

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

MONDAY, 02 OCTOBER 2006
9.15 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Mr Simon Meisenberg
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Maja Dimitrova (Case Manager)
For the accused Alex Tamba Brima:	Ms Glenna Thompson
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain Mr Silas Cherkera

1 [AFRC02OCT06A - MD]

2 Monday, 2 October 2006

3 [Open session]

4 [The accused present]

5 [The witness entered court]

6 [Upon commencing at 9.15 a.m.]

7 PRESIDING JUDGE: Yes. Is this witness in the witness box
8 now DAB-033?

9 MS THOMPSON: No, no. He's DAB-059. I don't know what
10 happened because both witnesses are available to give evidence
11 today. But when we walked in, we saw that it was 059 who was in
12 the witness box. I'm not sure whether it was an error on the
13 part of the WVS or not.

14 PRESIDING JUDGE: All right. Thanks, Ms Thompson.

15 WITNESS: DAB-059 [Continued]

16 [The witness answered through interpreter]

17 PRESIDING JUDGE: Yes. Mr Hardaway. Just before we begin,
18 Mr Witness, you will recall that the last time you were in Court
19 you gave an oath to tell the truth.

20 THE WITNESS: I can recall.

21 PRESIDING JUDGE: Good. Well, I'm reminding that that oath
22 to tell the truth is still binding on you today; do you
23 understand that?

24 THE WITNESS: I will speak the truth.

25 MR HARDAWAY: Thank you, Your Honours. Good morning.

26 CROSS-EXAMINED BY MR HARDAWAY:

27 Q. Mr Witness, good morning, sir.

28 A. Good morning, sir. Good morning, sir.

29 Q. I have some questions for you and I just want you to listen

1 to them carefully and then answer them honestly. A lot of times
2 the answer can be "yes," "no" or "I don't know." Do you
3 understand, sir?

4 A. Okay, sir.

5 Q. And if I'm -- if there's going to be an -- if I need an
6 explanation, then I will ask you for it; all right?

7 A. Yes, sir.

8 Q. Thank you, Mr Witness.

9 A. Yes. Thank you, too.

10 Q. I'm just going to start off. My learned friend across the
11 aisle asked you about your education; are you able to read and
12 write, sir?

13 A. Yes, I can read and write. I can read and write.

14 Q. All right. I want to take you back to when you were a
15 security to Mr X; all right?

16 A. Okay.

17 Q. When you were a security to Mr X, how many other securities
18 did he have?

19 A. He had 18 securities.

20 Q. And all of these other securities, they were police
21 officers such as yourself; right?

22 A. No, they were not police officers. They were military
23 officers.

24 Q. So, out of the 18 -- now, is that 18 including you or 18
25 not including you?

26 A. Well, myself inclusive.

27 Q. Okay. Now, out of those 18 how many were police officers
28 and how many were military?

29 A. I said it just now. I said I'm alone in the police force.

1 Seventeen officers, they are military officers.

2 Q. And, Mr Witness, before --

3 A. Yes.

4 Q. -- before the coup that overthrew the Kabbah government, do
5 you know if it was standard practice for Mr X, or people in
6 similar positions of Mr X, to have military securities as opposed
7 to police securities?

8 A. Yes, sir. That's why they said Armed Forces Revolutionary
9 Ruling Council.

10 Q. No, Mr Witness. I'm saying before the AFRC government, do
11 you know if people like Mr X, or people in similar positions in
12 the Police Department, had military securities or police
13 securities?

14 A. Yes, they used to have.

15 Q. They used to have what, sir? Was it police or military?

16 A. Both. Both police and military.

17 Q. Taking you now, sir, to your time as a security during the
18 AFRC government. Based on his position, Mr X attended meetings
19 with senior members of the AFRC government, didn't he?

20 A. Yes. He used to go to meetings with senior AFRC officers.

21 Q. And some of these meetings would be with the Supreme
22 Council of the AFRC government, wouldn't it?

23 A. Yes.

24 Q. And as his security, you would go with him to some of these
25 meetings with the Supreme Council of the AFRC, wouldn't you?

26 A. Yes, because I was his personal security.

27 Q. Mr Witness, the first accused Alex Tamba Brima, he attended
28 those Supreme Council meetings of the AFRC, didn't he?

29 A. No. As I said, I knew him at the hospital. That was where

1 we used to visit him; at the hospital.

2 Q. I put it to you, sir, that Alex Tamba Brima attended
3 meetings of the AFRC Supreme Council because he was a member of
4 the AFRC Supreme Council; what is your response?

5 A. No, I never knew him for that. I left him in the hospital.

6 Q. Santigie Borbor Kanu attended those AFRC Supreme Council
7 meetings, didn't he?

8 A. I don't know who is called Santigie Borbor Kanu. Maybe if
9 I know him, I will identify him.

10 Q. I put it to you, sir, that Santigie Borbor Kanu was a
11 member of the AFRC Supreme Council and attended meetings; what is
12 your response?

13 A. No. I said if I can see him, maybe I will identify him and
14 think about the name, if I know him but, for now, I don't know
15 him.

16 Q. Ibrahim Bazy Kamara attended AFRC Supreme Council
17 meetings, didn't he?

18 A. No, I don't know who is called Bazy. I only know of
19 Brima, who is called Cobra. That was the person I used to see.

20 Q. I put it to you, sir -- no, I think I already asked that.
21 Excuse me. During your time as security for Mr X, did you ever
22 come to learn which people were responsible as to who overthrew
23 the Kabbah government?

24 A. Well, only Johnny Paul, Tamba Gborie, these are the people
25 I can identify, and the honourable that I was with. And also
26 Zagalo, and Honourable Woyoh, AFRC honourable. These are the
27 people that I can identify.

28 Q. So you're saying that some of the people who overthrew the
29 AFRC government were honourables; is that your evidence?

1 A. Well, when they overthrew, you claim yourself to be
2 honourable. These are the names that I've called Zagalo. These
3 are the people that I can identify.

4 Q. Did you ever speak to Mr X about who else may have been
5 responsible for overthrowing the Kabbah government?

6 A. Well, no. I never discussed that with him but I, myself,
7 will see.

8 Q. Mr Witness, I put it to you that the first accused, Alex
9 Tamba Brima, aka Gullit, was one of those who overthrew the
10 Kabbah government; what is your response?

11 A. No, I don't believe that. I know of Zagalo, Tamba Gborie.
12 These are the people that I knew because they went to the radio
13 and make some announcement and Johnny Paul Koroma.

14 Q. I put it to you, Mr Witness, that Santigie Borbor Kanu was
15 one of those responsible for the overthrow of the Kabbah
16 government; what is your response?

17 A. I told you that I don't know this Santigie Borbor Kanu. If
18 I can only see him maybe I will identify him.

19 Q. I put it to you, sir, that Ibrahim Bazy Kamara was one of
20 those who helped overthrow the Kabbah government; what is your
21 response?

22 A. The only Brima I know is Honourable Cobra. That's all. I
23 don't know of any Bazy. In fact, I thought he's a Lebanese.

24 Q. Thank you, Mr Witness. I want to now take you to the
25 time --

26 A. Yes. Thank you, sir.

27 Q. -- I want to take you to the time when you said you saw the
28 first accused, Alex Tamba Brima; okay?

29 A. I don't understand.

1 Q. I want to take you back to the time when you said you saw
2 the first accused, Alex Tamba Brima; okay?

3 A. Okay. I'm listening.

4 Q. And it's your evidence that you saw him at the 34th
5 Military Hospital; is that correct?

6 A. Yes, sir. Yes, sir. I saw him there.

7 Q. And the first time you saw him at the hospital was
8 immediately after the coup, wasn't it?

9 A. Well, no, I went there immediately after the coup but he
10 was admitted in the hospital but I learned that they were going
11 to compensate him because of the good works of his father.

12 Q. Mr Witness --

13 A. That was what I learnt.

14 Q. -- Mr Witness, I did not ask you that. As I said before,
15 listen to the question. If I want an explanation I will ask you
16 for it; okay?

17 A. Okay.

18 Q. Now, again, the first time you saw Alex Tamba Brima was in
19 the hospital right after the coup; "yes" or "no"?

20 A. Yes. It was just after the coup. I saw him. He was lying
21 there and I was escorted by Mr X.

22 Q. Okay, Mr Witness. And at that time he was in the hospital
23 for malaria; wasn't he?

24 A. Yes. He had malaria.

25 Q. Thank you. Did anyone tell Mr X to go visit Alex Tamba
26 Brima in the hospital, right after the coup?

27 A. Well, it was -- no, I don't know about that. I don't know
28 about that.

29 Q. Okay. Does Mr X know Alex Tamba Brima, the first accused?

1 A. Yes, he know him for a very long time.

2 Q. Okay. How did he know him for a very long time?

3 A. Well, at least Mr X was born at Brookfields and Tamba Brima
4 was born at the barracks, so they had to meet each other. So
5 they knew themselves through that interaction.

6 Q. Thank you, Mr Witness. Now, you had stated that the first
7 accused, Alex Tamba Brima, was a PLO 2; do you remember that?

8 A. No, I never said he -- he was PLO 2.

9 Q. I put it to you, sir, that you did state in your earlier
10 evidence that Alex Tamba Brima was a PLO 2?

11 A. No. No.

12 JUDGE SEBUTINDE: Actually, Mr Hardaway, my own record
13 shows he said PLO 3. That was in cross-examination by
14 Mr Daniels.

15 MR HARDAWAY: Thank you, Your Honour.

16 Q. Did you ever come to learn the position that Alex Tamba
17 Brima had in the AFRC government?

18 A. No. He was promised -- they said if he get well he would
19 be compensated for his father's good work but even that -- then
20 comes the intervention. Then he was not given anything.

21 Q. We'll get there in a second, Mr Witness. After you worked
22 for Mr X, you then worked for Christopher John; is that correct?

23 A. Yes, you are right.

24 Q. What was your job? What were your duties with Christopher
25 John?

26 A. It was just -- I was just a bodyguard because of the
27 revolution. I was as a bodyguard, and he sent me to the Defence
28 and the Defence sent me to Mr X.

29 Q. Mr Witness. Mr Witness, remember what we had talked about.

1 If I want an explanation I will ask you for it. Just please
2 answer the questions; okay?

3 A. Okay, sir.

4 Q. Now, during the time you were with Christopher John, how
5 many bodyguards did he have?

6 A. Roughly he -- I saw him with about 20 bodyguards, roughly.

7 Q. And were they all police officers or were they all
8 military?

9 A. They were police. Police officers. SSDs.

10 Q. What is SSD?

11 A. Special Security Division. It's a police force.

12 Q. After your time with Christopher John, Mr Witness, you then
13 went to work for Honourable Y; is that correct?

14 A. Yes, he sent me there. Defence sent me to Honourable Y.

15 Q. Okay. Now, what year -- what month, and year, did you
16 start to work for Honourable Y?

17 A. I started working with him 1997. 1997.

18 Q. Do you remember the month?

19 A. Well, between June, July, August. It's between these
20 months.

21 Q. Now, at the time that you were working for Honourable Y,
22 when you first started, you were still in Freetown, weren't you?

23 A. Yes, I was in Freetown.

24 Q. Did you ever ask Honourable Y as to who else was involved
25 in the overthrow of the Kabbah government?

26 A. No, I was unable to ask him because he was a member of the
27 Supreme Council. It was not easy to talk to people like that.

28 Q. Now, how many other bodyguards did Honourable Y have?

29 A. I told you just now that they were 18. Eighteen

1 bodyguards.

