

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

MONDAY, 25 SEPTEMBER 2006
9.25 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Ms Carolyn Buff
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Karim Agha Ms Maja Dimitrova (Case Manager) Mr Michael Brazoa (intern)
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 Kanau:	Mr Geert-Jan Alexander Knoop

1 [AFRC25SEP06A - MD]
2 Monday, 25 September 2006
3 [Open session]
4 [The accused present]
5 [The witness entered court]
6 [Upon commencing at 9.25 a.m.]

7 PRESIDING JUDGE: Good morning. Well, this gentleman in
8 the box now is witness DAB-096, I believe; is that correct?

9 MS THOMPSON: Yes, Your Honour. He is the gentleman who is
10 to be cross-examined this morning.

11 PRESIDING JUDGE: All right. Well, Mr Witness, you will
12 recall that when you were in Court a few days ago, you took an
13 oath to tell the truth and I will remind you that that oath is
14 still binding on you; is that clear?

15 WITNESS: DAB-096 [Continued]

16 PRESIDING JUDGE: You will need to turn the witness's
17 microphone on, Mr Court Attendant.

18 Mr Witness, you will recall that a few days ago when you
19 were in Court you took an oath to tell the truth. I am reminding
20 you now that that oath is still binding upon you; is that clear?

21 THE WITNESS: Yes, sir.

22 PRESIDING JUDGE: Mr Agha.

23 CROSS-EXAMINED BY MR AGHA:

24 Q. Mr Witness, this morning, as my learned friends did last
25 week, I am going to ask you some questions and, if you could
26 answer these as shortly as possible, then it would be of
27 assistance. Many of the questions can be answered with a yes, no
28 or I don't know and then, if I need further clarification, I can
29 ask you more; do you understand that?

1 A. I hear.

2 Q. Now, you joined the army for the first time in 2002; is
3 that right?

4 A. Yes.

5 Q. Where were you trained?

6 A. AFTC.

7 Q. What does AFTC stand for?

8 A. Armed Forced Training Centre.

9 Q. And whereabouts is that?

10 A. In Benguema.

11 Q. You were trained by the British, weren't you?

12 A. Yes.

13 Q. And what was your batch number, which you were given?

14 A. MRP xxx.

15 Q. I say to you there was no such batch number as MRP xxx, the
16 batch numbers given by the British were BST; what do you have to
17 say about that?

18 A. MRP xxx, Military Re-Integration Programme, after Ecstasy,
19 the first batch MRP.

20 Q. I say to you that only soldiers who fought in the jungle
21 were trained in the British in 2002; what do you have to say
22 about that?

23 A. I say I was trained in 2002.

24 Q. Yes. And I say that you were a soldier before 2002; what
25 do you have to say about that?

26 A. I was not a soldier before 2002.

27 Q. Are you still a serving member of the SLA?

28 A. I am a businessman. I had left the army since 2005.

29 Q. Now, in 1997, you said that whilst you were mining you

1 heard over the radio that Gborie had overthrown Kabbah's
2 government; do you remember that?

3 A. Yes.

4 Q. You were mining for diamonds, weren't you?

5 A. Yes.

6 Q. Did you hear that members of the SLA had overthrown the
7 Kabbah government?

8 A. It was Corporal Gborie, that I heard had overthrown
9 President Kabbah's government.

10 Q. But did you hear that other members of the Sierra Leone
11 Army were involved with Corporal Gborie in overthrowing the
12 Kabbah government?

13 A. I did not know about that.

14 Q. I say to you that one of the soldiers who overthrew the
15 Kabbah government was Alex Tamba Brima, aka Gullit; what do you
16 have to say about that?

17 A. I don't have an idea about that.

18 Q. I say to you that one of the soldiers who overthrew the
19 Kabbah government was Ibrahim Bazy Kamara; what do you have to
20 say about that?

21 A. I only know about Corporal Gborie.

22 Q. Weren't you curious to find out, when you came to learn of
23 the coup, who were the other soldiers involved?

24 A. I was not interested about that.

25 Q. But weren't people like the MP commanders speaking about
26 it, in Kono?

27 A. Well, I was during the AFRC government, the MP commander,
28 we are born in the same area; we grew up together. During the
29 AFRC government, he went to Kono. When we went to Kono, I saw

1 him. Then we lived together.

2 Q. And didn't you discuss the overthrow of the Kabbah
3 government with him, who had taken part in it?

4 A. No.

5 Q. Now, after the Kabbah government was overthrown, the AFRC
6 government came to power, didn't it?

7 A. I understand that.

8 Q. And the AFRC government was a mixture of SLAs and RUF,
9 wasn't it?

10 A. Yes. That was the head of state. He announced that they
11 should come together.

12 Q. So the AFRC government ran the country until it was removed
13 by ECOMOG in February 1998, didn't it?

14 A. Yes.

15 Q. Now, before the Kabbah government was replaced by the AFRC,
16 what was your job in Koidu Town? What were you actually doing?

17 A. I was mining.

18 Q. That's all?

19 A. Yes.

20 Q. You said that you stayed with one of your brothers, who is
21 someone you grew up with, who was a trader in the area, who was
22 one MP commander. So, just for clarification, was this brother
23 an MP commander or a trader?

24 A. He was not a trader.

25 Q. So you were wrong in your evidence when you said he was a
26 trader?

27 A. I did not say he was a trader.

28 Q. Well, the evidence that you gave will speak for that. When
29 you stayed with the MP commander, did you live in the same house

1 as him, in Old Road?

2 A. We were not in the same road. I would go and stay with him
3 the whole of the day and return to where I slept.

4 Q. So you spent the whole day with him?

5 A. Yeah.

6 Q. So how were you carrying out your job as being a miner?

7 A. Repeat again.

8 Q. Well, you said you spent the whole day with your friend; so
9 how did you carry out your job of being a miner, if you were with
10 your friend the whole day?

11 A. At that time I had three boys who mined for me. They would
12 go and mine.

13 Q. So you were actually managing other people to mine on your
14 behalf; right?

15 A. I had three workmen to mine for me.

16 Q. Now, you said that your MP commander friend was stationed
17 at the MP office at Masingbi Road; do you remember that?

18 A. I used to go there.

19 Q. So were you staying in the day at his house at Old Road or
20 at Masingbi Road, at his headquarters?

21 A. It was at Masingbi Road.

22 Q. So why did you just say you were staying at his house?

23 A. I can't recall I said I was in his house.

24 Q. You have a very short memory then, haven't you, witness?

25 A. Yes.

26 Q. So you would agree with me your memory isn't that good?

27 A. I used to go to him and come back to my house but, to say
28 to stay with him, no.

29 Q. No, the question was: You don't have a very good memory,

1 do you?

2 A. I remember what I say.

3 Q. So what is the answer; you do have a good memory or you
4 don't have a good memory, or you don't know if you have a good
5 memory?

6 A. I remember. I do remember.

7 Q. So you are saying you have a good memory?

8 A. Yes.

9 Q. Now, roughly, how often did you visit your MP commander
10 friend at Masingbi Road?

11 A. I was frequent.

12 Q. Well, what do you mean; once a week, once a day, once a
13 month?

14 A. Let me say, I go there every day.

15 Q. And roughly how many MPs were working at Masingbi Road?

16 A. Well, I -- I don't know their number.

17 Q. But, roughly, was it five, ten, 50, 100? You were there
18 every day, after all?

19 A. There were over ten.

20 Q. Now you said that you knew Tamba Brima, that he was a
21 brother; that you stayed in the same place; is that right?

22 A. I remember at one time, he has come, he has stayed with me
23 and we were born in the same area.

24 Q. And he came in 1996, before the overthrow of the Kabbah
25 government, didn't he?

26 A. Yes.

27 Q. So what was Tamba Brima doing in Kono in 1996, when he was
28 staying with you?

29 A. Well, he went and visit.

1 Q. But he stayed with you, did he?

2 A. Yes.

3 Q. So you were a friend of Tamba Brima before the coup,
4 weren't you?

5 A. Yes.

6 Q. So you must know that Tamba Brima plays football, don't
7 you?

8 A. Yes.

9 Q. And his nickname is Gullit because he's a good footballer,
10 isn't it?

11 A. No, that's not his name.

12 Q. Now, you said that you saw Tamba Brima once, in Koidu Town,
13 in 1997, didn't you?

14 A. Yes.

15 Q. So this was at the engagement ceremony; right?

16 A. Yes.

17 Q. Now, was this the actual marriage ceremony?

18 A. He engaged. He went to engage.

19 Q. And was it with his first wife or a new wife?

20 A. That's the only wife I know for him.

21 Q. And where was the engagement held?

22 A. It was at Yardu Road.

23 Q. And roughly how many people attended?

24 A. Well, it was most of his relatives and a few Kono friends;
25 there were not so many.

26 Q. So it's largely relatives and friends; right?

27 A. Yes.

28 Q. Now, you say your friend Tamba Fasuluku took you along to
29 the engagement, don't you?

- 1 A. Yes.
- 2 Q. So Tamba Fasuluku was a friend of Bri ma, wasn' t he?
- 3 A. Yes.
- 4 Q. Tamba Fasuluku was related to Bri ma, wasn' t he?
- 5 A. Yes.
- 6 Q. He was hi s cousi n, wasn' t he?
- 7 A. Yes.
- 8 Q. Apart from Tamba Fasuluku, name some of the others who were
9 at the engagement party of Tamba Bri ma?
- 10 A. Well, there was a Tamba, Sahr, Komba and others.
- 11 Q. Now, your friend Tamba Fasuluku, what was he doi ng i n Koi du
12 Town at the time of the engagement?
- 13 A. Tamba Fasuluku? Well, I don' t know what he was doi ng at
14 that -- during those times.
- 15 Q. He was a servi ng soldi er, wasn' t he?
- 16 A. Yes, he was a servi ng soldi er.
- 17 Q. And how often did you see him i n those times i n Koi du Town?
- 18 A. I did not see him for long.
- 19 Q. But did you see him more than the one time that you went to
20 the engagement or did you see him another time?
- 21 A. I saw him once and the second time at the engagement.
- 22 Q. So Tamba Fasuluku, yoursel f and Tamba Bri ma, are all from
23 the Kono area, aren' t you?
- 24 A. Yeah.
- 25 Q. And you are all friends, aren' t you?
- 26 A. Yes.
- 27 Q. When did you last meet Tamba Bri ma and the other accused,
28 Ibrahi m Bazzy Kamara, and Santi gie Kanu, aka Five-Five?
- 29 A. Repeat again?

- 1 Q. When did you last meet the three accused, Tamba Brima,
2 Ibrahim Bazzy Kamara and Santigie Kanu, aka Five-Five?
3 A. Well, it was during the time when we dispersed at Waterloo.
4 Q. Didn't you meet them in the detention centre at the Special
5 Court?
6 A. No. Until when I came here last Monday.
7 Q. You never visited the Special Court and applied to visit
8 them?
9 A. Never.
10 Q. Now, prior to giving your evidence last week, you had a
11 meeting with Tamba Fasuluku, didn't you?
12 A. No.
13 Q. You also had a meeting with Adamu Ezech, aka Chicken Soup,
14 didn't you?
15 A. No.
16 Q. You also had a meeting with Keforkeh, didn't you?
17 A. No.
18 Q. You also had been meeting with Mohamed Majid Tawarallie,
19 aka Gold Teeth, hadn't you?
20 A. No.
21 Q. I say to you that you have been meeting with all the above
22 people in order to agree the evidence which you were to give
23 before this Court; what do you have to say about that?
24 A. Well, I believe, I have sworn before I speak in this Court,
25 and it is the truth I'm saying, so I'm -- I'm not lying. I've
26 not come to this Court to lie.
27 Q. Now, you say you visited your MP friend every day whilst he
28 was at Masingbi Road; do you remember that?
29 A. Yeah.

1 Q. Tamba Brima was staying at Masingbi Road during that
2 period, wasn't he?

3 A. No.

4 Q. Didn't you know that Alex Tamba Brima, as PLO 2 in the AFRC
5 government, was a big man?

6 A. I've never known about that. I don't even know what is PLO
7 2.

8 Q. Well, you didn't know that he was a member of the AFRC
9 government then, did you?

10 A. Not at all.

11 Q. Did you ever hear that Tamba Brima was an honourable?

12 A. No.

13 Q. Didn't your MP commander friend at Masingbi Road mention it
14 to you, that Alex Tamba Brima was an honourable and member of the
15 AFRC government?

16 A. Not at all.

17 Q. Didn't you hear from other people within Koidu Town, the
18 community, that Alex Tamba Brima was a big man?

19 A. No.

20 Q. I say to you that you're lying. I say to you that you know
21 full well that Alex Tamba Brima was a very important person in
22 Koidu Town after the coup; what do you have to say about that?

23 A. I believe I had sworn to speak the truth in this court. I
24 believe everything I'm saying is the truth.

25 Q. I say to you that you visited Tamba Brima regularly when
26 you were in Koidu Town after the overthrow of the Kabbah
27 government; what do you have to say about that?

28 A. No.

29 Q. I say that you're a close friend of Tamba Brima and you've

1 come to this Court to lie on his behalf; what do you have to say
2 about that?

3 A. I did not come to this Court to lie. I cannot come and
4 swear and say a lie.

5 Q. So whilst you were in the Koidu Town after the coup, you
6 said you were carrying out mining, this is mining for diamonds,
7 is it?

8 A. Yep.

9 Q. And the AFRC government was forcing civilians to mine for
10 diamonds, wasn't it?

11 A. No.

12 Q. The AFRC secretariat was monitoring the mining of diamonds
13 in Kono, wasn't it?

14 A. No.

15 Q. So what was it doing then?

16 A. What I was doing?

17 Q. No, what was AFRC secretariat doing?

18 A. Well, I did not actually know what they were doing. The
19 only thing I know, that they were there.

20 Q. Didn't you ask your MP commander friend what they were
21 doing?

22 A. No, not all the times I asked that man.

23 Q. Didn't you ask Lieutenant Panda: Weren't you curious to
24 know what they were doing?

25 A. No.

26 Q. I say to you that the AFRC secretariat was monitoring the
27 mining activities of the AFRC government; what do you have to say
28 about that?

29 A. I didn't see any AFRC member at the mining site.

1 Q. I say to you that Alex Tamba Brima was monitoring the
2 mining activities in Koidu.

3 A. No.

4 Q. Now, you said that the AFRC headquarters in Koidu Town was
5 based in Segbwema Road by the Tankoro Junction; do you remember
6 that?

7 A. Yes.

8 Q. I say to you that the AFRC headquarters in Koidu Town was
9 based in Gbonbor Street, spelt G-B-O-N-B-O-R; what do you have to
10 say about that?

11 A. The one that was there was not during the AFRC time. There
12 was the secretariat there during the AFR -- the NPRC days. If
13 anyone told you that there was a secretariat at the Gbonbor
14 Street, that was during the NPRC days.

15 Q. I put to you it was during the AFRC period?

16 A. No, it was not during the AFRC period.

17 Q. I say to you that the AFRC and the RUF were both based at
18 the AFRC secretariat and that the RUF did not have a separate
19 office; what do you have to say about that?

20 A. No, they were not even meeting together.

21 Q. You say that after the removal of the Kabbah government,
22 the RUF came to Koidu Town and that you saw Sam Bockarie, aka
23 Mosquito; is that right?

24 A. Yes.

25 Q. You say that Sam Bockarie stayed at Dabundeh Street; right?

26 A. Yes.

27 Q. Roughly how long did Sam Bockarie stay in Koidu Town after
28 his arrival, following the removal of the Kabbah government?

29 A. Well, he stayed there for some time.

1 Q. What do you mean? One week, two weeks?

2 A. He stayed there -- let me say two to three months.

3 Q. I say to you that you're lying. Sam Bockarie never came to
4 Koidu Town before the intervention; what do you have to say about
5 that?

6 A. I'm swearing to my God that Sam Bockarie was there.

7 Q. Roughly --

8 A. He was there.

9 Q. Roughly how long did Issa Sesay stay in Koidu Town after
10 the removal of the Kabbah government?

11 A. Well, Issa Sesay was there for a long time.

12 Q. I say to you that you're again lying. Sam Bockarie and
13 Issa Sesay were both in Freetown after the overthrow of the
14 Kabbah government; what do you have to say about that?

15 A. Sam Bockarie, Issa, were in Kono. They used to come to
16 Freetown and go to Kono again.

17 Q. Now, you say that Sam Bockarie stayed at Dabundeh Street in
18 1997; is that right?

19 A. Yeah.

20 Q. I say to you that Dabundeh Street was only used as RUF
21 headquarters after the intervention by Superman when they had
22 retaken Koidu Town; what do you have to say about that?

23 A. It was Sam Bockarie was there.

24 Q. So you're saying he was there before the intervention in
25 Dabundeh Street?

26 A. Yes.

27 Q. I also say that you are lying when you saw Morris Kallon
28 and Augustine Gbao in Koidu, after removal of Kabbah's
29 government?

1 A. They were there.

2 Q. So, you were a miner, yet you seem to know quite a lot
3 about the military in Koidu Town, don't you?

4 A. Well, I only know during the AFRC because I used to visit
5 Marah.

6 Q. Who is Marah?

7 A. MP commander.

8 Q. So you knew that AF Kamara was in command of the SLAs and
9 that Lieutenant Panda was in charge of the AFRC headquarter,
10 didn't you?

11 A. Panda was in charge of the secretariat. AF Kamara was
12 minding the battalion, 16th Battalion.

13 Q. And you heard about the first and second Kamajor attacks
14 through your MP commander friend, didn't you?

15 A. Yes. Then I had a tenant to me, who also fell in that
16 attack, one [redacted].

17 Q. I say to you that you are lying when you say you were a
18 miner during this period, and that you were an SLA soldier; what
19 do you have to say about that?

20 A. I was not an SLA soldier at that time.

21 MS THOMPSON: Your Honour, before my learned friend goes
22 on, the witness mentioned a name of a tenant of his, which, I
23 believe, might lead to the revelation of his identity. Perhaps
24 he ought to be cautioned not to mention any names which might
25 eventually lead to him being identified, and if that name can be
26 taken off the records, please.

27 PRESIDING JUDGE: Yes. Witness did you just mention a name
28 that might lead to your identity?

29 THE WITNESS: I didn't get you clear.

1 PRESIDING JUDGE: You mentioned a name in your last answer
2 that I am just asking you, will that name lead people to know who
3 you are?

4 JUDGE SEBUTINDE: I believe it was the name of a tenant of
5 yours; you mentioned your tenant's name.

6 THE WITNESS: I had a tenant at my house who was, he is
7 the -- he is the [redacted] that I mentioned. He fell in that
8 ambush.

9 JUDGE SEBUTINDE: The point is, by mentioning that name,
10 are people likely to identify you?

11 THE WITNESS: Okay. I will not call that name again.

12 PRESIDING JUDGE: All right. That name can be redacted
13 from the transcript. Don't mention names that will point to your
14 identity, Mr Witness.

15 THE WITNESS: Okay.

16 MR AGHA:

17 Q. Were you in Koidu Town when the AFRC was forced from power
18 by ECOMOG?

19 A. I was not in Koidu Town.

20 Q. Where were you?

21 A. I was in Kurubonla. ECOMOG was forcing them out of Koidu
22 Town.

23 Q. So after this intervention by ECOMOG many SLAs started to
24 arrive in Kono, didn't they?

25 A. Yeah.

26 Q. Now, if you were not in Koidu Town at the time of the
27 intervention, how did you personally see a spate of looting in
28 Koidu Town by SLAs and RUF, after the intervention?

29 A. At that time the intervention was in Freetown. It hadn't

1 gone to Kono, not even Makeni.

