13 didn't check for anybody. I just packed my bags and return more
14 especially --
10:35:16 15 Q. I'm going to interrupt you again. Again, I'm going to ask
16 you to listen closely to what you're asked and keep in mind the
17 response should be to the question asked, okay?
18 A. Okay.
19 Q. In this case, the question asked was simply if you can
10:35:40 20 estimate, you know, how many days after you heard about the
21 ECOMOG intervention this incident in xxxxx Town occurred. I
22 believe your response was, and please correct me if I am wrong,
23 it occurred the same night that you heard about the ECOMOG
24 intervention?
10:36:04 25 A. Yes.
26 Q. Okay. That was what the question was and that's your
27 response; is that correct?
28 A. Yes.
29 Q. Okay. Now, Mr witness, after you left xxxxx, where

1 did you go?
2 A. Well, I went through xxxxx and went to xxxxx.
3 Q. Mr witness, did you see anything in xxxxx?
4 A. Yes.
10:37:00 5 JUDGE SEBUTINDE: The spellings?
6 MR HODES:
7 Q. Mr witness, can you spell xxxxx for the Court.
8 A. Yes.
9 Q. Please do?
10:37:13 10 A. xxxxx.
11 Q. Mr witness, do you know what district xxxxx is?
12 A. Well, it's not my home town, but I believe it's in the
13 xxxxx District.
14 Q. Again, if you know, Mr Witness, is xxxxx xxxxx close to the xxxxx
10:37:28 15 border?
16 A. Well, to my knowledge, I feel -- xxxxx is the boundary for
17 the xxxxx and the xxxxx -- for the xxxxx land, xxxxx is the
18 first headquarter town you would meet after you left xxxxx in the
19 xxxxx District. Before you enter the xxxxx District,
10:37:58 20 xxxxx is the first place that you meet.
21 Q. So my question to you was, to your knowledge, is xxxxx
22 close to the xxxxx border?
23 A. Yes.
24 Q. When you arrived in xxxxx, did you see anything?
10:38:26 25 A. Yes, I saw so many things.
26 Q. If you would, tell the Court what you saw when you arrived
27 in xxxxx.
28 A. Well, when I reached in xxxxx, what I first did was I went
29 to the chief and pledged my loyalty and respect. I greeted him

1 and told him I had arrived in the town.

2 Q. Mr witness, I'm going to ask you to pause again. I'm going
3 to again ask you to listen to the question that is posed to you.
4 In this case, the question posed to you is: Did you see
10:39:11 5 anything? If so, what did you see, not what did you do. Again,
6 it may be an interpretation problem, but I'm going to ask you
7 again: when you arrived in xxxxx you indicated you saw things.
8 My question to you was: what did you see?

9 A. Okay. First, when we reached, we saw the Tamaborohs. We
10:39:41 10 saw the Tamaborohs. I saw the Tamaborohs, because, at that
11 time --

12 Q. The what? I'm sorry to cut you off again.

13 A. The Tamaboroh.

14 Q. What is that?

10:39:52 15 A. It is another name for hunters in the Koranko land in their
16 own ethnic tribe.

17 MR HODES: Would the Court like me to ask him to spell
18 those two?

19 PRESIDING JUDGE: Yes, please.

10:40:07 20 MR HODES:

21 Q. If you can spell what you've just described, please do.

22 A. T-A-M-A-B-O-R-O-H.

23 Q. You indicated another word. I don't know if it was a
24 village that they're from or something else after that.

10:40:43 25 A. No. It's like that name, it's a Koranko word for hunters.
26 So I met them in the town and they were guarding the town,
27 because at that time --

28 Q. Mr witness, I'm going to ask you to stop again. You just
29 indicated Koranko, I think. That's the Koranko word for hunter,

1 all right.
2 A. Mmm.
3 Q. What is Koranko, and can you spell that for the court?
4 A. Koranko is a tribe settled along the Yiffin area in the
10:41:32 5 Koinadugu District.
6 PRESIDING JUDGE: Mr Hodes, I note the time is approaching
7 when we usually have the mid-morning break. Is this a convenient
8 time in your line of questioning?
9 MR HODES: I think any time would be appropriate.
10:42:22 10 PRESIDING JUDGE: Thank you, Mr Hodes.
11 [Break taken at 10.45 a.m.]
12 [Upon resuming at 11.15 a.m.]
13 PRESIDING JUDGE: I apologise for the delay in recommencing
14 Court. It is entirely my fault. I had to deal with an
11:11:56 15 unexpected administrative matter. Mr Hodes, please proceed.
16 MR HODES: Thank you, Your Honour.
17 Q. Mr witness, prior to the break I believe that we had begun
18 discussing your presence in xxxxx. When you arrived in xxxxx,
19 did you see anything?
11:12:32 20 A. Yes.
21 Q. If you would tell us what you saw when you arrived in
22 xxxxx.
23 A. When I reached xxxxx, I met the Tamaborohs who were in
24 charge of security in the town. So I entered the town and
11:13:06 25 pledged my loyalty to the chief. The chief accommodated me and
26 gave me one man with whom I stayed. When I was in the town, it
27 was the Tamaborohs who were guarding the town so most of these
28 Tamaborohs were ex-servicemen. So soldiers would come from xxxxx,
29 up to xxxxx. xxxxx was just like a transit point. People

1 would come, soldiers would come and go through Kabala and they
2 would go from that town to Kabala. Some would come to stay in
3 xxxxx. I was there and after one month I saw so many soldiers
4 who entered xxxxx Town and at that time, it was still the
11:14:11 5 Tamaborohs who were guarding the town.
6 So, one morning when I woke up, after I had been in xxxxx
7 for some time, nearly one month, I saw these soldiers arrive. To
8 my understanding, the soldiers told me that they had come with
9 one commander who was Bazzy. But the way they entered the town
11:14:44 10 made the people to be afraid. I was with the chief when one
11 day -- because I had been used to going to the chief, sitting
12 down there every day, because I with him and it was him who was
13 also responsible for me. As I would say, I had taken him as my
14 guardian. We were there one day. There was a boy who was a
11:15:12 15 trader and he was called xxxxx. This boy had a small shop. And
16 indeed, everybody bought things from this shop. One morning --
17 Q. Mr witness, I'm going to slow you down every now and then.
18 As I indicated, I may interrupt you and ask you questions based
19 on what you've testified to.
11:15:49 20 A. You did say what happened in xxxxx. That's what I'm
21 explaining.
22 Q. That's fine. Actually, what I was asking you is what you
23 saw in xxxxx. Again, I want you to feel free to answer the
24 question as you see fit. With regards to the soldiers you saw,
11:16:13 25 were the soldiers armed?
26 A. Yes.
27 Q. Were the soldiers wearing uniforms?
28 A. So many of them wore uniforms.
29 Q. If you know, were the soldiers affiliated with the AFRC or

1 the RUF?

2 A. Nearly 90 per cent were AFRC.

3 Q. You just indicated that the soldiers told you who their
4 commander was, and that it was someone named Bazzy. Had you ever
11:17:13 5 met somebody named Bazzy before?

6 A. No, I had never met him.

7 Q. You also indicated that you spent a lot of time with the
8 chief of the village.

9 A. Yes.

11:17:39 10 Q. At some point while you were in xxxxx, did any women come
11 to talk to the chief in your presence?

12 A. Yes.

13 Q. If you would, tell the Court what you heard the woman talk
14 to the chief about.

11:18:10 15 A. Well, when I was at the barri, because we go there to spend
16 sometime at the chief's barri in the evening hours. When I was
17 at that barri, one woman came with her three children, that the
18 soldiers who had come had raped all her girl children.

19 Q. Did anything happen as a result of this woman telling this
11:18:46 20 to the chief?

21 A. Well, the chief said he would call the commander and
22 explain to him, that he would tell him what had gone on now that
23 he has brought his soldiers.

24 Q. When you were with the chief, did you hear anyone else
11:19:25 25 complain of anything happening in the village?

26 A. Yes. I heard and I saw when these soldiers looted one
27 xxxxx person's shop called xxxxx. They emptied this shop and
28 they said the operation they were on was Pay Yourself.

29 Q. Did anything happen to you, Mr Witness, while you were in

1 xxxxx?

2 A. Yes.

3 Q. what happened to you while you were in xxxxx?

4 A. well, first when the soldiers arrived, I was trying to meet

11:20:30 5 them because I had always become common to them. I was regarding

6 them as my brothers, because even amongst the group - amongst

7 Bazzy's group, I met soldiers whom I knew and with whom we were

8 together in xxxxx. So I was going to meet them

9 when one called me and said I should come up to him. I said,

11:20:55 10 "why are you calling me like that?" I asked him, "Don't you know

11 we are all the same?" He said he doesn't want to know anything,

12 he just said I should come up to him. Then I went up to him

13 because at that time I was frightened a little. So I went up to

14 him --

11:21:10 15 Q. Slow down, Mr witness. Give the interpreter a little time

16 to breathe, okay. Thank you.

17 A. Okay. So, I went up to him. When I went, the soldier told

18 me to search myself, then I said, "why are you behaving like

19 this? Don't you know that we are all the same, that I am your

11:21:39 20 brother?" He said he doesn't want to know anything about that.

21 But at that time, the other soldiers were just sitting around.

22 They were in one house that was facing us.

23 Q. Mr witness, I'm going to again cut you off. Did something

24 happen between you and this soldier at some point?

11:22:00 25 A. That's what I'm explaining.

26 Q. Go ahead and tell us what happened.

27 A. Like I was explaining, the soldier told me to search

28 myself. I said, "How can I search myself? That if I do not

29 understand that it is something serious. And I told him, "Oh,

1 look, our xxxxx are all xxxxx s." He said, "It is your
2 xxxxx that have spoilt the xxxxx, that they are responsible
3 for our suffering." Then I told him to forget about what he is
4 saying, and he said if I do not search myself he would search me.
11:22:43 5 At that time, I had some money in my pockets, about 10,000
6 Leones. I searched myself, took out the 10,000 Leones. He took
7 2,000 from that 10,000 and gave it back to me and he took the
8 8,000. I had a watch that my father had given me as a gift on my
9 birthday, Seiko, and he said I should disarm myself, remove the
11:23:11 10 watch and give it to him, so I removed the watch and gave it to
11 him. But, that shocked me so much that the others were sitting
12 by, and when I turned to them, they were all laughing. That
13 frightened me.
14 I left there and went and told the chief that, "It looks
11:23:36 15 like I'm going to depart this place." The chief advised me,
16 "Boy, you know what's going to happen? I myself, this is my
17 village, this is the headquarter town of this district that I'm
18 looking over. I have my own village. I want to go there. So
19 the best thing you can do is that you should try to go to Kabala
11:23:57 20 and wait." As they had done that to me --
21 Q. Mr Witness, I'm going to cut you off again. Just to clear
22 up what you've just said, were you robbed of 8,000 Leones and
23 your watch by a soldier?
24 A. Yes. Yes.
11:24:24 25 Q. Did you learn at some later time who Ibrahim Bazy Kamara
26 was?
27 PRESIDING JUDGE: I didn't hear the name Ibrahim Bazy
28 Kamara in the course of the witness's evidence. I heard the name
29 "Bazy".

1 MR HODES:
2 Q. Mr witness, the person who was told to you to be "Bazzy",
3 did you learn at some later time who that person was?
4 A. Yes.
11:25:06 5 Q. Once you knew who Bazzy was, did you have any memory of
6 seeing him in xxxxx?
7 A. Yes.
8 Q. At any time while you were in xxxxx, did you see the
9 person that you learned to be Bazzy do anything to stop the
11:25:43 10 looting or the assaults on women in xxxxx?
11 A. To my knowledge, no.
12 Q. Mr witness, you started to tell us about going to the chief
13 and the advice that the chief gave you. Based on what, what did
14 you do next?
11:26:24 15 A. After they had come, three days after that, from the advice
16 that the chief had given me, I departed the town and went to
17 xxxxx.
18 THE INTERPRETER: That town is not clear. Can he say it
19 again.
11:26:39 20 PRESIDING JUDGE: Please repeat the name of the town again,
21 Mr witness, for the interpreter, please.
22 THE WITNESS: xxxxx.
23 MR HODES:
24 Q. Mr witness, can you spell that for the Court?
11:26:53 25 A. Yes.
26 Q. Please do.
27 A. xxxxx. Sorry, xxxxx. Or xxxxx
28 sorry. The spelling is xxxxx, xxxxx, because it is
29 below the Loma mountains. It is one of the 21 villages that is

1 below the Loma Mountain.

2 Q. Again, we are not going to hold you to spelling and I don't

3 think counsel for the Defence is going to cross-examine you on

4 your spelling, so just do the best you can.

11:28:07 5 A. No problem.

6 Q. Did anything happen to you in xxxxx?

7 A. Yes.

8 Q. What happened to you?

9 A. When I went there, luckily for me, I met one ex-service

11:28:31 10 soldier, one ex-Staff Sergeant xxxxx. We were all in

11 xxxxx. He was a friend to my dad. So when I went

12 and he saw me, he was happy to see me. He told me that I could

13 stay with him for as long as I want to. It was not up to one

14 week then his child came, who was a xxxxx to SAJ Musa. We

11:29:14 15 were calling him xxxxx. His real name was Sergeant

16 xxxxx. When he came we greeted each other and I started

17 asking him, "Where is SAJ Musa now?" Then he said he left him in

18 kabala. But he had come to prepare himself so that he would join

19 them again. I said, "Okay, that's fine." I said, "After you

11:30:04 20 have prepared yourself, you should take me along so that I should

21 go and see him." From that --

22 Q. Mr witness, I apologise. I'm going to cut you off again.

23 I apologise for doing this, but again please just answer the

24 question to the best of your abilities, okay.