2 Q. And these other bodyguards, were they all soldiers?

3 A. Yes, they were soldiers.

4 Q. And you were the only police officer assigned as his
5 bodyguard; is that correct?

6 A. Yes, sir.

7 Q. Now, you have testified that you arrived in Kono with
8 Honourable Y in December of 1997; do you remember that?

9 A. Yes, I can recall.

10 Q. And that was still during the AFRC government; correct?

11 A. You are correct.

12 Q. Now, at that time, December 1997, was Honourable Y in
13 charge of the diamond mining in Kono?

14 A. Yes. He replaced Tamba Gborie.

15 Q. Now, during this time the AFRC and RUF were mining diamonds
16 in Kono together, weren't they?

17 A. No, I don't believe.

18 Q. But if they were mining diamonds together, Honourable Y
19 would know because he was in charge of diamond mining; correct?

20 A. No. It was only Honourable Y. It was a collective work,
21 but Honourable Y was responsible for that.

22 Q. And by collective work, sir, do you mean collective work of
23 the AFRC and RUF?

24 A. Yes, yes, yes.

25 Q. Thank you, Mr Witness.

26 A. Yes, thank you, sir.

27 Q. Now, it was in December of 1997 that you saw the first
28 accused, Alex Tamba Brima, at Masingbi Road, wasn't it?

29 A. Well, no. I saw him at 34. From there he took a pass,

1 saying that he want to go for a medical checkup.

2 Q. Mr Witness, just listen. You had testified that you had
3 seen the first accused, Alex Tamba Brima, in Kono District; do
4 you remember that?

5 A. Yes.

6 Q. Okay --

7 A. And I told you that he went for a medical checkup.

8 Q. Mr Witness, we will get there in a minute. Again, just
9 listen to my question. When you saw him in Kono District, it was
10 in December of 1997, wasn't it?

11 A. Yes, sir.

12 Q. And it was in December of 1997 that he said that he was in
13 Kono to seek medical treatment; is that correct?

14 A. Yes, sir.

15 Q. And that he was going to go to Yarya to cure himself; do
16 you remember that?

17 A. Yes, sir.

18 Q. You had also mentioned soon after this phase of your
19 evidence, sir, that Johnny Paul Koroma was saying that the first
20 accused, Alex Tamba Brima, was afraid; do you remember that?

21 A. Yes, he said so.

22 Q. When did Johnny Paul Koroma say this, sir?

23 A. It has taken a long time since he has been saying this.
24 Since he was admitted at Mile 34, he has been saying that. It
25 has taken a long time since he has been saying that.

26 Q. So, would you agree with me that he had been saying this
27 since the coup, that overthrew the Kabbah government -- excuse
28 me.

29 A. Well, yes, it has taken a long time since he has been

1 saying that. He said the man is afraid.

2 MS THOMPSON: Your Honour, before my learned friend goes
3 on, can the interpreter tell us the hospital again, please,
4 because I heard something different. I heard a distance as
5 opposed to a place.

6 JUDGE DOHERTY: Yes, I heard that distance.

7 THE WITNESS: I don't get you.

8 PRESIDING JUDGE: I heard 34 hospital, but --

9 MS THOMPSON: Mile 34, the interpreter --

10 PRESIDING JUDGE: Oh, Mile 34. Did the witness say Mile 34
11 hospital, interpreter?

12 THE INTERPRETER: The witness said at the 34 hospital.

13 MR HARDAWAY: With the Court's -- I'll try and clarify
14 that, Your Honour.

15 Q. When you say 34 hospital, it's the 34 Military Hospital,
16 isn't it, sir?

17 A. Yes, sir.

18 Q. Now, when you spoke to the first accused, Alex Tamba Bri ma,
19 in Kono, he had mentioned that he did not know what was wrong
20 with him, did he?

21 A. Yes, that was what he told me.

22 Q. And you also said that there were other honourables at this
23 meeting as well; do you remember that?

24 A. Yes. There were other honourables.

25 Q. Which honourables were there at that meeting, sir?

26 A. Honourable Bio, Honourable George Adams, Honourable Hector,
27 Honourable Cobra and Honourable Y and -- and Honourable Abdul
28 Sesay.

29 Q. Why were all those honourables in Kono, sir, at that time?

1 A. Well, Johnny Paul sent them to replace Gborie for the GGDO
2 issue.

3 Q. So, what you're saying is he sent all of these honourables
4 to replace one man to handle the diamond mining in Kono; is that
5 your evidence?

6 A. Yes, you are correct.

7 Q. I put it to you, sir, that the honourables you just
8 mentioned were there in Kono to engage in individual illegal
9 diamond mining; what is your response?

10 A. No, that's not true.

11 Q. Mr Witness, Ibrahim Bazy Kamara was at that meeting with
12 the other honourables, wasn't he?

13 A. No.

14 Q. I put it to you, sir, that Ibrahim Bazy Kamara was there
15 at that meeting that you talked -- when you talked with Alex
16 Tamba Brima; what is your response?

17 A. No, that's not true.

18 Q. I put it to you, Mr Witness, that Santigie Borbor Kanu was
19 also at that meeting in Kono that you've described; what is your
20 response?

21 A. No, that's not true.

22 Q. Mr Witness, I now want to move on to the period of the
23 intervention; okay?

24 A. Welcome.

25 Q. Now, during the intervention, where was Johnny Paul Koroma?

26 A. He was in Freetown.

27 Q. And during the intervention he had asked for troops; is
28 that correct?

29 A. Well, I was not in Freetown, I was in Kono when he sent a

1 wireless message.

2 Q. So he sent a wireless message asking for troops; yes?

3 A. I don't get the question clearly; please ask again.

4 Q. Did Johnny Paul Koroma, over the radio, ask for troops from
5 Honourable Y and other -- and other sources to come to Freetown?

6 A. Yes.

7 Q. And you have testified that you had told the first accused,
8 Alex Tamba Brima, about Johnny Paul's message, Johnny Paul
9 Koroma's message, didn't you?

10 A. No. No. I didn't tell him that.

11 Q. You did not tell Alex Tamba Brima that Johnny Paul Koroma
12 had sent a wireless message asking for troops to come to
13 Freetown?

14 A. No, I didn't tell him that.

15 Q. Now, moving further along, Mr Witness, in Masiaka, you
16 testified that Johnny Paul Koroma had asked for the first
17 accused, Alex Tamba Brima; do you remember that?

18 A. Yes, he asked for him. He asked for his condition.

19 Q. And he -- he asked about his condition; that's why he asked
20 about Alex Tamba Brima, to find out how well he was, or how sick?

21 A. Ask me again. I don't get the question clearly.

22 Q. Certainly, Mr Witness. Is it your evidence that, in
23 Masiaka, Johnny Paul Koroma asked about the first accused, Alex
24 Tamba Brima, because he wanted to know if he was sick or well?

25 A. Yes.

26 Q. Now, you had also testified, and please correct me if I am
27 wrong, on the road, while in Masiaka, that you had seen a soldier
28 in the bush; do you remember that?

29 A. No.

1 Q. Did you not testify, sir, that you saw a soldier in the
2 bush who said that Alex Tamba Brima, the first accused, told the
3 troops that they should run away and surrender?

4 A. Yes.

5 Q. Do you know where Alex Tamba Brima said this to these
6 soldiers?

7 A. It was in Kono but I was not there. I only heard it from
8 the soldiers.

9 Q. Now, was it -- you said soldiers. How many soldiers told
10 you that Alex Tamba Brima told them to run away?

11 A. It was only one signaller, one signaller, called Phillip.

12 Q. Okay.

13 A. A signaller called Phillip.

14 Q. Now, after Phillip told you this, what happened to Phillip?

15 A. Nothing went wrong with him because he was a signaller.
16 Nothing went wrong with him.

17 Q. Did you take him with you?

18 A. No, it was at Masiaka. It was about 100 yards from Masiaka
19 Town. That was where we saw him. He gave us the information
20 that Alex Tamba Brima has panicked the town.

21 Q. Mr Witness, please listen to the question. Did you take
22 Phillip with you after he told you what Alex Tamba Brima said?

23 A. Yes, I took him to Honourable Y.

24 Q. And what happened after you took him to Honourable Y?

25 A. Honourable Y told Johnny Paul.

26 Q. And it was at this point that Johnny Paul Koroma was
27 desperate over Alex Tamba Brima?

28 A. Yes.

29 Q. And was it at this point that Johnny Paul Koroma started

1 calling Alex Tamba Brima a cowardly bastard?

2 A. No. It was from 34. When he refused to join the Jui
3 attack, that was the time he started calling him so.

4 Q. So, is your evidence that from almost the beginning of the
5 coup that Johnny Paul Koroma started calling Alex Tamba Brima a
6 cowardly bastard?

7 A. I don't get you clear.

8 Q. Your evidence was Johnny Paul Koroma started to speak badly
9 of Alex Tamba Brima, the first accused, from the 34th Military
10 Hospital; do you remember saying that?

11 A. Yes, I can recall.

12 Q. Okay. Now, why was Johnny Paul Koroma so desperate over
13 Alex Tamba Brima?

14 A. He said the man is a coward. He's afraid to appear in the
15 war front. It was only because of his father's hard work that he
16 had wanted to compensate him.

17 Q. Do you know what his father did?

18 A. Yes, I know what his father did, through the information I
19 gathered, but I was -- I was not there to see it with my own
20 eyes.

21 Q. What did his father do?

22 A. Well, when I asked the other soldiers, they told me that
23 his father was -- he made a firing pin for a twin barrel. So
24 that was why they had wanted to compensate him, because his
25 father died earlier. He was killed by a bomb shock. He fell in
26 coma and died. So that was why they had wanted to compensate
27 him, so the family will not be left like that. But, by then, he
28 was too sickly. I didn't know him for any office.

29 Q. I didn't ask you if you knew him for any office,

1 Mr Witness. Now, you got this information from speaking with
2 other soldiers because you were curious about Alex Tamba Brima,
3 weren't you?

4 A. Yes, I was eager to know about him.

5 Q. Now, you were eager to know about Alex Tamba Brima but you
6 were not eager to know who everyone involved was in the coup that
7 overthrew the SLPP government?

8 A. I was not eager to know them because I was just working. I
9 worked under command.

10 Q. We will move on, Mr Witness. Now, it was your evidence
11 that it was at Lower Baoma, I believe, that Mike Lamin, Major OJ
12 and others met Johnny Paul Koroma; is that correct?

13 A. You are right.

14 Q. I put it to you, sir, that it was Mike Lamin, Issa Sesay
15 and others who met Johnny Paul Koroma in Koidu Town, and not in
16 Lower Baoma, and that you are giving false evidence as it relates
17 to that; what is your response?

18 A. I'm speaking the truth.

19 Q. Mr Witness, let me backtrack a little bit. When exactly
20 did Johnny Paul Koroma want to have the first accused, Alex Tamba
21 Brima, executed?

22 A. 1998, March.

23 Q. Was he in Masiaka when he first said, "I want that cowardly
24 bastard, Alex Tamba Brima, to be executed"?

25 A. Yes, yes. From Masiaka. That was what he said.

26 Q. I now want to move on to the capture of Alex Tamba Brima,
27 sir. Now, is it your evidence that when Mike Lamin captured Alex
28 Tamba Brima you were there with Honourable Y?

29 A. Yes, I was there.

1 Q. And you also stated that Alex Tamba Brima was captured with
2 Borbor Jep?

3 A. Yes. Borbor Jep. Jep.

4 Q. Who is Borbor Jep?

5 A. Borbor Jep was a corporal from the army.

6 Q. I put it to you that Borbor Jep was Alex Tamba Brima's CSO;
7 what is your response?

8 A. No, I don't believe so.

9 Q. Now, Mr Witness, it's also your evidence that when Alex
10 Tamba Brima, the first accused, was captured by Mike Lamin, Mike
11 Lamin said that he would not kill him but that he would talk to
12 Johnny Paul Koroma on his behalf; is that correct?