2 Q. When the intervention reached Koidu Town, were you there?

3 A. By the time it reached Koidu I had moved off and I had gone
4 to Kurubonla.

5 Q. Before you left for Kurubonla, did you personally see a
6 spate of looting in Koidu Town by SLAs and RUF?

7 A. The looting was done overnight. Early in the morning I
8 just saw them cutting away the property.

9 Q. Yes, and this looting was done by RUF and SLAs, wasn't it?

10 A. They were all RUF and People's Army.

11 Q. This looting was carried out pursuant to Operation Pay
12 Yourself, wasn't it?

13 A. Yeah.

14 Q. And did you meet anyone from the Special Court, in order to
15 record anything you had to say about today.

16 A. No.

17 Q. Even when you were in Kono or Freetown, did any person from
18 the Special Court meet you and discuss about events during the
19 war?

20 A. No. I'm only saying my experience, things that I
21 experienced personally.

22 Q. Yes, but did you speak to anyone from the Special Court
23 before coming here last week about your experiences?

24 A. Well, except the investigators.

25 Q. Okay. And those investigators took down your statement of
26 what you said; is that right?

27 A. Yes.

28 Q. Well, we've been provided with a copy of -- well, a summary
29 of what you allegedly said to the investigators, and I will read

1 you a part of it. This is what allegedly you said to the
2 investigators. "During the ECOMOG intervention in Freetown many
3 soldiers started arriving in Kono. Koidu experienced a spate of
4 looting around the time and this was known as Operation Pay
5 Yourself. The witness, "that's you," personally saw both RUF and
6 SLA members looting shops and property." Do you remember saying
7 that?

8 A. Yes.

9 Q. So you didn't mention the People's Army, did you?

10 A. At that time Johnny Paul had declared that they were all
11 People's Army?

12 Q. What I'm saying to you is you didn't say to the
13 investigator it was the People's Army, did you?

14 A. Well, except if they forgot to write it, but I told them
15 that.

16 Q. I say to you, it's only when you have come here, in
17 Freetown, to give evidence you're talking about this word
18 People's Army, aren't you?

19 A. This is something I had known for long and I was -- I had
20 been saying it.

21 Q. You were discussing to say this with your fellow colleagues
22 coming before the Special Court, weren't you?

23 A. It's a thing that I had in my mind, that I knew before now
24 from -- during the intervention.

25 Q. Operation Pay Yourself was ordered by John Patrick because
26 he was unable to pay the troops, wasn't it?

27 A. Yes.

28 Q. Who's John Patrick?

29 A. Johnny Paul Koroma, JP.

1 Q. Tamba Brima took part in Operation Pay Yourself, didn't he?

2 A. No.

3 Q. Now, according to you, after the fourth Kamajor attack, you
4 fled to Mongo Bendugu; is that right?

5 A. After the four Kamajor attacks, it was then that they went
6 to Mongo Bendugu.

7 Q. And you say that SAJ Musa was sending troops from Mongo
8 Bendugu to attack the ECOMOG positions; is that right?

9 A. Repeat.

10 Q. Whilst you were in Mongo Bendugu, SAJ Musa was sending
11 troops to attack ECOMOG positions, wasn't he?

12 A. Only once.

13 Q. Now, you say you were in Mongo Bendugu for three to four
14 months; right?

15 A. Yeah.

16 Q. Now, Tamba Brima's engagement was in December 1997, so can
17 you explain to me how you got back to Koidu Town for Operation
18 Pay Yourself?

19 A. Tamba Brima -- I can't remember the month of his
20 engagement. Operation Pay Yourself happened after the Kamajors
21 came and there was a Lebanese called Hamouday Bazzy, who was
22 petty traders union.

23 THE INTERPRETER: Your Honours, may the witness lessen his
24 pace. Your Honours, may the witness go over what he is saying?

25 PRESIDING JUDGE: Mr Witness, the interpreters did not get
26 your answer; can you please repeat it?

27 THE WITNESS: I said I can't remember the actual month that
28 Tamba Brima engaged. After the Operation Pay Yourself the
29 traders with one Lebanese, who was called Hamouday Bazzy --

1 MR AGHA:

2 Q. Witness, you weren't asked that. Tamba Brima, on his own
3 evidence, has told this Court his engagement was in December.
4 You were then away for three to four months, so how can you
5 explain that you personally saw looting during Operation Pay
6 Yourself?

7 A. It was after Operation Pay Yourself that I moved to Mongo.
8 Operation Pay Yourself happened in the night. In the morning,
9 for the rest of the day, then the following day the Kamajors
10 attacked Koi du Town?

11 Q. So let us get this straight: Did you go to Mongo Bendugu
12 at any time before the ECOMOG intervention?

13 A. I went to Mongo Bendugu. I was in Mongo Bendugu when the
14 intervention was going on. By that time the intervention was
15 going on in Freetown. It hadn't come to Lunsar yet and even
16 Makeni or Fadugu. It was at that time that SAJ Musa and others
17 came from Kabala and went to Mongo Bendugu. SAJ Musa had been --
18 had already been in Mongo Bendugu. He went to Mongo Bendugu. He
19 didn't spend some -- a long time there and he came back to Koi du
20 Town.

21 Q. I say that by the end of February Koi du Town had already
22 been taken back by joint SLA/RUF force; what do you have to say
23 about that?

24 A. Well, I can't recall the month.

25 Q. I say you're an absolute liar when you say you went to
26 Mongo Bendugu before the intervention?

27 A. I don't tell lies. I came to this Court to say the truth
28 and that is what I'm saying now.

29 Q. You were working for Tamba Brima mining for diamonds after

1 the overthrow of the Kabbah government, weren't you?

2 A. I did not mine for diamonds with Tamba Brima.

3 Q. Now, according to you, after you returned to Koidu, you
4 found your father had been killed and you went to Kurubonla and
5 stayed with SAJ Musa's forces; is that right?

6 A. Yes.

7 Q. So how many of your so-called brothers did you travel with
8 to Kurubonla?

9 A. Well, I travelled with few of them.

10 Q. How many, roughly?

11 A. Well, I can't remember the number.

12 Q. Well, let us have some of the names then?

13 A. Well, I can only recall one. Sahr Sorie.

14 Q. And no one else; you can't recall anyone else?

15 A. No, no, I can recall only Sahr Sorie. I can only recall
16 Sahr Sorie.

17 Q. Okay. So when you found SAJ Musa's forces at Kurubonla,
18 was there anyone there you knew?

19 A. Yes, there were two or three other people that I knew.

20 Q. Who were they?

21 A. Repeat that.

22 Q. You said you knew two or three other people; what were the
23 names of those two or three other people?

24 A. Well, the Court has advised me not to be calling names in
25 order to avoid disclosing my identity.

26 Q. Would the calling of these names disclose your identity?
27 Well, let me ask you a simple -- a more easier question for you.
28 What about your friend Tamba Fasuluku, was he there?

29 A. At that time he was not there.

1 Q. Where was he?

2 A. Well, I didn't know his whereabouts. It was later that he
3 had to go there but the moment that I went there he wasn't there;
4 he went there later.

5 Q. Now, when you travelled with -- from Kurubonla to Koinadugu
6 with SAJ and his troops, how many RUF fighters were with you?

7 A. Well, I can't tell now.

8 Q. Were there any?

9 A. They were there.

10 Q. And you say that you moved with SAJ Musa and his troop to
11 Koinadugu Village where you stayed one night; do you remember
12 that?

13 A. Yes.

14 Q. I say to you that SAJ Musa stayed for at least a month in
15 Koinadugu Village; what do you have to say about that?

16 A. No.

17 Q. I say to you that SAJ Musa stayed in Koinadugu Village with
18 RUF Superman for at least one month; what do you have to say
19 about that?

20 A. No.

21 Q. I say to you, you weren't even with SAJ Musa, were you, as
22 he advanced to Colonel Eddie Town?

23 A. I was with him.

24 Q. Now, in the night you passed in Koinadugu Village, you say
25 that Junior Lion contacted SAJ Musa through the signaller; do you
26 remember that?

27 A. Yes, the signaller had a message which -- and he -- the
28 signaller contacted SAJ Musa.

29 Q. And according to you, once a message is sent to a

1 signaller, it will be spread out amongst the soldiers; is that
2 right?

3 A. They will send it to the commander, then the commander will
4 in turn muster his soldiers and spread it out to them.

5 Q. So SAJ held a muster parade and announced that Junior Lion
6 had called in the middle of the night, did he?

7 A. Yeah.

8 Q. And what time of night was this muster parade held?

9 A. It was in the night that they had the call. They did not
10 have the muster parade in the night.

11 Q. I say to you, you are lying. Junior Lion did not call and
12 there was no muster parade in that evening, which you say you
13 spent in Koinadugu Town.

14 A. It is not in my statement that they mustered in the evening
15 at Koinadugu. It is not in my statement.

16 Q. I didn't say it was in your statement; I just said you are
17 lying. Junior Lion did not call, and there was no muster parade,
18 was there?

19 A. Junior Lion called and he called the signaller, and the
20 signaller, in turn, contacted SAJ and SAJ, in turn, explained it
21 all to his men.

22 Q. Now, you maintain that you're a civilian; is that right,
23 during this period in Colonel Eddie Town? Is that right?

24 A. Yes.

25 Q. You hadn't been abducted by SAJ Musa and his troops, had
26 you?

27 A. They did not abduct me.

28 Q. So if you were you not a soldier, or an abductee, why were
29 you moving across Sierra Leone with SAJ Musa and his troop?

1 A. Well, I had found out that -- I was only safe with them,
2 because when I came to -- when I came, I found out my father's
3 house had been burnt, and they were amputating people's arms, and
4 my father had been killed, so I decided to go where I thought --
5 I decided to go to people whom I could live with and with whom I
6 was sure of my safety. At that time, the civilians would point
7 out, they said, "This is soldiers' friend. This is soldiers'
8 relation," so I moved out with them.

9 Q. So you must have been in your 20's at that time; is that
10 right?

11 A. At that time I was 20 years old.

12 Q. So why were you hiding at the back, with the women and
13 children, rather than fighting?

14 A. Well, I was not a fighter. I had not been trained to
15 fight, and I was not abducted to fight. In fact, they did not
16 even abduct me.

17 Q. I say to you again, that you were a member of the Sierra
18 Leone Army as you moved with SAJ from Koinadugu to Colonel Eddie
19 Town. What do you have to say about that?

20 A. I was not a member of the Sierra Leone Army. If anybody
21 told you that I was a member of the Sierra Leone Army, he would
22 be telling a lie.

23 Q. I say to you that Tamba Brima was in command at Colonel
24 Eddie Town before SAJ Musa arrived. What do you have to say
25 about that?

26 A. No. It was Colonel Eddie and Junior Lion; they were the
27 commanders there.

28 Q. You can answer the question with a straight "no." We can
29 then move faster. Okay? Or "yes," or "I don't know." Okay?

1 A. Yeah.

2 Q. I say to you that you Alex Tamba Brima became SAJ Musa's
3 second in commander after SAJ Musa reached Colonel Eddie Town.
4 What do you have to say about that?

5 A. No.

6 Q. Now, you say you knew Colonel Eddie from the AFRC days.
7 How did you know Colonel Eddie?

8 A. It was at the time when they fell in that Kamajor attack,
9 when my friend was shot. I went to visit Papa 17 when he was
10 admitted in the hospital, and I met him together with Colonel
11 Eddie, and he also had a gunshot on his foot. And at that time
12 he was a lieutenant.

13 Q. So Colonel Eddie was also in Koidu Town before the
14 intervention; right?

15 A. Yes.

16 Q. Now, you say you knew Junior Lion from the NPRC days in
17 Kono. Junior Lion was a soldier during the NPRC days, wasn't he?

18 A. Yes. He was one -- he was one of Tom Nyuma's boys. Later
19 I found out he hadn't even a military number. But he used to
20 wear uniforms, and he had a gun with him, and he was Tom Nyuma.

21 Q. You say that one of the prisoners at Colonel Eddie Town was
22 Santigie Kanu, and that you knew him from before. How did you
23 know him from before?

24 A. Well, I had known him when he was a soldier.

25 Q. Did he come -- I mean, how did you know him? Did you meet
26 him in Koidu Town?

27 A. Well, we used to meet long before that time, during the
28 NPRC days.

29 Q. Yeah, where did you meet?

1 A. In Freetown here.

2 Q. So you got to know him in Freetown; right?

3 A. I had known him a long time ago in Freetown here, not in
4 Kono. He used to come to Freetown.

5 Q. So he is a friend of yours, isn't he?

6 A. Knowing him doesn't mean he was a friend. I knew him.

7 Q. I say to you that Santigie Kanu, aka Five-Five, came to
8 Koidu Town after the overthrow of the Kabbah government. What do
9 you have to say about that?

10 A. I did not see him there.

11 Q. You never saw him there. Did you hear of him being there?

12 A. No.

13 Q. I say to you that Santigie Kanu, aka Five-Five, was also
14 involved in diamond mining in Kono during the overthrow -- after
15 President Kabbah was overthrown; what do you have to say?

16 A. No. I did not see him there.

17 Q. Now, let's return now to Colonel Eddie Town. You have
18 reached Colonel Eddie Town. Now, Colonel Eddie Town, SAJ Musa
19 called a muster parade, didn't he?

20 A. Yes.

21 Q. And you were present and you were listening to what was
22 said; is that right?

23 A. Yes.

24 Q. SAJ Musa, at the muster parade, said he didn't want his
25 troops to commit crimes against civilians during the advance on
26 Freetown, didn't he?

27 A. Yes. He said that his troops should avoid civilians. That
28 was what I heard.

29 Q. Now, on the way to Freetown, during the advance, certain

1 villages were attacked, weren't they?

2 A. Well, when those attacks were taking place, I was not in
3 the scene, because I was at the back with the prisoners.

4 Q. But did you know the attacks were made by SAJ Musa's troops
5 on the way to Freetown?

6 A. Well, wherever they would pass, if they meet ECOMOG, the
7 ECOMOG would open fire, they would return fighting.

8 Q. So they would fight with the ECOMOG, then continue on to
9 Freetown in their advance; right?

10 A. Yes.

11 Q. And during these attacks sometimes they captured villages,
12 didn't they?

13 A. They would not stay in a village.

14 Q. You never stayed in a village that you captured?

15 A. [No audible response].

16 Q. You never stayed in Mile 38 then?

17 A. Those who attacked would not be there. When they had gone
18 ahead, the families that are behind with the prisoners, we would
19 be there.

20 THE INTERPRETER: Your Honours, can the witness take that
21 bit again?

22 PRESIDING JUDGE: Mr Witness, please repeat your answer.
23 The interpreter did not understand what you said.

24 MR AGHA:

25 Q. So what you're saying is that the advance party would
26 attack a village, and move on, and then you and the prisoners and
27 others would then go to that village, which they attacked,
28 afterwards?

29 A. It was in the bush, in the Joe Bush.

1 Q. And food and ammunition was captured from these villages,
2 wasn't it?

3 A. No, I have never seen that.

4 Q. So as far as you're aware, you just stayed back with the
5 families, and you just followed along. You didn't see anything;
6 is that right?

7 A. Yes.

8 Q. And you had no weapon with you, and you were carrying
9 someone else's bag; is that right?

10 A. Yes.

11 Q. I say to you that you were armed and you were taking active
12 participation in the attack on Freetown. What do you have to say
13 about that?

14 A. No.

15 Q. The SLAs didn't have enough soldiers, so why were they
16 letting a young guy like you wander around with his bag?

17 A. Well, I was not a fighter. I was not trained to fight, and
18 I did not fight.

19 Q. I say to you that you're lying, that you were a fighter and
20 that you were fighting?

21 A. I believe that I'm not lying. I have sworn on the Koran, I
22 have come to talk the truth, and I believe what I am saying is
23 the truth.

24 Q. So you were an unarmed man all the way until you managed to
25 run away; right?

26 A. Yeah.

27 Q. Now, you mentioned that you were living in Joe Bush the
28 whole time, but in your evidence you said that after Mile 38 was
29 captured, the families and SAJ Musa stayed there for a while;

1 don't you remember saying that?

2 A. Well, when I was in Mile 38, not -- the surrounding bush at
3 Mile 38, not -- it was not inside the town. I did not stay in
4 the town, because people would not stay around, because they know
5 the jets would be flying over.

6 Q. And, according to you, SAJ Musa, from Mile 38, reversed
7 with the troops to capture Masiaka; is that right?

8 A. Repeat.

9 Q. According to you, SAJ Musa, from Mile 38, reversed with the
10 troops to capture Masiaka; is that right?

11 A. SAJ Musa did not go. The -- the families, SAJ Musa and the
12 prisoners remained at Joe Bush. SAJ Musa did not go. SAJ Musa
13 was the commander; he would not go for a fight. He will not go.

14 Q. Then why did he go to Benguema?

15 A. Well, Benguema -- when we got to Waterloo, we noticed that
16 they were resisting. That was the time he went to Benguema, and
17 there he died.

18 Q. But you said SAJ Musa did not go on [overlapping speakers],
19 so why did he go to Benguema?

20 A. Well, that was the first time he went, because of the
21 resistance. His men came back to him, and that was the time he
22 moved with some of his men - Alabama - and he left us with the
23 prisoners at Waterloo.

24 Q. So SAJ Musa did go on fights, didn't he?

25 A. That was the only time he went, when he died.

26 Q. You said that -- we are talking about attacks. You say you
27 stood at the back and you didn't know anything because you were
28 with the families. You said that Junior Lion led the attack on
29 Mongo Bendugu and Lunsar, on the way to Freetown. How did you

1 know that, if you were stuck at the back with the families, not
2 knowing anything?

3 A. Well, he was the task force operation commander that they
4 had appointed. Whether he went, they would say he is the
5 commander.

6 Q. So you did know many things, then; you weren't just hiding
7 at the back with the families?

8 A. No. I was at the back with the families.

9 Q. Now, you say that Junior Lion -- the soldier told that you
10 Junior Lion had shot at him; do you remember that?

11 A. Yes.

12 Q. I say to you that's an absolute lie; Junior Lion did not
13 shoot any soldier on the way to Freetown.

14 A. That's not a lie. Junior Lion shot at a soldier at the --
15 at the -- the hand. The soldier's right -- he's still living at
16 the moment. He has the shot on the hand.

17 Q. And did Junior Lion also lead the attack on York?

18 A. At that time I was at Waterloo. At that time I was at
19 Waterloo. At that time I was at Waterloo. I don't know whether
20 he led the attack or not.

21 Q. Now, you say that SAJ Musa was killed at Benguema; right?
22 And after SAJ's death, the troops fell into disarray; yeah?

23 A. After SAJ Musa's death at Benguema, some of the troops came
24 to us and some were disarrayed.

25 Q. I say to you that the troops were not in disarray after SAJ
26 Musa's death; what do you have to say about that?

27 A. What I know, after SAJ Musa's death, some of the troops
28 came to Benguema. Where -- and they told us they did not know
29 where the others had gone to. They came to tell us about the

1 death of SAJ Musa.

2 Q. Yes, but you were at the back with the families, so how
3 would you know what the other troops were doing?

4 A. Well, when the troops were advancing, they would have
5 casualties and they would come -- they would retreat. They would
6 bring the casualties behind, and the wounded --

7 Q. But what would you know about what the advance party was
8 doing? How would you know what the rear brigade were doing?
9 According to you, you were stuck in the middle, not knowing
10 anything.

11 A. Repeat.

12 Q. You were stuck in the middle with the families. The
13 advance party went ahead, the rear stayed behind, the
14 reinforcements also went ahead; so how were you in a position to
15 know anything about the state of the troops?

16 A. Well, whatever was happening, they would send the message
17 to us at the back, because we had gunmen around, securing us.

18 Q. Why would a gunman be securing you?

19 A. Well, they were the security for SAJ Musa because SAJ Musa
20 was at the rear with us. He would not leave us alone because
21 some had their wives, their children and mothers. They had
22 different groups.

23 Q. I say that, from Colonel Eddie Town to Waterloo, Tamba
24 Brima was SAJ Musa's second-in-command; what do you have to say
25 about that?