11:30:31 25 JUDGE SEBUTINDE: Mr Hodes, there were a number of names

26 whose spellings we don't have.

27 MR HODES: Yes, Your Honour.

28 Q. Let's start with Staff Sergeant xxxxx. Can you spell

29 xxxxx for the Court?

1 A. xxxxx.

2 Q. You also mentioned xxxxx. Can you spell that for

3 us?

4 A. xxxxx. xxxxx.

11:31:20 5 Q. Again, Mr Witness, I'm not going to ask you to repeat

6 verbatim conversations you had so, if you would, just in response

7 to a question: what happened to you in xxxxx after you had

8 this conversation with both Staff Sergeant xxxxx and I believe

9 you said his son xxxxx, what did you do after you had

11:31:58 10 these conversations?

11 A. Well, during the conversation, he was angry with me and he

12 said we were the ones the government was looking out for, we were

13 the people who the SLPP government were looking out for, so he

14 wouldn't allow me to stay in the town. So his father didn't

11:32:21 15 allow him, but he insisted then I said, "Okay, I'm leaving town."

16 So I left the town --

17 Q. Mr Witness, I'm going to interrupt you again. While I

18 appreciate what you're saying, I think, for the Court,

19 conversations don't have to be repeated in detail unless either

11:32:45 20 myself or the other attorneys are asking for it. So the question

21 to you was: what happened, or what did you do after you had

22 these conversations? You understand the question?

23 A. Yes.

24 Q. If you would please answer that question, Mr Witness.

11:33:09 25 A. I departed the town.

26 Q. Thank you. From there, Mr Witness, where did you go?

27 A. I went to one town called xxxxx.

28 Q. Did you stay in xxxxx?

29 A. Well, I stayed there, but it was not long.

1 Q. Did you leave xxxxx?
2 A. Yes.
3 Q. where did you go from xxxxx?
4 A. I went xxxxx.
11:33:50 5 Q. If you would, for the Court, spell xxxxx?
6 A. Yes.
7 Q. Please do.
8 A. xxxxx.
9 Q. Yirayie, can you spell that?
11:34:11 10 A. xxxxx.
11 Q. Mr witness, if you know, are there other ways to pronounce
12 xxxxx?
13 A. well, I think there is only one pronunciation for xxxxx.
14 Q. You only know of one pronunciation?
11:35:04 15 A. well, because it is close to one town called Sokurala so
16 they called it xxxxx. Because we have xxxxx.
17 Q. Again, Mr witness, I do hate to interrupt you. The
18 question to you - and I'm going to try to pose them as simply as
19 possible - was whether you knew of other pronunciations, not
11:35:27 20 whether it is close to other --
21 MR DANIELS: Respectfully, I think the witness has answered
22 the question.
23 PRESIDING JUDGE: He has given an explanation as to two
24 different possible names. He has also said, "I think I only know
11:35:41 25 of one pronunciation."
26 MR HODES: Thank you.
27 Q. witness, did you stay in xxxxx?
28 A. Yes.
29 Q. what did you do while you stayed in xxxxx?

1 A. Well, when I was in xxxxx, because at that time things
2 were difficult to come by. Because we, too, were somehow in
3 hiding, so I decided to repair their radios. Later on, we left
4 them in the bush at xxxxx.

11:36:33 5 Q. Did you do anything else while you were in xxxxx?
6 MS THOMPSON: Your Honour, before the witness answers that
7 question, I think the answer was, "I decided to repair their
8 radios". I'm not sure who "their" is.
9 JUDGE SEBUTINDE: And he left something in the bush, I
11:36:56 10 don't know what that was, if you could ascertain those things for
11 us.
12 MR HODES: Yes, Your Honour.
13 Q. Mr witness, whose radios did you repair?
14 A. The local people of the town.

11:37:13 15 Q. When you refer to radios, what type of radios are you
16 referring to?
17 A. Transistor radios.
18 Q. You also mentioned in your answer that you left something
19 in the bush. What did you leave in the bush?
11:37:33 20 A. Not that I left them, but we cultivated a farm in the bush.
21 Q. Again, this could simply be a translation or interpretation
22 problem, or maybe I misheard. But in the previous answer you
23 said you left something in the bush, or left them in the bush.
24 What Defence counsel objected to was the use of "left them in the
11:38:13 25 bush". By "them", are you referring to people, things? What is
26 "them"?
27 A. Okay. All right. What happened, I was repairing these
28 transistor radios in the town until when, one day, troops came
29 from the north, from that Krubola end, and they transited

1 through --

2 Q. Mr Witness, again, I'm going to cut you off. Again, I'm
3 going to ask you to listen very closely to the questions that are
4 being posed to you.

11:38:54 5 A. Yes.

6 Q. You said you left them in the bush. Counsel for the
7 Defence and the Court would like to know what you refer to by
8 "them", because you were talking about radios previously.

9 A. Mmm-hmm.

11:39:13 10 Q. My question to you just now is: what did you mean when you
11 said "them"? Is it people? Is it things? What was "them"?

12 A. All right. What I meant by "them", that first statement
13 that I made, I said when I entered xxxxx Town at first was that
14 I was repairing people's transistor radios after which people ran
11:39:44 15 away and went to the bush. All of us ran away into the bush and
16 we didn't want to stay in the bush just like that, so we decided
17 to cultivate a farm. I hope you understand me now.

18 PRESIDING JUDGE: I still don't understand whether he left
19 the farm, the people or the radios in the bush. Mr Witness, can
11:40:15 20 you tell us what you left in the bush?

21 [AFRC22SEPT05-RK]

22 THE WITNESS: No, what happened, let me explain it again.
23 When I was in the town we were in harmony. The town was lively.
24 So I decided to xxxxx and they were giving me some
11:40:36 25 money. That was what xxxxx for xxxxx. So we were
26 there when the AFRC troops came from the north and transited
27 through the town, when we saw these people passing through all of
28 us ran into the bush. We didn't want to just stay in the bush
29 like this. So the radios, the people, we left the radios in the

1 town and we ran away into the bush. That is what I meant.
2 MR HODES: Okay.
3 JUDGE LUSSICK: Witness, you didn't leave anything in the
4 bush, in other words; is that correct?
11:41:12 5 THE WITNESS: We left them in the town and ran away into
6 the bush.
7 MR HODES: Thank you, Mr Witness.
8 Q. If you would, tell the Court did you stay the bush?
9 A. Yes.
11:41:48 10 Q. What did you do in the bush? Did you do anything in the
11 bush, first of all?
12 A. Yes, we cultivated a farm there. Myself and the person
13 with whom I was staying.
14 Q. Did anything happen to you during the time that you were
11:42:10 15 cultivating this farm in the bush.
16 A. Yes.
17 Q. Tell us what happened to you while you were cultivating the
18 farm in the bush?
19 A. Well, one day because we had taken all our property in the
11:42:33 20 bush because we laid a farm. We were weeding the farm. That was
21 the time that xxxxx and his men suddenly came to us in
22 the farm and they said that nobody should run. They said if
23 anybody run they would kill him, they would fire at him.
24 Q. I'm going to stop you at that point, Mr Witness. You just
11:42:54 25 mentioned the name of xxxxx. Can you spell xxxxx
26 xxxxx for the Court to the best of your abilities.
27 A. Yes.
28 Q. Please do.
29 A. xxxxx, xxxxx it is difficult to spell.

1 Q. Just do your best, you're not being tested here.
2 A. xxxxx [sic] xxxxx. xxxxx.
3 Q. Did xxxxx, indicate to you who he was?
4 A. According to the way I saw him and the people, the people
11:44:16 5 with whom I was in the farm, we knew that, yes, he was a
6 commander.
7 Q. Did he indicate who he fought with?
8 MR DANIELS: Your Honours, there has been no reference made
9 to fighting.
11:44:44 10 PRESIDING JUDGE: That is quite true Mr Hodes, the witness
11 said --
12 MR HODES: I will rephrase the question, Your Honour.
13 Q. Did he indicate who he was a commander with?
14 A. Yes.
11:44:56 15 Q. What did he tell you?
16 A. We said when they had come, they were in Koinadugu and that
17 he was under Superman.
18 Q. If you know, do you know which faction Superman was with?
19 A. Yes.
11:45:26 20 Q. What faction was Superman with?
21 A. Well, it was RUF, but all of them were under one umbrella,
22 the AFRC by them.
23 Q. Was xxxxx with any other people?
24 MS THOMPSON: Your Honour, before the witness goes on to
11:45:51 25 answer these questions, there has been a series of questions
26 asked of this witness, which we haven't objected thus far, but
27 clearly there hasn't been any foundation laid as to how this
28 witness acquired the knowledge that he had, A, because, if I go
29 back into about two or three questions before, he said he knew

1 xxxxx was a commander because of the way he saw him and
2 then the question was did he say anything to you - so we have now
3 assumed there was a conversation between the witness and the
4 xxxxx - and there was an answer. And then the next
11:46:28 5 question is -- there was an answer concerning Superman, then the
6 next question is does he know which faction Superman belongs to.
7 we've had no evidence as to how this witness would, A, know that
8 xxxxx was a commander and then secondly how he came
9 about the knowledge that Superman belonged to one faction or the
11:46:51 10 other. I have no objections to the questions; I just need more
11 foundation being laid before a question of that sort is put and
12 before the witness answers this question.
13 PRESIDING JUDGE: Mr Hodes, what is your reply to that?
14 MR HODES: That's fine, Your Honour. I will be happy to go
11:47:11 15 back and ask him more questions.
16 PRESIDING JUDGE: Yes, I think actually there has been a
17 lack of foundation particularly in some points raised by counsel.
18 MR HODES: Mr witness, we're going to go back over some of
19 your previous answers.
11:47:27 20 Q. With regards to the person you identified as xxxxx
21 xxxxx, let's start off with his name. How did you know his
22 name?
23 A. Well, later when we were taken to Koinadugu, that was the
24 time that I knew his name.
11:47:46 25 Q. But at that time in the bush you did not know his name?
26 A. Not at all.
27 Q. You also testified that at some point you learned that
28 xxxxx was a commander, how was it that you knew he was a
29 commander?

1 A. Because the three soldiers with whom we went were all
2 answering to him, "Yes, sir".
3 Q. You also told the Court that you know who Superman is and
4 what faction he belongs to or you know what faction he belonged
11:48:37 5 to?
6 A. Yes.
7 Q. How did you know what faction Superman belonged to?
8 A. From the time when I arrived in Freetown, Superman's name
9 was on the air for a very long time. Even before the
11:49:06 10 intervention of ECOMOG in Freetown on February 13th, I had been
11 hearing about Superman.
12 Q. And when you say, on the air, exactly, what were you
13 talking about?
14 A. I read it on paper. I heard it on the news. His name was
11:49:33 15 always on the news, especially for the fact that he was related
16 to the RUF conflict.
17 Q. Okay. With regards to **xxxxxx**, did he engage in any
18 conversations with you in the bush?
19 A. Yes.
11:50:06 20 Q. What did he tell you or what did you talk about with **xxxxxx**
21 **xxxxxx**?
22 A. Well, when he met us in the bush, he said let us give him
23 all that we had, in the form of food. And during the time they
24 had killed some bush cows and we hauled them on the top of roof
11:50:32 25 and it was dry and we took this meat, rice and other commodities
26 we used for food. He said we were to take everything that we had
27 and that all the things we hid they took everything out and
28 packed everything on one spot and when I had seen that --
29 Q. Slow down.

1 A. When I had seen that he was not joking at all, I said well,
2 I asked him whether he would allow to me write a letter to his
3 boss and he said yes. So I sat down and I took my pen and a
4 paper and I wrote. But I did not put any person's name; I only
11:51:23 5 said their commander.

6 Q. Mr witness, I'm going to stop you again and I'm going to
7 ask you to please listen to the question that is posed to you and
8 answer the question that is posed to you. And the question that
9 was posed to you, Mr witness was: Did you and xxxxx
11:51:44 10 have any conversations or did you talk with xxxxx? what
11 is the answer to that question, please?

12 A. Yes.

13 Q. With regards to your being captured, were there any other
14 people with xxxxx?

11:52:06 15 PRESIDING JUDGE: Yes, Mr Daniels.

16 MR DANIELS: We were about to say that he did not say that
17 he had been captured.

18 PRESIDING JUDGE: He talked about the meat and the rice and
19 such had been taken.

11:52:18 20 MR HODES:

21 Q. With regards to xxxxx and your meeting him in the
22 bush?

23 A. Um-hum.

24 Q. What happened at that point?

11:52:28 25 A. This is what I was trying to explain. I said I called him
26 because according to the way I saw them I knew that they were not
27 joking at all. So I said, well, if he could allow me to write a
28 letter to his boss.