13 A. Yes, that is what he said. He said he was going to bear
14 with the jail.

15 Q. And after Mike Lamin spoke with Johnny Paul Koroma, Johnny
16 Paul Koroma still wanted to have Alex Tamba Brima executed,
17 didn't he?

18 A. Yes, he wanted that.

19 Q. And, during this time, Johnny Paul Koroma was the most
20 senior SLA in the area, wasn't he? He was the most senior AFRC
21 person?

22 A. Yes.

23 Q. Now, you would say during this time that Honourable Y was
24 loyal to Johnny Paul Koroma, wouldn't you?

25 A. Yes.

26 Q. And you would say that during this time you were loyal to
27 Johnny Paul Koroma, weren't you?

28 A. Yes, I was loyal to him.

29 Q. If you and Honourable Y were so loyal to Johnny Paul

1 Koroma, why did you not kill the first accused, Alex Tamba Brima,
2 when he -- when Johnny Paul ordered it? Why didn't you kill him?

3 A. Well, it was -- they were RUF territory. It was Mike Lamin
4 who pleaded on his behalf. He said he was to be sent to jail.

5 Q. You said that, but he pled on his behalf and Johnny Paul
6 Koroma still wanted him executed. My question to you, sir, is:
7 After Johnny Paul still wanted Alex Tamba Brima executed, why
8 didn't you, or Honourable Y, or any other SLA there, kill him?

9 A. No, it would not be like that.

10 Q. I'm asking you why you didn't kill him, sir?

11 A. That was why I said it was Mike Lamin who pleaded on his
12 behalf.

13 Q. I put it to you, sir, that Johnny Paul Koroma never ordered
14 that Alex Tamba Brima, the first accused, be executed?

15 A. It was -- it was true. It was true.

16 Q. I want to now move on to the part of Johnny Paul Koroma's
17 detention; okay?

18 A. Okay.

19 Q. Now, you had testified that Rambo had told Mike Lamin and
20 later on, Mosquito, that Johnny Paul Koroma wanted to run away
21 with diamonds; is that correct?

22 A. Yes, it's correct.

23 Q. Now, you were there when Rambo told this to Mike Lamin,
24 weren't you?

25 A. Yes, I was there. I was in the Land Cruiser.

26 Q. And you knew that Rambo was lying, wasn't he, that Johnny
27 Paul wasn't running away with diamonds?

28 A. Well, that was the allegation that he made.

29 Q. I'm not asking about the --

1 A. But I was not aware of that.

2 Q. -- did you know that Rambo -- you knew that Rambo was
3 lying, didn't you?

4 A. No, I did not know about that.

5 Q. I put it to you, sir, that you were never there when Rambo
6 spoke to Mike Lamin and later on, Mosquito, about Johnny Paul
7 Koroma; what is your response?

8 A. It's true; I was there.

9 Q. Mr Witness, you had mentioned that Johnny Paul Koroma's
10 wife was stripped and searched by the SBUs; do you remember that?

11 A. Yes, I can recall.

12 Q. Did you see her get stripped and searched?

13 A. Yes, I saw her.

14 Q. What happened to her after she was stripped and searched,
15 sir?

16 A. They searched her vagina. They said they were in search of
17 diamonds. They said she had kept some diamonds there.

18 Q. After she was stripped and after she was searched, what
19 happened to Johnny Paul Koroma's wife?

20 A. Well, she was put into a dungeon.

21 Q. She was put straightaway into the dungeon, after being
22 stripped and searched, straight to the dungeon; that's your
23 evidence?

24 A. Yes.

25 Q. And you saw this?

26 A. Yes, I saw it.

27 Q. I put it to you, sir, that after she was stripped and
28 searched, she was sexually assaulted by Issa Sesay and that that
29 part of your evidence is, you are lying?

- 1 A. No, I did not tell you that she was sexed. They searched
2 her vagina with their finger.
- 3 Q. I'm putting it to you, sir, that that part of your evidence
4 is a lie: That Johnny Paul Koroma's wife, after she was
5 stripped, after she was searched, was sexually assaulted by Issa
6 Sesay?
- 7 A. No, she was not sexed but she was stripped.
- 8 Q. Now, you said that you were beaten; correct?
- 9 A. Yes, I was given 1,000 lashes.
- 10 Q. And, after you were beaten, you were then placed in the
11 dungeon; correct?
- 12 A. It's correct.
- 13 Q. And when you were placed in the dungeon, the first accused,
14 Alex Tamba Brima, was already in the dungeon; do you remember
15 saying that?
- 16 A. Yes, I said so.
- 17 Q. Now, how many SLA soldiers were placed in the dungeon with
18 you?
- 19 A. I cannot tell but I'm -- I'm aware of 15. I'm aware of 15.
- 20 Q. Soldiers; that's not including Johnny Paul Koroma's wife
21 and his children; is that correct?
- 22 A. No. The old man was there. It was only Johnny Paul that
23 was not put in the dungeon.
- 24 Q. Now, if -- now, you were there for five days; is that not
25 so?
- 26 A. Yes, we were in the dungeon for five days.
- 27 Q. Now, if you were in the dungeon for five days and Johnny
28 Paul Koroma had wanted, who he called the cowardly bastard, Alex
29 Tamba Brima executed, why didn't you kill him during the five

1 days you were in the dungeon?

2 A. Ask me again. I did not understand.

3 Q. Johnny Paul Koroma had wanted Alex Tamba Brima killed;
4 "yes" or "no"?

5 A. Yes. He wanted that.

6 Q. And you and 15 other soldiers were placed in a dungeon with
7 Alex Tamba Brima for five days; yes?

8 A. Yes.

9 Q. Why didn't -- why didn't you try to kill Alex Tamba Brima
10 during the five days you were in the dungeon, if Johnny Paul had
11 ordered it?

12 MS THOMPSON: Your Honour, this witness's evidence has been
13 that Johnny Paul ordered Mike Lamin, not that Johnny Paul gave a
14 general order that [indiscernible] forces Tamba Brima killed.
15 I'm not sure where my learned friend is going with this, because
16 this witness hasn't given evidence of him being a trained killer,
17 a person who then engaged in any killing or someone who was --
18 who fought in the jungle. He said he was a security officer to
19 various people. There is nothing about killing, nothing about a
20 general order being given. It was a specific order given to one
21 person and that person, for reasons given by this witness, did
22 not carry it out. So I'm not sure where my learned friend is
23 going with these questions. It's the third or fourth time he's
24 asked the question: Why didn't you kill him, as if to say this
25 witness was given an order or was actually under some sort of
26 order to actually carry out this execution.

27 PRESIDING JUDGE: Well, I would have thought the witness
28 could say that himself, that he didn't have any orders to kill
29 him. What do you say to that objection, Mr Hardaway?

1 MR HARDAWAY: Well, first off, Your Honour, it's a desire
2 and I can phrase that as in to the wishes of Johnny Paul Koroma
3 and, if he had opportunity, why he did not carry out the wishes.
4 And there is no evidence -- it doesn't matter if the man is a
5 trained killer or not. He is involved in security, so he knows
6 something -- we would be prepared for violence.

7 PRESIDING JUDGE: Well, if you are going to rephrase it go
8 ahead.

9 MR HARDAWAY: I'll rephrase it.

10 Q. Mr Witness, it was the wish of Johnny Paul Koroma that Alex
11 Tamba Brima be killed, wasn't it?

12 A. Yes, that was his wish.

13 Q. And as being loyal to Johnny Paul Koroma, you and everyone
14 else under him would want to see that his wishes were carried
15 out, wouldn't you?

16 A. I don't understand. Ask me again.

17 Q. You would want to please Johnny Paul Koroma by making sure
18 that his wishes were carried out, wouldn't you?

19 A. Yes.

20 Q. So, with that in mind, sir, why didn't you, or any of the
21 other SLAs in the dungeon, kill Alex Tamba Brima when Johnny Paul
22 wanted him to die?

23 A. Well, that order -- we were junior men, that is why he told
24 one individual and it was Mike Lamin.

25 MR HARDAWAY: I'll move on, Your Honour.

26 Q. Well, actually, I put it to you again, Mr Witness, Johnny
27 Paul never ordered that Alex Tamba Brima be executed and that
28 you're lying?

29 A. He put it to him. He ordered that he be killed. I'm

1 saying the truth.

2 Q. Now you said, Mr Witness, that after five days in the
3 dungeon you were released and that you were given bombs because,
4 in the words of Mosquito, you were now true revolutionaries; do
5 you remember that?

6 A. No. He said I was a true revolutionary so as to get out of
7 the dungeon.

8 Q. No, but Mosquito said, "You're true revolutionaries." This
9 is after you said you want to find a jungle; correct?

10 A. Yes, that was what I told him.

11 Q. And, as a result of that, he gave you bombs; correct?

12 A. Yeah. Worse. He did not give me the bomb alone. He gave
13 us bombs because it was George Rambo that was the commander.

14 Q. Now by "us" do you mean the other SLAs who were in the
15 dungeon, other than Johnny Paul Koroma and Alex Tamba Briema?

16 A. Yes.

17 Q. Did you receive any other weapons, other than the bombs?

18 A. AK-47 and Fabrique Nationale, FM.

19 Q. Now, did everyone get FMs and AK-47s?

20 A. No.

21 Q. How many of the SLAs received AK-47s?

22 A. Thirteen.

23 Q. Now, Mr Witness, what exactly is an FM; could you explain
24 that, please?

25 A. Fabrique Nationale, made in Belgium.

26 Q. Is that a gun, a rifle?

27 A. Yes.

28 Q. Is it a pistol or a rifle?

29 A. No, it's a rifle. Fabrique Nationale.

1 Q. Okay. And, from the dungeon, you went to Kono; correct?

2 A. Yes, it's correct.

3 Q. Now, how long did it take for you to get from the dungeon
4 to Kono?

5 A. Well, after five days -- about some days. I cannot recall,
6 some days.

7 Q. Now, was it -- now, it was just you, the other SLAs and
8 Rambo marching to Kono; is that correct?

9 A. Yes, other SLA and the RUF.

10 Q. How many other RUF?

11 A. Over 100 and more RUF with 13 SLA.

12 Q. I want to move on now to another area of your testimony,
13 sir. In response to a question from one of my learned friends on
14 the other side, you had stated that Major Mansaray was a resident
15 minister in Kenema; do you remember that?

16 A. Yes, I can recall.

17 Q. And that was during the AFRC government?

18 A. Yes, yes.

19 Q. I put it to you, sir, that was retired Captain Eddie Conteh
20 [sic] that was the resident minister in Kenema and that you're
21 lying?

22 A. No. After Kanneh left it was Major Mansaray.

23 Q. You also stated that Major OJ was the second in command to
24 Superman in Kono; do you remember that?

25 A. Yes, I can remember. I said so.

26 Q. And that this was in February, March of 1998; correct?

27 A. No, it was not February, March.

28 Q. When was it?

29 A. March to April.

1 MR HARDAWAY: The Court's indulgence for one moment,
2 please.

3 [Prosecution counsel conferred]

4 MR HARDAWAY: I thank the Court.

5 Q. I put it to you, sir, that Ibrahim Bazzy Kamara was second
6 in command to Superman in Kono, and was also the senior SLA
7 there. What is your response?

8 A. No, I did not see him there.

9 Q. You also stated that Ibrahim Bazzy Kamara was not
10 responsible for the burning of houses in Koidu Town during
11 February, April of 1998; do you remember saying that?

12 A. Yes, I can recall. I said so.

13 Q. I put it to you, sir, that Ibrahim Bazzy Kamara was
14 responsible for the burning of houses in Koidu Town during
15 February, April 1998 and that he led a mixed force of AFRC and
16 RUF; what is your response?

17 A. No, I do not know about that. I did not see him there.

18 Q. Now, Mr Witness, you had testified that you knew Santigie
19 Borbor Kanu during the AFRC regime; do you remember that?