26 A. No, Tamba Brima was a prisoner.

27 Q. I say to you you're lying when you say that Tamba Brima was
28 a prisoner from Colonel Eddie Town to Waterloo.

29 A. I believe I'm not lying.

1 Q. I say that you're a liar when you also say that Ibrahim
2 Bazy Kamara and Santigie Kanu were prisoners from Colonel Eddie
3 Town to Waterloo.

4 A. I believe I'm saying the truth. Those men were prisoners.

5 Q. I say to you to that, from Colonel Eddie Town to Waterloo,
6 Ibrahim Bazy Kamara and Santigie Kanu were senior commanders;
7 what do you have to say about that?

8 A. No, those men were prisoners. It's not so easy for -- to
9 become a commander.

10 Q. I say that after SAJ Musa's death, Tamba Brima took over
11 the troop and led the invasion into Freetown; what do you have to
12 say about that?

13 A. At that time I knew nothing again; I was at Waterloo.

14 Q. I say that Ibrahim Bazy Kamara and Santigie, aka
15 Five-Five, were also senior commanders who took part in the
16 invasion of Freetown; what do you have to say about that?

17 A. No idea.

18 Q. I say to you that you're lying, and that you yourself took
19 part in the invasion on Freetown; what do you have to say about
20 that?

21 A. I did not take part, and what I'm saying is the truth.

22 Q. So you stayed in Waterloo until 6 January, did you?

23 A. Yeah.

24 Q. So which RUF commanders came to Waterloo during that
25 period?

26 A. It was former Major Rambo; he is deceased.

27 Q. And he went to join the SLAs in Freetown didn't he?

28 A. He did not go to Freetown. He stopped at Waterloo.

29 Q. So the RUF couldn't go any further than Waterloo; is that

1 right?

2 A. That was where they stopped.

3 Q. They stopped because they were fighting the ECOMOG at Jui
4 and couldn't break through, didn't they?

5 A. Well, I don't know.

6 Q. Now, have you heard of the West Side Boys?

7 A. No.

8 MR AGHA: That completes my cross-examination, Your Honour.

9 PRESIDING JUDGE: Thank you, Mr Agha. Is there any
10 re-examination?

11 MS THOMPSON: Your Honour, there is no re-examination.

12 JUDGE SEBUTINDE: Mr Witness -- okay, take a drink first.
13 I want to ask you two questions that relate to the death of
14 SAJ Musa.

15 Q. The first is: Where were you when SAJ Musa was killed?

16 A. Waterloo.

17 Q. And where were the prisoners when SAJ Musa was killed?

18 A. Waterloo.

19 PRESIDING JUDGE: Were there any questions arising from
20 that.

21 MS THOMPSON: No, Your Honour.

22 PRESIDING JUDGE: All right. Thank you, Mr Witness. We
23 appreciate you coming to court to give evidence. You will be
24 able to leave in a few minutes. We will just have the curtain
25 pulled across and then you can go.

26 [The witness withdrew]

27 PRESIDING JUDGE: I understand the next witness is DAB-033;
28 is that correct?

29 MS THOMPSON: It is, Your Honour. I'm not sure if he has

1 been brought. Perhaps, Your Honour, we can have the break now,
2 while I check. He was supposed to be brought this morning
3 anyway. When we were coming into Court, they were sending back
4 for him.

5 PRESIDING JUDGE: All right. We will take the morning
6 break early then and we will reconvene at 5 minutes to 11.

7 MS THOMPSON: Grateful, Your Honour.

8 [Break taken at 10.34 a.m.]

9 [Upon resuming at 10.55 a.m.]

10 WITNESS: DAB-033 [Sworn]

11 PRESIDING JUDGE: We will just confirm for the record this
12 is witness DAB 033; is that correct?

13 MS THOMPSON: Yes, Your Honour.

14 JUDGE SEBUTINDE: What number would that be on our
15 summaries?

16 MS THOMPSON: 46.

17 PRESIDING JUDGE: Yes. Go ahead, Ms Thompson.

18 MS THOMPSON: Grateful, Your Honour.

19 EXAMINED BY MS THOMPSON:

20 Q. Mr Witness, good morning.

21 A. Good morning, ma'am.

22 Q. Mr Witness, I'm going to ask you some questions this
23 morning. I want you to answer them. Listen to the questions
24 carefully and answer concisely and clearly as you can. Bear in
25 mind that when you answer the questions, there is an interpreter
26 who is listening in and has to interpret. So you have to take it
27 slowly and also that the Judges and the rest of the Court are
28 taking notes. When I finish asking you questions, my friends on
29 this side might also have some questions for you, and my friend

1 on the other side will also have some questions for you. Okay?

2 Is that clear?

3 A. Yes ma'am.

4 MR AGHA: Just before we start, can I ask my learned friend
5 whether this is now an individual witness rather than common,
6 just for clarification.

7 MS THOMPSON: He appeared on the individual list. He is on
8 the individual list.

9 MR AGHA: Thank you.

10 PRESIDING JUDGE: I see. We have him on the common list
11 here.

12 MS THOMPSON: Your Honour, he was re-designated, I think,
13 last week and I think there were emails to that effect. He is on
14 an annex marked "Individual."

15 MR AGHA: I mean, certainly the Prosecution were aware. I
16 was just bringing it to the attention of the Bench so -- as it
17 will affect the kind of chief or cross-examination which the
18 other two accused may want to carry out.

19 PRESIDING JUDGE: Yes, thank you for that, Mr Agha.

20 MS THOMPSON: May I carry on, Your Honour?

21 PRESIDING JUDGE: Yes. I'm just trying to -- that was on
22 that last document filed about Thursday, was it?

23 MS THOMPSON: I think it was. My colleague actually did
24 and he was on the annex. If my memory serves me right, he was
25 the last name on the list of individual Brima witnesses.
26 Unfortunately, Your Honours, I don't have that document in Court.

27 PRESIDING JUDGE: No, I have got it, Ms Thompson. It is
28 the document that was filed on the 19th of September and, as you
29 say, this witness is number 26 on the list.

- 1 MS THOMPSON: That's it, Your Honour. Thank you.
- 2 PRESIDING JUDGE: Yes. Go ahead, Ms Thompson.
- 3 MS THOMPSON: Thank you, Your Honour.
- 4 Q. Mr Witness --
- 5 A. Yes, ma'am.
- 6 Q. -- you are a farmer; is that right?
- 7 A. Yes, ma'am.
- 8 Q. Is that right?
- 9 A. Yes, ma'am.
- 10 Q. You are now 38?
- 11 A. Yes, ma'am.
- 12 Q. You were born in xxx Field?
- 13 A. Yes, ma'am.
- 14 Q. And you completed your secondary education in Bo District?
- 15 A. Yes.
- 16 Q. You're married and you have two children; that's correct?
- 17 A. Yes.
- 18 Q. You were once a member of the Sierra Leone Army; is that
- 19 right?
- 20 A. Yes.
- 21 Q. Can you tell us, please, when you joined the army?
- 22 A. Yeah. I joined the army in 1992.
- 23 Q. Where were you trained?
- 24 A. We were first trained at Daru Barracks.
- 25 Q. Can you tell us how long that training lasted for?
- 26 A. Well, during that time the war was at a standstill. The
- 27 training lasted for about six weeks and then we were taken to the
- 28 war front.
- 29 Q. Mr Witness, can you remember who your commanding officer at

1 Daru was?

2 A. Well, during that time the commanding officer by then was
3 Mario Conteh. He was the commanding officer after the war broke
4 up.

5 MS THOMPSON: I think, Madam Interpreter, I think the
6 witness's answer was "broke out."

7 THE INTERPRETER: Yes, Your Honour.

8 MS THOMPSON:

9 Q. At the end of your training, Mr Witness, were you issued
10 with a military number?

11 A. Yes, I had a military number.

12 Q. And can you remember what that number was? I am not asking
13 you to say it, I am just asking whether you can recall it?

14 A. Yeah, I know the number.

15 Q. Should the Court grant the permission, would you like to
16 write that number down?

17 A. Yes, I can write it down.

18 MS THOMPSON: Your Honour, may I respectfully ask that --

19 PRESIDING JUDGE: Yes. Mr Court attendant, can you assist
20 please. [Witness complied].

21 THE WITNESS: Should I write my name?

22 MS THOMPSON:

23 Q. No, just your number; that's what I asked.

24 A. [Witness complied].

25 MS THOMPSON: Your Honour, may I respectfully ask that be a
26 Defence exhibit under seal. I think we are at D27 now.

27 PRESIDING JUDGE: Any objection?

28 MR AGHA: No objection, Your Honour.

29 PRESIDING JUDGE: All right. That will be admitted as

1 Defence exhibit D27. That is the army number of this witness,
2 and it will be marked confidential and under seal.

3 [Exhibit No. D27 was admitted]

4 MS THOMPSON: I am grateful, Your Honour.

5 Q. Mr Witness, after your training were you posted anywhere?

6 A. Yes, My Lord.

7 Q. Where were you posted?

8 A. Well, I was posted at Giehun, with --

9 THE INTERPRETER: Your Honours, can the witness take that
10 name again?

11 MS THOMPSON:

12 Q. Mr Witness, can you repeat the name of the place where you
13 were posted?

14 A. Yeah, I was posted at Giehun Luawa.

15 MS THOMPSON: Your Honour, I have spelling here of
16 N-G-E-I-H-U-N [sic] and I think it was Luawa, L-U-A-W-A.

17 PRESIDING JUDGE: Yes, thank you.

18 MS THOMPSON:

19 Q. Was that as a member of a battalion?

20 A. Yes, I belonged to the 6th Battalion.

21 Q. Mr Witness, just before I move on, during your training,
22 were you given any instructions on the laws of war?

23 A. Yes. They gave us minor laws because, by then, the war was
24 getting hot. They only gave us basic training and they gave us
25 some laws, like the international humanitarian law. And even the
26 basic Sierra Leonean laws, they gave us those training.

27 Q. When you say they gave you training on basic laws, what
28 sort of the things did they tell you?

29 A. Well, like for the army, we were subject to under 255 laws

1 that we called 252. Most of the laws -- all -- all --

2 THE INTERPRETER: Your Honours, the interpreter is sorry.
3 Can the witness please take it slowly?

4 PRESIDING JUDGE: Mr Witness, I am afraid you're speaking
5 too fast for the interpreter, who can't keep up with you. Can
6 you start again and speak a little bit more slowly, please?

7 THE WITNESS: I said, to start with, they told us about the
8 local laws. Then we had a guard, which is 252. If you go
9 against those laws, you would be charged. Either you would have
10 a civi [as interpreted] or you will have the IHL, which would
11 result in your dismissal, at times. So we had laws that we were
12 trained with.

13 MS THOMPSON:

14 Q. Okay. Mr Witness, I'm sure this means something to you,
15 but I don't know what civi is and IHL. What does civi mean?

16 A. CB is closed baton.

17 Q. And IHL?

18 A. IHL is in disciplinary -- I have forgotten the
19 abbreviation.

20 Q. Specifically, Mr Witness, were you taught about the
21 international conventions on how to conduct war?

22 A. Well, at times, the Red Cross -- people would go to the
23 training base and we were taught some of the rules of law.

24 Q. Mr Witness, you said you were deployed to Giehun Luawa.
25 How long were you there for?

26 A. Well, I was there for some months. I cannot recall.

27 Q. I am going to ask you specifically about May 1997. Can you
28 recall that month and year?

29 A. Yes, I can remember, My Lord.

1 Q. Can you tell the Court where you were in May 1997?

2 A. Well, I was at Roti funk.

3 Q. What were you doing in Roti funk?

4 A. That was where my battalion was deployed, the
5 6th Battalion.

6 Q. Can you recall if something happened in Sierra Leone in May
7 1997?

8 A. Yes.

9 Q. What was that?

10 A. We heard they overthrew.

11 Q. Who is they and who did they overthrow?

12 A. Well, it was Corporal Gborie we heard about, who gave the
13 announcement and, later on, we heard Foday Sankoh say that the
14 RUF should -- and few days later, we heard that Johnny Paul was
15 the leader.

16 Q. Mr Witness, where did you hear these -- you've given us
17 three different things that you heard. Where did you hear these?

18 A. At Roti funk.

19 Q. Were you told by someone?

20 A. Yes. Like, for example, that day in May, the commander I
21 was with, who was the battalion commander, he dispatched the
22 platoon commander and ordered us to come to Freetown. He said
23 that a message had been sent from the presidential lodge that
24 there was an attack in Freetown, so we were dispatched to
25 Freetown.

26 Q. What were you to come to Freetown to do?

27 A. That was known to my platoon commander.

28 Q. When you arrived in Freetown, did anything happen -- sorry,
29 when you arrived in Freetown, did you do anything?

1 A. When we got to Freetown, we came to the military
2 headquarters. That was where we met a muster of soldiers. Late
3 FSY Koroma was giving a briefing, so we joined up with them, and
4 then he told us that the soldiers were involved in the overthrow.
5 So we were -- we stayed put as standby -- as a standby party. I
6 was there at the headquarters.

7 Q. Mr Witness, who is FSY Koroma?

8 A. FSY Koroma, he is a superior in the army; he is a colonel.
9 It was on that day that we got to know that he was the head, in
10 charge of the army, that he should be the chief of defence staff.
11 Then they said he was the elder brother of Johnny Paul.

12 Q. Mr Witness, you said -- I think you said "was" but I think
13 the interpretation was in the present tense, so let me just
14 clarify this. Is FS -- SFY [sic] Koroma still alive?

15 A. I don't know.

16 Q. Do you know if he is still in the army?

17 A. No.

18 MR AGHA: Objection, Your Honour.

19 PRESIDING JUDGE: Yes, do you want to answer that
20 objection?

21 MR AGHA: It's okay, Your Honour. The question has been
22 answered.

23 MS THOMPSON: The question has been answered.

24 PRESIDING JUDGE: I didn't hear the answer.

25 MS THOMPSON: I think the answer was no, Your Honour. The
26 questions were because the witness had answered in the past tense
27 and the interpretation was in the present tense.

28 Q. Mr Witness, when you came down to Freetown and you got the
29 briefing from SFY [sic] Koroma, apart from what you've told us

1 about who was responsible, did you hear that Tamba Brima was one
2 of those responsible for the coup?

3 A. No.

4 Q. Did you hear that Ibrahim Bazy Kamara was one of those
5 responsible for the coup?

6 A. No.

7 Q. Did you hear that Santigie Borbor Kanu was one of those
8 responsible for the coup?

9 A. No.

10 Q. Now, you have told us you were stationed at the
11 headquarters. How long were you there for?

12 A. Well, I was at the headquarters for half of a month. Then
13 I was -- then they posted my officer to Tongo Field, so we
14 returned to Tongo.

15 Q. When you say "we returned to Tongo," who did you return to
16 Tongo with?

17 A. Me and my platoon commander, who is a lieutenant -- who was
18 a lieutenant.

19 Q. Did the two of you go alone?

20 A. Yes, together with his driver.

21 Q. Can you remember what month you arrived in Tongo?

22 A. I can recall it was in July.

23 Q. Mr Witness, how long were you in Tongo for?

24 A. I was in -- I left Tongo in January. I went to Kono.

25 Q. Now, when you got to Tongo, were there other -- were there
26 other -- was there another faction, fighting faction in Tongo?

27 A. Yes. Even Tongo itself was under the RUF command.

28 Q. Apart from the RUF, was there another fighting faction in
29 Tongo?

1 A. Well, the surrounding, the town itself was under Kamajor
2 threat, and the surrounding was full of Kamajors. We were even
3 having threats from the Kamajors; they would come and attack some
4 days and they would go back.

5 Q. Now, whilst you were in Tongo, do you know if there was
6 mining going on in Tongo?

7 A. Yes, we were mining there.

8 Q. When you say "we were mining there," who was mining?

9 A. Well, the civilians were mining, the RUF; everybody in the
10 town was mining.

11 Q. Mr Witness, did you see civilians being forced to mine by
12 the RUF?

13 A. Yes, because the -- the kind of mine that was there, we had
14 a place called Cyborg. If someone was working there, you would
15 pack three piles of -- two piles were for RUF, and the one was
16 for the one doing the mining. But, later, they said all the
17 mining was to go for the government of the day.

18 Q. Did you see people being forced to mine by your colleagues
19 from the SLA?

20 A. No. SLA had no say in there. We had SLA officers there.
21 But they were also subjected to the RUF administration. We had
22 Colonel Harri sh [sic] and Straga. They were in care of the
23 mining, so all mining activities went through them.

24 Q. Was it Colonel Irish or Harri sh?

25 A. Irish.

26 Q. And you said Straga?

27 A. Yes.

28 Q. What faction, what organisation, did these two gentlemen
29 belong to?

1 A. They were RUF.

2 Q. Mr Witness, did you see or hear of Tamba Brima ordering or
3 commanding anybody in Tongo to mine for the AFRC?

4 A. No, they never went there.

5 Q. What about Ibrahim Bazy Kamara, did you hear or see him
6 commanding or ordering or forcing anyone to mine for the AFRC?

7 A. No.

8 Q. The same for Santigie Borbor Kanu; did you hear or see him
9 commanding or forcing anyone to mine for the AFRC?

10 A. No, no, no. None of the AFRC personnel went there. It was
11 only some of the senior officers in the army that were there.

12 But I'd never saw any of AFRC personnel there.

13 Q. Mr Witness, you said you left in January '98, for Kono.

14 Why did you leave Tongo?

15 A. Well, I left Tongo, one, because of the RUF pressure; two,
16 our High Command, he was Captain Yamao Kati, who was commanding
17 us. The SLAs there were shot and died there at the side.

18 Because of that, I was afraid and I left Tongo. Because we were
19 not strong there in command, so I decided to go to Kono to join
20 the 16th Battalion, which was based in Ngai a.

21 Q. Now, Mr Witness, when you say "the RUF pressure," what do
22 you mean by "the RUF pressure"? What sort of the pressure does
23 the RUF exert?

24 A. Well, first, all the weapons that we had with the SLA, we
25 were disarmed; they took it from us. And even where we were
26 mining, particularly when we, who were the indigenous of the
27 town -- indigenes of the town they will say [as interpreted]
28 wherever they found out that there was a di amondi ferous area,
29 they will take us from there and they would go there themselves

1 and did the mining.

2 Q. Now, you've told us that you decided to go to Kono to join
3 the 16th Battalion. Did you arrive in Kono in the same January
4 '98?

5 A. Yeah.

6 Q. And when you arrived in Kono, was there any particular
7 faction in charge of Kono?

8 A. At that time, RUF was there.

9 Q. Now, I am going to ask you about February 1998, can you
10 recall that month?

11 A. Yes, ma'am.

12 Q. Can you recall something happening in Sierra Leone in
13 February 1998?

14 A. Yes, I can remember that. Some time in February, or around
15 February 13th or 14th, the BBC announced that they had been
16 overthrowing the AFRC government, that the ECOMOG and the
17 Kamajors had been taking over the city from the AFRC personnel.

18 Q. Mr Witness, can you recall where you were when you heard
19 that announcement?

20 A. Yes, I was in Ngai a.

21 Q. Where is Ngai a?

22 A. Kono.

23 Q. And can you help us with a spelling, please?

24 A. It's N-G-A-Y-A.

25 Q. When -- did you do anything as a result of what you heard
26 over the BBC?

27 A. Yes. I just stood firm as a soldier who were listening
28 what would be the next agenda of the military.

29 Q. Now, Mr Witness, you earlier mentioned that RUF -- there

1 was an RUF presence in Kono. Can you recall who -- and the
2 commanders of the RUF -- were in Kono at that time?

3 A. Yes, we had General Issa Sesay, we had Superman, we had
4 CO Kai, Bai Bureh, and others were there, whose name I cannot
5 remember now, but those were the commanders.