29 Q. You just said you knew they weren't joking at all. What do

1 you mean by "they weren't joking at all," Mr witness?
2 A. Because during that time, xxxxx, we had two
3 families which were merged as one. The women were all raped with
4 his -- were all raped by him and his three soldiers, and we had
11:53:19 5 the two women and a little girl who had epilepsy.
6 Q. Mr witness, I am just going to take you all the way back.
7 when you met xxxxx in the bush, did he have any weapons?
8 A. They all had weapons, all of -- three of them. He and his
9 three men had weapons.
11:53:45 10 Q. Did he and/or the three men ever point the weapons at
11 anyone?
12 A. Yes. They wanted to kill the child that had epilepsy.
13 They said if it was a problem -- the child was a problem to us,
14 let us allow him to kill the child. The woman who was the mother
11:54:15 15 of the child said no, the child should not be killed and that she
16 was going to take responsibility of the child. So they came to
17 me.
18 Q. Mr witness, when you met with xxxxx and the other
19 soldiers did you feel like you were free to leave his presence?
11:54:36 20 A. It was not possible, no.
21 Q. Why, Mr witness?
22 A. Because they had already told us that if we moved to go
23 anywhere, they would fire at us.
24 Q. Thank you, Mr witness. Mr witness, the other soldiers that
11:54:53 25 were with xxxxx, did you at some point learn their
26 names?
27 A. No, up to now I do not know their names, but I know them by
28 face.
29 Q. Okay. Did xxxxx order you or the other people in

1 the bush to do anything?

2 A. Yes.

3 Q. what did he order you to do?

4 A. well, he ordered us to take all the property that was taken

11:55:44 5 from us. we took that on our head and carried the load to

6 Yirayie Town.

7 Q. Mr witness, did you feel like you could refuse Mr xxxxx

8 xxxxx?

9 A. No.

11:56:13 10 Q. why is that?

11 A. Because they had weapons in their hands and the way I saw

12 his face, I knew that he meant business.

13 Q. what happened once you got to Yirayie?

14 PRESIDING JUDGE: Could we have a spelling for Yirayie,

11:56:36 15 please, Mr Hodes?

16 MR HODES: I believe it was spelled earlier, Your Honour.

17 PRESIDING JUDGE: I apologise, sorry.

18 MS THOMPSON: Your Honour, are we talking about the same

19 place because I'm sure I heard this witness say Yarya which is a

11:56:52 20 town we've heard before. I don't know if I'm getting it wrong,

21 but we heard Yirayie earlier on today and I'm sure what he just

22 said was Yarya, but I'm no -- I don't know if we can just go over

23 that again.

24 MR HODES:

11:57:16 25 Q. Mr witness, what village did xxxxx and his men

26 take you to?

27 A. It was the village in which xxxxx and the name of the

28 village is Yirayie. That was where they brought us because they

29 took us from the bush. It is the same village in which I was

1 staying with the family with whom I was staying. This is the
2 village to which we were brought.

3 Q. When you arrived in Yirayie what did you see with your
4 eyes, Mr witness? What did you see?

11:57:53 5 A. Well, I saw a lot of things.

6 Q. Tell us what you saw, Mr witness?

7 A. When we reached the town with all the things that we had on
8 our heads - rice, meat, and palm oil - I met some other
9 commanders, they came and stayed in town. The town was as if it
11:58:24 10 was a transit point. You would see some other commanders coming
11 from the bush with civilians, you would see women pounding rice,
12 see children, a lot of them carrying loads on their head. It
13 seems as though the town was a transit town to go to Koinadugu.

14 Q. Did you see anything bad happening in Yirayie?

11:58:48 15 A. In the town, except for the people, the -- except those --

16 THE INTERPRETER: Your Honours, would the witness take it a
17 little bit slower.

18 PRESIDING JUDGE: Mr witness, you've speeded up. So could
19 you go a little slower so the interpreter can interpret you.

11:59:20 20 THE WITNESS: I'm sorry.

21 PRESIDING JUDGE: That's all right.

22 THE WITNESS: Okay. When we arrived in town I saw a lot of
23 women pounding rice, children carrying loads on their heads
24 coming to the town, coming from the other small villages.

11:59:36 25 MR HODES:

26 Q. Mr witness, you indicated before that you saw commanders.
27 Did you also see soldiers?

28 A. They were mixed.

29 Q. Mr witness, could you tell whether or not the soldiers were

1 from the AFRC or the RUF?
2 A. Well, it was both.
3 Q. With regards to the women that you saw in Yirayie, did you
4 ever have a chance to speak to any of these women while you were
12:00:36 5 in the village?
6 A. At that moment, no. It was later.
7 Q. When you spoke to these women later, what did they tell
8 you?
9 A. Most of them had been raped. They had looted them and even
12:00:57 10 the families themselves. So a lot of them had hidden and went
11 into the bush, except when they went again and caught them and
12 brought them back.
13 Q. Mr witness, what did you do once you were in Yirayie?
14 A. Well, at the time when ~~xxxxx~~ took me from the bush
12:01:34 15 and brought me to the town, I went, I sat among them in the
16 veranda. We were waiting for time to go to Koinadugu. That was
17 the time that they told me that what was going to happen was that
18 I was the one that should take one bag of rice and I should put
19 it on my head to go to Koinadugu.
12:01:55 20 Q. And, Mr witness, did you go to Koinadugu?
21 A. Yes, I went there. I put it on my mould head. I put the
22 one bag of rice on my mould head and I started walking from --
23 you see, I rested twice before we reached. We left at night and
24 early in the morning, between 5.00 and 6.00, we arrived.
12:02:26 25 Q. Mr witness, at any time did you feel you were free to leave
26 the rice?
27 A. No, it was not possible.
28 Q. Why is that, Mr witness?
29 A. Because of the way I saw them treating the people that I

1 met in town and the way I saw xxxxx and his men forcing
2 us, you know, to take the things. Because at one point I told
3 him that I was tired and he told me that if I said that I was
4 tired I should be tired for good and let me put down the bag of
12:03:15 5 rice. So I decided not to put down the rice.
6 Q. When you say that they told you you would be tired for
7 good, what do you think that meant?
8 A. That was to kill me.
9 Q. Mr witness, when you walked or when you were walking from
12:03:37 10 Yirayie to Koinadugu did you see anything on the road?
11 A. Yes.
12 Q. What did you see?
13 A. I saw a lot of corpses on the road.
14 Q. And by "corpse" you mean a dead person?
12:03:57 15 A. Yes.
16 Q. Could you tell, Mr witness, how these people died?
17 A. Some had bullet wounds. Some were already rotten and they
18 were lying on the roadside.
19 Q. Mr witness, at some point did you learn anything about the
12:04:30 20 dead bodies you saw?
21 A. Yes.
22 Q. How did you learn of the dead bodies you saw on the
23 roadside?
24 A. When we arrived in Koinadugu Town, that was the time that I
12:04:54 25 asked the soldiers and they told me that -- they said, "Those
26 corpses that you saw, it was Superman when he was coming from" --
27 THE INTERPRETER: Your Honours, would the witness go a
28 little bit slower.
29 PRESIDING JUDGE: Mr witness, could you speak more slowly.

1 Let the interpreters tell us what you're saying.
2 THE WITNESS: Yeah.
3 PRESIDING JUDGE: Mr Interpreter, do you need to go back a
4 bit in that answer?
12:05:31 5 THE INTERPRETER: Yes, Your Honour. where they were
6 carrying the --
7 THE WITNESS: I asked some of the soldiers. They were the
8 ones that sold me that. They said it was Superman. They said
9 when they were bringing his wife from Krubola, she was on a
12:05:52 10 hammock. So he had ordered that anybody who came before that
11 woman, they should fired -- they should be fired at. It was as a
12 result of that that you had those corpses that you saw on the
13 way.
14 Q. Mr witness, did you and the other people from Yirayie
12:06:25 15 eventually get to Koinadugu?
16 A. Yes.
17 Q. Did anything happen once you arrived in Koinadugu?
18 A. Yes.
19 Q. What happened when you arrived in Koinadugu, Mr witness?
12:06:53 20 A. Well, when I arrived in Koinadugu, fortunately for me --
21 because I was in doubt of the presence of the commanders who were
22 in the camp. So when we were going towards xxxxx s
23 house in Koinadugu Town I saw a soldier whom I knew, I had known
24 before. In fact he was my cousin, he was my blood relative by
12:07:34 25 the name of -- at that time they had commissioned him, he was
26 Lieutenant xxxxx. When he saw this rice on my head --
27 Q. Mr witness, could you spell that name for the Court,
28 please?
29 A. Yes. xxxxx.

1 Q. All right, please go on. You saw lieutenant --
2 A. Yes. So when he saw me -- in fact, he was the one that saw
3 me. When he saw me, he shouted my name, and said, "TF1-153", he
4 said, "Are you doing here, what are you finding here?" said,
12:08:27 5 "Don't you know that your man is here?" I said, "Which one are
6 you talking about?" said, "We are with him." He said, "Solomon
7 Anthony James Musa." He said he was here. So when he told me
8 that, you see, I was relieved a little. So the tussle that was
9 between him and xxxxx, so xxxxx ordered me to throw the
12:09:12 10 bag on the ground so that I could follow him and go and meet
11 Solomon Anthony James Musa. But at the end of all that, he was
12 able to take me from xxxxx and took me to SAJ Musa's
13 place. So that was what happened when Lieutenant xxxxx met me.
14 Q. Did Lieutenant xxxxx take you to SAJ Musa?
12:09:45 15 A. Yes. Yes.
16 Q. And did anything happen when you met SAJ Musa?
17 A. Yes, he was so emotional.
18 Q. Did you stay with SAJ Musa at that point?
19 A. Yes, from that day I stayed with him.
12:10:17 20 Q. Did you and SAJ Musa have any conversations at that time?
21 A. Yes.
22 Q. Did SAJ Musa say anything about the first accused,
23 Mr Brima?
24 A. Yes.
12:10:46 25 Q. What did he tell you about Mr Brima?
26 A. Well, when, xxxxx had taken me and we had seen ourselves
27 that emotional there, because I had concern to know about
28 everybody, especially those that were intimate brothers or
29 friends of mine. So that is the time I asked about Alex Tamba

1 Brima. So he told me that, "Fellow, that of your brother, he
2 came and met me at Krubola." He said he and Ibrahim Bazy came.
3 He said, "I did not accept for them to come and meet me at
4 Krubola Town here." He said, "But because of the soldiers with
12:11:46 5 whom they came, because they came with a lot of soldiers, and we,
6 all of us, cannot come and stay here. So I told them that they
7 were to go and wait for me at one town that is called Yiraia."
8 It was not the town in which I stayed when I was captured. It
9 was a town where you had a chief that is called Pa Damba. He
12:12:27 10 said he went and met them there, so as to search for a camp
11 between Port Loko and Makeni. He said he had given him manpower.
12 Q. Let me stop you and slow you down a little bit, Mr witness.
13 First of all, you just mentioned another village, also Yiraia.
14 Do you know the spelling? Is it different, is it the same?
12:12:44 15 A. It could be the same spelling, but it is a different town.
16 Q. You also mentioned the name of a chief. What was the name
17 of the chief?
18 A. Pa Damba.
19 Q. Can you spell that for the Court?
12:13:01 20 A. D-A-M-B-A.
21 Q. Now, Mr witness, I believe SAJ Musa was telling you about a
22 meeting with Mr Brima in this town or in this village Yiraia; is
23 that right?
24 A. I don't get you.
12:13:32 25 Q. What you were just telling the Court was that SAJ Musa met
26 with Mr Brima in this village called Yiraia?
27 A. Yes.
28 Q. Did SAJ Musa tell you about any orders he issued to
29 Mr Brima?

1 MS THOMPSON: Your Honour, I let the first one go, but this
2 is a leading question.
3 PRESIDING JUDGE: It certainly is, Mr Hodes.
4 MR HODES:
12:14:06 5 Q. Mr witness, did SAJ Musa tell you anything else about
6 conversations he may have had with anyone in Yiraia?
7 MR DANIELS: Just before you answer, I think my clients
8 would like to use the gents.
9 PRESIDING JUDGE: Yes, he should be escorted out. Please
12:14:33 10 proceed, Mr Hodes. Could you repeat the question for
11 convenience, please?
12 MR HODES: Sure.
13 Q. The question again is: Did SAJ Musa tell you about any
14 conversations he had with anyone in Yiraia?
12:14:52 15 A. Yes.
16 Q. Did he tell who he had conversations with?
17 A. Yes.
18 Q. Who did he have conversations with?
19 A. He said he met Gullit and Ibrahim Bazzy.
12:15:12 20 Q. And by Gullit you mean Brima?
21 A. Yes
22 Q. And Bazzy you mean Mr Kamara?
23 A. Yes, sir.
24 MS THOMPSON: This is leading. There is no evidence thus
12:15:28 25 far that we are talking about one and the same person, that
26 Gullit is Mr Brima. Let the witness say it himself. And also
27 that Bazzy is Mr Kamara. The witness has not put the two
28 identities together to make one person.
29 PRESIDING JUDGE: He did use the word Gullit at one point,

1 Ms Thompson, but I think there is merit in your objection.
2 MR HODES: I'll ask it a different way.
3 Q. Mr Witness, I think I have asked you this before, but
4 Mr Brima, was he known to you by any other names?
12:15:58 5 A. Yes.
6 Q. What other name was he known to you by?
7 A. Mr Brima was a very good footballer, so they had to give
8 him the nickname Gullit. It is a name that -- that is why I am
9 mixing it up, because it's the common name that I know.
12:16:30 10 Q. And if you know, Mr Witness, do you know where the nickname
11 Gullit comes from? Other than him being a good football player.
12 who it refers to?
13 A. No. I feel that based on the fact that he played good
14 football, because the real Gullit was a good footballer. So they
12:17:06 15 associated him and that good footballer. So I'm more familiar
16 with that name Gullit than Alex Tamba Brima. So if you do not
17 mind I will continue to call him Gullit.
18 Q. Mr Witness, you also referred to somebody that you later
19 learned to be Bazy. At that time when you were talking to SAJ
12:17:35 20 Musa in Koinadugu, at that time, did you know Bazy's full name?
21 A. No.
22 Q. When you and SAJ Musa spoke, did he use any names in the
23 conversation he had with you?
24 A. Yes, he called the names of other commanders whom he asked
12:18:10 25 to go with Gullit and whom he asked to find a base between Port
26 Loko and Makeni.
27 Q. I haven't quite gotten to the point of asking you what the
28 conversation was about, but go ahead and tell us what it is that
29 SAJ Musa told you he told the person you've identified as Gullit.