20 A. Yes, I said so.

21 Q. Okay.

22 A. I knew him as a soldier.

23 Q. Santigie Borbor Kanu is also known as Five-Five, isn't he?

24 A. No. The only Five-Five that I knew was called Osman.

25 Q. I put it to you, sir, that Santigie Borbor Kanu was also
26 known as Five-Five; what is your response?

27 A. No, I'm not aware of that.

28 Q. You also testified that Santigie Borbor Kanu was an
29 honourable; do you remember that?

1 A. No, I cannot recall that.

2 MR HARDAWAY: If I may have the Court's indulgence for one
3 moment, Your Honour, I can refer to the page in the evidence.
4 Your Honour, I would refer to page 89 of the transcript of
5 September 27th, 2006. I can wait while it's being printed.

6 Q. Mr Witness, I will start reading from line 10 and go to?

7 PRESIDING JUDGE: Excuse me, Mr Hardaway, you said 26
8 September, didn't you?

9 MR HARDAWAY: 27th.

10 PRESIDING JUDGE: 27th, all right.

11 MR HARDAWAY:

12 Q. Mr Witness, I will start from line 10, Mr Witness and go to
13 line 14. Then I will ask you some questions.

14 "Q. So you would agree with me that the third
15 accused was not the senior commander of the AFRC or
16 RUF forces in Kono District in February until April
17 1998?

18 "A." --

19 A. No, no, no. I'm not aware.

20 Q. Mr Witness --

21 A. Okay. Okay.

22 Q. Answer: "He was an honourable, but I didn't see anything
23 that he did in terms of command in the jungle."

24 MR HARDAWAY: That concludes the reading, Your Honour.

25 Q. So Santigie Borbor Kanu was an honourable, wasn't he?

26 A. Well, the -- if I should see Santigie Borbor Kanu, I would
27 be able to identify him but, the only Santigie Kanu that I came
28 across was Woyoh. He was Santigie Kanu, whom I knew as
29 honourable, Honourable Woyoh. He was the one that I was

1 referring to during that day.

2 Q. The man you worked with was an honourable, wasn't he?

3 Honourable Y?

4 A. Yes, yes.

5 Q. And you had testified earlier that you had seen other

6 honourables, didn't you?

7 A. Yes.

8 Q. These people were called honourables because they were the

9 ones that overthrew the SLPP government, weren't they?

10 A. Yes, sir.

11 Q. Alex Tamba Brima was an honourable, wasn't he?

12 A. No.

13 Q. I put it to you, that Alex Tamba Brima, also known as

14 Gullit, was an honourable and responsible for the overthrow of

15 the SLPP government; what is your response?

16 A. I was not aware of that.

17 Q. I put it to you, that Ibrahim Bazy Kamara was an

18 honourable and responsible for the overthrow of the SLPP

19 government; what is your response?

20 A. I was not aware of that.

21 Q. I put it to you, that Santigie Borbor Kanu, also known as

22 Five-Five, was an honourable and responsible for the overthrow of

23 the SLPP government; is that correct? I put it to you, sorry.

24 A. I was not aware of that.

25 Q. You weren't curious?

26 A. Well, I didn't want -- I did not want to know about that.

27 I was only particular about Johnny Paul Koroma and not the

28 others.

29 Q. But you just gave evidence that you were curious about Alex

1 Tamba Brima, that's why you asked other soldiers about him;
2 remember?

3 A. Well, I did not know him as an honourable. That was why I
4 said so.

5 Q. I will move on, Mr Witness. At one point in your evidence
6 you had said that in Kono there were about 30 to 31 SLAs; do you
7 remember that?

8 A. Yes, I can remember that.

9 Q. How do you know there were 30 to 31?

10 A. Well, we mustered them. Johnny Paul said that we were to
11 muster them, but I did not know the strength of the SLA.

12 Q. Now, this was in April of 1998; correct?

13 A. Yes, it's correct.

14 Q. And where were these SLA based?

15 A. At Masingbi Road.

16 Q. I put it to you, sir, that there were over 200 SLAs in Kono
17 in 1998 and that you are lying?

18 A. No, I did not lie. I did not lie.

19 Q. Now, you had also spoken of an operation that was carried
20 out with a mixed force of AFRC and RUF; do you remember that?

21 A. Yes, I can recall that.

22 Q. Later on, you had mentioned that the AFRC -- later on,
23 after this operation, you had mentioned that the AFRC and RUF
24 were fighting for different things; do you remember?

25 A. Yes, I can recall.

26 Q. And that, according to your evidence, the AFRC was fighting
27 for peace; do you remember that?

28 A. Yes, I can recall.

29 Q. You recall the invasion of Freetown in January of 1999,

1 don't you?

2 A. I can recall, but I was in Kono.

3 Q. I'm not asking if you were there, sir, I'm just if you knew
4 about it?

5 A. Yes. Ask me again.

6 Q. I'm not asking if you were in Freetown during the invasion,
7 sir, I'm just asking if you knew about the invasion of Freetown
8 in January of 1999?

9 A. Yes, I have been listening about -- I have been listening
10 about it on the set, when I was in Kono.

11 Q. Freetown was invaded by the AFRC, in January of 1999,
12 wasn't it?

13 A. Well, I don't know about that. I don't know about that.

14 Q. I put it to you, sir, that the invasion of Freetown, in
15 January 1999 was led by the AFRC; what is your response?

16 A. I don't know about that, sir, because I was in Kono.

17 Q. You didn't hear about that on the radio?

18 A. I heard about it over the set, but --

19 THE INTERPRETER: Your Honours, would the witness go over
20 the last bit? I missed the town.

21 PRESIDING JUDGE: Yes, the interpreter didn't keep up with
22 you, witness. Could you please repeat your answer.

23 A. I said I did not know about the attack. By the time, when
24 we had been ready to listen to the set, they had diverted us to
25 Dimu Kafevu, so I did not know who came and hit Freetown.

26 Q. Mr Witness, the AFRC burnt houses and killed people during
27 the invasion of Freetown, didn't they?

28 A. I was in Kono. I did not know about that.

29 Q. I put it to you, sir, that the AFRC did burn houses and did

1 kill people during the invasion of Freetown and that you are
2 lying?

3 A. I'm saying the truth. I did not know about that.

4 Q. The AFRC raped and mutilated people during the invasion of
5 Freetown, didn't they?

6 A. I don't know about that.

7 Q. I put it to you, sir, that the AFRC did rape and mutilate
8 people in Freetown during the invasion of January 1999 and that
9 you're lying again; what is your response?

10 A. I don't know about that, sir. I was in Kono.

11 Q. Alex Tamba Brima, the first accused, led the invasion in
12 Freetown in January 1999, didn't he?

13 A. No, I don't believe that.

14 Q. I put it to you that Alex Tamba Brima, also known as
15 Gullit, did lead the invasion of Freetown in January 1999 and
16 that, once again, you're lying?

17 A. No, I don't believe that.

18 Q. Ibrahim Bazy Kamara was the second in command for the
19 Freetown invasion, wasn't he?

20 A. No, I was not aware of that. I was not there.

21 Q. I put it to you that Ibrahim Bazy Kamara was second in
22 command of the Freetown invasion of January 1999 and that, once
23 again, you're lying; what is your response?

24 A. I was not aware of that.

25 Q. Santigie Borbor Kanu, aka Five-Five, was one of the senior
26 commanders of the Freetown invasion, wasn't he?

27 A. I was not aware of that. I was in Kono.

28 Q. I put it to you, sir, that Santigie Borbor Kanu, aka
29 Five-Five, was one of the senior commanders in the Freetown

1 invasion and that, once again, you're lying? Your whole evidence
2 has been a lie, hasn't it?

3 A. I'm saying the truth, but I was not aware of that.

4 Q. I have no more questions for you, Mr Witness.

5 MR HARDAWAY: Your Honours, this concludes my
6 cross-examination.

7 PRESIDING JUDGE: Thank you, Mr Hardaway. Anything in
8 re-examination, Ms Thompson?

9 MS THOMPSON: No, Your Honour. No, Your Honour, no.

10 PRESIDING JUDGE: Right. Thank you. Well, thank you for
11 your evidence, Mr Witness. Thanks for coming to Court. You can
12 leave now. Just sit there. We will have the curtains drawn and
13 you will be able to get away.

14 THE WITNESS: Thank you too, sir.

15 [The witness withdrew]

16 WITNESS: DAB-033 [Continued]

17 [The witness answered through interpreter]

18 PRESIDING JUDGE: Now, Ms Thompson, this witness now in the
19 witness box is DAB-033; is that correct?

20 MS THOMPSON: That is correct, Your Honour, yes.

21 PRESIDING JUDGE: Right, thank you. Mr Witness, you will
22 recall a few days ago when you were in Court you gave an oath to
23 tell the truth. I'm just reminding you that that oath is still
24 binding on you; is that clear?

25 THE WITNESS: Okay, okay.

26 MS THOMPSON: Your Honour, before my learned friend starts,
27 the first accused would like to make use of the convenience.

28 PRESIDING JUDGE: Yes, he can leave the room. Yes, go
29 ahead, Mr Agha.

1 CROSS-EXAMINED BY MR AGHA:
2 Q. Yes, witness, this morning I'm going to ask you a few
3 questions and it would be easy as we went along if you could just
4 answer them "yes" or "no" or "I don't know" in short and concise
5 answers. If I require an explanation from you I'll ask for that;
6 do you understand?
7 A. Yes, sir.
8 Q. Now, in your evidence, which you gave last week, you said
9 that you were chairman of the Council of Chaplains, didn't you?
10 A. Yes, sir.
11 Q. So you would agree with me that you are a religious man?
12 A. Yes, sir.
13 Q. And you'd agree with me that it's important to tell the
14 truth, wouldn't you?
15 A. Yes, sir.
16 Q. In fact, you've come to this Court to tell the truth,
17 haven't you?
18 A. Yes, sir.
19 Q. You even took an oath before God to tell the truth before
20 you gave your evidence last week, didn't you?
21 A. Yes, sir.
22 Q. So can you explain to me why you lied last week, during
23 your evidence, on four separate occasions, under oath, concerning
24 whether you had seen the prisoners and Alex Tamba Brima again
25 after SAJ Musa's death?
26 A. I did not lie but I would like you to touch on that
27 particular part again, where you said I lied.
28 MR AGHA: Yes, I would refer this honourable Court to
29 transcript of 25th September 2006, page 68, line 19, and I

1 believe my case manager has copies of those, if the Court
2 attendant would like to collect them?

3 Q. Now, learned counsel for the first accused last week,
4 during your evidence, asked you a question and you gave an
5 answer. And I'll read the question to you and then I'll read
6 your answer. So, are you listening?

7 A. Yes, sir.

8 Q. "MS THOMPSON:

9 "Q. Mr Witness, the AFRC prisoners you have
10 mentioned earlier, do you know where they were this
11 time?

12 "A. They had been scattered at Benguema after the
13 explosion. Most of the manpower had been missing,
14 some had -- had surrendered. I had -- did not see
15 them after Benguema."

16 Do you remember saying that?

17 A. Yes, I can recall.

18 Q. So you lied then, didn't you, because later on in your
19 evidence you admitted seeing them again.

20 A. I was not lying.

21 Q. I will come to the second example and that's on, again,
22 25 September 2006, page 76, line 3 to 11.

23 MR AGHA: And again, my case manager has copies which I can
24 give to the court attendant.

25 Q. Now, witness, this is again pursuant to a question put to
26 you on the same day by learned counsel for the first accused and
27 I'll read from line 3 to line 11. Actually, I beg your pardon,
28 I'll read from 1 to 11.

29 "May I ask you, please, Mr Witness, which areas did

1 you visit in Freetown?"

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

11 "Q. Now, in any of these places, did you see Tamba
12 Brima?