6 Q. Now, when you -- in that February '98, can you recall if
7 anything happened in Kono?

8 A. In that month was when we saw they went with Johnny Paul
9 Koroma in the large convoy. So when he arrived in Kono, he said
10 he was heading for Kailahun, to Mosquito. So all of us, the SLA
11 who were going with him -- who were not going with him --
12 sorry -- we should take command from the RUF, that he was leaving
13 for Kailahun.

14 Q. Mr Witness, can you recall who the people were who came
15 with Johnny Paul?

16 A. I can remember a few.

17 Q. Yes. Can you tell us, please?

18 A. He was with Lieutenant T, Lieutenant Akim, Mandereh,
19 Gbondo, and others that I can't recall now.

20 MS THOMPSON: Your Honours, I think Mandereh is
21 M-A-N-D-E-R-E-H and Gbondo is G-B-O-N-D-O.

22 THE WITNESS: D-O.

23 MS THOMPSON: [Microphone not activated] are names, I
24 think, we've --

25 THE WITNESS: A-K-I-M.

26 MS THOMPSON:

27 Q. Thank you, Mr Witness.

28 A. Thank you.

29 Q. Now, when Johnny Paul left, did you do anything?

1 A. Well, when Johnny Paul left, we were there as standby
2 party. They said we should be -- we should be with Superman.

3 Q. When you say you were standby party, standby party for
4 whom?

5 A. Those who went and accompanied Johnny Paul, who were at the
6 rear, in case of anything, we would take up operations. So that
7 was why we were told to stay.

8 Q. Now, amongst the people who stayed with you, can you
9 remember the names of some of them?

10 A. Yes.

11 Q. And they were?

12 A. With Captain Marouf, Shaka Zulu. Then I was with
13 Captain Med. Then I was with one man called Blood, with the
14 others, whose names I cannot remember now.

15 Q. At this time, did you see Ibrahim Bazzy Kamara?

16 A. No, no.

17 Q. What about Tamba Bri ma?

18 A. No.

19 Q. Or Santi gie Borbor Kanu?

20 A. No, no, no.

21 Q. Now, you said you took up a standby position; what did you
22 have to do?

23 MR AGHA: Your Honour, I believe he's answered what his
24 role was as standby.

25 MS THOMPSON: If he has, then I'll move on. I've probably
26 lost track of where I was.

27 JUDGE SEBUTINDE: Actually, I myself am not quite sure. In
28 my own mind, I'm not sure if he was standby and remained in Kono,
29 or if he was standby but accompanied JPK from the rear. I'm not

1 sure. I think you'd better ask.

2 MS THOMPSON: Yes, Your Honour, because I think he said
3 something about "in the rear" and that might --

4 Q. Mr Witness, as standby, what did you have to do?

5 A. Well, we were to follow later but, as time went on, we
6 followed -- we reached at the point which was called Sengema. We
7 met with some RUF, who told us to stop there and return to Kono,
8 to capture Kono.

9 Q. Okay, if you wait there.

10 MS THOMPSON: Sengema, Your Honours, is S-E-N-G-E-M-A.

11 Q. When you said you were to follow at some point, how long
12 after Johnny Paul left did you follow?

13 A. Well, it was after four days.

14 Q. Can you recall how many of you went or were following?

15 A. We were many, because we were to go and collect ammuni tions
16 and bring them back to Koi du. So that was where -- while we were
17 going to Kailahun, but when we reached at Sengema, we were told
18 to return and hold on to Koi du Town.

19 Q. Mr Witness, did you have a commander?

20 A. On the way going, we had a commander going with. They were
21 also with Honourable Sammy. On that day that we reached to
22 Sengema, when we returned, some RUF told us that they had held --
23 that they had captured Tamba. He was about to hide to go to
24 Liberia, so he was captured and he was with Mosquito. The
25 Honourable Sammy told me that we should return, so that we should
26 come back. On that day, we returned with the parties that were
27 coming from Kailahun, to come, and we came back to Koi du.

28 Q. Thank you, Mr Witness. Now, you have told us -- I think
29 from your answer we got that you were with Honourable Sammy and a

1 commander. Can you recall the name of the commander?

2 A. [No interpretation].

3 Q. Who was he?

4 A. We were with Honourable Sammy. Then I was with one
5 Med Badje eh, who was that platoon commander for us who were
6 dispatched to go, but the overall commander was an RUF. CO Kai
7 was the RUF commander, who was of the overall.

8 Q. Okay.

9 MS THOMPSON: Med Badje eh, I think, Your Honours, we've
10 had that spelling before, but I'll spell it. M-E-D, and I think
11 Badje eh is B-A-D-J-E-J-E-H.

12 Q. Now, Mr Witness, I think your answer was that some RUF told
13 you that Tamba Bri ma had been arrested.

14 JUDGE SEBUTINDE: Actually, the words were Tamba.

15 MS THOMPSON: I beg your pardon.

16 JUDGE SEBUTINDE: You referred to Tamba.

17 MS THOMPSON: Tamba had been arrested.

18 Q. Do you know who they were talking about?

19 A. Yes, it was Tamba.

20 Q. Which Tamba were they talking about? Does Tamba have a
21 surname?

22 A. They said Tamba Bri ma. They said they had captured Tamba
23 Bri ma; he wanted to escape. They said they were coming with him
24 to Mosquito's ground at Buedu, that he was even in a dungeon,
25 under punishment. So most of SLA who were -- who said they
26 wanted to go to Kailahun, said we were about to hide. So
27 whosoever was caught was captured, and we were asked to come back
28 to hold the ground. On that day, we returned to Koi du.

29 Q. When you returned to Koi du, did anything happen?

1 A. Yes. When we came, we were in Koidu. We were at Kuyoh.
2 They sent me at the time on food-finding, at the village called
3 Yarya.

4 Q. Who sent you on food-finding?

5 A. It was CO Rocky. We had CO Rocky, who -- he was the RUF S4
6 commander. He was in charge of food. He -- we were asked to --
7 he selected us, the SLAs. On that day, he appointed me to join
8 the patrol to go on food-finding.

9 Q. And where did you go on this food-finding?

10 A. It was the village called Yarya, after Worodu Samu.

11 Q. When you got to Yarya, did anything happen?

12 A. Yeah. When we got to Yarya, at that time the people were
13 leaving the town to go back. It was there we met with some
14 civilians and they told us that a soldier was in one bush and
15 they were firing, and we made our way to go and see who the
16 soldier was. Unfortunately, when we went there, it was Komba
17 Brima, alias Gullit. He -- we met him at the place and he said
18 there were some soldiers who were called Gravel, Junior
19 Johnson --

20 THE INTERPRETER: Your Honours, may the witness go over his
21 last bit.

22 MS THOMPSON:

23 Q. Mr Witness, please. Remember I said that when you talk it
24 is being interpreted and we also have to keep up. So if you take
25 it slowly. Okay? That was a lot of information and the
26 interpreter lost you somewhere in the middle. So I think you got
27 to the point where you said you went into the bush and you found
28 Komba Brima, alias Gullit. If you take it from there slowly.
29 What happened after you found Komba Brima?

1 A. When we saw Komba, we tried to ask him what was wrong with
2 him and he said some soldiers, who I can remember some of their
3 names, the one was called Bravo, Junior Lion, Yellow Man, he said
4 they were with one Black Sheep. They had come and demanded from
5 him and when he refused he was brutalised and his wife was also
6 brutalised and was shot. So we had to sympathise with him on
7 that day. Then I told him that I heard that his brother had been
8 captured. Tamba. He said, how did I know? I said, well, one
9 day we stopped at Sengema. It was then that some RUF came and
10 told us that they had captured Tamba. Then he himself told us
11 that he had heard that but he never believed it. But now that I
12 had told him myself, then that was the confirmation to him. But
13 then it was getting late, so we had to tell him good-bye, and we
14 returned.

15 Q. Mr Witness, who did he say was shot?

16 A. Late Komba. Komba Brima.

17 Q. Mr Witness, when you went on this food finding can you
18 recall some of people you went with?

19 A. Yeah, I can remember some. I went with a man called CO
20 Gayla, Mohamed, Kini, and others whose names I cannot remember
21 now.

22 Q. Can you recall which faction they belonged to?

23 A. They were RUF.

24 JUDGE SEBUTINDE: Ms Thompson, it would help if we could
25 spell some these names. We are really lost now.

26 MS THOMPSON: Sorry, Your Honour. I think Gayla was -- the
27 spelling I have is G-A-Y-L-A. Kenny, I think we can use the
28 phonetic spelling for that which is K-I-N-I, I would expect.
29 Mohamed, I think it was Mohamed, I think those were the three he

1 mentioned.

2 Q. At this time, Mr Witness, in Koidu, where you had -- where
3 you were, were there SLAs on the ground?

4 A. There were SLAs but we were all called People's Army.

5 Q. Can you --

6 A. Because Johnny Paul had said that we were to take all
7 commands from them.

8 Q. Can you recall some of the names of the SLAs who were
9 present in Kono at this time?

10 A. I can remember some, but not all.

11 Q. Can you give us the names of those you can remember?

12 A. That, myself, I was there. I had Wangala Ju. I had Ju.

13 Q. Can you help us with the spelling of that?

14 A. Wangala Ju, W-A-N-G-A-L-A, J-U.

15 Q. And you mentioned another name?

16 A. Wangala Ju. Name?

17 Q. Yes, another person. You mentioned another person?

18 A. I said we were with Wangala Ju. Then I was with Blood,
19 together with Med Badje eh there. Momoh was also there.

20 Q. Does Momoh have a surname? Or is there a name that you
21 know Momoh by?

22 A. Honourable Momoh.

23 Q. Mr Witness, amongst the SLAs that were present in Koidu at
24 this time, was there a commander for the SLAs?

25 A. Except Shaka Zulu, who was Marouf, well he, himself, the
26 RUF beat him up. They said he wanted to sabotage them, so we
27 were also subjected to the RUF command.

28 Q. Now, Mr Witness, if we were to go back. You said good-bye
29 to Komba Bri ma?

1 A. Yes.

2 Q. Where did you go after that?

3 A. Well, we came back to Wordu and we came to Koi du Town.

4 Q. When you came back to Koi du Town, did you do anything?

5 A. When we came to Koi du we stayed. It was then that ECOMOG
6 came and attacked. So they had to pass an order that the houses
7 be burnt. So some of us became afraid. We had nowhere to go and
8 they were forcing us to go and fight. So we heard that SAJ Musa
9 was in Kurubonla. Then I hid with two of my friends and we went
10 to Kurubonla.

11 Q. Okay. Mr Witness, you said they passed an order to burn
12 the houses; who is "they"? Who passed this order?

13 A. It was Issa and Sam Bockarie.

14 Q. And then you said they ordered you to fight; who ordered
15 you to fight?

16 A. The RUF.

17 Q. Now, you said you and two of your friends escaped to
18 Kurubonla; who are these people who you escaped with?

19 A. Foyoh and Sheriff.

20 Q. Can you recall what month is it that you left Koi du for
21 Kurubonla?

22 A. I can't remember.

23 Q. Okay. Can you recall how long it took you from Koi du to go
24 to Kurubonla?

25 A. It was only a week.

26 Q. Mr Witness, when you got to Kurubonla, can you describe
27 what you saw in Kurubonla?

28 A. I can say the ones that I can remember.

29 Q. That's fine, Mr Witness. Just tell us what you can

1 remember?

2 A. I got to Kurubonla, we met SAJ Musa there, with a large
3 presence of the SLAs. Then we went and reported to him. We
4 deployed at his headquarters that day. Then we briefed him about
5 what happened where we came from, and he said it was good that we
6 were going back. He said we should pass the night. And the next
7 morning they called a muster parade and we joined up the parade.
8 Within the parade he, the SAJ Musa, was the overall commander.
9 Then we had one man who was General Bropl eh. He was in care of
10 the STF. Then we had Colonel Tee. That was the commander I met
11 there at the time that I went.

12 Q. Apart from those three people you've mentioned, and Colonel
13 Tee, General Bropl eh and SAJ Musa, were there -- can you recall
14 seeing other SLA -- sorry, you've told you saw other SLAs but can
15 you recall the names of those SLAs you saw or some of the SLAs
16 you saw?

17 A. Yes, there were SLAs there. We had a man called Johnny
18 Paul. We had Lieutenant Musa. We had Lieutenant Sanu and others
19 whose names I can't recall now.

20 Q. Thank you. This Johnny Paul who you've mentioned, is it
21 the same Johnny Paul as the one who'd arrived in Koidu with the
22 entourage?

23 A. No, no, that was Johnny Paul private soldier. He was a
24 private soldier. We used to call him Johnny Paul.

25 Q. At the muster parade, did SAJ Musa say anything?

26 A. Yes.

27 Q. Can you tell us what he said, please?

28 A. He tell us how to plan operations to advance for Freetown.
29 He said because the RUF were forcing us to go to Kailahun, and we

1 were soldiers, so we should fight back to regain our barracks.

2 Q. After that muster parade, did anything happen?

3 A. After the muster parade, on that day we fell out.

4 Q. How long did you stay in Kurubonla, for?

5 A. I stayed in Kurubonla for two months.

6 Q. At the end of those two months, where did you go?

7 A. Well, at that time SAJ had been planning the operation for
8 us to come to Freetown. Before moving to come he had -- he had
9 been sending an advance team to do a selection.

10 Q. Okay, Mr Witness. So, if you just hold it there. You said
11 he was sending an advance team to do a selection. Who was in
12 this advance team?

13 A. Well, the advance team consisted some commanders which I --
14 whom I can remember, but not everybody that I can recall now.

15 Q. Okay, you can't recall them now. Okay. And you said to do
16 a selection; what do you mean by to do a selection?

17 A. Of the ones that I can remember?

18 Q. No, I think your words were, Mr Witness, certainly the
19 interpretation was he sent an advance team to do a selection?

20 A. Yes, to go and select the ground where to base.

21 Q. All right, Mr Witness. Thank you. And this advance team,
22 do you now how many men made up this advance team?

23 A. I can't remember all of them.

24 Q. Okay. Carry on from where you were. You said you stopped
25 -- he had sent an advance team to make a selection?

26 A. Yeah. The advance team that he sent, his deputy was with
27 them.

28 Q. Who was his deputy?

29 A. Colonel FAT Sesay. Then with Colonel Eddie, Junior Lion,

1 with others I can't remember now.

2 Q. Was that the first --

3 A. I want to drink some water. Carry on.

4 Q. Mr Witness, first of all, let me ask you this: How do you
5 know that SAJ Musa had sent this advance team?

6 A. Well, it was when I arrived at Kurubonla, I had to ask the
7 brothers, whom I met, like Abuneh. He was the Imam, whom I met
8 at the ground. So he formed a council of Imams, but we say
9 council of chaplains. So when I reached Kurubonla, the man
10 presented the council to me. I was the head of the Imam council,
11 so that was why I was briefed, how they had formed the structure
12 before I went there. They've indicated to me the man that went
13 to -- the man that went with the advance team. So I got to know.

14 Q. Okay. You mentioned that you met a man Abuneh; is that the
15 name you mentioned?

16 A. Abuneh, Abuneh.

17 Q. Can we have a spelling for that, please?

18 A. A-B-U-N-E-H.

19 Q. Now, Mr Witness, this advance team, was that the first time
20 SAJ Musa had sent a team out?

21 MR AGHA: I object to that question. It's leading, Your
22 Honour.

23 PRESIDING JUDGE: Yes, that is leading, Ms Thompson.

24 MS THOMPSON: I will rephrase, Your Honour.

25 Q. Do you know if other teams left after this advance team?

26 A. Yes, the team left in my presence.

27 Q. Okay. Which team left in your presence?

28 A. The backup team, which was 0-Five.

29 Q. Do you know who else -- when you say it was 0-Five, what

1 was 0-Five in that team?

2 A. Well, 0-Five was the operations commander.

3 Q. Who else was in that team, apart from 0-Five?

4 A. It was Junior Sheriff. He was the company commander.

5 Q. And did 0-Five have a rank?

6 A. Yes, he was a colonel. Then he had the appointment of
7 operations commander.

8 Q. Okay. And then, after this second team had left in your
9 presence, did anything else happen?

10 A. Yes, the headquarters team decided to move again, we in the
11 SAJ Musa's team.

12 Q. You said "we in the SAJ Musa's team," so were you in the
13 headquarters team?

14 A. Yeah.

15 Q. And who else made up the headquarter team?

16 A. Well, the headquarter team was the prisoners of war that we
17 had, some Nigerians and some Guineans, and the relatives of the
18 soldiers of some sympathisers that we had, and the military
19 police, the intelligence.

20 Q. Within that group, Mr Witness, did you have a role?

21 A. If I had a role?

22 Q. Yes.

23 A. I was praying for the entire team.

24 Q. Did that mean you have a -- you had a position?

25 A. Yes, I had a position.

26 Q. What was your position?

27 A. Chairman of the chaplain council.

28 Q. When did you -- did your group -- your group leave
29 Kurubonla?

1 A. Kurubonla? It was some time in November.

2 Q. And after you left, was there anyone left behind?

3 A. We had the rear team, but as we were moving, they are
4 behind us. We did not leave them far away.

5 Q. Can you recall who was in the rear team?

6 A. The rear team? Tito was there when we left Kurubonla.

7 Q. Who was Tito?

8 A. It was the colonel.

9 Q. And, Mr Witness, when you left Kurubonla, where were you
10 heading?

11 A. When we left Kurubonla we were heading for the town which
12 they had gone to select. It was called Colonel Eddie Town.

13 MR AGHA: Sorry for interrupting my learned friend, but can
14 I kindly ask the interpreter to let -- to let Ms Thompson say the
15 English language and then interpret, because I am not getting the
16 English language at the moment.

17 PRESIDING JUDGE: Did you hear that, Mr Interpreter?

18 THE INTERPRETER: Yes, Your Honours, but I think counsel is
19 also overlapping. She -- she responds directly to the witness's
20 answers instead of the interpreter's answers.

21 PRESIDING JUDGE: I don't know what that means.

22 MR AGHA: Well, could I kindly ask the interpreter to -- to
23 wait until Ms Thompson has asked her question and then translate
24 so that I can hear the English question?

25 PRESIDING JUDGE: All right. Now, is that clear,
26 Mr Interpreter?

27 THE INTERPRETER: It is clear, Your Honour, yes.

28 PRESIDING JUDGE: All right, Ms Thompson, go ahead.

29 MS THOMPSON: I have forgotten what my last question was.

1 JUDGE SEBUTINDE: It was: Where did they head for? And he
2 answered: They headed for Eddie Town, the new base, or something
3 like that.

4 JUDGE DOHERTY: The town he had selected.

5 MS THOMPSON: Thank you very much, Your Honours.

6 Q. Mr Witness, did you subsequently arrive at Eddie Town?

7 A. Yes.

8 Q. Can you recall the date you arrived at Eddie Town?

9 A. Should be November 21. It was when we and SAJ went there.

10 Q. Mr Witness, on the way from Kurubonla to Eddie Town, can
11 you recall anything happening at all?

12 A. Yes. When we arrived in a town called Laminya, it was
13 there that SAJ Musa said he had received a radio message, saying
14 that Junior Lion had been arresting all the AFRC detainees. They
15 were in prison. So he even wanted to condemn them. So SAJ said,
16 he told him to wait until he got there.

17 JUDGE SEBUTINDE: Could you please spell this village that
18 he just named?

19 MS THOMPSON: Laminya, I think is I think L-A-M-I-N-Y-A.

20 A. L-A-M-I-N-A-Y-A [sic].

21 Q. And, Mr Witness, you said, "He wanted to condemn them." He
22 wanted to condemn the AFRC prisoners. What do you mean by "he
23 wanted to condemn them"?

24 A. Well, he told us that the men -- he had been arresting the
25 men. That was when SAJ Musa was with us. He said he went and
26 arrested them in one village. They wanted to hide and go across
27 to surrender. So these men should be killed, because they were
28 responsible for our suffering, and SAJ told him to wait until
29 we -- we got there.