1 A. He said when Gullit went and met him, let me start from
2 that point. He said when Gullit went and met him, he said it is
3 because of the manpower that they went with, he said he did not
4 allow all of them to go and stay in Krubola Town. So he direct
12:18:58 5 them to go to Pa Damba's village, Yiraia. When they went there,
6 in the morning he went and met them. He said that is where they
7 arranged so that Gullit as a commander could go and find a base
8 between Port Loko and Makeni. And he said because with him, when
9 we were with him, Five-Five was with him also. He told him that
12:19:19 10 -- he said Five-Five and ~~xxxxx~~ should join Gullit to go in search
11 of a camp between Port Loko and Makeni. That is what he told me.
12 Then I said, "nnh". He said, but -- can I continue?
13 Q. Go ahead.
14 A. He said, but when they were going, he said they gave him a
12:19:49 15 radio man. He said he gave him two radio men to go with them,
16 but from the time that they went, they had not communicated with
17 him.
18 Q. Mr witness, I'm going to take you back again to this
19 conversation and try to clear up something. You had this
12:20:07 20 conversation with SAJ Musa in which he told you of a meeting in
21 Koinadugu, right -- not in Koinadugu, in Yiraia?
22 A. Yes, yes.
23 Q. And he told you of telling Gullit to go find a base between
24 Port Loko and Makeni?
12:20:34 25 A. Yes.
26 Q. Mr witness, did he tell you the names of other commanders
27 that were asked to go with Gullit?
28 A. Yes, I have shown them. He said Five-Five and ~~xxxxx~~ should
29 join Gullit --

1 MR KOROMA: I think I will object at this stage. There is
2 no evidence before this Court that they were commanders. There
3 is no basis for that statement. There is no evidence that
4 SAJ Musa was speaking to commanders.

12:21:19 5 PRESIDING JUDGE: Is that one or two objections, Mr Koroma?

6 MR KOROMA: My objection, My Lord, is that there is no
7 evidence that SAJ Musa spoke with commanders.

8 PRESIDING JUDGE: Mr Hodes, your reply?

9 MR HODES: Your Honours, in fact, what is being testified
12:21:47 10 to is a communication between SAJ Musa and this witness about
11 what SAJ Musa told Gullit, and I believe that the witness is
12 testifying that SAJ Musa used the term "commanders". This isn't
13 some independent knowledge that the witness is testifying to.
14 This is his testimony with regards to the conversation he had
12:22:10 15 with SAJ Musa in which SAJ Musa used the term "commanders" to
16 describe Five-Five and xxxxx.

17 PRESIDING JUDGE: Yes, we'll allow the question on the
18 basis that, as you say, Mr Hodes, he is recounting a conversation
19 and he has already made a reference to commanders.

12:23:16 20 MR HODES: May I continue?

21 PRESIDING JUDGE: Yes, please do so.

22 MR HODES:

23 Q. Mr witness, did SAJ Musa say who he met with in Yiraia? I
24 just want to clear that up?

12:23:40 25 A. What he told me, he said -- he said Gullit and Ibrahim
26 Bazzy Kamara had gone and met him in Krubola. He said he did not
27 allow him to enter the town because they went with manpower, they
28 went with troops, so he asked them to go their town in Pa Damba's
29 village. So the next morning he went and met them. When he met

1 them that is when they arranged so that Gullit --

2 Q. Mr witness, I'm going to stop you, real quickly and again

3 I'm going to ask you please just listen to the question whether

4 it's from me or from Defence counsel later on. Please just

12:24:29 5 listen to the question and do your best to answer the question

6 and the question I just posed to you was: Did SAJ Musa tell you

7 who he met with in Yiraia? Not how they got there, when they got

8 there, but who they met there in Yiraia?

9 A. They met Alex Tamba Brima and Ibrahim Bazzy Kamara.

12:25:04 10 Q. Thank you, Mr witness. And again just to clear things up,

11 did SAJ Musa tell you what he asked or ordered Gullit to do?

12 A. Yes.

13 Q. And what was that?

14 A. He said they should go in search of a base between Port

12:25:39 15 Loko and Makeni.

16 Q. Now can you spell Port Loko for the Court?

17 A. Yes.

18 Q. Please do?

19 A. P-O-R-T L-O-K-O.

12:25:56 20 Q. And could you spell Makeni for the Court?

21 A. M-E-K-A-N-I [sic] -- M-E-K-E-N-I [sic], Makeni.

22 Q. And Mr witness, you just testified that SAJ Musa told you

23 that he told them to go find a base?

24 A. Um-hum.

12:26:28 25 Q. One last time, who is "them"? who did he tell to go find a

26 base?

27 A. He told Gullit and Bazzy.

28 Q. And just to get all this out, did SAJ Musa at that point

29 tell you the names of other people that he sent with Gullit and

1 Bazy to find this base?

2 MR KOROMA: May it please Your Honour. Again I will

3 object. I think there must be finality in that line of evidence

4 in-chief. The witness -- Your Honour, my objection is that there

12:27:13 5 must be finality in that line of evidence in-chief because the

6 witness has categorically stated to this Honourable Court the

7 people that SAJ Musa sent to go and open a base between Port Loko

8 and Makeni. But my learned friend keeps asking the same question

9 over and over to the witness.

12:27:34 10 JUDGE LUSSICK: I understand that he said Gullit and Bazy

11 were ordered but the last question were other people told to go

12 with him. I think the question is not objectionable.

13 MR KOROMA: As Your Honour pleases.

14 MR HODES:

12:27:56 15 Q. Did SAJ Musa tell you about any other people that were to

16 go with Gullit and Bazy to find this base?

17 A. Yes.

18 Q. Please tell the Court who SAJ Musa told you was to go find

19 the base.

12:28:12 20 A. Well, at that time he said, Five-Five and **xxxxxx** were with

21 him. He said so -- he said take these two people and add them up

22 to Bazy and Gullit, Gullit's men so they could go and search for

23 a base.

24 Q. So you spell **xxxxxx** For the Court?

12:28:46 25 A. **xxxxxx** [sic].

26 Q. Did SAJ Musa talk to you about being in touch with Gullit

27 when Gullit went to find this new base?

28 A. Well at that moment when I came he said since the time that

29 Gullit left they did not have any contact during that time. So

1 he was preparing to go in search of him.
2 Q. while you were there did SAJ Musa do anything to locate
3 Gullit?
4 A. Yes.
12:29:38 5 Q. what did SAJ Musa do to locate Gullit?
6 A. well, when I was there about a week later, I saw him call
7 xxxxx, then he gave him five signallers with one radio
8 set. He said he should go and locate where Gullit was.
9 Q. when you say signallers, what do you mean by signallers?
12:30:15 10 A. well, I mean the radio operators.
11 Q. Did SAJ Musa at some time after that have any communication
12 with xxxxx?
13 A. Yes.
14 Q. Do you know what the content of that communication was?
12:30:58 15 A. Yes.
16 Q. How do you know that?
17 A. Because when they had gone about two weeks later it was
18 then that xxxxx contacted SAJ saying he had located where Gullit
19 were.
12:31:23 20 Q. Did SAJ Musa at that time do anything once he had that
21 information?
22 A. Yes, he was happy to contact Gullit again.
23 Q. And did SAJ Musa at that point give any orders to the
24 troops?
12:31:59 25 MR DANIELS: We don't know which troops you're referring
26 to.
27 MR HODES: I can clarify.
28 PRESIDING JUDGE: Thank you.
29 MR HODES:

1 Q. Did SAJ Musa at that time give any order to the troops and
2 soldiers in Koinadugu?
3 MR DANIELS: I hate to keep rising, but we are not aware of
4 any troops and soldiers in Koinadugu.
12:32:27 5 MR HODES: I'll clear it up, Your Honour.
6 PRESIDING JUDGE: I do recall a reference to "men" but I
7 think it would be wise to clear it up.
8 MR HODES:
9 Q. When you were in SAJ Musa in Koinadugu, did he have any
12:32:48 10 soldiers under his control?
11 A. Yes, he had many soldiers under his control.
12 Q. And would SAJ Musa issue orders to his troops under his
13 control?
14 A. Yes. He did give orders to the men who were under his
12:33:20 15 control.
16 Q. And once you heard from ~~xxxxx~~ as to where Gullit was, did
17 he issue any orders as to what to do next?
18 A. Yes, because at that time there was confusion, you see. So
19 at that time I was in that town when I was captured, so I was
12:34:01 20 there when I heard some serious firing. After I heard --
21 Q. Mr Witness, maybe I didn't understand. Did you just say
22 you were captured at that time?
23 A. I said where they captured me.
24 Q. Okay. And what are you referring to when you say that?
12:34:27 25 A. Well, I'm trying to, just as you're asking me whether SAJ
26 gave orders. Yes, SAJ did give order for the soldiers to
27 evacuate the town where I was at that particular time, that is
28 what I'm trying to express, because there was confusion between
29 himself and Superman.

1 Q. Okay.

2 A. So I was in Yiraia Town when I heard some serious firing,
3 but I had the feeling, I had the feeling that it was the ECOMOG
4 troops who were in Kabala that had come to dislodge SAJ's troops
12:35:17 5 who were in the Koinadugu Town.

6 Q. Mr Witness, again I'm going to ask you and I know you know
7 a lot and you experienced a lot but I'm going to ask you again,
8 both for myself and for Defence counsel when they're asking you
9 questions, to please listen to the question and try to answer the
12:35:36 10 question. And the question to you, Mr Witness, was after SAJ
11 Musa had this communication with ~~xxxxx~~, did he issue any orders
12 to his troops?

13 A. Well, at that point, we were not in Koinadugu any more.

14 Q. I didn't ask you where you were.

12:36:02 15 A. Yes.

16 Q. I asked you if he issued any orders, Mr Witness?

17 A. Yes.

18 Q. What were those orders?

19 A. He said all the soldiers should prepare themselves because
12:36:29 20 we were going to join Gullit in the camp between Port Loko and
21 Makeni.

22 Q. Thank you, Mr Witness. At some point did you and SAJ Musa
23 and his troops leave Koinadugu?

24 A. Yes.

12:37:03 25 Q. Where did you go from Koinadugu, you and SAJ Musa and the
26 troops?

27 A. Well, all of us met at Tumania Town. Because I was not
28 present when he left the town. I was in Yiraia. So I went and
29 met him in Tumania Town.

1 Q. Did you and SAJ Musa and the troops stay in Tumania --
2 first of all, actually, let me ask you this: Can you spell
3 Tumania? And if I'm mispronouncing it, I apologise to everyone.
4 A. The way I spell Tumania is T-U-M-A-N-I-A.
12:38:18 5 Q. And again, the question to you now is: Did you and SAJ
6 Musa and his soldiers stay in Tumania Town?
7 A. Yes.
8 Q. How long did you stay there?
9 A. Well, we were there for about two to three weeks.
12:38:42 10 Q. And at some point did you leave Tumania Town?
11 A. Yes.
12 Q. Did you leave with SAJ Musa and his troops?
13 A. Yes.
14 Q. Where did you all go from Tumania Town?
12:39:08 15 A. Well, we went and joined Gullit in the camp that he had
16 formed between Makeni and Port Loko.
17 MR HODES: Your Honours, I'm about to get into a long line
18 of questions with regards to this particular aspect of the case.
19 PRESIDING JUDGE: Well, in that case, I think it might be
12:39:39 20 appropriate to adjourn at this point. Before we adjourn, I would
21 just like to refer to something I said earlier this morning and
22 remind all of those persons in the public galley, both members of
23 the media and any other persons that are present of the
24 obligation to protect the identity and security of the witness.
12:40:04 25 So if by chance names were heard or anything that was seen that
26 could help identify this witness, it must be kept only in the
27 public gallery. It must not be repeated or misused in any way
28 outside.
29 On that basis, Madam Court Attendant, would you please

1 adjourn court until 2.15.
2 MS GUNSTONE: Court rise.
3 [Luncheon recess taken at 12.43 p.m.]
4 [AFRC22SEP05D - SV]
14:15:21 5 [Upon resuming at 2.18 p.m.]
6 PRESIDING JUDGE: Yes, Mr Hodes, please proceed.
7 MR HODES: Thank you, Your Honour.
8 Q. Just to play it safe, Mr witness, I believe you had been
9 telling us about yourself and SAJ Musa and his troops being in
14:15:44 10 Tumania Town?
11 A. Yes.
12 Q. Again, to play it safe, if you can spell Tumania for the
13 court?
14 A. Yes.
14:15:51 15 Q. Please do.
16 A. T-U-M-A-N-I-A.
17 Q. Did you and SAJ Musa and his troops at some point leave
18 Tumania Town?
19 A. Yes, we left that town.
14:16:37 20 Q. And where did you and SAJ Musa and his troops go from
21 Tumania Town?
22 A. We went and met with xxxxxx.
23 Q. Where did you meet xxxxxx?
24 A. It was in one town called Kambia Mackloo.
14:17:13 25 Q. Can you spell Kambia Mackloo for the court?
26 A. Yes.
27 Q. Feel free.
28 A. K-A-M-B-I-A M-A-C-K-L-O-O.
29 Q. Were any other soldiers present other than xxxxxx in Kambia

1 Mackloo?

2 A. Well, it was that commander that was sent by Gullit to
3 receive us -- to receive SAJ Musa.

4 Q. Again, witness, I'm going to ask you to listen to my
14:18:17 5 question and then try to answer my question. The question I
6 asked you was were there any other soldiers with **xxxxx** in Kambia
7 Mackloo? In other words, was he alone or were there other
8 soldiers?