13 "A. I stopped seeing them at Waterloo."

14 So you lied when you said that in your evidence?

15 A. No, no, I was not lying.

16 Q. Okay. I will take you to a third occasion on the same day
17 where you were lying about this same issue and that's, again,
18 25 September 2006, page 80, line 27 to 29.

19 MR AGHA: And, again, my case manager has copies of those.
20 It's actually pages 80 and 81 and it starts on line 27, on
21 page 80, and finishes on line 9 on page 81.

22 Q. Now, on the same day, this was a third time you were asked
23 a similar question, this time by learned counsel for the third
24 accused. And I will read to you what you said:

25 "Q. Do you know any of the SLAs who were in Makeni?

26 "A. Yes. Yes.

27 "Q. Can you name them, please?

28 "A. I knew Junior Akim, he was there. Then we had
29 Baski. We had Colonel T. We had Keke, Andrew and

1 others, whose names I cannot recall now.

2 "Q. Mr Witness, the prisoners, the AFRC prisoners,
3 you said you last saw at Waterloo, did you ever see
4 them again, any of them again?

5 "A. No."

6 A. I saw them. They were at Makeni.

7 Q. But you lied when you were asked that question by the third
8 accused for the third occasion. You said -- he asked you: Did
9 you see them again, any of them again, and you said "no." So you
10 lied, didn't you?

11 A. No. I said I saw them but, later, Tamba Brima left us and
12 went to the West Side.

13 Q. And not when you were asked that question and not when you
14 were asked the three questions before either. You were asked
15 point blank and your answer was "no." So let's come now to the
16 fourth occasion and this is, again on the same day, 25 September
17 2006, page 110, line 8 to 13.

18 MR AGHA: And, again, my case manager has these pages of
19 transcript which she can pass the Court attendant.

20 Q. And this question was put to you by Defence counsel for the
21 second accused. So at this stage you had been asked the question
22 twice by counsel for the first accused, lied and denied it. You
23 had been asked this question by counsel for the third accused,
24 lied and denied it and, now, in the same day, you are being asked
25 this question by counsel for the second accused.

26 PRESIDING JUDGE: Go ahead, Mr Agha.

27 MR AGHA:

28 Q. I will read it to you, and on even this occasion you don't
29 want to answer the question.

1 "Q. I have a summary here of your statement, and at
2 the very last paragraph" --

3 PRESIDING JUDGE: What line is this? What line are you
4 reading from?

5 MR AGHA: I apologise, Your Honour. It's line 19. And --
6 actually, it's line 8, I beg your pardon. I'll read from line 8.

7 Q. And this is where you were first asked and this is by --
8 fourth time now, and this time it's by counsel for the second
9 accused. So he says to you at line 8:

10 "MR DANIELS:

11 "Q. Can you please repeat the name of the person
12 that selected the West Side?

13 "A. It was Junior Lion."

14 THE INTERPRETER: Your Honours, can I learned counsel please
15 go slowly to facilitate the interpretation?

16 MR AGHA: Yes, I apologise, I will go slow.

17 Q. "Q. Can you please repeat the name of the person
18 that selected the west side?

19 "A. It was Junior Lion.

20 "Q. Thank you. Mr Witness, after Benguema, did
21 you see the -- any of the accused persons again?

22 "A. No. Once SAJ Musa died, I did not see them
23 again."

24 Now that was the fourth time you were asked and the fourth
25 time you denied it, but the problem was you had given it in a
26 summary that you had, so, once again, the counsel for the second
27 accused actually had to directly confront you on the point, from
28 your statement, to get the truth out of you, and I will read
29 that. It starts on the same page, 110, at line 19.

1 "Q. I have a summary here of your statement and,
2 at the very last paragraph, it says that, referring
3 to you, that "he" - "he" is you - "That he later met
4 Tamba Bri ma, Abdul Sesay, Woyoh, Ibrahim, former
5 detainees in Makeni ; that he remained in Makeni until
6 the peace was finally restored."

7 And he says: "What do you have to say about this
8 statement?"

9 And you say:

10 "A. Go over it. Go over it once more."

11 And then he repeats it again for you and you ramble on.
12 And then finally, on page 111 he then again, the learned counsel,
13 at lines 20.

14 PRESIDING JUDGE: We don't have that page.

15 MR AGHA: A copy of this page, which my case manager can
16 distribute. And this is page 111 and it goes from line 20 to 29.
17 So after being confronted, you then ramble on and, then again,
18 you are confronted and at line 20. He reads you the same part of
19 your statement about seeing the detainees again and finally, you
20 admit, and tell the truth, "Yes, when we had retreated from
21 Freetown. We had left Freetown, when we were going, they were in
22 Makeni..." That's right isn't it?

23 A. It's correct. That's why when you said I didn't see them
24 at Makeni I denied the fact. I said I saw them at Makeni.

25 Q. You didn't say that to counsel for the third accused
26 Mr Kanu, when Mr Knoops asked you about Makeni you said you never
27 saw them again?

28 A. No, you didn't hear, but I saw them, I saw them there.

29 Q. You heard, because it's on the transcript and I read it to

1 you a few moments ago?

2 A. No, it was the man who didn't hear but I saw them there.

3 In fact, I was in church with them so I couldn't say I didn't see
4 them.

5 Q. I say to you that you've lied at least four times under
6 oath on the same issue when you last gave your evidence; what do
7 you have to say about that?

8 A. Well, I, as a Muslim, will never swear on the Koran and --
9 I mean, except the person that interpreted that has lied, but not
10 me.

11 Q. I will let the record speak for itself.

12 A. Or you.

13 Q. Now, I want you to understand, witness, that under the
14 rules of this Court that if it is proven that you have been lying
15 under oath, you could be imprisoned for up to two years and/or
16 fined up to 2 million leones. Now, do you understand that?

17 A. I understand. Then I will agree on the fact that if the
18 Court gives me the green light to produce evidences, of all that
19 I've testified, to just prove that all that I've said is true, I
20 will accept.

21 Q. But I've just read to you from the transcript of what you
22 said. So, you have to accept that, don't you?

23 A. No, I will not agree with that. It's false on me.

24 Q. So the transcript is wrong and it's false; is that right?

25 A. Which of the transcripts?

26 Q. The parts I've just read to you.

27 A. When you said that I was lying, I'm just trying to tell
28 you -- I'm not trying to say any lie. All that I've said is the
29 truth.

1 Q. Okay. I will move on from there. Now, witness, with
2 regard to your training in 1992, you said that the Red Cross
3 would come and give you guidance about how a fighter should
4 behave; do you remember that?

5 A. No, not on the 1992 training. It was the British training.
6 That was the time Red Cross came and briefed us. During that
7 time, it was just basic skill at hand that we did it. As we did
8 it for some weeks, we were sent to the war front but, during that
9 time, we didn't have of any international lectures.

10 Q. Okay. Let me ask you this: Before you met the British,
11 which would be after 1999; is that right? You met the British
12 for training after 1999?

13 A. You are correct.

14 Q. Did you ever meet the Red Cross and discuss about warfare?

15 A. Before that time? No. It was after the British people
16 came, that was the time they showed us the rules of laws and
17 other things.

18 Q. Witness, again, you are lying and the transcript will
19 reflect that. I'm not going to spend the whole the
20 cross-examination reading out your transcript, but the transcript
21 will reflect that you met the Red Cross before you met the
22 British in 1999. What do you have to say?

23 A. No, you are wrong.

24 THE INTERPRETER: Your Honours, can the witness please
25 speak through the mic.

26 PRESIDING JUDGE: Just an minute, Mr Witness. The
27 interpreter is not hearing what you say. Can you speak into the
28 microphone, commence your answer again, please.

29 THE WITNESS: Okay, I'm sorry. I said you tried to lie. I

1 never did any Red Cross training during 1992 training. I said I
2 was trained on basic skill and hand training and after that I was
3 sent to the war front, and in 1994 I was trained as a military
4 police, and it was only 2001 that I was provided with the British
5 training, that I said we were provided with Red Cross lectures.

6 MR AGHA:

7 Q. Did you ever meet the Red Cross before that period which
8 you've just mentioned?

9 MS THOMPSON: Asked and answered, Your Honour.

10 THE WITNESS: No, I've denied that.

11 MS THOMPSON: And, Your Honour, if my learned friend would
12 look at the transcript in answer to this question, which was from
13 me, it may be my fault, but the question was: "During your
14 training were you given any instruction on the laws of war?"
15 There was no specification as to which training.

16 MR AGHA: Well, the transcript will show my learned friend
17 Mr Knoop was asking about the Red Cross, and that will be
18 abundantly clear, so I will move on.

19 PRESIDING JUDGE: Well, I've got notes that the witness
20 said, in chief, that, "They gave us minor laws, like
21 international humanitarian law and basic Sierra Leone law." And
22 then he said, "We had a guide which was called 252." And then he
23 said, "The Red Cross people would go to the training base and we
24 were taught the rules of law."

25 MR AGHA: He's just denied that, Your Honour.

26 PRESIDING JUDGE: I'm just thinking there might be a time
27 frame attached to it. Yes, Ms Thompson.

28 MS THOMPSON: Your Honour, that is my point exactly. That
29 is what the witness said, but the question was training; the

1 question was not time specific. There was -- the question was
2 for me, and I did not say which training. I just said "your
3 training."

4 PRESIDING JUDGE: Yes, Mr Agha.

5 MR AGHA: Well, I think when it's read in context, it will
6 be clear, Your Honour. So I will leave it at that, Your Honour.

7 Q. Now, you said in your evidence last week that you could
8 remember that SAJ Musa and Pa Mani were staff officers; do you
9 remember that?

10 A. Yes.

11 Q. Colonel Eddie, FAT Sesay and King were also staff officers,
12 weren't they?

13 A. Yes, I said so, but I was asked who were the staff's
14 officers. So it was at that point I said from the rank of staff
15 captain upwards, then I later realised that during the time that
16 we were taking the movement, Eddie was not yet a colonel. The
17 colonel -- he got his colonel position in the jungle. King and
18 others. Only SAJ Musa and Pa Mani, they went to the jungle as
19 staff officers, and others, who were not able to make their
20 [indiscernible], so that was what I said.

21 PRESIDING JUDGE: Mr Agha, I've let the time get away with
22 me, but I think now we will go up to 11.00 and take our break at
23 that stage.

24 MR AGHA: I apologise, Your Honour, I wasn't watching the
25 clock.

26 PRESIDING JUDGE: No, I wasn't either.

27 MR AGHA:

28 Q. So in the jungle did Colonel Eddie, FAT Sesay and King
29 become staff officers?

- 1 A. Yes, yeah.
- 2 Q. Did anyone else become staff officers in the jungle?
- 3 A. Well, each myself, I'm one of the staff officers.
- 4 Q. And who was promoting you to these positions?
- 5 A. Commander-in-chief by then SAJ Musa.
- 6 Q. Okay. Now, you say that you are a farmer; is that right?
- 7 A. Yes.
- 8 Q. And whereabouts do you carry on your farming?
- 9 A. Well, I'm doing land reclamation in my area, where we used
10 to mine before, and I also do land farming. I have coffee
11 plantation. I also planted some palm kernels.
- 12 Q. And that's in Kono, is it?
- 13 A. No, at xxx xxx.
- 14 Q. And apart from doing farm work and reclamation work, what
15 other kind of work do you do?
- 16 A. Well, I'm doing legal mining. I have a licence. I'm doing
17 mining.
- 18 Q. So you have mining and farming. What other businesses are
19 you involved in?
- 20 A. Except for my wife, who is a petty trader.
- 21 Q. Okay. So apart from mining, farming and your wife, who is
22 a petty trader, you and your wife are not involved in any other
23 business; is that right?
- 24 A. I'm a trained evaluator. I can value diamond.
- 25 Q. I say that you are also engaged in the motorbike business
26 here in Freetown; what do you have to say about that?
- 27 A. No, I have left Freetown for over three years. I only
28 dispatch for a project. I am a dispatch rider for a project.
- 29 Q. So you are a dispatch rider for a project, are you? What's

1 the project?