1 Q. Can you recall being told which AFRC people had been
2 arrested?

3 A. I can remember a few. We had Sergeant-Major Woyoh, then we
4 had Ibrahim Bio and Ibrahim Kamara, Tamba Bri ma, Ibrahim Bangura,
5 Santigie Kanu, Snapper -- Amos Snapper.

6 Q. Is Snapper known by any other name?

7 A. His name was -- we usually called him Snapper. The others
8 I can't remember now.

9 Q. Okay. Now, when you got to Eddie Town -- when you got to
10 Eddie Town, can you recall who you met there?

11 A. I can remember some.

12 Q. They were who?

13 A. Late Colonel FAT Sesay [as interpreted]. Then we met
14 Junior Lion, he was a task force commander. Then we met O-Five
15 there, and others, whose names I can't remember now.

16 Q. Before I go on to my next question, did you say "the late
17 Colonel FAT Sesay," or did you say "we met Colonel FAT Sesay"?

18 A. We met Colonel FAT Sesay.

19 Q. Thank you. Do you know if there was someone in charge of
20 Colonel Eddie Town?

21 A. Yes.

22 Q. Who was it?

23 A. It was Colonel Eddie.

24 Q. Can you tell this Court how you knew that Colonel Eddie was
25 in charge of Eddie Town?

26 A. Yes, ma'am. When we arrived, the next morning they called
27 a muster parade. When they called the muster, before FAT Sesay
28 arrived, Colonel Eddie was talking to us, the men. It was not
29 long when FAT Sesay came. He called us to attention; he reported

1 to the task force commander, which is Junior Lion; Junior Lion
2 reported the parade to FAT Sesay. Then Junior -- Junior Lion
3 commanded us to stand at ease and FAT Sesay spoke to us. After
4 he had spoken to us he -- he introduced the officers to us. He
5 said that Junior Lion was the task force commander, O-Five was
6 the operation commander, and Junior Lion was in care of the
7 prisoners that had been captured. That was how I came to know
8 about them.

9 Q. Okay. Now, during this muster parade, where was SAJ Musa?

10 A. SAJ Musa had not yet arrived. He was at the headquarters.

11 Q. How long after this muster parade did SAJ Musa arrive?

12 A. After they had handed over to FAT, FAT left and went back
13 of the house and reported to SAJ Musa. Then SAJ Musa came with
14 his adjutant who is -- who was Elba. They came in front of the
15 parade and called us to attention. And FAT reported to SAJ Musa.

16 Q. Am I right in saying that this was all a matter of minutes?

17 A. Yeah, yeah.

18 Q. Okay. Mr Witness, at this time, you'd earlier told us that
19 SAJ Musa had got communication from Junior Lion about detained
20 AFRC people. Did you see at this time, this muster parade, do
21 you know where the -- these detainees were?

22 A. Yeah. When we came SAJ Musa sent for me to go to the
23 detainees. That I should -- I should go and interview them so
24 that I would know whether the allegations made against them were
25 true. So I went to meet them at the hut that they planted with
26 canes. There is a big box where they put rice. It was at the
27 front of the "baffa." So I went to see these men.

28 JUDGE SEBUTINDE: I am lost.

29 MS THOMPSON: So am I, Your Honour.

1 JUDGE SEBUTINDE: The front of the what, Madam Interpreter?

2 THE INTERPRETER: The booth.

3 MS THOMPSON: Perhaps, because I kind of got lost somewhere
4 and I am sure the transcript will reflect that.

5 Q. Mr Witness, can you tell us, because you said SAJ Musa had
6 sent you to go and speak to them about the allegations, can you
7 start with where you found them and then if you can take it
8 slowly and in portions, so the interpreter can interpret for us.

9 A. They were in a hut that they used a box to block.

10 Q. And this, what sort of box was it?

11 A. It's a box they use to put rice.

12 Q. And, Mr Witness, when you found them, can you tell the
13 Court what happened?

14 A. Yes. I wanted to speak with them but Junior Lion's
15 security there, that were -- was around, did not allow me to draw
16 the box to talk to them [as interpreted].

17 Q. So what did you do, Mr Witness?

18 A. I went back to SAJ Musa. I told him that I had seen them
19 but I was unable to talk to them.

20 Q. Mr Witness, did you subsequently get to speak to them?

21 A. Yes. The next day we went there and they removed all of
22 them.

23 Q. When you say you moved all of them, were they released from
24 arrest?

25 A. No, no, no, no. They removed them from the hut, and I
26 asked some of them, so I saw they were -- that they were coward.
27 So I told the Pa.

28 Q. Who is the Pa?

29 A. SAJ, SAJ Musa. SAJ Musa.

1 Q. Mr Witness, after that, did anything happen at Eddie Town?

2 A. Yes. Because since we were still on the ground, it was to
3 plan the operations to advance to Freetown. So on that same day
4 SAJ Musa made his operational plans. He reconstructed the entire
5 troops that had been on the ground.

6 Q. Okay. Mr Witness, at this time with SAJ Musa restructuring
7 the entire troops, do you know who was the overall commander of
8 Eddie Town?

9 A. Yes.

10 Q. Who was it?

11 A. During this time it was SAJ Musa who was the overall
12 commander.

13 Q. Do you know who his second in command was?

14 A. Yeah. It was FAT Sesay.

15 Q. In Eddie Town was Tamba Brima ever his second in command?

16 JUDGE DOHERTY: His, Ms Thompson?

17 MS THOMPSON: SAJ Musa's second in command. I'm sorry,
18 Your Honour.

19 Q. Was Tamba Brima ever SAJ Musa's second in command?

20 A. No, no, no, no, no.

21 Q. Did Ibrahim Bazzy Kamara hold any position under SAJ Musa?
22 Was he the third in command?

23 A. No, no.

24 Q. Do you know if Santigie Borbor Kanu held a position under
25 SAJ Musa at Eddie Town?

26 A. No, no, no.

27 Q. Now, you said SAJ Musa restructured; can you tell us how
28 this restructuring took effect?

29 A. Well, the way he restructured us, that was how it remained

1 until we entered Freetown.

2 Q. Did he give positions to people?

3 A. Yes, he gave positions to people; a few I can remember.

4 Q. Can you tell us, please?

5 A. Yes, I can tell. The SAJ Musa himself was overall
6 commander, and mission commander. Then FAT Sesay was the second
7 in command. Then Colonel Eddie became the adjutant. Junior Lion
8 as the task force commander. Then 05 as the operational
9 commander. Captain King as the OIC military police. This was
10 how he formed the headquarters. Then he -- the entire troop was
11 formed into four groups. We had the A Company, B Company,
12 C Company and D Company.

13 Q. Who was in charge of B Company?

14 A. It was Salifu Mansaray, alias Tito.

15 Q. B Company?

16 A. Bulldoze, Foday Bah Marah.

17 Q. C Company?

18 A. Junior Sheriff. Junior Sheriff was in C Company.

19 Q. And who was in charge of D Company?

20 A. Hamid. Hamid known as Keh.

21 Q. Does Hamid have a surname; can you recall?

22 A. Hamid. Hamid. We -- we usually called him Kef. I don't
23 know his last name.

24 Q. Did SAJ Musa have securities around him?

25 A. Yeah.

26 Q. Can you recall some of the names of his securities?

27 A. Yes. He had Juma, he had JU. He had Elba. He had Barrie.
28 And there was a cook called Alabama. He was cooking and taking
29 care of the things.

1 Q. Mr Witness, did there come a time -- sorry, how long did
2 you stay in Eddie Town for?

3 A. Eddie Town, we arrived there on the 21st. Then our group
4 moved on the 29th because we moved together with SAJ Musa.

5 Q. And when you moved with SAJ Musa, did you still maintain
6 your position as chairman of the council of chaplains?

7 A. Yes, yes.

8 Q. And did you all, your group and all the other groups, move
9 together?

10 A. No, we did not move together. The first group moved for --
11 the first group consisted of two companies, and then FAT went as
12 an observer, who is the 2 IC. He compiled A and B Company, and
13 Junior Lion, who is the task force commander, who was the task
14 force commander with Eddie, advised the two companies. Since FAT
15 was the 2 IC to SAJ Musa, he was the observer for the front line
16 party. They moved on the 27th. Then 05 moved on the 28th. When
17 05 moved on the 28th, on the 29th, we moved on with the back-up
18 team. So this was the chain in which we moved.

19 MS THOMPSON: Your Honours, the third accused would like to
20 use the facilities.

21 PRESIDING JUDGE: Yes, he can leave the Court.

22 JUDGE SEBUTINDE: Ms Thompson, for the record, these dates
23 he is giving, there are no months or year attached to them.

24 MS THOMPSON: I am coming to that, Your Honour. I will
25 clarify that.

26 Q. Mr Witness, what month was this?

27 A. I said in November.

28 Q. And in which year?

29 A. '98.

1 Q. Mr Witness, can you tell this Court if anything happened on
2 the way -- when -- anything happened when you left Eddie Town?

3 A. Yes. We -- we were coming, we had casualties, and our
4 leader, the commander-in-chief, died on the way.

5 Q. Okay. Now, we will come to all of those, but can I ask
6 you: The AFRC detainees, where were they when you left Eddie
7 Town?

8 MR AGHA: Objection to the question. Leading question.

9 PRESIDING JUDGE: Yes, that is leading, Ms Thompson.

10 MS THOMPSON: I will rephrase, Your Honour.

11 Q. The detainees that you had seen earlier, which you told us
12 about, do you know what happened to them?

13 A. As we were coming they - they were under security because
14 the entire task force team was with them.

15 Q. Do you know if they were given any positions?

16 A. Who?

17 Q. The detainees.

18 A. No, no, no, no. They were prisoners.

19 Q. Where did you -- when you left Eddie Town what was the --
20 where was the first town you stopped?

21 MR AGHA: I object to that question. He doesn't indicate
22 he stopped anywhere, Your Honour.

23 PRESIDING JUDGE: You can rephrase that, Ms Thompson.

24 MS THOMPSON:

25 Q. When you left Eddie Town, did you stop anywhere?

26 A. When we left Eddie Town, we were advancing to Freetown.

27 Q. Did you stop anywhere on the advance to Freetown?

28 A. No, we spent days on the road.

29 Q. Now, you said your commander in chief died. Where did he

1 die?

2 A. At Benguema, when we arrived in Benguema.

3 Q. And how long did you stay at Benguema for?

4 A. When we got to Benguema after the commander -- the
5 commander in chief's death, there was a shake in the command.

6 THE INTERPRETER: Your Honours, can the witness go over
7 that bit?

8 MS THOMPSON:

9 Q. Mr Witness, can you repeat what you just said, the
10 interpreter didn't get you?

11 A. Where should I start?

12 Q. After your commander in chief's death.

13 A. So FAT took up command, but some men would -- were not
14 listening to him, like Junior Lion. He said he would not take
15 command from FAT, because he was a Task Force commander. So we
16 were on that command struggle, then ECOMOG and the Kamajors
17 attacked us at a point called Korbor [as interpreted].

18 THE INTERPRETER: Correction from interpreter, Pawpaw.

19 MS THOMPSON: As in the fruit, P-A-W-P-A-W.

20 A. So from Pawpaw valley we prepared the attack, and we went
21 after them to Hastings. Then -- we -- we had a place where we
22 met, at the rendezvous, and held a commanders' meeting. After
23 holding the commanders' meeting, we spoke to everybody and we
24 asked everybody to have courage, and everybody should go on with
25 the task given to him earlier on. Because before we left Eddie
26 Town, the commander had given tasks to everybody. So after we
27 had spoken and understood each other, I prayed for everybody,
28 then Junior Lion took the lead, then we advanced to Freetown.

29 Q. Mr Witness, let's just clarify certain things. By

1 commander in chief, who do you mean?

2 A. SAJ Musa.

3 Q. At this time, the detainees -- the prisoners you had
4 mentioned before, do you know where they were?

5 MR AGHA: Objection. Leading question, Your Honour. I
6 object to that.

7 JUDGE DOHERTY: Also, Ms Thompson, I recall the witness
8 referring to prisoners of war who were Nigerians and Guineans.
9 Are you referring to those people?

10 MS THOMPSON: No, Your Honour. I am referring to the AFRC
11 detainees, and he had mentioned earlier that they were coming
12 with them. It is a logical question to ask if he knew what had
13 happened to them by this time. I'm not sure how I can ask a
14 question without -- whether that was leading or not. I don't
15 think that was leading, because it is something he alluded to in
16 previous answers.

17 PRESIDING JUDGE: Yes, ask the question, Ms Thompson.

18 MS THOMPSON:

19 Q. Mr Witness, the AFRC prisoners you had mentioned earlier,
20 do you know where they were this time?

21 A. They had been scattered at Benguema after the explosion.
22 Most of the manpower had been missing, some had -- had
23 surrendered. I had did not see them after Benguema.

24 Q. Which explosion are you referring to?

25 A. After we had captured Benguema, we had the ammunition from
26 the ammunition dump. We had missiles that the Guineans had been
27 using, so we put them outside. We were unable to carry them.
28 The commander gave an instruction to burn down the building.

29 Q. Which commander?

1 A. SAJ Musa. So during the fire flame, he hit the ground
2 missiles. That was what exploded, and the vibration shook the
3 entire campus. The fragment went through his helmet, and he
4 died. During the course everybody was disgruntled, and so they
5 scattered. The AFRC prisoners, the war prisoners, the Nigerians
6 that we had captured, they all escaped. It was one of the
7 Nigerians who came to report that SAJ Musa was passing out. The
8 next evening we heard it over the radio.

9 JUDGE SEBUTINDE: Madam Interpreter, you said SAJ passed
10 out? Is that what you said?

11 THE INTERPRETER: Yes, Your Honour.

12 JUDGE SEBUTINDE: Meaning?

13 THE INTERPRETER: Passing away.

14 MS THOMPSON: Your Honour, before I go to the next
15 question, the second accused would like to use the facilities.

16 PRESIDING JUDGE: Yes, he can leave the courtroom as well.

17 MS THOMPSON:

18 Q. Mr Witness, you said the Nigerian reported to you that SAJ
19 Musa had passed away. Can you tell the Court where you were at
20 this time?

21 A. Repeat the question.

22 Q. You mentioned that a Nigerian had told you that SAJ Musa
23 had passed away. Can you tell the Court where you were at the
24 time of SAJ Musa's death?

25 A. Yes. I did not say the Nigerians told me SAJ Musa had
26 died. I said after the explosion had taken place, we had the
27 Nigerians and the AFRC prisoners of war; they dispersed. The
28 Nigerians -- we heard a Nigerian over the radio who said SAJ Musa
29 had died, because the AFRC detainees did to the tell us, but

- 1 after they had escaped, he went to the leaders that the man had
2 died, because I was at the scene where the man died.
- 3 Q. Mr Witness, you can you tell us who else was present at the
4 scene of SAJ Musa's death?
- 5 A. Terminator was there.
- 6 Q. Does Terminator have another name?
- 7 A. I can't remember any of his other names.
- 8 Q. Carry on.
- 9 A. We had Adamu, Al abama, El ba, wi th others that I can't
10 remember now.
- 11 Q. Now, you mentioned that after SAJ Musa's death there was a
12 meeting of commanders. Apart from yourself, can you recall who
13 was present at this meeting?
- 14 A. I can remember a few. We had Tito, FAT Sesay, Juni or
15 Sheri ff, Foday Bah, mysel f, Keh, Foday Bah Marah, Med Badje eh,
16 NPFL, Koi gor.
- 17 Q. Mr Wi tness, j ust one mi nute. NPFL, what does that stand
18 for?
- 19 A. NPFL, i t was j ust a nickname.
- 20 Q. Okay. Those ini ti als, they' re ini ti als N-P --
- 21 A. They were ini ti als.
- 22 Q. And you mentioned another name after NPFL?
- 23 A. Koi gor.
- 24 Q. Can you help us with the spelling for that, please?
- 25 A. K-U-I -G-O-H [si c].
- 26 Q. Anybody else?
- 27 A. Whom I can remember?
- 28 Q. Yes.
- 29 A. Changamul anga, Komba. All the able commanders were there

1 on that day, but I can't recall all of them.

2 MS THOMPSON: Your Honours, Changamulanga is a name we have
3 heard before in this Court.

4 Q. And Komba, is that the same Komba you had met and you spoke
5 about in Yarya?

6 A. No, not that Komba. This one is Komba Jah-Jah. The other
7 one was Komba Gullit.

8 MS THOMPSON: Jah-jah has a phonetic spelling.

9 Q. Mr Witness, I'm going to ask you a little bit more about
10 this meeting. Was Tamba Brima present at this meeting?

11 A. No, no. He did not even go to the peninsula. He was not
12 there.

13 Q. Was Ibrahim Bazy Kamara present at this meeting?

14 A. No. These men were all one body.

15 Q. What do you mean by, "these men were all one body"?

16 A. They were all under that prisoner squad. They said they
17 were a sabotage. So they had a total -- they were watching over
18 them, but during this time I didn't know where they were. But
19 the place where we held this meeting, it was only the fighters
20 who were there. Even our families were not present. So I didn't
21 see them there.

22 Q. Mr Witness, do you know what happened to the clothing that
23 SAJ Musa was wearing after his death?

24 A. Ask your question again.

25 Q. Do you know what happened to the clothing that SAJ Musa was
26 wearing at the time of his death?

27 A. I don't know.

28 Q. Do you recall whether any of SAJ Musa's securities were
29 present at the meeting you have just mentioned?

1 A. After SAJ Musa died yes, Elba was there, then JU was there.
2 Alabama and others were all there.

3 Q. Can you recall what role was given to Alabama? If there
4 was a role given to Alabama?

5 A. Alabama? Alabama was -- he was a personal man to SAJ Musa.
6 He was a cook, then he was a hench man to him.

7 Q. After the death of the SAJ Musa -- sorry, perhaps I should
8 have made that clear. After the death of the SAJ Musa, do you
9 recall whether Alabama was given any role?

10 A. Alabama? Well, I didn't know his role any way.

11 Q. Okay. Mr Witness, do you now how tall SAJ Musa was?

12 A. How what?

13 Q. How tall SAJ Musa was?

14 A. We are almost of the same height.

15 Q. Would that be taller or shorter than the first accused?
16 That is Tamba Brima.

17 A. Yes, he would be taller than him. A little.

18 Q. Now, how long after this meeting did you leave Benguema?

19 A. Before this meeting we had left Benguema. We were at a
20 place call Upper Valley, within the peninsula.

21 Q. Did you subsequently leave Upper Valley?

22 A. Yeah, just after the meeting we synchronized timing. Let
23 me say, we moved early in the morning.

24 Q. At this time, Mr Witness, what was your role?

25 A. My role was to guide the group with prayers, then my
26 prayers would let all of us to meet together, because we had
27 timing. We had a time schedule for prayers. So when we come for
28 devotions, that was when we could select who should go when and
29 who should go where.

1 Q. Mr Witness, who was your overall commander at this time?

2 A. It was FAT Sesay. Because after we had said everything, I
3 suggested everything -- I summarised the entire meeting. I said
4 leadership is -- an appointment from God, and whosoever God
5 appoints for you, you should obey that person. Before we were
6 under SAJ Musa, and now we were under FAT, because at that time
7 everybody wanted to speak and I said everybody should not speak
8 except our leader, and even if we capture Freetown, FAT should be
9 the person to speak. And when we captured Freetown, it was he
10 that would gave the authority to speak

11 Q. When you -- do you know what task was assigned to Junior
12 Lion?

13 A. Yeah.

14 Q. What was it?

15 A. Firstly, we had a nickname which we used to call him. We
16 said he was SAJ Musa's whip, who was responsible for enforcing
17 order. So whosoever wanted to be an outlaw, whenever he saw
18 Junior Lion, he would be quiet and he would subject himself to
19 order. And he was the task force commander.