9 A. He wasn't alone. It was the troop that he commanded that
14:18:41 10 went and received us.

11 Q. Thank you, Mr witness. Did you and SAJ Musa and his troops
12 go anywhere from Kambia Mackloo?

13 A. Yes.

14 Q. Where did you go from Kambia Mackloo, you and SAJ Musa and
14:19:11 15 the troops?

16 A. We went to the base which was founded by Gullit which was
17 between Makeni and Port Loko.

18 Q. Mr witness, was this base near any town or village that
19 you're aware of?

14:19:46 20 A. Well, to my knowledge, yes.

21 Q. If you could tell us what town or village was the base
22 close to?

23 A. Well, it was a town closer to a place called Rosos but it
24 was code named Colonel Eddie Town.

14:20:27 25 Q. Mr witness, at some point, just to be clear, did you and
26 SAJ Musa and his troops arrive in what you've described as Camp
27 Eddie Town or Colonel Eddie Town?

28 MS THOMPSON: I think the evidence is Colonel.

29 JUDGE SEBUTINDE: The witness said Colonel.

1 THE WITNESS: I said camp. I said camp.
2 MR HODES:
3 Q. Camp Eddie Town or Colonel Eddie Town, did you --
4 A. I did not say Colonel Eddie Town. I said Camp Eddie Town.
14:21:10 5 Q. Mr witness, did you, SAJ Musa and the troops arrive in this
6 place called Eddie Town?
7 A. Well, I -- it was in a camp that was situated between
8 Makeni and Port Loko and the town was located between these two
9 areas. But when we went there the town was code named Eddie
14:21:43 10 Town.
11 Q. Okay, Mr witness, again I'm going to ask you to try to
12 listen to my question and try to answer my question to the best
13 of your abilities. The question I just asked you was: Did you
14 and SAJ Musa and the troops under SAJ Musa's command at some time
14:22:05 15 arrive in this location called Eddie Town?
16 A. I don't understand. I don't understand. I don't know what
17 you meant.
18 Q. Okay, let me try to ask it some other way. Did you and SAJ
19 Musa and his troops walk out of Kambia Mackloo?
14:22:43 20 A. Yes.
21 Q. When you walked with SAJ Musa and the troops under his
22 command, did you reach a destination?
23 A. Yes.
24 Q. What was that destination called, Mr witness?
14:23:05 25 A. It was called Rosos.
26 Q. Now, Mr witness, you just indicated that there was a
27 village named Rosos. Can you spell that for the Court?
28 A. Yes.
29 Q. Please do.

1 A. R-O-S-O-S.
2 Q. And is the village the same place as the base?
3 A. To my understanding, yes.
4 THE INTERPRETER: The interpreter is sorry, the attorney --
14:23:56 5 would like the attorney to speak through the mic. It's getting a
6 problem to interpret for the witness. That aside, the witness is
7 far away a bit from the mic.
8 PRESIDING JUDGE: Mr Witness, did you hear what the
9 interpreter said?
14:24:14 10 THE WITNESS: No.
11 PRESIDING JUDGE: Mr Interpreter, could you just make sure
12 that you hear the witness clearly and if necessary we'll move
13 again.
14 THE WITNESS: All right. Okay.
14:24:35 15 PRESIDING JUDGE: Mr Hodes, please proceed.
16 MR HODES: Thank you, Your Honour.
17 Q. Mr Witness, you indicated that there is a village named
18 Rosos; right?
19 A. Yes.
14:24:47 20 Q. Can you spell that for the Court?
21 A. Yes.
22 Q. Please do.
23 A. Rosos, R-O-S-S-O-S [sic].
24 Q. And, Mr witness, did you and SAJ Musa and the soldiers, the
14:25:19 25 troops under his command, did you go some place from Rosos?
26 A. Yes.
27 Q. Tell us where you went from Rosos?
28 A. Well, we crossed the little Scarcies River. We passed
29 through Mange Bureh to Maforki, Mamusa, we came in between Mamusa

1 and Lunsar.

2 Q. Mr witness, I'm going to take you back a second. Are you
3 telling the court that the base was called Rosos now?

4 A. Well, the base, it was called Rosos but it was code named
14:26:19 5 Eddie Town.

6 Q. Okay. In Eddie Town --

7 A. Yes.

8 Q. -- did you and SAJ Musa see any of the other soldiers under
9 Gullit's command?

14:26:47 10 A. Yes.

11 MS THOMPSON: We don't know that Gullit was commanding
12 anything or anybody.

13 PRESIDING JUDGE: I think there's been references in the
14 course. Allow me to ask -- Mr Hodes, you have heard the
14:27:01 15 objection by counsel for Mr Brima.

16 MR HODES: I believe that's exactly right, Your Honour. I
17 believe that the witness has already testified that SAJ Musa
18 indicated back in their meeting in Koinadugu that SAJ Musa
19 ordered Gullit and Bazzy and as joined by Five-Five and ~~xxxxx~~ to
14:27:21 20 go with troops to find this other base. But if that's not what
21 the Court recalls --

22 PRESIDING JUDGE: I have a recollection that there were
23 several references to Bazzy and Gullit's going with troops.

24 MS THOMPSON: Sorry, I was saying that's right, but there's
14:27:39 25 no evidence that Gullit was commanding these troops. The
26 evidence was that he was ordered by SAJ Musa to go with these men
27 and other people to go and find a base. That was the evidence.
28 I don't have any recollection -- certainly my notes don't say
29 anything about Gullit having been put in command.

1 PRESIDING JUDGE: He's been referred to as a commander.
2 MR HODES: I'll try to clarify that as well, Your Honour.
3 Q. Mr witness, I'm going to take you back a second and ask you
4 to recall the conversation you had with SAJ Musa when you and he
14:28:28 5 were together in Koinadugu?
6 A. All right.
7 Q. And the conversation I'm going to refer you to is the one
8 in which he told you about ordering Gullit to find a base between
9 Port Loko and Makeni, as you've already testified.
14:28:44 10 A. Okay.
11 Q. Did SAJ Musa indicate to you who was in command of that
12 particular detail?
13 A. Yes.
14 Q. Who did he tell you was in command of that detail?
14:29:10 15 A. The base that they went to search for, it was Alex Tamba
16 Brima, Gullit, who was the commander.
17 Q. When you got to this camp, which is code named Eddie Town,
18 did you hear anything about Gullit?
19 A. Yes.
14:29:43 20 Q. Who told you and SAJ Musa -- let me take you back. Did
21 somebody approach you and SAJ Musa at that time?
22 A. Yes.
23 Q. Who approached you and SAJ Musa?
24 A. It was Commander xxxxx.
14:30:18 25 Q. And did Commander xxxxx say anything to you and SAJ Musa?
26 A. Yes.
27 Q. Tell the Court what you heard Commander xxxxx -- and if you
28 would spell xxxxx for the Court first?
29 A. xxxxx [sic].

1 Q. If you would tell the Court what it is that Commander xxxxx
2 told you and SAJ Musa?
3 A. Well, as they arrive in the camp, about three yards for us
4 to enter the camp, we met xxxxx seated with his men, with some
14:31:10 5 soldiers that he commanded. Then he offered SAJ Musa a powerful
6 sniper gun. He said that was his welcoming gift. We were there,
7 he explained that, "On days of your arrival, you met us with a
8 problem." He said, "Because Commander Gullit, Alex Tamba Brima",
9 he said he had called us on one meeting. He said he was in doubt
14:31:53 10 as to who would come to command the whole troops.
11 Q. I'm going to stop you, when you said "He said that there
12 was doubt as to who would command the troops", who was he? I'm
13 going to ask you to use names when you are referring to people.
14 A. Okay. When we speak Krio, it is just like English. Since
14:32:20 15 I have called the name, I will use the pronoun instead of using
16 the name. So that is the difference. That's why if I say "he",
17 I'm referring to the same person.
18 Q. In Court things are different and so if I stop you and ask
19 you to identify who "he" is, it's because we need to be clear.
14:32:43 20 okay?
21 A. Okay. It's all right. It's all right. Okay.
22 Q. Now you just said that "he" was telling about --
23 A. Okay.
24 Q. So which "he" are you referring to? Are you talking about
14:33:01 25 Commander xxxxx or somebody else? So please use names when you
26 say who was speaking.
27 A. Okay. Let me try it once again all over. Well, I don't
28 know the particular "he" I'm referring to, so let me continue,
29 let me try it. As we were about to enter the camp we met

1 Commander xxxxx seated. xxxxx offered SAJ Musa a powerful sniper
2 gun and he said that was his welcoming gift which he gave to SAJ.
3 He said on his arrival SAJ met a hell of a problem. Then SAJ
4 asked him, "what is the problem?" Then xxxxx told him that he
14:33:56 5 knew that Gullit had summoned us to a meeting to inquire from us
6 as to who could control the overall troop that we came with. And
7 he went further to ask us who were the people that were for him
8 and those people that were for you.
9 Q. When you say, Mr Witness who was for him and who was for
14:34:28 10 you, that's where we need some clarification; okay?
11 A. Okay.
12 Q. Now this is Commander xxxxx talking?
13 A. Yes. That is the people that were in support of Alex Tamba
14 Brima and those that were in support of SAJ Musa. Those are the
14:34:52 15 people that I'm referring to.
16 Q. Thank you, Mr Witness.
17 A. Okay.
18 Q. What else -- did Commander xxxxx say anything else to you?
19 A. Yes, he said it to SAJ and myself. Both of us were there.
14:35:14 20 Q. What else did he tell you?
21 A. So I'll continue with the same thing, so to tell you the
22 events of the thing that happened. So after he had told him
23 this, SAJ asked him, said, "Well, who were in support of me?"
24 Then xxxxx started telling him that well, Bazzy himself did not
14:35:44 25 agree. He said because he was told -- he was informed and asked
26 a question, "Don't you know the person that is coming to control
27 you; was it not the man that gave you command?" Then he said,
28 "Now the camp is divided."
29 Q. Mr Witness, I'm going to ask you to try to use the same

1 words throughout. And so when Commander xxxxx said who supported
2 SAJ and who supported Gullit, if you would please tell the Court
3 the names of the individuals, if there were names, that xxxxx
4 mentioned who supported SAJ. And, again, if you could use that
14:36:32 5 language I think it would help us get through your testimony.
6 A. Well, the ones that were supporting Commander Gullit were
7 Five-Five, xxxxx, xxxxx, Colonel xxxxx, then with other
8 officers. On SAJ's side were xxxxx, Ibrahim Bazzy Kamara, xxxxx
9 xxxxx, xxxxx and some other commanders. These were the
14:37:24 10 men that I knew were supporting the two sides.
11 Q. I think just to go over the names and make sure we have
12 spellings. xxxxx, if you could spell xxxxx for the
13 Court?
14 A. xxxxx [sic] xxxxx.
14:37:56 15 Q. And I believe the Court has already heard Bazzy, xxxxx and
16 xxxxx, but just to be clear there's also xxxxx. If
17 you could spell that for the Court.
18 A. For myself it is difficult for me now.
19 Q. No problem.
14:38:21 20 MR HODES: I have xxxxx, and the last name xxxxx.
21 Q. Mr Witness --
22 A. Yes.
23 Q. -- did xxxxx tell you and SAJ anything else?
24 A. Yes.
14:39:05 25 Q. What else did he tell you and SAJ Musa?
26 A. Because when we had arrived in the evening, then he said he
27 had consulted the chiefs down the river.
28 THE INTERPRETER: Pardon, can the witness repeat the last
29 part of his testimony?

1 PRESIDING JUDGE: Mr Witness, would you repeat the last
2 part of your answer for the interpreter, please.

3 THE WITNESS: He said yes. I said yes. He said the
4 chiefs -- xxxxx said the chiefs that were down the river, that's
14:39:47 5 by the Little Scarcies, he said they had wanted to see SAJ
6 because of the things that had happened in and around the camp.
7 But it was during the night. Then SAJ said in the morning he
8 would go there.