2 A. Well, a project that is managing.

3 MS THOMPSON: The witness I am not sure where my learned
4 friend is going with this but I'm just concerned about the
5 revelation of this witness's identity.

6 PRESIDING JUDGE: Yes, I'd keep that in mind, Mr Agha.

7 MR AGHA: Yes.

8 Q. So what is this project?

9 MS THOMPSON: That's the objection, Your Honour. He's
10 already said what he does. He already said he has a project.
11 I'm not sure naming the project is not going to reveal this
12 witness's identity.

13 MR AGHA:

14 Q. Okay. I say to you witness that you are a complete liar
15 and that you are involved in the motorcycle trade here in
16 Freetown. What do you have to say about that?

17 A. I'm not even staying in Freetown, so if you are told that I
18 have motorbike activity in Freetown, that person is lying and you
19 too are lying. I'm only engaged in my project.

20 THE INTERPRETER: Your Honour, could the witness please go
21 over the last bit of --

22 PRESIDING JUDGE: Mr Witness, once more, the interpreter
23 didn't get your whole answer. You said, "I am only engaged in my
24 project." What did you say after that?

25 A. I said not in Freetown. I'm not engaged in any bike matter
26 in Freetown. I said it's only my project bike in xxx, where I
27 am. That is the only bike that I ride. I can't remember ever
28 riding a bike in Freetown. So if he's saying that, he's lying.
29 That is not true.

1 MR AGHA:

2 Q. Now, in your evidence you mentioned the word "PRO." PRO
3 stands for public relations officer, doesn't it?

4 A. Yeah, yes, sir.

5 Q. Now, I want to take you back to the time of the coup, when
6 the Kabbah government was overthrown. Now, you say you were
7 based in Rotifunk when you heard that Gborie had overthrown the
8 Kabbah government in May of 1997; do you remember that?

9 A. Yes, sir.

10 Q. And you were ordered to go to Freetown to assist the
11 government forces against the overthrowers, weren't you?

12 A. Yes, sir.

13 Q. And you were ordered to counter the firing that was going
14 on along Pademba Road in Freetown, weren't you?

15 A. Yes, sir.

16 Q. So, did you do that when you got to Freetown? Did you
17 fight against the coup makers?

18 A. When I came, I didn't meet any firing.

19 Q. So, what did you do?

20 A. Well, I came. I was under a command. I was with the
21 platoon commander. So, as we came, I was deployed.

22 Q. And would you say, by that time, the coup had been
23 successful and the government had been overthrown?

24 A. Well, the time I came, the township was calm. In fact,
25 they've already made the broadcast that they have overthrown the
26 government.

27 Q. And the government was overthrown by other ranks of the
28 SLA, wasn't it?

29 A. Well, I can't tell.

1 Q. You never heard that when you were in Freetown?

2 A. No.

3 PRESIDING JUDGE: Right. I think the next convenient spot
4 we will break.

5 MR AGHA: I will just put one final question.

6 Q. I say to you that you learned, while you were in Freetown,
7 that Alex Tamba Brima, Ibrahim Bazzy Kamara and Santigie Kanu,
8 aka Five-Five, were soldiers who were involved in the overthrow
9 of the Kabbah government; what do you have to say about that?

10 A. Well, I know that the -- it was Gborie that overthrew the
11 government and took out Johnny Paul from prison and made him
12 chairman. Then, I didn't stay here for long, and my platoon
13 commander was posted to Tongo and I went with him.

14 Q. Witness. Witness, the question was: Then, according to
15 you, you didn't ever learn that Alex Tamba Brima, Santigie Kanu
16 and Ibrahim Bazzy Kamara had overthrown the government; "yes" or
17 "no"?

18 A. No.

19 MR AGHA: Thank you.

20 PRESIDING JUDGE: All right. Thank you. We will have our
21 usual morning break now and we will resume at 11.15.

22 Mr Witness --

23 THE WITNESS: Sir.

24 PRESIDING JUDGE: -- do not discuss the case or the
25 evidence with anybody in the meantime; is that clear?

26 THE WITNESS: Yes, sir.

27 [Break taken at 11.00 a.m.]

28 [Upon resuming at 11.19 a.m.]

29 PRESIDING JUDGE: Yes, Mr Agha.

1 MR AGHA:

2 Q. Yes, witness, I just want to clear something up with you
3 before we move on. Before the break I asked you whether you'd
4 met the Red Cross in 1992, and then you said you had not until
5 the British came; do you remember that?

6 A. Yes, sir.

7 Q. I would like to, with the permission of the Court, refer
8 you to page 82 and 83 of transcript dated 26 September 2006.

9 MR AGHA: And my case manager has copies for the Court
10 attendant. And I'll be referring to line 22 on page 82, and
11 going through to line 18 on page 83.

12 Q. Now, witness --

13 A. Yes.

14 Q. -- when you gave your evidence last week, I learned Defence
15 counsel for the third accused asked you this question, and I will
16 read to you what you -- what he asked you and how you answered.
17 Are you listening?

18 A. Yes, sir.

19 Q. "Q. Mr witness, you told this Court that in 1992 you
20 received a training of six months -- six weeks?

21 "A. Six weeks.

22 "Q. You also told the Court that, I recall you
23 saying, you were trained in local laws; is that
24 correct?

25 "A. Yes.

26 "Q. How many of those six weeks were dedicated,
27 according to your estimation, to such training?

28 "A. Say it again.

29 "Q. Those six weeks training you mentioned in 1992,

1 how many days of those six weeks entailed training in
2 local laws?

3 "A. Well, it was only once per week. They would
4 come and take us. That was the Red Cross.

5 "Q. Mr Witness, I put it to you that your training,
6 in those six weeks, predominantly was focusing on
7 infantry. What do you say to that?

8 "A. I don't understand that part.

9 "Q. I put it to you, Mr Witness, that most part of
10 your training in 1992 focused on infantry; is that
11 correct?

12 "A. Yes.

13 "Q. I also put it to you, Mr Witness, that you
14 weren't given any manuals or written laws on warfare,
15 in 1992; what do you say to that?

16 "A. No, we did not have any law like that. We did
17 not have any manual which would tell us anything. It
18 was only the Red Cross who would come and give us
19 guide, how a fighter should behave."

20 So you lied this morning when you said you didn't meet the
21 Red Cross in 1992, didn't you?

22 A. I did not lie. I did not meet them.

23 Q. So how can you explain the transcript I've just read you?
24 Have the people been deliberately taking down your answers
25 wrongly?

26 A. I mentioned about our local laws. It's like when we
27 trained, the commanders will tell you that you should not rape.
28 A soldier should not loot, you should not make -- and in terms of
29 the Red Cross that you are talking about, I only mentioned the

1 Red Cross's own training because of the British short-term
2 training team. That was the time that we -- we had the Red Cross
3 that had been coming to us. During --

4 Q. Witness, the transcript speaks to what you actually said,
5 so I will move on. Now, after the coup, did you ever hear the
6 expression "honourable"?

7 A. If I heard the word "honourable"?

8 Q. Yes.

9 A. Yes, I used to hear the word "honourable."

10 Q. And was this used in relation to certain people, this word
11 "honourables"?

12 A. Yes, yes. But like the -- the ones that I had been
13 referring to were like Eddie Kanneh, because he was in the area
14 where I was. He was the one that they had [indiscernible] as
15 that he was one of them that overthrew, and that they were the
16 AFRC honourables.

17 Q. So, apart from Eddie Kanneh, who else did you hear was an
18 honourable?

19 A. Well, at one time, Honourable Adams went to Tongo to us.
20 He fell into an ambush, who were the ones that went and
21 accompanied him on the way to Kono.

22 Q. So you say Adams was an honourable. Who else did you hear
23 was an honourable?

24 A. Momoh. Momoh Dotti.

25 Q. Apart from Momoh Dotti, who else was an honourable?

26 A. And I knew one captain by the name of Captain Simbo. He
27 said that he was an honourable. He was the ADC 1 to Johnny Paul.
28 He himself, I saw him.

29 Q. And the honourables were the ones who overthrew the Kabbah

1 government, weren't they?

2 A. Well, I don't know. Someone could be an honourable without
3 being -- without overthrowing.

4 Q. Didn't you hear that the honourables were ones who had
5 overthrown?

6 A. Well, I had heard that they had overthrown and I saw
7 honourables, but I wouldn't tell whether they were the ones that
8 overthrew. It would be possible that they gave him an
9 appointment but he did not overthrow.

10 Q. So Alex Tamba Brima was an honourable, wasn't he?

11 A. I did not hear the name. I only knew about Tamba Brima.

12 Q. But Tamba Brima was an honourable, wasn't he, for the good
13 work of his father?

14 MS THOMPSON: Objection. That's been asked and answered.
15 Asked and answered.

16 THE WITNESS: Not to my knowledge.

17 PRESIDING JUDGE: No, no. He was saying [microphone not
18 activated].

19 THE INTERPRETER: Your Honour's mic is not on.

20 PRESIDING JUDGE: He was saying he doesn't know the name
21 Alex Tamba Brima. He was then asked about Tamba Brima, so it
22 hasn't been asked and answered. Go ahead.

23 MR AGHA:

24 Q. Ibrahim Bazy Kamara was an honourable, wasn't he?

25 PRESIDING JUDGE: Well, what was the answer to the last
26 question? I missed that.

27 MR AGHA: I believe he said he didn't know, or I can ask --
28 I will re-ask, just to be clear.

29 Q. You heard that Alex Tamba Brima was an honourable, didn't

1 you?

2 A. No, no.

3 Q. You heard that Ibrahim Bazy Kamara was an honourable,
4 didn't you?

5 A. No, except when I met -- they had been arrested at Mende
6 Town. That was the time that Ibrahim Bazy, Santigie Kanu, that
7 was the time that I saw them, when I met them, the place where
8 they were arrested.

9 Q. I'm only asking -- I'm only asking you: Do you know
10 whether Ibrahim Bazy Kamara and Santigie Kanu were honourables;
11 "yes" or "no"?

12 A. No.

13 Q. I say to you that you are lying and you know full well that
14 Tamba Brima, Ibrahim Bazy Kamara and Santigie Kanu, aka
15 Five-Five, were honourables; what do you have to say about that?

16 A. I did not see them. I did not see those men. The function
17 of the AFRC, I was not with them. When it was falling, that was
18 the -- the time that these honourables that I had called, this
19 was the time that I saw them. These people that I'm talking
20 about, the only time that I saw them was the time that I met them
21 in prison.

22 Q. So you never learnt, before you met them in prison, that
23 Tamba Brima, Ibrahim Bazy Kamara or Santigie Kanu were even
24 members of the AFRC government; is that right?

25 A. No.

26 Q. It's wrong. So you had heard of them as members of the
27 AFRC government; "yes" or "no"?

28 A. No.

29 Q. Well, when you were in Freetown, weren't you curious to

1 find out who were members of the AFRC government?

2 A. I did not spend one month in Freetown when the AFRC
3 overthrew. That was the time that they posted I and my commander
4 to Tongo. So I was not able to know the honourables.

5 Q. So when you got to Tongo, weren't the other soldiers
6 interested in asking a person from Freetown, like yourself, who
7 had carried out the coup?

8 A. Well, if they asked, I would tell them what I knew. See,
9 just like I'm explaining to you what I knew.

10 Q. Didn't they ask you about who was in the AFRC government?

11 A. Not all of them. They only asked me about the chairman,
12 who overthrew. And I was so happy, Adams, who was my battalion
13 mate -- so it was only his name that we had been talking about,
14 that he was one of the commanders.