20 Q. What about Colonel Eddie, did he have a role?

21 A. Colonel Eddie was the adjutant. He was doing all of our
22 paperwork and reported to FAT.

23 Q. O-Five, did O-Five have a role?

24 MR AGHA: I object to these questions as leading, Your
25 Honour. I think the position, perhaps, could be put and then see
26 what the answer is.

27 JUDGE SEBUTINDE: I also recall this witness stating
28 earlier that these people maintained their positions until
29 Freetown. I don't know if these questions are intended to

1 solicit an different answer.

2 MS THOMPSON: They are intended to solicit an different
3 answer, yes, Your Honour. I will rephrase it.

4 Q. Now, at the time meeting you all maintained your roles.
5 That is what you said earlier; not so?

6 A. Yes.

7 Q. And the idea was to come to Freetown?

8 A. Yes.

9 Q. In these roles were different commanders given tasks,
10 different tasks?

11 A. Well, it was the same structure that we had before. They
12 just added to the manpower, because some groups had had
13 casualties. So we did some [indiscernible] balance, but the
14 command structure remained the same.

15 Q. Thank you, Mr Witness, I will move on. Did you eventually
16 reach Freetown?

17 A. Yes.

18 Q. Where did you go when you arrived in Freetown?

19 A. Well, when they arrived in Freetown, I was at Kissy. I was
20 taking care of the prisoners who were freed from the Pademba Road
21 Prisons. I was with one of my colleague chaplains, who was
22 called Issa, Pastor Issa. So we were given the ex-politicians,
23 so that we could take care of them. While they were at the
24 centre of the city, we were at Kissy Looking Town.

25 Q. Mr Witness, did you come to State House at all, you
26 yourself?

27 MR AGHA: Objection. Leading question, Your Honour.

28 PRESIDING JUDGE: What do you say to that Ms Thompson?

29 MS THOMPSON: Your Honour, the allegation is that the AFRC

1 forces went to State House, captured State House and made it a
2 base, and this witness has said he was part of the forces who
3 came to Freetown. I am putting something directly to him that's
4 in the allegations.

5 PRESIDING JUDGE: Well, it is being objected to as leading,
6 and it is leading. You could ask him: Did he go anywhere?

7 MS THOMPSON: I will rephrase, Your Honour.

8 Q. Apart from Looking Town Kissy, did you go anywhere else in
9 Freetown?

10 A. Yes, I had the vehicle. I was working through the town,
11 the areas where our men were.

12 MS THOMPSON: Your Honour, perhaps this would be a
13 convenient time to stop.

14 PRESIDING JUDGE: Yes, this is a convenient time.
15 Mr Witness, we are going to have a break now for lunch. I have
16 to caution you not to discuss this case or the evidence with any
17 other person; is that clear.

18 THE WITNESS: Okay.

19 PRESIDING JUDGE: We will adjourn the court until 2.15.

20 [Break taken at 12.45 p.m.]

21 [AFRC_25SEP06C - MD]

22 [Upon resuming at 2.18 p.m.]

23 PRESIDING JUDGE: Mr Witness, I'll remind you, you are
24 still under oath. Yes, Ms Thompson.

25 MS THOMPSON: Thank you, Your Honour.

26 Q. Good afternoon, witness.

27 A. Good afternoon, ma'am.

28 Q. Mr Witness, we left -- we broke off for lunch at the time
29 when you were telling us that you went to certain areas in

1 Freetown. May I ask you, please, Mr Witness, which areas did you
2 visit in Freetown?

3 A. Well, first of all, to start with, I visited Ferry
4 Junction, where -- where we had Colonel O-Five's headquarters,
5 because he had been covering from Kabala Town to Eastern Police.
6 Then, from there, I had had to visit the SLBS area, where you
7 had -- where Colonel Tito had been commanding. Then, in the area
8 where I was, which was "Kres yard" and the area where I was,
9 where old prisoners at Pademba Road were opened [as interpreted].

10 Q. Now, in any of these places, did you see Tamba Brima?

11 A. I stopped seeing them at Waterloo.

12 Q. Now, at any point on the travel to Freetown, did Tamba
13 Brima carry the rank of Lieutenant general?

14 MR AGHA: Leading question, Your Honour. I'd object.

15 PRESIDING JUDGE: It goes to the indictment, doesn't it?

16 MS THOMPSON: It goes to the indictment, Your Honour,
17 particularly the evidence given in this Court by one of the
18 Prosecution witnesses, namely, witness 334.

19 PRESIDING JUDGE: Ask the question, Ms Thompson.

20 MS THOMPSON:

21 Q. Mr Witness, at any time, do you know whether Tamba Brima
22 carried the rank of Lieutenant general?

23 A. No, not at all.

24 Q. Is that not at all, he did not or not at all, you don't
25 know?

26 A. He did not have any appointment in the movement. He was a
27 prisoner.

28 Q. Did he ever carry the rank of brigadier general?

29 A. No, no. We only had one brigadier, who was SAJ Musa. He

1 was the only brigadier.

2 Q. Did Tamba Brima at any time, when -- since Eddie Town, when
3 you met him at Eddie Town, up to the point when you stopped
4 seeing him, did he ever make any promotions or appointments?

5 A. Once more?

6 Q. Did Tamba Brima ever --

7 MR AGHA: I'd object to this question, Your Honour. It's
8 true Prosecution witnesses may have led this evidence, but this
9 isn't actually the charges against him. There is no reason the
10 Prosecution would submit that he should be led on these kind of
11 questions.

12 PRESIDING JUDGE: Well, it's evidence standing against him.
13 He has a right to lead evidence denying it. I will allow the
14 question.

15 MS THOMPSON: Grateful, Your Honour.

16 Q. Did Tamba Brima ever appoint anyone, or promote anyone
17 during the time -- from the time that you met him until the time
18 that you stopped seeing him?

19 A. No. Tamba Brima did not have any command and control over
20 anybody so far. Individually, he with his brothers, were
21 prisoners. I do not feel that he had any hands in any of the
22 operations which were being taken. All command structure had
23 been coming directly from SAJ Musa.

24 Q. And after SAJ Musa died, who was the person responsible for
25 command structures, Mr Witness?

26 A. It was FAT Sesay, as I have been saying.

27 Q. Mr Witness, now you said you stopped at Kissy, although you
28 went to various parts in Freetown. Can you please tell us what
29 month this was, when you were at Kissy?

1 A. I can recall January, February. And at the end of
2 February, Junior Lion instructed me to go back to Waterloo, so as
3 to go and take the prisoners that we opened at Pademba Road, so
4 they could be taken to Makeni.

5 Q. And what year are we talking about, Mr Witness?

6 A. This was in 1999.

7 Q. And when you went to Waterloo, can you tell the Court who
8 you found in Waterloo, if you found anyone there?

9 A. Yes. I met at the time that we had been returning to
10 Waterloo we met a large presence of RUF personnel.

11 Q. Can you recall whether these RUF personnel had a commander?

12 A. Yes. They had one Colonel Rambo, then with Denis Mingo,
13 alias Superman, with Colonel Isaac. These were the three
14 commanders that I could recall.

15 Q. Did you stay in Waterloo?

16 A. Well, I came and stayed at Benguema.

17 Q. How long did you stay in Benguema for?

18 A. Well, I stayed at Benguema till the day that they took late
19 president JS Momoh and Victor Foh and others to Makeni. So I
20 retreated and came based at Four Mile where the brigade
21 headquarter was.

22 Q. Who took ex-president Momoh, and Victor Foh and who else
23 did you say, Mr Witness?

24 A. I called Victor Foh, then I called Hilton Fyle. I called
25 Chief Dura and others that I cannot recall now.

26 Q. Okay. You say "they took them." Who is they, who took
27 them?

28 A. It was Colonel Rambo who was RUF. He was the one who took
29 them to Makeni.

1 Q. And, Mr Witness, you said you went to Four Mile; how long
2 did you stay in Four Mile?

3 A. Well, I was at Four Mile up to the time when I met with the
4 inter-religious council who came from the government side. I and
5 they went to a meeting. They said that the children that were
6 with us, who had been abducted from Freetown, they said so, we
7 should try so that the fighters could release them. I, as
8 somebody that was Godly. So, within that period, I had to put
9 the matter to Junior Lion, because by then he was the commander
10 for Four Mile. He had to hand over 39 children to me. He said I
11 should release them. But he had some other people, like Gunboot,
12 and the others, he said we were not to release the children. So
13 later, when I released the children, it was a threat. Then, I
14 myself, finally went to Makeni.

15 Q. Mr Witness, at Four Mile you mentioned Junior Lion was
16 there and the children. Who else was there?

17 A. Well, I had Tito. I had Changabulanga. Med Badjeje was
18 there, O-Five was there, Terminator, Rambo Last Mission, Mines,
19 and others that I cannot recall.

20 Q. In terms of location, going away from Freetown, is Four
21 Mile before or after Waterloo?

22 A. It's after Waterloo. Then you go to Four Mile. A place
23 that is called Newtown.

24 Q. And, Mr Witness, was there a commander at Four Mile; a
25 person who was in charge at Four Mile?

26 A. Yes.

27 Q. Who was that person, Mr Witness?

28 A. It was Junior. George Johnson. George Johnson.

29 Q. Does Junior Johnson, George Johnson, have another name?

- 1 A. George Johnson, alias Junior Lion.
- 2 Q. Mr Witness, you then said you went to Waterloo. When you
3 went to Waterloo, did you meet any SLAs there?
- 4 MR AGHA: Objection. Leading question.
- 5 PRESIDING JUDGE: That's leading, Ms Thompson.
- 6 MS THOMPSON: I'll rephrase, Your Honours.
- 7 Q. Mr Witness, at Makeni - I think it was Makeni you said you
8 went to - who did you -- did you meet anyone there?
- 9 A. If I met who at Makeni?
- 10 Q. Anyone that you know?
- 11 A. I met a lot of people there whom I knew by then.
- 12 Q. Okay. Mr Witness, do you know whether there were fighting
13 factions in Makeni?
- 14 A. Yes.
- 15 Q. Which ones were present in Makeni?
- 16 A. It was the RUF.
- 17 Q. Do you know if they had a commander?
- 18 A. Yes.
- 19 Q. Who was their commander?
- 20 A. They had Superman and Issa Sesay. But Issa Sesay was the
21 overall commander.
- 22 Q. Mr Witness, apart from the RUF, were there other fighters
23 from other organisations in Makeni?
- 24 A. Well, everybody in Makeni was for the RUF, because had
25 STFs, SLAs and all of them had been working under the command of
26 the RUF.
- 27 Q. Do you know any of the SLAs who were in Makeni?
- 28 A. Yes. Yes.
- 29 Q. Can you name them, please?

1 A. I knew Junior Akim, he was there. Then we had Baski. We
2 had Colonel Tee. We had Keke, Andrew and others, whose names I
3 cannot call now.

4 Q. Mr Witness, the prisoners, the AFRC prisoners, you said you
5 last saw at Waterloo, did you ever see them again, any of them
6 again?

7 A. No.

8 Q. How long did you stay in Makeni?

9 A. Makeni, I stayed there, I stayed there for two months. By
10 then they had been signing the peace accord, so I came back to
11 Freetown.

12 Q. Mr Witness, those are all the questions I have for you. If
13 you wait there, my learned friends will have some questions for
14 you. Thank you very much for your time. Thank you.

15 PRESIDING JUDGE: Yes. Any other -- any questions from
16 Mr Knoops?

17 MR KNOOPS: Thank you, Your Honour.

18 CROSS-EXAMINED BY MR KNOOPS:

19 Q. Mr Witness, good afternoon.

20 A. Afternoon.

21 Q. I have several questions for you, divided amongst a few
22 topics. Starting with your training in the military, first of
23 all, Mr Witness, were you ever promoted?

24 A. Yes, I was promoted.

25 Q. Can you recall when you were promoted?

26 A. My first promotion, I had it in '94.

27 Q. Do you recall to which rank you were promoted?

28 A. To lance corporal.

29 Q. Was this your only promotion, or were there other

1 promotions granted to you?

2 A. Well, I had other -- another promotion, in 1996.

3 Q. And, Mr Witness, can you tell the Court to which rank you
4 were then promoted?

5 A. To a corporal.

6 Q. Did you receive, Mr Witness, after 1996, any additional
7 promotions within the army?

8 A. Except when I retrained with the British training team,
9 that was the time that I had another promotion. That was the
10 time that the army was reinstated.

11 Q. Mr Witness, can you recall which year that was?

12 A. 2001, by then.

13 Q. Mr Witness, before being promoted in 1994, and 1996, did
14 you receive any additional training to achieve those promotions?

15 A. Yes. I went for military police training, at Hastings.
16 There I was given the rank of lance corporal.

17 Q. And what about 1996, before you became a corporal, did you
18 receive any additional training?

19 A. Well, I did one cadre, but it was a battle that I won.
20 That was the time that my platoon commander recommended me and I
21 was promoted to a full corporal.

22 Q. Mr Witness, you told this Court that in 1992 you received a
23 training of six months -- six weeks?

24 A. Six weeks.

25 Q. You also told the Court that, I recall you saying, you were
26 trained in local laws; is that correct?

27 A. Yes.

28 Q. How many of those six weeks were dedicated, according to
29 your estimation, to such training?

1 A. Say it again.

2 Q. Those six weeks training you mentioned in 1992, how many
3 days of those six weeks entailed training in local laws?

4 A. Well, it was only once per week. They would come and take
5 us. That was the Red Cross.

6 Q. Mr Witness, I put it to you that your training, in those
7 six weeks, predominantly was focusing on infantry. What do you
8 say to that?

9 A. I don't understand that part.

10 Q. I put it to you, Mr Witness, that most part of your
11 training in 1992 focused on infantry; is that correct?

12 A. Yes.

13 Q. I also put it to you, Mr Witness, that you weren't given
14 any manuals, or written laws on warfare, in 1992; what do you say
15 to that?

16 A. No, we did not have any law like that. We did not have any
17 manual which would tell us anything. It was only the Red Cross
18 who could come and give us guide, how a fighter should behave.

19 Q. Sir, I also put it to you that you were never told exactly
20 what is stated in those laws, and specifically the laws of war
21 you mentioned; what do you say to that?

22 A. Once more?

23 Q. Sir, I put it to you that it was never -- you were never
24 taught [sic] exactly what is stated in those laws of warfare you
25 mentioned; is that true?

26 A. Yes.

27 Q. Sir, I also put it to you that after 1992, the training of
28 six weeks you mentioned, you never received any laws from one of
29 your commanders you subsequently encountered after 1992; is that

1 correct?

2 A. You mean the same '92, if I did not meet any other law?

3 Say that again?

4 Q. Sir, I put it to you that after your training you
5 mentioned, the six weeks in 1992, after that training, you were
6 never given any laws by your commanders how to obey on the
7 battlefield; what is your response to that?

8 A. I said we had those laws because, as a soldier, when you
9 are in the army, you had laws that covered you. So if these
10 laws, if you had problems with them, you would have CB or IHM so
11 some of those laws, we used to maintain them. We used to abide
12 by them.

13 Q. Mr Witness, specifically about the period from May 1997, up
14 to your advance to Freetown, were any laws of warfare given to
15 you by either of your commanders?

16 A. Except when I went into the jungle, and SAJ Musa had always
17 been telling us about genocide, crimes against humanity, he used
18 to advise us and he used to give us guide so that we could not
19 commit any crimes. He said we should just fight against military
20 targets and that we should not attack civilians and that we
21 should not abduct civilians, so when we went in some areas where
22 we reached up with the RUF --

23 THE INTERPRETER: Your Honours, would the witness go a
24 little bit slow?

25 PRESIDING JUDGE: Mr Witness, you are talking too quickly
26 and the interpreter can't pick you up. Now, you will have to
27 backtrack and repeat what you said.

28 THE WITNESS: I said they told us about laws when we went
29 into the jungle. SAJ Musa had always been advising us about

1 crimes like rape, burning of houses, crimes against humanity and
2 some others things, because he had a book, which he said was the
3 Geneva Convention. He said after any war, he said people had to
4 give testimonies. He said anybody that was captured and who had
5 committed these crimes, he said he would be held responsible. So
6 because of those guides, nobody would say that he would have
7 spoiled SAJ Musa's laws, so I knew some of them so -- and we
8 abided by them.

9 Q. Mr Witness, is it correct that other than Musa, in that
10 specific time frame, no other individuals from the SLA informed
11 you about any laws; is that correct, sir?

12 A. When I went and did my military police course, I did law.

13 Q. Now, Mr Witness, I'm asking you specifically in the period
14 May 1997, until your advance to Freetown, other than Musa, did
15 anyone instruct you on the laws of warfare? I mean, anyone other
16 than Musa?

17 A. No. No.

18 Q. Thank you, Mr Witness. Mr Witness, can you recall whether
19 in the period May 1997, up to your advance to Freetown, any staff
20 officers were amongst the SLAs?

21 MR AGHA: Objection to that question. Is the witness able
22 to know what a staff officer is?

23 MR KNOOPS: Your Honour, I will rephrase.

24 Q. Mr Witness, are you familiar with the term "staff officer"?

25 A. Excuse me. Your question once more.

26 Q. Sir, are you familiar with the term "staff officer"?

27 A. Except if you break it down so that I can understand.

28 Q. Please, do you know the term "staff officer"? "Yes" or
29 "no"?

1 A. Staff officer. That's higher rank officer. Yes.

2 Q. If you were to have to give description of what ranks fall
3 under the term "staff officer," can you mention those ranks who
4 qualify -- which qualify staff officer?

5 A. It's from a staff captain, major, lieutenant colonel,
6 colonel, brigadier. They are staff officers.

7 Q. Thank you, sir. And, sir, is it correct that within the
8 Sierra Leone Army, the staff officer would normally attend the
9 staff college; is that correct?

10 MR AGHA: Your Honour, I object to that question. Does the
11 witness know even what a staff college is?

12 PRESIDING JUDGE: Well, he can say it, Mr Agha.
13 Technically, this is cross-examination. Go ahead.

14 MR KNOOPS:

15 Q. Mr Witness, can you answer the question? Do you want me to
16 repeat it?

17 A. Once more.

18 Q. Mr Witness, do you know whether, normally speaking, in
19 order to become a staff officer, you would have to attend a staff
20 college; is that correct?

21 A. Yes, sir.

22 Q. Now, going back to my initial question, sir: Do you know
23 of any of the SLAs you met, in the period May 1997, up to the
24 Freetown advance, were actually staff officers, as you've just
25 described?

26 A. Well, SAJ Musa was one of the staff officers.

27 Q. Can you recall any other ones?

28 A. There was one, but we were not together. Pa Mani. He was
29 far away, so he was one of the staff officers.

1 Q. Those are the names that you can recall?

2 A. Yes, yes.

3 Q. Mr Witness, I would like to take you now to the Kono
4 District and I recall that you testified this morning that the
5 RUF forced you to fight; is that correct, sir?

6 A. Yes.

7 Q. Could you please describe what kind of or what type of
8 force we should envision here?

9 A. Okay. During the time that we were in Kono, they captured
10 Sewafe Bridge. When ECOMOG had been trying to advance upon us,
11 so during that time, most of the manpower had gone to accompany
12 Johnny Paul Koroma to Kailahun. So we, the few SLAs who were at
13 Koidu Town, they would come at night. They would knock at our
14 doors. So when they greet us, like me, I was taken into a
15 vehicle and they took me to Sewafe Bridge. I escaped from that
16 place. I came to Koidu and I found my way out. So those are the
17 ways in which we were forced.

18 Q. Mr Witness, can you recall any one of the SLA refusing to
19 fight with the RUF?

20 A. Yes, I, myself, I was part of them.

21 Q. Do you know what happened with those SLAs who refused to
22 fight with the RUF, or for the RUF?

23 A. Yes. Like the Momoh that I mentioned earlier, he was fired
24 at, because during that morning when he was called for the muster
25 parade, when he refused, they fired at him. They took his
26 vehicle from him. And one colleague of mine, with whom I
27 escaped, he was called Korkor Piki n.