9 MR HODES:

14:40:07 10 Q. Mr Witness --

11 A. Then he said again --

12 Q. Mr Witness --

13 A. All right.

14 Q. I was just asking you about what xxxxx told you and
14:40:21 15 SAJ Musa. So I'd like you to limit your answer to what you were
16 told by xxxxx. Is that okay?

17 A. All right.

18 Q. And I assure you we'll get to all these other things. But
19 if you would just listen to the question and try to answer the
14:40:41 20 question. Did xxxxx tell you and SAJ Musa about anything else?

21 A. Yes, because -- yes.

22 Q. Again, what else did he tell you and SAJ Musa?

23 A. He said Gullit had accused people as witches and he had
24 locked them up.

14:41:20 25 Q. Did he tell you the names of the people that Gullit had
26 accused of being witches?

27 A. Yes.

28 Q. Go ahead and tell us the names that xxxxx told you and SAJ
29 Musa.

1 A. One was a soldier called xxxxx, nicknamed the xxxxx. The
2 other one was xxxxx, a commander. Then with another soldier who
3 was accused of killing his companion by the name of Junior Lion.
4 So there were about eight to nine women in the prison cell.

14:42:21 5 Q. Did xxxxx say anything about the women in the prison cell?
6 A. Well, he did not explain in detail, so I did not find out.
7 THE INTERPRETER: Pardon, sorry, correction by interpreter.
8 "He did not explain in details. It was I who found out."
9 MR HODES:

14:42:53 10 Q. Mr witness, in your presence did anyone else come and talk
11 to SAJ Musa when you arrived in Eddie Town?
12 A. Yes, yes.
13 Q. Who else came and spoke to SAJ Musa in your presence?
14 A. xxxxx came. Commander xxxxx came and talked
14:43:30 15 to him with other soldiers. So since that day we arrived, he
16 treated them at interval. He did not allow them to come -- all
17 of them to come together at the same time.

18 Q. Let's start with xxxxx. Were you there when xxxxx
19 xxxxx spoke to SAJ Musa?

14:43:54 20 A. Yes, yes.
21 Q. What did xxxxx tell SAJ Musa in your presence?
22 A. Well, he told SAJ that -- he said, "Please sir," he did not
23 know what had happened with Alex Tamba Brima. He said this
24 man -- he said even when we were in town, he was cool, calm and
14:44:32 25 very nice to live with, but he had just changed in the camp.
26 Then he said so even the order -- the orders he gave him to
27 search for camps between Port Loko and Makeni, he said he
28 searched for the camps but the route that he took from Kurubonla
29 end to Port Loko, all the route that they took they caused

1 trouble.

2 Q. Did xxxxx explain to you and SAJ Musa --

3 A. Yes.

4 Q. -- what he meant by he caused trouble? Let me actually

14:45:27 5 rephrase the question. Did xxxxx tell you and SAJ Musa

6 who he meant when he said he was causing trouble?

7 A. Well, he was referring to Gullit because he was the

8 commander of the troops. It was he that gave orders.

9 Q. Okay. Now, when xxxxx told you and SAJ Musa that

14:45:54 10 they were causing trouble, that Gullit and the troops were

11 causing trouble, what is it that he told you happened?

12 A. Well, he said along the towns which they left to -- the

13 route they used through the towns to Rosos, he said most of the

14 villages, they burnt them down and in certain areas they

14:46:23 15 amputated people's hands, killed a lot of people en route.

16 Q. If you recall, Mr witness, did xxxxx tell SAJ Musa

17 in your presence the names of any towns or villages that Gullit

18 and his troops passed through?

19 A. Yes. I can only recall one now.

14:46:57 20 Q. Please tell us what village you recall him talking about?

21 A. For instance, Karina.

22 Q. And do you know how to spell Karina, Mr witness?

23 A. Yes.

24 Q. Please spell it for us?

14:47:26 25 A. K-A-R-I-N-A.

26 Q. Mr witness, did xxxxx talk about anything else to

27 SAJ Musa in your presence?

28 A. Well, most of the discussion, we had it and there were

29 soldiers that came to him making complaint.

1 Q. Do you remember the names of any of the soldiers that came
2 and made complaints?
3 A. I knew them facially, but as of now I cannot call their
4 names.

14:48:27 5 Q. Do you remember what these soldiers told SAJ Musa in your
6 presence?
7 A. Yes.

8 Q. Please tell us what these soldiers told SAJ Musa in your
9 presence.

14:48:51 10 A. Well, I was -- because a soldier came and met us that
11 evening after xxxxx and xxxxx had seen SAJ and they left, because
12 I had not wanted them to see them because we were tired. But he
13 insisted that he should see SAJ because he had wanted to -- made
14 a complaint to SAJ with regard Gullit. He said Gullit used to
14:49:22 15 send them in the bush so that they would kill them -- so that
16 they could kill them for their wives and when they had been sent
17 there and they were away, then he will take their wives as his
18 own wives. So that is the way a lot of the men lost their lives.

19 Q. Did these soldiers say anything else again to SAJ Musa in
14:49:51 20 your presence?
21 A. Well, he said a lot, but I cannot recall now.

22 Q. As a result of all of these conversations, Mr Witness, did
23 SAJ Musa do anything?
24 A. Yes, he did something.

14:50:25 25 Q. Tell us what did SAJ Musa do as a result of these
26 conversations?
27 A. Well, during the evening that xxxxx told him that the chief
28 had wanted to see him, he made up his mind to see the chiefs in
29 the morning down the river. He, xxxxx and others went there, but

1 he left me behind. He said let me find out why Gullit arrested
2 those people. So when SAJ was not -- had left, I went to Gullit,
3 Alex Tamba Brima. I said, "The news we heard are not good news."
4 Then he said what. I said, "well, people have complained that
14:51:19 5 you've arrested people, saying that they were witches and
6 wizards."

7 Q. I'm going to ask you to slow down, Mr witness. I know
8 you've got a lot to say, but if you would just slow down for the
9 interpreter I think he'd probably appreciate it.

14:51:35 10 A. All right, okay. So, I myself said, I said myself had gone
11 to the prison cell. I said I had seen about eight to nine women
12 there and I had also seen soldiers there. Then he told me
13 that --

14 Q. Who is he, Mr witness? Who is he?

14:52:05 15 A. Gullit, Alex Tamba Brima, told me that -- he said for
16 Junior Lion, he fired at his companion, that was why we detained
17 him. He said but for the others, they were witches and wizards.
18 He said the women, they made a plan to disturb our movement in
19 the town. He said if I don't believe, there is one witch doctor
14:52:41 20 that would soon arrive to prove that he was not saying any lies.
21 Then I said okay. So during the evening we were summoned to a
22 very big field. All of us went there. He, myself and the other
23 commanders, but when we went and sat there --

24 Q. Mr witness --

14:53:09 25 A. Yes.

26 Q. -- I'm going to take you back for a second.

27 A. No problem.

28 Q. Did you speak to anyone other than Gullit when you went to
29 see the people in the prison cell?

1 A. well, during that night -- the morning, when SAJ had left
2 for the riverside, I went and saw Bazzy --
3 Q. Mr witness, I apologise and again I'm going to ask you to
4 listen to the question I'm asking and try to answer the question
14:53:53 5 I'm asking?
6 A. Okay.
7 Q. And, like I said, I know that you have a lot to say to the
8 Court and you want the Court to hear everything, but the question
9 I had for you was fairly straightforward and it was: Did you
14:54:08 10 talk to anyone else when you went to the prison cell or was
11 Gullit the only person you spoke to?
12 A. No, when I went I spoke to the commander who was in front
13 of the prison. I asked him what happened, why the people were in
14 prison. The MP commander who was in prison -- in charge of the
14:54:40 15 prison, I spoke to him.
16 Q. And what did he tell you?
17 A. He said well, these people, they were brought -- they said
18 they were witches and wizard and that I am in charge of them.
19 Q. Did you speak to anyone else?
14:55:06 20 A. Yes, I spoke to the women, but I was not able to talk to
21 the men who were in prison.
22 Q. Mr witness, if you recall, what did the women tell you?
23 A. well, the women said they were just accused for nothing,
24 they just came to punish them. The way I saw them myself, I have
14:55:39 25 seen that they had been seriously tortured and I decided to
26 explain this to SAJ when he came from the river. Then if you
27 allow me to continue now how I managed to know that it was false
28 I will explain.
29 Q. well, actually, Mr witness, I want to ask you about

1 something you just said, if that's okay?

2 A. Okay.

3 Q. You said that you could see that they had been -- I believe

4 you said tortured?

14:56:19 5 A. Yes.

6 Q. If you would, tell us exactly what you saw.

7 A. Yes.

8 Q. Tell us what you saw that made you believe that these

9 people had been tortured.

14:56:40 10 A. To start with, the women, their hair, it was as if they

11 were cut off, as if they were removed. Some parts the hair was

12 removed; the other part they were not properly removed. If you

13 see a women in short hair form you will see that she is punished.

14 And even they, themselves, they told me that they had been

14:57:08 15 manhandled.

16 Q. Okay. Now, Mr witness, they told you they had been

17 manhandled, did they explain what they meant by manhandled?

18 A. Well, I did not ask them that question.

19 Q. What is your understanding of manhandled?

14:57:50 20 A. Thank you. When somebody has lived under the power

21 without -- when somebody live without his own will, he's under

22 somebody.

23 Q. I'm not sure I understood that. Could you say that again

24 and maybe say it nice and slow?

14:58:19 25 A. Okay.

26 Q. What is your understanding of manhandled, if somebody says,

27 "I was manhandled"? And please explain.

28 A. When you are treated in the way that you are not pleased or

29 beyond your own expectation. When you are not pleased with it

1 and it is something that is bad to you.

2 Q. Tell me what else happened, if anything, with regards to
3 the people in the prison cell?

4 A. Well, as I have been saying, when I went and met them
14:59:34 5 there, I returned and met Alex Tamba Brima and asked him. I
6 said, "The pa said I should investigate about this issue, about
7 these people who are in prison." Gullit said, "Forget about
8 those people. Ask about Junior Lion, he had just killed his
9 companion. But the other ones, they are witches and wizards.
15:00:01 10 They are disturbing the movement in the town." If I didn't
11 believe, he said there is a witch doctor who would come and prove
12 that they are witches and wizard. So we waited. In evening they
13 summoned us to the field. When they summoned us to the field,
14 the witch doctor came. He performed his ceremonies, but at the
15:00:31 15 end he was not able to do anything. So when I left the field, I
16 returned. I explained to him SAJ Musa gave direct orders for the
17 prisoners to be freed. So I think that was all.

18 Q. Okay. Based on the information that SAJ Musa had received,
19 do you know if SAJ Musa did anything with the information he
15:01:12 20 received from Colonel xxxxx and xxxxx?

21 A. Yes. Later when he came from the river, when he came up,
22 he told me, he said, "TF1-5 [sic], really what Gullit did in this
23 area did not impress me." He said, "I sent him here to be in
24 harmony with these people", because he didn't know how this
15:01:52 25 programme would end. "Now look what the chiefs have told me."
26 He said Gullit had killed a lot of people in that area. He
27 didn't have good image. But what I will do -- what SAJ will do,
28 he said he will leave him like that, because he needed him for
29 them to come down Freetown. He said when they reach Freetown, it

1 was at that time that he would know what to do. In fact, he
2 said --

3 Q. Mr witness, I'm going to go ahead and stop you at this
4 point. I'm going to try to take you back again. The question
15:02:41 5 that I asked you was that, as a result of the information that
6 was given to SAJ Musa by Colonel xxxxx and xxxxx, did he,
7 SAJ Musa, do anything at that point? I believe you started to
8 refer to it in another answer but I'm going to ask you to sort of
9 start from the beginning; okay?

15:03:07 10 A. okay, all right.

11 Q. So, if you would, please tell the Court what, if anything,
12 SAJ Musa did once he had this information from Colonel xxxxx and
13 xxxxx?

14 A. well, after he had heard this information he ordered that
15:03:32 15 Gullit hand over the camp to him. So Gullit ceremoniously handed
16 over power back to SAJ Musa. Then SAJ Musa became the ground
17 commander of the whole troops, of the entire troops. Then he
18 decided and said well, he will assemble the whole troop and talk
19 to them. When he assembled the troops the other day to talk to
15:04:13 20 them, he warned them. He said well, now he had understood all
21 the problem that had taken place in and around the camp. He said
22 but --

23 Q. Mr witness, again I'm just going to stop you for a second
24 and I'm going to ask you again. Based on the information that
15:04:38 25 SAJ Musa got from xxxxx and xxxxx, did he at some point --
26 he, SAJ Musa, at some point leave Eddie Town?