15 Q. So, according to you, when you came back from Freetown to
16 Tongo, none other of the soldiers asked you about who were the
17 members of the AFRC government?

18 A. Well, I was below them to answer that question.

19 Q. It's not a question of being up or below. You had just
20 come from Freetown, so you would have the information. So didn't
21 anyone ask you about the AFRC government?

22 A. Well, the information that I explained, I've explained to
23 you is the same information that I knew that I gave to those
24 people who asked me.

25 Q. So the soldiers did ask you?

26 A. Some.

27 Q. And what did you tell the some who were the members of the
28 AFRC government?

29 A. Gborie overthrew. He made Johnny Paul as his chairman.

1 Then, who was with us in the battalion, they were the one that
2 overthrew.

3 Q. And that's all you learned about the AFRC government;
4 right?

5 A. That was what I knew before I left.

6 Q. Now, when you left Freetown, you say that you were sent to
7 Tongo in July 1997, don't you?

8 A. Yes, sir.

9 Q. You say, in Tongo, that the RUF and civilians were mining,
10 don't you?

11 A. Yes, sir.

12 Q. I say to you that the SLAs were also forcing civilians to
13 mine; what do you have to say about that?

14 A. The SLAs' presence at Tongo were subject to Sierra Leone
15 People's Party.

16 THE INTERPRETER: Your Honour, would the witness go a
17 little bit slow?

18 PRESIDING JUDGE: [Microphone not activated] Mr Witness,
19 you will have to repeat that answer. It was too fast.

20 THE WITNESS: Sorry.

21 PRESIDING JUDGE: Can you repeat the answer again.

22 THE WITNESS: I will do so. We were present at Tongo. The
23 entire forces that were there, we were under RUF command. So
24 high -- all command had been coming from high command. And all
25 mining activity that was happening there, it was for the RUF that
26 it was being done, because they had the mining policy.

27 MR AGHA:

28 Q. I say to you that you are lying and that the mining was
29 done for the AFRC government; what do you have to say about that?

1 A. It was a lie. AFRC did not have any mining by then. We
2 had Cyborg pit, who -- under whose command was the RUF.

3 Q. We will come to that later. Now, there was an AFRC
4 secretariat in Togo, wasn't there?

5 A. Yes, sir.

6 Q. And that AFRC secretariat was monitoring the mining
7 operations on behalf of the AFRC government, wasn't it?

8 A. Yes.

9 Q. And Junior Sheriff was one of the commanders of the AFRC
10 secretariat in Togo, wasn't he?

11 A. Yes. Junior Sheriff, he was deputising Alpha, who was --
12 who had been working under RUF. It was both RUF and SLA who had
13 been manning the secretariat. Since Pa Sankoh told them that,
14 they should join the AFRC, so they could form up a coalition. So
15 it was the same structure which they had been dealing with.

16 Q. So the SLAs and RUF were working together at the AFRC
17 secretariat, weren't they?

18 A. Yes.

19 Q. And Junior Sheriff was an SLA, wasn't he?

20 A. Yes.

21 Q. And Junior Sheriff was reporting to the Resident Minister
22 East, Eddie Kanna [sic], wasn't he?

23 MS THOMPSON: Your Honour, could we get this name --

24 THE WITNESS: Well, I did not know their chain of command.

25 PRESIDING JUDGE: What is that objection, Ms Thompson?

26 MS THOMPSON: It is not an objection, an observation.

27 Because my learned friend is saying Eddie Kanna [sic] and I think
28 the evidence has been Eddie Kanneh, and I'm not sure which is
29 which, because I need the records to be straight. I don't know

1 whether we can clarify it through the witness what the name
2 really is.

3 PRESIDING JUDGE: Yes. I have been writing K-A-N-E-H,
4 Kanneh. But you have been saying Kanna [sic]

5 MR AGHA: Kanna [sic]. It's my pronunciation of it.

6 Q. Witness, do you know who the resident minister for the east
7 was?

8 A. Yes, sir.

9 Q. What was his name?

10 A. Eddie Kanneh.

11 Q. Now, you say that Captain Yamao Kati - and again I
12 apologise for mispronunciation - was killed by the RUF, don't
13 you?

14 A. No, I was not specific about his death. But he was killed
15 by a stray bullet.

16 Q. In your evidence you said he was killed by the RUF, so
17 you're lying?

18 A. No.

19 Q. I'm not going to bring up the piece of transcript again
20 unless we go past lunch, so I will move on for the time being.

21 PRESIDING JUDGE: Well, I'm just wondering if that's fair
22 to dismiss it like that, because it might have been a stray
23 bullet fired by the RUF.

24 MR AGHA: Well, the evidence was he was killed by the RUF,
25 but I will find the appropriate piece of the transcript, Your
26 Honour.

27 Q. Now, there was an SLA battalion based in Tongo, wasn't
28 there?

29 A. He had six SLA battalions. Six battalions. Six

1 battalions, not one SLA, but a single battalion.

2 Q. There was one battalion in Tongo?

3 A. Named the 6th Battalion.

4 Q. Was there also a 4th Battalion in Kenema?

5 A. Yes.

6 Q. I say to you it was the SLA who were the dominant group in
7 Tongo and not the RUF; what do you have to say about that?

8 A. The RUF were more than the SLAs during the time when they
9 came together.

10 Q. I say --

11 A. But before the RUF came, the RUF were there in deployment.
12 Before the arrival of the RUF, there was no 6th Battalion. So it
13 was just a platoon of SLAs which was being sent there on
14 deployment.

15 Q. I say to you that, after the RUF arrived, there were still
16 more SLAs in Tongo and Kenema than RUF; what do you have to say
17 about that?

18 A. No. On the arrival of the RUF, SLA presence did not reach
19 up to a company at Tongo but, Kenema, we had 18 battalions and
20 they had been changing each from 4th Battalion to 18 Battalion,
21 so there we had brigade.

22 Q. So would you agree with me that, throughout Kenema, there
23 were more SLAs than RUF?

24 MS THOMPSON: Your Honour, before the witness answers that
25 question, I think the interpretation, 18 battalions. And that's
26 not what the witness said. He said 18th Battalion, as opposed to
27 18 in number, battalions.

28 PRESIDING JUDGE: Did you hear that, Mr Interpreter? The
29 name of the battalion was the 18th Battalion. Did the witness

1 say that or did he say --

2 THE INTERPRETER: 18th Battalion, 18th.

3 PRESIDING JUDGE: All right.

4 THE WITNESS: That was what we had in Kenema. The 4th
5 Battalion had closed.

6 MR AGHA:

7 Q. So I say to you there were more SLA soldiers in Kenema than
8 RUF; what do you have to say about that?

9 A. I did not know their strength but I feel that all of --

10 Q. The answer is you don't know; is that right?

11 A. I don't know.

12 Q. You don't know whether there were more SLAs in Kenema than
13 RUF; is that your answer?

14 A. In Kenema, I don't know.

15 Q. Now, Tamba Brima regularly went to Tongo, didn't he, in
16 order to monitor the mining?

17 A. He did not go there. If a witness came here and said that
18 Tamba Brima went to Tongo, it means that all that I'm saying here
19 is a lie. He did not go to Tongo.

20 Q. Now, when asked if you ever saw Alex Tamba Brima, Ibrahim
21 Bazy Kamara, Santigie Kanu in Tongo, you said that none of the
22 AFRC personnel went there. What do you mean by AFRC personnel?

23 A. I did not say so. I said I did not say none of the AFRC
24 personnel did not go there. I said Tamba Brima did not go to
25 Tongo. Nobody would come and testify here that he went to Tongo.

26 Q. But didn't you also say none of the AFRC personnel went
27 there?

28 A. I did not say so, because at the early stage I said Adams
29 went there. Then the resident minister himself went there.

1 MR AGHA: May I refer Your Honours, with permission, to
2 transcript of 25 September, page 44, line 8 to 12, and my case
3 manager also has copies of those. It's line 8 to 12.

4 Q. This is a question which you were asked when you last gave
5 your evidence last week, so I will read it to you. Are you
6 listening?

7 A. Yes, sir.

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

11 "A. No, no, no. None of the AFRC personnel went
12 there. It was only some of the senior officers in
13 the army that were there. But I'd never saw any of
14 the AFRC personnel there."

15 So who are the AFRC personnel?

16 A. Maybe it was the interpreter. I was talking about the
17 indictees. None of the indictees went to Tongo.

18 Q. So the interpreter is wrong again when he records that you
19 said none of the AFRC personnel went there; is that right?

20 A. Well, I do not recall that, none of the AFRC personnel.
21 Because Adams, he was a man of Tongo, he went there. Both of us
22 saw each other. See, I was conscious about that and I wouldn't
23 say that none of them went there. Then the resident minister, he
24 went there also.

25 Q. Now, you also say that you left Tongo for Kono because of
26 RUF pressure; is that right?

27 A. Yes.

28 Q. I say that's a lie because the SLA had a much stronger
29 presence in Kenema than the RUF; what do you have to say about

1 that?

2 A. It's a lie. It was -- there was a particular time that the
3 SLA did not have a commander there, in fact.

4 Q. You are also lying when you say that the RUF disarmed the
5 SLA in Tongo, aren't you?

6 A. Yes.

7 Q. Yes, you are lying, or you still maintain that the RUF
8 disarmed the SLAs in Tongo; which is it?

9 A. I'm still saying that the RUF disarmed some of the SLAs,
10 because if a single SLA would walk and he met three RUF, they
11 would take off your weapon, and he can even use you. They could
12 even use you to mine for them if you are not strong enough,
13 especially when we had lost --

14 Q. Witness, I will ask for an explanation if I need one from
15 you. Thank you. Now, you say that you went from Tongo to Kono
16 in January 1998, didn't you?

17 A. Yes, sir.

18 Q. Now, again, there was an AFRC secretariat in Kono, wasn't
19 there?

20 A. Yes.

21 Q. And the SLA 16th Battalion was also based at Ngai a, in
22 Kono, wasn't it?

23 A. Yes, sir.

24 Q. So there was a strong SLA presence in Kono, in January
25 1998, wasn't there?

26 A. Part of Kono. Not all over Kono.

27 Q. But there was a strong SLA presence in part of Kono, wasn't
28 there, in 1998?

29 A. Yes. We had one battalion that was called 16th Battalion.

- 1 Q. And that was at Ngai a; yes?
- 2 A. Yes, sir.
- 3 Q. How far is that from Koi du Town?
- 4 A. Say, you can check the map or ask any specialist that
5 knows, but I wouldn't be able to tell.
- 6 Q. Well, have you ever travelled from Ngai a to Koi du Town?
- 7 A. Many times.
- 8 Q. How long did it take you by car?
- 9 A. Twenty-five minutes to drive.
- 10 Q. And how long would it take you walking?
- 11 A. I've never walked there.
- 12 Q. So you would agree with me there was a strong SLA presence
13 near Koi du Town in January 1998, due to the 16th Battalion being
14 based at Ngai a, wouldn't you?
- 15 A. There was SLA presence. I do not just know whether it was
16 strong.
- 17 Q. Okay. And when you reached Kono, in January 1998, the SLAs
18 and the RUF were again working together at the AFRC secretariat,
19 weren't they?
- 20 A. I did not go to the secretariat. I -- I was in the
21 battalion headquarters.
- 22 Q. Well, what did you hear the secretariat was doing?
- 23 A. Well, it was doing its secretariat job, but I don't know.
- 24 Q. I say to you that the AFRC secretariat was monitoring the
25 mining in Kono; what do you have to say about that?
- 26 A. Well, it was known to them but I was an individual soldier.
27 I was just working as a soldier. I did not know about any --
- 28 Q. So you never heard that the AFRC secretariat was monitoring
29 the mining in Kono; "yes" or "no"?