28 THE INTERPRETER: Your Honours, would the witness go a
29 little bit slow so as to allow the interpreter to do his work.

1 PRESIDING JUDGE: You are speaking too fast, Mr Witness.
2 The interpreter is having trouble picking you up.

3 THE WITNESS: Yes, I take it from Korkor Pikin. Let him
4 take it from Korkor Pikin. I said they used to force us to
5 fight. Like, Momoh was forced to go for muster parade. In the
6 morning, when he refused, they fired at him and they took his
7 vehicle.

8 JUDGE SEBUTINDE: Mr Interpreter, we need to understand.
9 Was that fired at, or was that shot dead?

10 THE INTERPRETER: They fired at him.

11 JUDGE SEBUTINDE: Just shot at him?

12 THE INTERPRETER: Yes.

13 MR KNOOPS:

14 Q. Mr Witness, can you please describe to the Court how you
15 felt as a soldier to be forced to fight for the RUF?

16 A. I felt bad. That was what made us to decide to search for
17 SAJ Musa, because the leader on whom we hoped was -- said that we
18 were -- who was Johnny Paul Koroma, he said that we were to take
19 instructions from the RUF, which was a civilian organisation.
20 Some men wanted to maintain that, but we found that it would not
21 be easy for somebody that was trained to take instructions from a
22 guerrilla group. So we found out that we wouldn't be able to
23 take orders from them.

24 Q. Mr Witness, during the whole time frame you testified about
25 this morning, May 1997 until the end of your journey up to
26 Freetown, were you ever willing to take orders from the RUF?

27 A. No.

28 Q. Now, Mr Witness, I would like you to go back to Kurubonla.
29 You told us this morning about a muster parade being held by SAJ

1 Musa. You testified that Musa was there and a large group of
2 SLAs. Can you remember, Mr Witness, whether there were RUFs
3 present during that muster parade?

4 A. No.

5 Q. You told us this morning --

6 PRESIDING JUDGE: What does that mean, Mr Knoops? That
7 means he can't remember, or there were no RUF?

8 MR KNOOPS: Yes.

9 Q. Mr Witness, you can't remember whether there were RUFs or
10 you say there were no RUFs?

11 A. Well, I cannot recall.

12 Q. Mr Witness, in your testimony of this morning, you told us
13 that Musa, during that muster parade, you say told about planning
14 operations. Can you tell the Court what kind of operations Musa
15 was referring to?

16 A. Yes, sir. The operation that he had been talking about was
17 how to advance to Freetown so as to reinstate the national army
18 which was disbanded by Pa Kabbah.

19 Q. So, Mr Witness, I take it from your statement that with the
20 word "operations," he didn't mean operations to attack civilians;
21 is that correct?

22 A. No, no. Only military targets.

23 Q. Mr Witness, can you recall whether SAJ Musa, during that
24 muster parade, speaking about planning operations, also told
25 about how to defend the positions of the SLA against, for
26 instance, ECOMOG or other factions or groups?

27 A. Yes.

28 Q. Could you please indicate what you recall from that
29 information you got from Musa, during that muster parade?

1 A. All that he had been trying to say, he also had been seeing
2 the pressure between us and the RUF. So he saw that we were
3 soldiers. If we were forced to go into the RUF, they would lead
4 us to Kailahun, where it was not the place that we came from. So
5 the best that we could do was to form ourselves, so as to try to
6 come to Freetown, and we should try to bypass all targets, until
7 we came to our target, which would be shorter for us to come to
8 that particular point. It was from there that the meeting was
9 brought to a close.

10 Q. Mr Witness, you were trained in 1996 to be a corporal; did
11 you ever hear about the term "defensive operations"?

12 MR AGHA: Objection, Your Honour. I don't believe he was
13 trained to be a corporal in 1996.

14 MR KNOOPS:

15 Q. Please wait Mr Witness, there is an objection.

16 PRESIDING JUDGE: What do you say, Mr -- you've got your
17 right of cross-examination, Mr Agha. Technically, Mr Knoops is
18 cross-examining. I don't see where you get a right to object to
19 his questions.

20 MR KNOOPS: Your Honour, I'm happy to rephrase the
21 question.

22 PRESIDING JUDGE: Yes. All right.

23 MR KNOOPS:

24 Q. Mr Witness, you testified that you were promoted in 1996 to
25 the rank of corporal. During your military training, or after
26 your training up until 1996, did you ever hear about the term
27 "defensive operations"?

28 A. Yes.

29 Q. Can you please tell us what the defensive operation, in

1 your view, is?

2 A. I say what I understand from -- defensive means that you
3 have to defend your territory. It's just like when you go and
4 get into a harbour, you have to defend that harbour. If you have
5 three companies, each company would have to engage in his own
6 defensive position, because we have act of responsibility and act
7 of fire, wherein each company would have its own responsibility
8 and that also would be broken down to platoons and the platoons
9 would break down to sections and the sections would break down
10 that to fire teams. Everybody would have his own area of
11 responsibility. So with that, within that perimeter it means
12 that you are on the defensive. Any particular thing that was
13 within that particular area, you should be on the defensive at
14 that particular time. See, that is what I understand by
15 defensive.

16 Q. And, Mr Witness, can you also indicate what the overall
17 purpose is of such a defensive operation, sir?

18 A. I can name a few. One is to gain ground. Two, to secure
19 ground so that the enemy could not overcome it.

20 Q. That's what you can remember?

21 A. Yes, yes.

22 Q. Sir, can you recall whether, during this specific muster
23 parade we are speaking about in Kurubonla, when Musa addressed
24 the troops and spoke about planning operations, whether the term
25 defensive operations was used by Musa, in the sense as you've
26 just described?

27 A. Excuse me. No, the operation, it was an offensive
28 operation because we had to leave the area and we went on
29 offensive. It was not on a defensive operation. You would only

1 be on the defensive because, during that time we had been
2 defending our lives and our people, because they had been burning
3 soldiers. They had been killing soldiers. They had been killing
4 soldiers of families, so they burnt soldiers' houses. So, we,
5 the few that were gathered, we were on the offensive defensive.
6 In terms of the operation, we went on offensive. After the
7 operation, we would be on the defensive. So that's how the
8 movement worked.

9 Q. Mr Witness, during the advance to Freetown, before you
10 arrived in Freetown, can you recall any specific operations
11 which, in your view, can be qualified as purely defensive? You
12 are now speaking about an offensive-defensive operation, namely
13 the advance to Freetown, but, in between, up to the advance, can
14 you recall any specific operations that were, in your view,
15 purely defensive?

16 A. Yes. When we moved to come, we got to a certain area
17 called --

18 THE INTERPRETER: Your Honour, I didn't get the name.

19 MR KNOOPS:

20 Q. Could you please recall the name of the place, sir?

21 A. Before we got to Colonel Eddie Town, we were at a place
22 called Kombili with SAJ Musa, so the RUF came from Kono area.
23 They came there to hijack SAJ Musa, but they met us on the
24 defensive. They were unable to enter. So, we repelled the
25 attack. The following day we moved. That was one defensive
26 before we got to Eddie Town, and after we left Eddie Town, when
27 we were on our way, the Gbethis attacked us around Batkanu. But
28 SAJ told us that we shouldn't fight with them, he said, because
29 they were our civilian brothers. He had a lot of money and he

1 said we should use the money as defence. We -- we improvised a
2 boat. We placed the women in the boat and gave the money to
3 them. They went across to the Gbethis. We told them that we
4 are -- we, together with SAJ Musa, are coming to reinstate the
5 army, so we were not ready to fight with them. But the only
6 thing is that we were on self-defensive, and in case there is any
7 obstacle that would not allow us to reinstate our army, so we
8 gave them the money. So they paved the way out for us. So, in
9 that -- on that occasion, we were on defensive.

10 Q. Thank you, sir. Can you perhaps recall the period within
11 which this operation took place, you just mentioned?

12 A. Well, the one for Batkanu?

13 Q. Yes, sir.

14 A. It should be early in December. We were on our way coming.

15 Q. Sir, can you recall who exactly was involved in the
16 planning of these kinds of operations?

17 A. Which of the operations?

18 Q. First of all, the operations you just last mentioned, the
19 defensive operations. Which individual from the SLAs you were
20 present with made these plans?

21 A. I, myself, was one of them. SAJ was there. Elba. Then we
22 had a medical man, who was Kantikoko. He was the PRO between us
23 and the people in that area.

24 Q. Thank you. Mr Witness, going back to the muster parade
25 of -- in Kurubonla, you testified earlier this morning that Musa
26 also informed the troops to fight back to regain the barracks, or
27 to regain barracks. Can you recall saying that?

28 A. Kurubonla? Yes, he said that, not only for the barracks,
29 but to reinstate the army. So, he was giving a moral discussion

1 to every one of us, saying that we should fight and reinstate our
2 army. He said the Nigerians are Africans, like us, and they were
3 British trained. Likewise, we, ourselves, said it would be
4 shameful for another force to remove us from our country.

5 PRESIDING JUDGE: Mr Witness --

6 THE WITNESS: He said --

7 PRESIDING JUDGE: Mr Witness, would you confine yourself to
8 answering the questions that are asked of you, please. You are
9 going way off the track here. Go ahead, Mr Knoops.

10 MR KNOOPS:

11 Q. Mr Witness, can you recall whether, in this plan to
12 reinstate the army, or regain the barracks, Musa ever mentioned
13 the RUF as a participant?

14 A. The RUF, since they had been taking us as targets, Musa
15 said we should be in parallel fashion. So that is how we were,
16 we were in parallel.

17 JUDGE SEBUTINDE: I'm not sure I understand that at all.

18 MR KNOOPS:

19 Q. Mr Witness, can you please explain what you mean with the
20 word "in parallel"?

21 A. That means we were split up. We were within the same line.
22 We were split up. Everybody was fighting for his own goal.

23 Q. Mr Witness, can you ever -- can you recall that ever a
24 common plan was made between the SLA and RUF to gain and exercise
25 political power and control over Sierra Leone, as a whole?

26 A. No, I have no idea.

27 Q. You don't know, or you --

28 PRESIDING JUDGE: He just said he had no idea. That's very
29 clear to me.

1 MR KNOOPS: Thank you.

2 Q. Mr Witness, I would like to take you back to
3 Colonel Eddie Town. You testified this morning that, at a
4 certain moment, Musa got the message that Junior Lion had
5 arrested AFRC people, and that Junior Lion wanted to condemn
6 them. Is it correct, sir, that, in those days, there was not a
7 justice or disciplinary system for the SLAs in place?

8 THE INTERPRETER: Your Honour, can learned counsel go over
9 the question again?

10 THE WITNESS: I'm waiting for the interpreter.

11 PRESIDING JUDGE: Mr Knoops, the interpreter has asked you
12 to repeat the question.

13 MR KNOOPS:

14 Q. Sir, you testified this morning that Musa, at a certain
15 moment, got the message in Colonel Eddie Town that Junior Lion
16 arrested AFRC people, and that Junior Lion wanted to condemn
17 those people. Can you recall your testimony on this point?

18 A. Yes, sir.

19 Q. Do you agree with me, Mr Witness, that, at that time, there
20 was no official court-martial system or disciplinary system for
21 the SLAs in place?

22 A. No.

23 JUDGE SEBUTINDE: Does that mean the witness does not agree
24 with you?

25 MR KNOOPS: Indeed. I am about to ask.

26 Q. Mr Witness, do you not agree or do you agree?

27 A. Well, we didn't have any court that was doing court martial
28 or that would pass an order to execute somebody.

29 Q. Thank you. Mr Witness, in Colonel Eddie Town, Musa made,

- 1 according to your testimony this morning, operational plans.
2 Could you please -- no, do you have any knowledge what kind of
3 operational plans were made?
- 4 A. I know some. For example, the operation plan he had was a
5 plan as to how to advance towards Freetown. First, we came on
6 selecting the routes. On that day, he came with a map. Then, we
7 did ground description. After the ground description, he issued
8 out orders to the various commanders.
- 9 Q. Mr Witness, I'm sorry to interrupt you. Could you please
10 confine yourself to the question. You are now going into the
11 description of how these plans looked like. But my question is:
12 Are you familiar with what kind of operational plans were made or
13 made familiar with the troops, by Musa, in Colonel Eddie Town?
14 You mentioned one plan, namely, the advance of Freetown. Can you
15 recall any other?
- 16 A. Yes, yes.
- 17 Q. Can you please mention them without going into the details
18 of such plans, please?
- 19 A. Well, the plan was for us to advance to capture Freetown
20 and reinstate our army.
- 21 Q. Any other plans you can recall, sir?
- 22 A. That we should set his wife and children free.
- 23 Q. Thank you, sir. Do you know whether Musa was in any way
24 assisted in making this plan by any of the SLAs present there?
- 25 A. Well, he had his group, anywhere we would make a plan,
26 there would be headquarters. They would form -- organise a
27 seminar, but I wasn't there, anyway.
- 28 Q. Sir, what do you mean with the seminar?
- 29 A. It's a gathering. During that time, you would have majors

1 upwards, they would be there. It is in these seminars that they
2 would have standing order procedures, and it would be issued out
3 to us, the lower ranks.

4 Q. Can you recall, Mr Witness, which individuals from the SLA
5 joined those gatherings; now speaking about Colonel Eddie Town?

6 A. Like the OIC, military police, Colonel King and FAT Sesay,
7 Junior Lion, Sergeant O-Five, Tito. I can't remember the others.

8 MR KNOOPS: I believe Your Honours have those names.

9 PRESIDING JUDGE: Yes.

10 MR KNOOPS:

11 Q. Mr Witness, you also told us this morning about Musa
12 restructuring the troops in Colonel Eddie Town. Can you recall
13 whether he was assisted in this reconstruction of the troops?

14 A. He was the commander in charge and the order would come
15 from him.

16 Q. Mr Witness, I asked you whether you know if there was any
17 SLA present at that time who, according to your knowledge,
18 assisted SAJ Musa in the reconstruction of the troops in
19 Colonel Eddie Town. Could you please answer yes or no, or I
20 don't know?

21 A. No, I don't know. I don't know.

22 Q. Thank you, sir. After the reconstruction of the troops in
23 Colonel Eddie Town, sir, was there anyone, according to the best
24 of your knowledge, put in charge of the civilians?

25 A. No.

26 Q. Can you recall whether, in any of the four groups you
27 mentioned, RUFs were present from the -- from Colonel Eddie Town
28 onwards?

29 A. Well, we had some RUF.

1 Q. What do you mean "we had some RUF"? Could you please
2 specify what you mean with that?

3 A. Well, we had one RUF man, who was CO Alfred, he was --

4 THE INTERPRETER: Your Honour, please, can the witness go
5 over that last bit?

6 PRESIDING JUDGE: Could you repeat your answer, please.

7 Mr Witness, you started off saying, "We had" --

8 THE WITNESS: We had an RUF, who was CO Alfred. He gave
9 his loyalty to SAJ Musa, so he was with us.

10 MR KNOOPS:

11 Q. Can you recall any other RUFs?

12 A. I cannot recall any of them.

13 Q. Thank you, sir. Now, going to the events after the death
14 of Musa, you told us this morning that we were at a command
15 struggle. Can you recall testifying this morning, sir?

16 A. Yes, I can recall.

17 Q. Can you please explain to the Court why, according to your
18 knowledge, there was a command struggle after the death of Musa?

19 A. Yes. I can give a brief account. When SAJ Musa died,
20 FAT Sesay was supposed to take up command, but Junior Lion and
21 some men, they said they wouldn't recognise him, because FAT was
22 a dull man. So that was the struggle.

23 Q. What do you mean?

24 JUDGE SEBUTINDE: Sorry, we didn't get that. Was a what
25 that.

26 THE WITNESS: Dull. FAT. When SAJ Musa died, Junior Lion
27 said he wouldn't subject himself under FAT Sesay, so that caused
28 the problem. The men even wanted to split up. Except later,
29 when we came in between them, then they were obedient.

1 MR KNOOPS:

2 Q. Mr Witness, please pause. Could you please explain what
3 you mean with "a dull man"?

4 A. Well, he was a man who was not physically fit in the battle
5 front. He was only there to advise.

6 Q. Mr Witness, you just testified that there was an intention
7 to split up, and that you or others came in between; is that
8 correct?

9 A. Yes.

10 Q. What happened afterwards?

11 A. Well, we were able to bring them together and spoke with
12 them.

13 Q. And what was the result of that conversation?

14 A. Well, we came and continued our operation.

15 Q. Is it correct, sir, that after that incident, Junior Lion
16 was never willing to take up any orders from FAT Sesay; is that
17 correct?

18 A. Yes, but after we had amended it, he subjected himself
19 under FAT.

20 Q. Mr Witness, can you recall from that event whether there
21 were any other persons who were not willing to listen to FAT
22 Sesay? Can you name them, if you know them?

23 A. Yes. Like Changamulanga, he was a platoon commander. He
24 himself was not willing. Then we had Komba Jajah, that I had
25 earlier mentioned. He, too, was not willing.

26 Q. These are the names you remember?

27 A. No. Yes.

28 Q. Mr Witness, can you recall how the other ranks responded to
29 this command struggle?

1 A. Yes. The men accepted, after they had arranged among
2 themselves, for FAT to head the command.

3 Q. I believe, Mr Witness, in this regard, you testified that
4 Junior Lion was still performing as a task force commander; is
5 that correct?

6 A. Yes, sir.

7 Q. Can you please explain why, specifically, Junior Lion was
8 task force commander after the command struggle?

9 A. Okay. It was because the command structure we had in Eddie
10 Town, it's just because the old man had died. When we had
11 gathered, we said everybody should hold onto his
12 responsibilities. Even FAT Sesay, he joined Junior -- he joined
13 Junior Lion in the advance team, so the structure was the same.

14 Q. Sir, I put it to you that Junior Lion, in the advance to
15 Freetown, acted as an independent force with his own group,
16 without having any contact with the other groups; what do you say
17 to that?

18 A. No, he was under FAT.

19 Q. Mr Witness, did you, at that time, know what happened with
20 Santigie Kanu?

21 A. This -- this particular -- this particular area in which we
22 were, we had left those men right behind. I did not see them
23 again.

24 Q. Mr Witness, I have a few concluding questions regarding
25 your period you stayed in the several places from May 1997 until
26 the advance to Freetown. Were you ever given a specific salary;
27 yes or no?

28 A. No.

29 Q. Were you ever given, by your commanders, ammunition; yes or

1 no?

2 A. No.

3 Q. Were you ever provided with official medical care; yes or
4 no?

5 A. No.

6 Q. Were you able to make use of radio communication sets?

7 A. If we had -- if we had it?

8 Q. Yes.

9 A. Yes.

10 Q. Did you ever get those radio sets in that period,
11 Mr Witness?

12 A. Yes, I had it, for my unit, my chaplain unit. I had one
13 radio set.

14 Q. Mr Witness, is it correct that the SLAs in the jungle used
15 so-called runners to bring over messages when they were not able
16 to use the set?

17 A. Yes, and if we did not have a set, we would improvise. In
18 that case we would use runners.

19 Q. Mr Witness, is it correct that you were not able to use
20 official transportation, such as vehicles, in the period May 1997
21 till your advance to Freetown?

22 A. No, you shouldn't use a vehicle. It was an offence. You
23 shouldn't loot any vehicle.

24 Q. Now, Mr Witness, going a little bit further back to your
25 military time, from 1992 until May 1997, when the overthrow took
26 place --

27 A. I want to ease myself. I want to use the bathroom.

28 PRESIDING JUDGE: All right. We will go briefly off the
29 Bench and expect the Court attendant to let us know immediately

1 the witness is ready again.

2 [Break taken at 3.28 p.m.]

3 [Upon resuming at 3.36 p.m.]

4 PRESIDING JUDGE: Yes, go ahead, Mr Knoops.

5 MR KNOOPS: Thank you, Your Honour.

6 Q. Mr Witness, just a few concluding questions. Now, we just
7 spoke about the time frame of May 1997 up to the advance of
8 Freetown. I would like to look now into the time period 1992 up
9 to May 1997, during your military service. Did you receive your
10 salary, at all times, in this period from the army or government?