27 A. well, except when we all went together. I do not
28 understand really. Once more.

29 Q. So if that's the answer, then that's the answer. To your

1 knowledge --
2 A. Yes.
3 Q. -- when SAJ Musa received this information from Colonel
4 ~~xxxxxx~~ --
15:05:37 5 A. Yes.
6 Q. -- beyond what you've already described about talking to
7 the troops and to Gullit, did he do anything, SAJ Musa, with the
8 information? Did he do anything or go anywhere based on that
9 information?
15:06:00 10 A. well, I cannot remember except when we left the town.
11 Q. Okay. Mr witness, did you see any civilians in Eddie Town?
12 A. Yes.
13 Q. Did you see any young children in Eddie Town?
14 A. Yes.
15:06:19 15 Q. what were the young children doing?
16 A. They were called the Small Boys Unit, SBU.
17 Q. were these children armed? In other words, with guns.
18 A. Some were having, some were not.
19 Q. And, to the best of your knowledge, did these children
15:07:02 20 belong to anyone in particular?
21 A. well, to my knowledge, they were for the camp, because we
22 met them at Rosos.
23 Q. So these children didn't come with you and SAJ Musa and SAJ
24 Musa's troops?
15:07:28 25 A. No, we came with some of them.
26 Q. How many did you see when you arrived in the camp?
27 A. I cannot give the number. They were many.
28 Q. Mr witness, why don't you go ahead and finish what you were
29 saying before. I believe I interrupted you when Gullit had

1 turned over command of the troops and then SAJ had all the troops
2 assembled. Did anything happen after that?
3 A. Yes. well, after assembling the troops he warned
4 everybody. He said he came with his soldiers to go to Freetown.
15:08:37 5 If they reach Freetown, let everybody changes his name that is
6 danger for people. Names like Burn Hose, Cut Hand, those type of
7 names. Everyone should change those names. He said where he had
8 came from he had known that --
9 Q. Mr witness, I'm going to stop you whenever you start using
15:09:02 10 names, whether it's names of villages or names of people, and ask
11 you to spell that for the Court; okay? So if you can -- you have
12 just mentioned a couple of names. If you would spell those names
13 for the Court?
14 A. Like which ones?
15:09:18 15 Q. You just mentioned, I think, nicknames of some of the
16 soldiers. Cut Hand I think you said. I don't know; I didn't
17 understand the other one.
18 A. No, I said he told them that they should change their
19 names. I didn't refer to any particular person. He said names
15:09:36 20 like Burn Hose, Cut Hand, Road Block. He said they should change
21 those names because it was very dangerous. He said --
22 Q. Mr witness, that's exactly what I'm referring to. You just
23 mentioned three names, Burn Holes or something to that effect,
24 Road Block, and I don't know what the third one was.
15:10:03 25 PRESIDING JUDGE: Cut Hand.
26 MR HODES:
27 Q. Cut Hand. Whenever you use a name, whether it be a person
28 or a village, I'm going to ask you to please try to spell that
29 for the Court.

1 A. Well, I want you to understand that was not the name of a
2 person. Those were names that he had heard, that he was trying
3 to stop them from using them.

4 Q. Okay, go ahead.

15:10:47 5 A. He said they should stop using those names. Because, he
6 said, when he was in London he had understood that they had to
7 build a Special Court for Sierra Leone. He said the Court would
8 be -- will take care of all those who committed crimes. He said
9 he, as a lawyer, he said he was the right person to be able to
15:11:13 10 defend his troops. And so that was why he came to bring -- to
11 take the troops to Freetown. And those troops should fight
12 within the realm of war.

13 Q. Okay, Mr Witness. At some point did SAJ Musa order the
14 troops under his command to leave Eddie Town?

15:11:47 15 A. Yes.

16 Q. And where did you and SAJ Musa and the troops go?

17 A. Well, Camp Rosos area is a swampy area. So when we decide
18 to leave there we crossed the Little Scarcies. While coming we
19 met heavy deployment at Mange Bureh. So we decided to
15:12:34 20 bulldoze -- to pass through Mange Bureh, Maforki, until we come
21 between Mamusa and Lunsar. So that was where SAJ planned his
22 first attack, at the highway while coming. But he divided his
23 soldiers into four battalions. Commander Bazzy was the advanced
24 troop leader. Commander Brima, Gullit, was in charge of the 2nd
15:13:25 25 Battalion. Then SAJ Musa was at the headquarters. Then
26 Five-Five was the commander of the blocking forces.

27 So when we arrived at Lunsar, it was there that SAJ planned
28 his first attack. When we reached between Mamusa and Lunsar, it
29 was there that SAJ planned his first attack on Lunsar and it was

1 Commander 0-Five that led that attack. The attack was
2 successful. They brought a lot of military hardware, they
3 brought food. So from there we left there. We passed between
4 Mamusa and crossed the Gberi Bridge. We bypassed Masiaka and we
15:14:41 5 came to Gberibana, which was called west Side.
6 Q. Let me stop you at this point, you mentioned Lunsar. Can
7 you spell Lunsar for you us?
8 A. Yes.
9 Q. Go ahead.
15:14:59 10 A. L-U-N-S-A-R.
11 Q. You mentioned Mamusa.
12 A. Yes.
13 Q. Can you spell that for us.
14 A. M-A-M-U-S-A.
15:15:21 15 PRESIDING JUDGE: Mr Hodes, we've had the name of the
16 little Scarcies River about three times, could we get that one
17 too, please.
18 MR HODES:
19 Q. You mentioned, I think it is Scarcies River. Can you spell
15:15:38 20 that one for us as well?
21 A. L-I-T-T-L-E Little. S-C-A-R-C-I-E-S Scarcies.
22 PRESIDING JUDGE: Thank you.
23 MR HODES:
24 Q. Go ahead, Mr Witness.
15:16:12 25 A. So when we reached Gberibana.
26 Q. Can you spell that for us as well, please?
27 A. G-A-R-I-E-B-A-N-A [sic].
28 JUDGE SEBUTINDE: There was also a name of a bridge, that I
29 didn't quite get.

1 THE WITNESS: Gberi, yes, Gberi.
2 MR HODES:
3 Q. Can you spell that for the Court as well?
4 A. Yes.
15:16:37 5 Q. Go ahead.
6 A. G-B-R-A-Y B-R-I-D-G-E [sic].
7 Q. Go ahead, Mr Witness.
8 A. So, when we reached Gberibana, SAJ decided to hit the
9 highway. So he called all his commanders. They planned an
15:17:15 10 attack on RDF. That was Sumbuya. The commander of that
11 operation was Commander xxxxx. I did not know his real
12 name. So that attack was successful. He brought a lot of
13 weapons, food. Few days later, he planned another attack. So
14 SAJ planned the attack on Masiaka. He appointed Commander Papa
15:18:03 15 17 to go for that operation. May his soul rest in perfect peace.
16 He was not able to come again. He died in the war. But his men
17 brought a lot of arms. So because SAJ was so confident of his
18 firing power, he decided to leave Gberibana -- Gberibana, sorry.
19 So when we wanted to leave Gberibana, the ECOMOG troops began by
15:18:51 20 shelling to our direction from Mile 38. While they were shelling
21 on us, SAJ Musa organised again. He appointed Commander xxxxx.
22 He said he needed mortar bombs that they use to fire. So he did
23 not give them to a lot of soldiers. When they went, after a few
24 hours, we all see them coming with three mortar barracks and two
15:19:39 25 boxes full of bombs.
26 Q. Who is "they", Mr Witness?
27 A. That was the commanders and his troops who went for the
28 assignment that SAJ Musa send them to. That was Commander xxxxx.
29 When they brought those weapons, SAJ Musa had extra zeal for us

1 to find our way to come to Freetown. So in the evening, we
2 decided to pass through RDF again that is called Sumbuya.
3 Q. Can you spell Sumbuya for the Court?
4 A. S-U-M-B-U-Y-A.
15:20:46 5 JUDGE SEBUTINDE: Mr Hodes, what do the initials RDF stand
6 for?
7 MR HODES: I will ask the witness.
8 Q. Mr witness, if you know, you've just indicated that Sumbuya
9 was also known as RDF. What does RDF stand for?
15:21:00 10 A. Well, I will say nearly 50 per cent of Sierra Leoneans know
11 that checkpoint that they call RDF. To my own understanding, I
12 know that the soldiers were calling it RDF. It was a place that
13 they used to block, that checkpoint.
14 Q. You have to slow down, Mr witness. I have heard you say
15:21:29 15 things that are clearly not getting interpreted, so you need to
16 slow down so the interpreter can keep up with you, okay. If you
17 would, repeat. To the best of your knowledge the initials RDF,
18 what do they stand for. Not what anybody else knows, what do you
19 know those initials stand for?
15:21:55 20 A. Rapid Deployment Force.
21 Q. Okay, can you go ahead again with --
22 JUDGE SEBUTINDE: Sorry again, Mr Hodes. I think it is the
23 speed with which he -- did I hear him mention a Papa 17?
24 MR HODES: Yes, Your Honour.
15:22:18 25 JUDGE SEBUTINDE: What was that all about?
26 MR HODES: Papa 17 was the commander that, I think,
27 attacked Masiaka, if I'm not mistaken.
28 THE WITNESS: Correct.
29 MR HODES: And who died during the attack.

1 Q. Is that correct, Mr Witness?
2 A. It is correct. It is correct.
3 Q. Now, I believe the last incident that you testified to was
4 in reference to Colonel xxxxx coming back from an attack at Mile
15:23:17 5 38 and having acquired a significant amount of ammunition and
6 supplies. I may have missed a step or two but, if you would,
7 take us from there.
8 A. Okay. Shall I forge ahead?
9 Q. Yes.
15:23:39 10 A. Okay. From there, when SAJ Musa had possessed all those
11 weapons, he decided to come to Freetown. So one evening he said
12 that everybody should advance towards Freetown. So when we
13 arrived at Sumbuya at the checkpoint called RDF, we met a fresh
14 deployment there again. We are seriously resisted. But SAJ's
15:24:46 15 troop responded with heavy firing manpower until, finally, we
16 were able to dislodge them. During that attack, they captured
17 four guns. Later on, I came to understand that they were GPMG
18 guns and with a lot of ammunition. From there, we did not waste
19 time. We came directly at Mobrown area. We were there --
15:25:33 20 Q. Can you spell that for the Court?
21 A. -- SAJ made another plan.
22 Q. You just mentioned an area.
23 A. Yes.
24 Q. Can you spell that for us.
15:25:42 25 A. Mobrown. M-O-B-R-O-W-N.
26 Q. What is that near? Is that near any town or village?
27 A. Yes, it is adjacent Four Mile. It is closer to Four Mile
28 than Waterloo.
29 Q. Can you spell those two towns or villages that you've just

1 mentioned?
2 A. Yes.
3 Q. Please do.
4 A. F-O-U-R M-I-L-E. W-A-T-E-R-L-O-O.
15:26:42 5 Q. Did anything happen from Mobrown?
6 A. Yes.
7 Q. Tell us what happened.
8 A. Well, while we were there during that time, the ECOMOG
9 troops had sensed that we are nowhere again, but we are within
15:27:07 10 that axis so they started shelling very seriously towards our own
11 position. During that time when we arrived, it was almost SAJ
12 Musa's birthday, so he decided not to do anything, but to rest.
13 But the only thing we ourselves -- he deployed us in ambushes so
14 that they would not be able to penetrate our own area.
15:27:56 15 Q. Were there any attacks after SAJ Musa's birthday?
16 A. Yes.
17 Q. Where?
18 A. That was the day he planned to hit Waterloo and Benguema.
19 Q. Do you recall when that happened?
15:28:27 20 A. I cannot remember the date, but I knew when it happened it
21 was December, late December.
22 Q. If you remember the date, what was SAJ's birthday?
23 A. SAJ was born on the 17th of December.
24 Q. And these attacks took place sometime after that date?
15:29:07 25 A. Yes. Yes.
26 Q. What happened in the attacks on Waterloo and Benguema?
27 A. Well, those attacks at Benguema, they were successful,
28 because when we went and we arrived in Waterloo, all the
29 civilians came out. They surrendered themselves and supported

1 SAJ Musa and they were happy and -- with all the troops that
2 came, so they too said they would march with us to Freetown
3 because they said the ECOMOG troop had been treating them badly.
4 So we were seated at the highway, myself, SAJ Musa and ~~xxxxx~~. We
15:30:10 5 were drinking wine, so one journalist was brought called Kabbah
6 Kargbo. Then they told him that -- SAJ told him that, "Have you
7 seen what had happened?" He said, "No." He said, "I release
8 you. Go to Freetown." He said, "Go and tell my people that I
9 will enter Freetown. But while entering Freetown, I will enter
15:30:47 10 there with a barrel of a gun." So that night he, together with
11 some policemen and civilians, SAJ released them. They moved
12 towards Hastings.

13 So we are sitting. Gullit sent a message through Colonel
14 Eddie. So Colonel Eddie himself, when he came, because he was
15:31:25 15 afraid to meet SAJ, he sent Pastor, that was one of SAJ's
16 bodyguards. He said, "Go and tell the Pa that Benguema is
17 difficult to capture, although we captured Waterloo, but
18 Benguema, there is a very strong resistance there." He said, "Go
19 and tell him." Then myself, at that point --

15:31:54 20 Q. Mr Witness, I'm going to stop you at this point. Again,
21 I'm going to ask you to try not to repeat every word of every
22 conversation that you heard during the course of this experience.
23 You indicated that there were attacks on Waterloo and Benguema
24 sometime after SAJ Musa's birthday. If we could speed the
15:32:33 25 process a little bit, what was the final result of the attacks on
26 Waterloo and Benguema?