11 A. No, no.

12 Q. Could you please explain to us what you mean with "no"?

13 A. Like, '93/'94 we would always be in the forefront areas.
14 It would take two and three months before the paymaster arrived
15 with our salary in the front. At times, the salary would go this
16 month. The next month, there would be no salary. They say you
17 are on omission. So that is the way things had been operating.
18 At times, it would take two months. They would not have one
19 month salary, at times. It could take three months without
20 salary and, if salary went, they would only pay us for a month,
21 and the other two months, we would not be able to get it.

22 Q. Mr Witness, is it correct that part of your salary was a
23 certain amount of rice a month?

24 A. Yes. That continued during the days of the AFRC, but when
25 the SLPP came, they condemned that. They said that the soldiers
26 would not have rice.

27 Q. And was this rice available?

28 A. I got it at the time that the SLPP came into power. It was
29 not available again, but I used to get it when the road was not

1 blocked.

2 JUDGE SEBUTINDE: Mr Knoops, are we not talking about the
3 period 1992 to 1997?

4 MR KNOOPS: Yes.

5 JUDGE SEBUTINDE: And are these answers related to that
6 period?

7 MR KNOOPS: No, I think the witness is going after the
8 period.

9 JUDGE SEBUTINDE: Well, you need to guide him.

10 MR KNOOPS: Thank you, Your Honour.

11 Q. Mr Witness, please restrict yourself now to the time frame
12 of 1992 up to May 1997; correct? Can you do that?

13 A. Yes, I can do that.

14 Q. Speaking about that time frame, is it correct that you were
15 not given a salary on a regular basis; yes or no?

16 A. Yes.

17 Q. Is it correct that you were not given the amount of rice in
18 those -- in that period, as part of your salary?

19 A. Individually, used to have my own rice, except when they
20 cut off the rice quota. That was the time I stopped getting
21 rice.

22 Q. Mr Witness, did you see whether salaries were paid to the
23 senior ranks in the army in the period 1992 up to May 1997?

24 A. Yes. The problem there was that when we later understood
25 that they would pay the senior officers, and a day would not take
26 it on time and they would not even go with some other people's
27 salary.

28 Q. Mr Witness, is it correct that in that period, 1992 up to
29 May 1997, the so-called other ranks were neglected by the senior

1 officers; yes or no?

2 A. Yes.

3 Q. How did you feel about that, Mr Witness?

4 A. I have bad feelings because they did not care for us, the
5 junior.

6 Q. And were you in a position to see how that would affect or
7 how that affected the morale amongst the other ranks?

8 A. Yes.

9 Q. Can you please explain to the Court in what way this
10 affected the morale amongst the other ranks?

11 A. Well, you see, at one particular time, when the enemies had
12 been attacking, if men were on the ground, they would not be able
13 to achieve their aim. But with the delay of the salary and other
14 things, the soldiers would leave the ground and would trace their
15 pay and, during that time, when they came, many people would not
16 be on the grounds. In that case, if they attacked, the morale
17 was low and the enemies would be able to overcome the ground
18 quickly. Those were some of the causes.

19 Q. Why, Mr Witness, didn't you leave the army when you were
20 not properly paid in money and when you observed that the other
21 ranks were neglected by the senior ranks? Why didn't you look
22 for another position, another job?

23 A. It was not easy. There was no job, except the soldier,
24 soldier job. And, in our own area, where we came from, the
25 rebels had transformed the place into a battlefield. That was
26 why we joined the army, to fight for the land.

27 Q. Mr Witness, I arrive at my last two questions. First, do
28 you agree with me, Mr Witness, that, speaking about the time
29 frame May 1997 up until the beginning of 1999, never any military

1 operation was jointly conducted by the AFRC and the RUF? Do you
2 agree with me; yes or no?

3 A. No, I cannot recall. I was not in any operation.

4 Q. Mr Witness, what is your comment on the proposition that
5 Santigie Borbor Kanu was a senior commander in Kono District in
6 the period February 1998 till 30 April 1998?

7 A. It's a lie. It was Gborie that was there. He was at Sahr
8 Lebbie Street. I did not see Santigie there.

9 Q. Mr Witness, can you comment on the proposition that
10 Santigie Borbor Kanu was a commander of the AFRC/RUF forces in
11 the period February 1998 till 31 December 1998, in the districts
12 of Koinadugu and Bombali, being in charge of attacking on
13 civilians?

14 A. It's a lie.

15 PRESIDING JUDGE: It's a very complicated question,
16 Mr Knoops.

17 THE WITNESS: Those men were not at Koinadugu.

18 MR KNOOPS: Mr Witness, please pause. I can cut down the
19 question into two questions, Your Honour.

20 Q. First of all, what is your comment on the proposition that
21 Santigie Borbor Kanu was a commander of AFRC/RUF?

22 PRESIDING JUDGE: Well, let's get -- you are asking for his
23 comments.

24 THE WITNESS: They have been lying.

25 PRESIDING JUDGE: Just a minute, Mr Witness. His comments
26 don't interest us. It's what he knows. I'm not interested in a
27 comment. That could be just his opinion. That's not evidence.

28 MR KNOOPS:

29 Q. Mr Witness, do you know whether Santigie Borbor Kanu was a

1 senior commander of the AFRC and RUF forces in Kono District in
2 February 1998 until 30 April 1998?

3 A. No. February, no SLA had command and control in Kono. It
4 was the RUF that were in charge.

5 Q. Thank you. Mr Witness, please, would you be so kind to
6 answer these last questions with a "yes" or a "no," or "I don't
7 know." My second question in this regard is: Do you know
8 whether Santigie Borbor Kanu was a commander of AFRC and RUF
9 forces in Koinadugu and Bombali District in the period February
10 1998 until 31 December 1998?

11 A. No.

12 Q. Do you know whether Santigie Borbor Kanu --

13 PRESIDING JUDGE: Is he -- what is he answering? Is he
14 saying "I don't", "No, I don't know," or is he saying something
15 else?

16 THE WITNESS: They were not commanders during that time.
17 It was the RUF that was in Kono in February. Up to the time that
18 I met them.

19 MR KNOOPS: Thank you.

20 Q. My last question: Do you know whether Santigie Borbor Kanu
21 was one of the commanders of the AFRC and RUF forces during the
22 attack on Freetown on 6 January 1999?

23 A. Whichever said that was a lie. He did not come. It was
24 FAT, the commander in charge. He was the one that took over the
25 radio. Then we, ourselves, we gathered together.

26 Q. Thank you, Mr Witness.

27 MR KNOOPS: That concludes my cross-examination, Your
28 Honour. Thank you.

29 PRESIDING JUDGE: Thank you, Mr Knoops. Mr Daniels.

1 CROSS-EXAMINED BY MR DANIELS:

2 Q. Good afternoon, Mr Witness.

3 A. Good afternoon, sir.

4 Q. Like, just as my colleagues have asked you some questions,
5 I will have to do likewise. I hope you will bear with me.

6 Mr Witness --

7 A. Sir.

8 Q. -- the Prosecution have alleged that the second accused,
9 Brima Bazzy Kamara, was a commander of AFRC/RUF forces based in
10 Kono between mid-February 1998 and 30 April 1998; what do you
11 say?

12 A. It's a lie. They lied about them. These people did not
13 have any commandship, when we returned from the jungle. Since
14 the time that the RUF.

15 Q. Thank you. Mr Witness, the Prosecution also allege that
16 Brima Bazzy Kamara, the second accused, was a commander of
17 AFRC/RUF forces which attacked Freetown on 6 January 1999; what
18 do you say?

19 A. They did not come to Freetown.

20 Q. And by "they," you mean who?

21 A. Ibrahim Kamara, I'm talking about him, the man about whom
22 you asked me, he did not come to Freetown. I'm going to buttress
23 that by saying that the entire people that they called the AFRC
24 did not come to Freetown.

25 Q. And in this regard he says also that Brima Bazzy Kamara was
26 a commander of AFRC/RUF forces which conducted armed operations
27 throughout north, east and central areas of the Republic of
28 Sierra Leone; what do you say?

29 A. I don't know whether they went there, but I did not see

1 them. I did not see them there.

2 Q. Thank you. Mr Witness, have you ever heard of the West
3 Side?

4 A. Yes.

5 Q. Where is the West Side?

6 A. It's -- it's in a place called Magbonki neh wi thi n --

7 THE INTERPRETER: Your Honours, I did not get the last
8 word. Could the witness be instructed to give me the last word.

9 MR DANIELS:

10 Q. Mr Witness, can you kindly repeat your answer where is --
11 to the question where is the West Side?

12 A. It's the place where -- it's the place that is called --

13 THE INTERPRETER: Your Honour, something is wrong with the
14 witness's mic. I don't get him properly.

15 MR DANIELS:

16 Q. Mr Witness, can you -- I think -- could you repeat the
17 answer. I think you were interfering with the mic. Please
18 repeat your answer.

19 A. It's a place called Magbonki neh, along the River John
20 [phon].

21 Q. Magbonki neh, I believe we've had that word before. Have
22 you ever been there yourself?

23 A. Yes, I went there once.

24 Q. When did you go there?

25 A. Well, when Johnny Paul was going there, I was in Makeni, so
26 they had to invite me there. They said we all had to converge
27 there.

28 Q. Can you give us the time frame?

29 A. It was in 1999 when the peace accord was being signed.

1 When they said that Johnny Paul was to go and visit his fighters
2 at the West Side, so I was in Makeni by then, so they had to call
3 us on radio message that all of us should converge there.

4 Q. Now, at the time you went to the West Side, do you know who
5 their commander was?

6 A. On West Side?

7 Q. That's correct?

8 A. Yes. At that time it was Foday Kallay, who was the
9 commander. Then, with Kontobi, Sillah Bob, but Foday Kallon was
10 the overall.

11 Q. Very well. Now, I believe the peace accord was around June
12 or so, 1999, but I'm talking about the period February to April
13 1999. Do you know who the commander of the West Side was during
14 that period, between February and April of 1999?

15 A. Yes, sir. With regards that everybody knew that it was
16 Kallay. Kallay was a commander.

17 Q. How did you know that?

18 A. Well, it was through communication. We had a link of
19 communication between we and them.

20 Q. Do you know who was the second in command at the West Side?

21 A. West side? It was Junior Lion.

22 Q. And how do you know this?

23 A. It was through the radio communication, because we had been
24 working on the same frequency.

25 Q. Mr Witness, what period was it that you were working on the
26 same frequency, through radio communication?

27 A. Well, let me say from November. When we took up operation,
28 until the time that we retreated from Freetown, we used to use
29 the same communication and when we were prepared to go to Makeni

1 it was Junior Lion whom we left, he was the one that went and
2 selected the West Side, so we were still on the same frequencies.

3 Q. What year was that?

4 A. '99.

5 JUDGE DOHERTY: Mr Daniels, I didn't hear the name of the
6 person who selected West Side. Could I have it repeated, please.

7 MR DANIELS:

8 Q. Can you please repeat the name of the person that selected
9 the West Side?

10 A. It was Junior Lion.

11 Q. Thank you. Mr Witness, after Benguema, did you see the --
12 any of the accused persons again?

13 A. No. Once SAJ Musa died, I did not see them again.

14 Q. Mr Witness, do you remember giving a statement to
15 investigators from the Special Court? Do you recall you gave a
16 statement to the investigators of the Special Court on 11 March
17 2006?

18 A. Yes, I can recall.

19 Q. I have a summary here of your statement and, at the very
20 last paragraph, it says that, referring to you, that "he" - "he"
21 is you - "That he later met Tamba Brima, Abdul Sesay, Woyoh,
22 Ibrahim, former detainees in Makeni; that he remained in Makeni
23 until the peace was finally restored." What do you say about
24 this, your statement?

25 A. Go over it. Go over it once more.

26 Q. The very last paragraph of your statement says that "he,"
27 and I am referring to you, "Later met Tamba Brima, Abdul Sesay,
28 Woyoh, Ibrahim, former detainees in Makeni; that he remained in
29 Makeni until peace was finally restored." What do you say?

1 A. Okay. When we were at Waterloo, Al abama went on strike.
2 He said that it was the men that killed hi s -- my brother. They
3 said they had killed SAJ Musa and because of that he said he was
4 going to move in search of them.

5 Q. So --

6 A. So during that time, he had to ask -- he said if I wasn't
7 able to get them, and he said that as soon as these people are in
8 Makeni, and I said that with this situation these people were not
9 the ones that killed SAJ Musa, and with that he said if we are
10 going to search for them, then you are just going to put their
11 lives under pressure and let --

12 THE INTERPRETER: Your Honours, would the witness go a
13 little bit slow.

14 PRESIDING JUDGE: Yes. Mr Witness, the interpreter, you
15 are talking too fast for him, and he's not getting your answer,
16 and I might remind you, you are not even answering the question,
17 either.

18 THE WITNESS: Once more.

19 MR DANIELS:

20 Q. I just read to you a summary of your statement given to the
21 Prosecutor, which says that in -- you later met Tamba Brima,
22 Abdul Sesay, Woyoh, Ibrahim, former detainees in Makeni. That
23 you remained in Makeni until the peace was finally restored.
24 Earlier on today you told me, or a few minutes ago, you said you
25 did not see the detainees again after Benguema. So the question
26 I'm asking is that: Did you meet the detainees, "yes" or "no"?
27 Did you meet them later on?

28 A. Yes, when we had retreated from Freetown. When we had left
29 Freetown, when we were going, they were in Makeni, when we were

1 going back. That is where they were until the cease fire came.
2 They signed the peace and everybody came back to town.

3 Q. So you did meet them again. Very well. Thank you very
4 much. Mr Witness, a witness in this Court has testified to the
5 fact that the first accused shot SAJ Musa and that is the cause
6 of his death at Benguema. The witness is witness 184, just for
7 the record. What do you say about that?

8 MR AGHA: Your Honour, I rise at this point to wonder
9 whether it's --

10 THE WITNESS: It's a lie.

11 MR AGHA: -- proper to be putting the testimony of other
12 witnesses to this witness, apart from the first accused.

13 PRESIDING JUDGE: It's not proper to put. You can put the
14 proposition, but you can't elicit from this witness an opinion as
15 to the veracity of other witnesses, Mr Daniels. That doesn't
16 stop you putting the proposition to him.

17 MR DANIELS: Very well. Thank you.

18 Q. I put it to you, Mr Witness, that the first accused shot
19 SAJ Musa and that resulted in his death at Benguema; what do you
20 say?

21 A. It's a lie. SAJ did not even have bullets. It was a
22 fragment, and he had been using a helmet. The vibration, the
23 element's weight was the one that killed him, the pain, but the
24 way -- the area where the fragment passed, there was a little
25 bit -- a little bit -- a little clot of blood and it was that one
26 that killed him.

27 Q. Mr Witness, I put it to you that Changamulanga, who you
28 mentioned earlier on, was the commander for short arms and long
29 arms -- shot sleeves and long sleeves; what do you say?

1 A. Once more?

2 Q. I put it to you that Changamulanga, who you mentioned as a
3 platoon commander, was responsible for the cutting off of arms;
4 what do you say? In "arms" I'm referring to hands.

5 A. Well, except when we had been retreating, but when we were
6 advancing to Freetown, I did not experience any chopping of
7 hands, but when we left that was the time that they formed the
8 West Side. You see, that's not to my knowledge.

9 MR DANIELS: Very well. I have no further questions.

10 PRESIDING JUDGE: Well, Mr Agha, I think we will leave your
11 cross-examination until the morning.

12 MR AGHA: Your Honour, I will be actually asking for an
13 adjournment, so if I might, and then we can deal with the
14 application, and should it not be granted, then we will continue
15 tomorrow.

16 PRESIDING JUDGE: Well, all right. Yes, and I wasn't aware
17 of that. You are asking for an adjournment?

18 MR AGHA: Yes, Your Honour. This, again, the identifying
19 data of this witness was disclosed on 8 September. Again, short
20 of the 21-day period required. And, as you will see, he is a
21 witness who the Prosecution would like to investigate further, on
22 his evidence. So we would be asking for an adjournment until
23 Monday, 2 October. We would also add that we started our
24 preparations later because we also were not sure, until quite
25 later on, whether indeed this witness would, in fact, be coming,
26 so we wanted to not waste unnecessarily resources.

27 PRESIDING JUDGE: I was just looking at the 2nd of October
28 thinking that exceeds your 21 days.

29 MR AGHA: Yes, Your Honour. Friday would have been the

1 last day but, bearing in mind that we couldn't actually work on
2 the 21 days, it wasn't actually confirmed that he would be coming
3 as a witness. We ask for a little longer.

4 PRESIDING JUDGE: Well, what is the Defence approach to
5 that application?

6 MS THOMPSON: Your Honour, I have nothing to say to that.
7 I leave it entirely in the Court's hands.

8 PRESIDING JUDGE: That application is granted, Mr Agha.

9 MR AGHA: Thank you, Your Honour.

10 MS THOMPSON: Your Honour, I don't know if I can do this in
11 the witness's presence, but just to give the Court an overview of
12 what's coming next from the Brima Defence. Your Honour, DAB-156
13 should be our next witness. We gather she is already in Freetown
14 and arrangements are being made for her to come to the witness
15 house this afternoon. So she should be the next witness. We
16 should have DAB-157 also. We know that she has made contact and
17 at lunch time we were trying to make contact again with her to
18 get her to come to the witness house. So she should be in some
19 time later today.

20 We have DAB-093. DAB-093, Your Honour, is already in the
21 witness house and is available. The issue we have here, this is
22 a speech-impaired witness, and together with the language unit
23 who have been very helpful in this, they have been able to secure
24 the services of someone from the deaf school who will translate
25 sign language. Unfortunately, this person is not available in
26 the morning, can only come to Court in the afternoons, I guess
27 because of commitment at the deaf school.

28 My learned friend and I were talking about this and we
29 thought that perhaps Thursday, there is a cross-examination in

1 the morning, so it may be that this witness can come in on
2 Thursday afternoon, or maybe Friday afternoon, depending on how
3 the evidence goes. In between now and when DAB-093 actually
4 comes to Court, there is DAB-100 who I know is making his way
5 from the provinces, as should DAB-111. So we will try and put
6 those witnesses in and then perhaps take DAB-093 much later on in
7 the week.

8 PRESIDING JUDGE: Well, thanks for that, Ms Thompson.

9 MR AGHA: Your Honour, the only problem the Prosecution
10 would have, and we have been discussing this with the Defence,
11 and it's only sprung to mind, is whether in fact 093 will be
12 capable of giving viva voce evidence, but I suspect we will wait
13 and see what happens at the time.

14 PRESIDING JUDGE: Yes, there could be some problems,
15 Mr Agha, but, as you say, we will wait until the event happens.

16 Mr Witness, we are going to have to ask you to come back to
17 Court again next Monday, next Monday, 2 October. And Mr Agha,
18 the Prosecutor, will have some questions for you then. So in the
19 meantime, I will again give you that caution not to speak about
20 this case, or your evidence, with any other person; is that
21 clear?

22 THE WITNESS: Okay.

23 PRESIDING JUDGE: All right. Thank you. We will adjourn
24 the Court until 9.15 tomorrow morning.

25 [The witness stood down]

26 [Whereupon the hearing adjourned at 4.09 p.m.,
27 to be reconvened on Tuesday, the 26th day of
28 September 2006, at 9.15 a.m.]

29

EXHIBITS:	
Exhibit No. D27	38

WITNESSES FOR THE DEFENCE:

WITNESS: DAB-096	2
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CROSS-EXAMINED BY MR AGHA	2
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WITNESS: DAB-033	34
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EXAMINED BY MS THOMPSON	34
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CROSS-EXAMINED BY MR KNOOPS	81
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CROSS-EXAMINED BY MR DANIELS	107
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