27 A. Well, I was about to reach that point when you stopped me.
28 Shall I continue?

29 Q. Please. Please do.

1 A. All right. So when Colonel Eddie had sent this message,
2 then Pastor told SAJ that time I and xxxxx and SAJ were
3 seated. Then we said, "Mmm, Pa," that we are referring to SAJ,
4 "We don't want you to answer to this call. This time, the word
15:33:35 5 is very serious." But he told us something that made us not to
6 resist. Well, he took off. He was very angry and asked us if he
7 wasn't a soldier. When he asked us that question, I and xxxxx
8 xxxxx looked at each other.
9 Q. Mr witness.
15:33:59 10 A. Yes.
11 Q. I thought you understood that we just wanted to get to what
12 the final results were of these particular attacks.
13 A. Yes.
14 Q. I admit that I thought you understood that we wanted to get
15:34:12 15 to that point.
16 A. Okay.
17 Q. Can you just tell us that if the attacks by SAJ Musa and
18 his troops against Benguema and Waterloo were successful or not
19 successful?
15:34:30 20 A. Very, very successful.
21 Q. Thank you, Mr witness. Thank you very much.
22 A. No problem.
23 Q. Can you tell me what happened, if anything, after the
24 attacks were completed successfully?
15:34:53 25 A. Yes.
26 Q. I don't need to hear about any conversations right now. If
27 there are any, I will be happy to ask you about them. What
28 happened, if anything, after these attacks on Waterloo and
29 Benguema had been completed successfully?

1 A. well, what happened, during that night it was almost dawn.
2 so after a very long battle, everybody was tired, so we were
3 finding a place to rest. well, I was given somebody who was
4 under my care, so I decided to find a hideout so that when the
15:35:47 5 jets came in the morning, they could not locate me.
6 Q. Mr witness.
7 A. Yes.
8 Q. Did something of any importance or significance to the AFRC
9 happen --
15:36:04 10 A. Yes.
11 Q. -- after the successful attacks on Benguema and Waterloo?
12 A. Yes.
13 Q. Tell us of what importance or significance happened after
14 these successful attacks?
15:36:26 15 A. SAJ Musa died.
16 Q. Thank you, Mr witness. As a result of SAJ Musa's death, do
17 you know who became the commander of the forces of the AFRC? And
18 that's a yes or no question.
19 A. In the jungle, yes.
15:36:54 20 Q. How is it that you know who the commander of the AFRC
21 forces became? How is it that you came to know that information?
22 A. well, I'm pretty sure that as I'm explaining, you wouldn't
23 stop me again.
24 Q. I assure you, I won't stop you, as long as you are
15:37:23 25 answering the question. So the question is: How is it that you
26 came to know who the AFRC commander became?
27 A. well, how I did come to know, when I came back to the place
28 where SAJ Musa was buried, that's where I met Gullit, Five-Five,
29 xxxxx and other commanders, celebrating that the command had

1 changed and Gullit was the commander of the troops at that
2 moment.
3 Q. Did you hear them say that?
4 A. I heard them and they summoned me to a meeting.
15:38:15 5 Q. And at that meeting, it was said that Gullit would be the
6 commander of the AFRC at that point?
7 A. well, it was he himself who chaired the meeting.
8 Q. Did Gullit say anything? Did he speak at this meeting?
9 A. well, at that particular time, he did not give a direct
15:38:46 10 speech. He was just -- he did not give a direct speech.
11 Q. Did anyone say in your presence - and I'm going to be as
12 specific as I can be - did anyone say in your presence who the
13 new commander of the AFRC forces was?
14 A. Yes. It was a unanimous decision. In that meeting, it was
15:39:22 15 said that it was Gullit who will take over the command after SAJ
16 Musa.
17 Q. Do you know after SAJ Musa's death and after Gullit had
18 become commander of the forces whether or not Gullit was in
19 communication with anyone outside of the AFRC?
15:39:51 20 A. Yes, I came to understand. I came to understand after SAJ
21 had died. We were in the jungle mourning SAJ's death when Gullit
22 said he had received -- that he had received a message of
23 sympathy from Mosquito.
24 Q. Do you know if there was anything else discussed in the
15:40:24 25 communication between Gullit and Mosquito?
26 A. well, during that time, I was traumatised. I felt bad
27 about the entire thing.
28 Q. What did Gullit and the troops do next?
29 A. After they had buried towards X-mas Day, that was the time

1 Gullit planned the first attack on Tombo. So after he had made a
2 plan, it was Five-Five who was the commander of the troop that
3 went to Tombo. They went. They were unsuccessful, and they lost
4 a lot of men in that place, so when they withdrew, they burnt a
15:41:31 5 lot of houses there and they collected some food. They came back
6 to the bush and met us there.
7 Q. There were any other attacks at Tombo. Before I ask you
8 that, can you spell Tombo for the Court, please?
9 A. Yes.
15:41:56 10 Q. Please do.
11 A. T-O-M-B-O.
12 Q. After the attack on Tombo, were there any other attacks?
13 A. Yes.
14 Q. Where?
15:42:07 15 A. After we failed in that attack, we went up to York. During
16 that time, we are finding our way to come to Freetown, so it was
17 during that time that Gullit made a plan on an attack on York,
18 but that attack again was not successful.
19 Q. Did anything happen after the attack on York?
15:42:45 20 A. After the attack at York, yes, we came around the Picket
21 Hill. At that time, we have lost some men at the peninsula
22 jungle. Then we came around Picket Hill. That is overlooking
23 Hastings.
24 Q. Can you spell that hill for us?
15:43:15 25 A. Picket Hill? P-E-A-K-E-T H-I-L-L [sic].
26 Q. Go ahead, tell us what happened after you went through
27 Picket Hill?
28 A. So when we are on that hill, we could see Hastings, the
29 Atlantic Ocean on to Lungi. While there, we saw ECOMOG troops

1 coming. They were airlifted to Hastings. As they were brought
2 to Hastings --

3 THE INTERPRETER: Sorry, the interpreter cannot get the
4 last segment of the witness's statement.

15:44:11 5 PRESIDING JUDGE: Just pause, Mr Witness. Mr Interpreter
6 didn't hear what you said. Which part, Mr Interpreter? After
7 the airlifting of the ECOMOG?

8 THE INTERPRETER: Yes, Your Honour.

9 PRESIDING JUDGE: Mr Witness, can you go back to your
15:44:26 10 evidence where you talked about ECOMOG being airlifted to
11 Hastings and repeat what you said.

12 THE WITNESS: All right. Okay. Well, the government troop
13 were airlifted -- were airlifting the ECOMOG troops from Lungi
14 Airport to Hastings barracks, to Hastings airfield. And all the
15:45:01 15 movement that they were making, the ECOMOG troops were making,
16 our troops saw them. So then Commander Gullit made an advance on
17 them, but this time around the attack was successful. They came
18 with a lot of things like uniforms, food, that were shared
19 amongst everybody. So during the evening, because of the
15:45:42 20 weapons, Gullit had added to the ones that we had before this
21 time, he made up his mind that we should attack Hastings proper.
22 But at that time when we arrived at Hastings, we realised that
23 the presence of the troops that were there were not all that was
24 strong, so it was easy for us to overcome the troop.

15:46:13 25 But the stiff resistance was at Jui. When we went, we met
26 another fresh deployment at Jui that very night. The fight, the
27 battle there, lasted nearly eight to nine hours and, later,
28 Commander Bazzy was able to push the troops to Kossoh Town so
29 that our troop would be able to cross the bridge between Jui and

1 Allen Town. So when Commander Bazzy pushed the troops, the
2 entire troop that was in the peninsula jungle crossed the Orugu
3 Bridge until they reached Allen Town. At Allen Town we waited
4 for Commander Bazzy to join the troops. So we were there, Gullit
15:47:48 5 called me again. He said -- sorry. I'm sorry, I have called my
6 name again.

7 Q. I didn't hear it. Mr Witness, what happened in the
8 conversation between you and Gullit?

9 THE INTERPRETER: The attorney's mic is not on.

15:48:10 10 MR HODES:

11 Q. Mr witness, what happened in the meeting between you and
12 Gullit at that time?

13 A. Well, during that time he called me and said, "well, we are
14 now preparing to go to Freetown." He said so, he understood that
15:48:40 15 SAJ Musa's wife was at Pademba Road prisons and that he had the
16 belief, with his fighters, they would be able to open Pademba
17 Road prisons and free the prisoners there. He said when they
18 were able to open the Pademba Road prisons, that anybody that
19 would tell SAJ Musa's wife that SAJ had died, that person would
15:49:19 20 be executed. Then I said okay. So I left them there, I came to
21 my own place where I was and it was from that point that we
22 entered Freetown in January 6.

23 Q. Mr witness, do you recall Gullit issuing any orders to
24 anyone other than yourself with regards to anything in particular
15:50:02 25 as to the Freetown invasion?

26 A. Well, although he talked to his men in my presence, what I
27 heard, because during that meeting when he called me he was
28 trying to know how the deployment was along the road from Allen
29 Town. At that time he had captured two to three policemen. He

1 was trying to interview them. There policemen explained to him
2 about all the deployments to come to Freetown, so later he
3 released the policemen. When we remained to ourselves, he gave
4 orders as to how -- what will happen when we entered Freetown,
15:51:04 5 because the policemen were our arch-enemies. So then he said
6 they were aiding the government, so their barracks should be
7 burned down and they should not leave. I think I will stop here
8 so far.

9 Q. Mr witness, to your knowledge did anything happen at
15:51:51 10 Pademba Road during the course of this invasion?

11 A. Yes.

12 Q. What happened on Pademba Road?

13 A. Well, it was on that day that they broke and opened the
14 prisons.

15:52:24 15 Q. You have already indicated that Tina Musa, I believe, was
16 in Pademba Road prison. Do you know who else was released from
17 Pademba Road prison that day?

18 A. Yes. There were prominent people in the prison, people
19 like Hilton Fyle, the former BBC reporter. There was Nancy
15:52:53 20 Steele. I didn't know if she was a politician in this country.
21 There was one lawyer. There was also ex-President Momoh and many
22 other dignitaries that the government had condemned that it had
23 put in prison, and with one gentleman that was called Steve Bio.
24 Yes, I think so -- let me remember those ones for now.

15:53:36 25 Q. If you know, who was Steve Bio?

26 A. Well, Steve Bio was -- he pretended to be a businessman in
27 this country, but I believe that -- to my understanding, they
28 said he used to buy weapons for the government that was in power.

29 Q. If you know, Mr witness, were any other soldiers or rebels

1 released from Pademba Road Prison?

2 A. Yes.

3 Q. Can you estimate how many soldiers were released from

4 Pademba Road Prison?

15:54:31 5 A. There were many. The only RUF prominent man that I was

6 able to recognise was Gibril Massaquoi. Later he came out and he

7 was even moving along with Steve Bio.

8 Q. Mr witness, where did you stay during these first days of

9 the invasion of Freetown?

15:55:15 10 A. Well, the few days when we entered Freetown, I was behind

11 PWD, an area called Moyiba.

12 Q. Can you spell that for the Court?

13 A. M-O-Y-I-B-A.

14 Q. And that's here in Freetown?

15:56:00 15 A. Yes.

16 Q. During the first few days of the invasion did you ever go

17 towards the front?

18 A. No, I did not go to the front.

19 Q. Did you ever go towards the State House?

15:56:30 20 A. Yes, I went to the State House.

21 Q. Did you see anything at State House?

22 A. Yes.

23 Q. What did you see at State House, Mr witness?

24 A. Well, when I reached State House I saw almost all the

15:56:51 25 prisoners. When they were removed, they were brought to the

26 State House, so one soldier took me and we went in. At that time

27 I met Five-Five, Alex Tamba Brima. They said, well, I have met

28 them, why did I come there. I said, well, I myself came to see

29 and ask them how have you gone about doing a buffer zone.

1 Q. Mr witness, again I'm really not asking you about
2 conversations that you had at the State House. I would, by all
3 means, like you to go ahead and tell us about those
4 conversations, but the question I asked you was: Did you see
15:57:50 5 anything at the State House?
6 A. Yes. I saw the prisoners, then I also saw corpses.
7 Q. Where did you see corpses, Mr witness?
8 A. Inside the State House, in one of the rooms.
9 Q. How many corpses did you see, Mr witness?
15:58:14 10 A. They were more than three. They did not put on a uniform,
11 they only wore shorts and they had vests, but they told me that
12 they were soldiers.
13 Q. Who told you? Who told you they were soldiers?
14 A. There was one soldier who explained to me about them.
15:58:48 15 PRESIDING JUDGE: Mr Hodes, we are at the time when we
16 normally adjourn on our new, revised agenda. Is this a
17 convenient time or do you wish to complete this line of
18 questioning?
19 MR HODES: We could finish in the morning, Your Honour.
15:59:08 20 PRESIDING JUDGE: Thank you, Mr Hodes. We will adjourn
21 now. Before we do, there are two matters. I would like to
22 remind the people in the public gallery of what I said earlier
23 this morning, in case there are some people who were not here
24 this morning, that any names or any matters that could identify a
15:59:29 25 witness must not be revealed outside. Anyone who has heard names
26 or seen anything is not to repeat them outside the limitations of
27 the public gallery. That's the first thing.
28 Secondly, Mr witness, I would like to remind you that you
29 are still under oath. Your evidence will continue tomorrow.

1 Between now and the time all of your evidence is finished, you
2 should not discuss your evidence or this story with anyone else.
3 Did you understand what I said?

4 THE WITNESS: Yes.

16:00:02 5 PRESIDING JUDGE: Thank you.

6 [Whereupon the hearing adjourned at 4.04 p.m.,
7 to be reconvened on Friday, the 23rd day of
8 September 2005, at 9.15 a.m.]

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WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-153	5
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EXAMINED BY MR HODES	5
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