1 A. No.

2 Q. Did you ever hear that civilians were being forced to mine
3 by the AFRC government in Kono?

4 A. No.

5 Q. I say that you are lying and you know full well that the
6 civilians were made to mine for the AFRC government; what do you
7 have to say about that?

8 A. It's a lie. During this time that you are talking about,
9 there was no zeal to do mining because the Alpha Jets had been
10 suppressing us all over in this country, especially in Kono.

11 Q. How would you know that; you didn't get there until January
12 1998? Well?

13 A. When I was there --

14 Q. Now, you say that Issa Sesay and Superman were the RUF
15 commanders in Kono when you arrived, don't you?

16 A. Yes, sir.

17 Q. I say that you are lying because Superman was in Freetown
18 in January 1998; what do you have to say about that?

19 A. It's a lie.

20 Q. Now, I'm coming to the intervention, okay? Now, after the
21 intervention, Johnny Paul Koroma ordered Operation Pay Yourself,
22 didn't he?

23 A. No. I did not hear about that.

24 Q. And you didn't hear of any wild, widespread looting in Kono
25 when you were there by SLAs and RUF pursuant to Operation Pay
26 Yourself?

27 A. No, I cannot recall that. The only thing that I can recall
28 is that when they ousted the AFRC from power, the Lebanese men
29 went and brought Kamajors. They came and attacked us, they took

1 us out of the town. So, two days later, we came and recaptured
2 the town. We -- we found out that they had broken all the
3 stores.

4 Q. So where did the Kamajors take you?

5 A. In Kono.

6 Q. They came and took you from where? Where were you at the
7 time; in the barracks at Ngai a?

8 A. Yes. They -- they came from Kangama Gul ama. They attacked
9 us at Ngai a. They took our men from town.

10 Q. And were you one of those men; is that right?

11 A. Yes, I retreated from Ngai a up to Yomadu.

12 Q. But not with the Kamajors, with other SLAs; is that right?

13 A. Yes.

14 Q. And Koi du Town was recaptured by joint SLA/RUF force,
15 wasn' t i t?

16 A. Yes.

17 Q. And were you in Koi du Town when Johnny Paul Koroma came?

18 A. Yes, we had already recaptured the ground. We were there.

19 Q. Now, when Johnny Paul Koroma arrived, you say that one of
20 the people who came with him was Lieutenant Gbondo, don' t you?

21 A. Yes.

22 Q. I say to you that Lieutenant Gbondo was already in Kono
23 before Johnny Paul arrived; what do you have to say about that?

24 A. Well, it was the day that Johnny Paul arrived that I saw
25 Gbondo. So I would just take it for granted that they, all of
26 them, came together.

27 Q. And roughly how long did Johnny Paul Koroma stay in Kono
28 before leaving to Kai lahun?

29 A. Some weeks but I cannot recall the days that he spent

1 there, but he was there for more than a week. Because there were
2 some attacks --

3 THE INTERPRETER: Your Honours, would the witness go over
4 his last bit, the last bit of his testimony?

5 PRESIDING JUDGE: From where, Mr Interpreter?

6 THE INTERPRETER: He talked about a week, but I did not get
7 it properly. The last bit. He talked about attacks.

8 PRESIDING JUDGE: All right. Mr Witness, the interpreter
9 did not get all of your answer, can you take it from where you
10 mentioned attacks?

11 THE WITNESS: Yes. They asked me, they said how many days
12 Johnny Paul spent. I said he spent a week and above, but I
13 cannot recall all the days.

14 MR AGHA:

15 Q. I say to you that is a lie?

16 A. Because they had been attacking from some areas.

17 Q. I say that's a lie. Johnny Paul Koroma only stayed three
18 days; what do you have to say about that?

19 A. You are lying because we were unable to cross all the
20 obstacles that were happening within three days.

21 Q. Now, Johnny Paul Koroma ordered that Kono should be held as
22 a defensive position, didn't he?

23 A. Yes. That was what he said. He said we should subject
24 ourselves to the RUF, take command from RUF.

25 Q. That's not what I asked you. I asked you: Johnny Paul
26 Koroma ordered that Kono was to be held as a defensive position,
27 didn't he?

28 A. I cannot give that answer because I was not given that
29 order.

1 Q. Okay. And before Johnny Paul Koroma left the area he
2 ordered Koidu Town to be cleared of civilians because they
3 betrayed the SLA to the Kamajors, didn't he?

4 A. No, I never listened to that.

5 Q. Now, after he arrived in Kono, Johnny Paul Koroma left for
6 Kailahun, didn't he?

7 A. Yes, sir.

8 Q. And which RUF leaders left Kono with Johnny Paul Koroma to
9 Kailahun?

10 A. I don't know much of the RUFs except those that we stayed,
11 after some time, I was able to know them.

12 Q. So you don't know which RUF leaders Johnny Paul Koroma left
13 for Kailahun with?

14 A. No.

15 Q. And when Johnny Paul left, you were on standby, weren't
16 you?

17 A. That was we, on our own part, the part of Akim. We were
18 the ones that were left together with the family. Akim said when
19 he arrived, he will call us. He said we should remain as a
20 standby.

21 Q. Didn't you say that you travelled as far as Segbwema?

22 A. It's wrong. I didn't say Segbwema. I said Shengema
23 crossing point.

24 Q. So you travelled that far. Now --

25 A. Yes, that was after Johnny Paul has left.

26 Q. And one of your commanders was Honourable Sammy, wasn't he?

27 A. Yes.

28 Q. And Honourable Sammy's name was Honourable Sammy Kargbo,
29 wasn't it?

1 A. No, I don't know. I only know him as Samuel. I don't know
2 his surname.

3 Q. Now, you say that you were informed that Tamba Brima was
4 under arrest in Kailahun and was in a dungeon, don't you?

5 A. Yes, sir.

6 Q. I say that --

7 A. I was told by someone who came from there.

8 Q. I say that you are lying when you say that you were told
9 that Tamba Brima was imprisoned in a dungeon; what do you have to
10 say about that?

11 A. Maybe it's the person who told me lied, but what I
12 explained, what I heard from somebody is what I've testified.

13 Q. Okay. Now, I apologise if I get the word wrong, but I
14 believe you just said that you went as far as Shengema crossing
15 and then you were sent back by the RUF to defend Koidu Town; is
16 that right?

17 A. Shengema.

18 Q. Thank you. And then you were sent back to defend Koidu
19 Town; is that right?

20 A. No, that is not how it happened. We were going to collect
21 arms in Kailahun. So, on the way, we met those who have gone to
22 collect the arms. They asked us to go back to Kono with them.

23 Q. So you took the arms back with you to Kono?

24 A. Yes.

25 Q. And you gave these arms and ammunition to the SLAs and RUF?

26 A. To the RUF.

27 Q. So you are saying, as an SLA, you didn't keep any arms or
28 ammunition yourself?

29 A. No. We were all under RUF. We were the Sierra Leone

1 People's Army. We had the G4 that was responsible for arms and
2 ammunitions, and SLA was not heading that unit. So that you will
3 not go and surrender with the arms.

4 Q. Yes, but witness, some of these arms and ammunition were
5 given to SLAs, weren't they?

6 A. No. Just to carry.

7 Q. So the SLAs were just used to carry the weapons for the RUF
8 in Kono; is that right?

9 A. We should carry them, not only the SLA. It's a troop
10 responsible to transport the ammunition to G4 headquarters.

11 Q. Okay. Let me ask you a simple question. Were SLAs in
12 Koidu Town after the intervention armed or unarmed? They were
13 either armed or unarmed; which were they?

14 A. Well, some had arms, some didn't.

15 Q. And they were fighting together with the People's Army, the
16 SLAs, weren't they?

17 A. Well, during this time, when -- that you are trying to ask,
18 we didn't have SLA. We only have the Sierra Leone People's Army.
19 You cannot even identify whether this man is an RUF or SLA.

20 Q. But you were all fighting together, weren't you?

21 A. Yes.

22 Q. Now, when you returned with these arms and ammunition,
23 Honourable Sammy returned with you as well, didn't he?

24 A. Yes, back to Koidu.

25 Q. Okay. Now, you say that when you returned to Koidu, you
26 were then sent on a food-finding mission with RUF and came to the
27 village of Yarya. Do you remember that?

28 A. Yes, sir.

29 Q. Roughly how long after you returned to Koidu Town did you

1 go on the food-finding mission to Yarya?

2 A. It took some time that I cannot remember right now.

3 Q. Was it one day, one week, two weeks, a month?

4 A. About one week and above.

5 Q. At Yarya you say you met Komba Brima who had been shot,
6 don't you?

7 A. Yes, sir.

8 Q. Now, Komba Brima was allegedly shot after the RUF and AFRC
9 had been driven out of Koidu Town by ECOMOG in around April 1998.
10 So how did you manage to see Komba Brima shot, when the People's
11 Army was still in occupation of Koidu Town?

12 A. Well, those who shot Komba Brima did not come from
13 Freetown. They came from Kabala, according to the
14 [indiscernible] Komba. They came with a black jeep Land Rover.

15 Q. But witness --

16 A. They passed.

17 Q. -- witness, he was allegedly shot after the People's Army
18 had been driven out of Koidu Town, so can you explain to me how
19 you saw him shot when the People's Army was still in occupation
20 of Koidu Town?

21 A. I don't think I testified that it is when the People's Army
22 left Kono that they fired Komba. I said --

23 THE INTERPRETER: Your Honours, can the witness please go
24 slowly.

25 PRESIDING JUDGE: Mr Witness, once more you are going too
26 fast for the interpreter. Can you commence your answer again,
27 please.

28 THE WITNESS: When I met him, he didn't tell me that it was
29 from Kono that they came and shot him. It was during the

1 intervention period when AFRC was driven out of Freetown, the men
2 who were running away, by the Kono axis, he said they were with a
3 Land Rover, they were the ones that shot him.

4 Q. So he was shot just after the intervention; is that right?

5 A. The intervention was on because ECOMOG was not -- has not
6 even taken some area.

7 Q. I say to you that you are lying and that you never saw
8 Komba Brima shot. He was shot much after the intervention. What
9 do you have to say about that?

10 PRESIDING JUDGE: Well, I look break that up.

11 MR AGHA: Okay.

12 Q. I say to you that you are lying and that you never saw
13 Komba Brima shot. What do you have to say about that?

14 A. I saw it. I gave him medication and if his wife was here,
15 she herself can testify that.

16 Q. I say to you that Komba Brima was shot much after the
17 intervention and you are lying; what do you have to say about
18 that?

19 A. You are lying. They shot Komba. By then the intervention
20 was just fresh in Freetown, but most parts of the provinces,
21 ECOMOG had not yet regained those areas.

22 Q. And it's a lie that Komba Brima's wife was also brutalised,
23 wasn't it?

24 A. She was brutalised and her money was taken away.

25 Q. Was she shot as well?

26 A. No.

27 Q. So why did you say that she was?

28 A. His wife? I never said that she was shot.

29 MR AGHA: I refer to transcript 25 September, page 51, line

1 1 to 7, with the permission of the Court. I think my case
2 manager has it. With the permission of the Court, I read from
3 lines 1 to 7.

4 Q. And, witness, this is an answer which you gave in your
5 evidence. I will read it to you.

6 "A. When we saw Komba, we tried to ask him what was
7 wrong with him and he said some soldiers, who I can
8 remember some of their names, that one was called
9 Bravo, Junior Lion, Yellow Man, he said they were
10 the one with Black Sheep. They had come and demanded
11 from him and when he refused he was brutalised and
12 his wife was also brutalised and was shot. So we had
13 sympathy with him on that day."

14 A. No, I don't think his wife was shot. I never said that.
15 It was only Komba that was shot.

16 Q. And I also say to you that it's a lie that Komba told you
17 that Junior Lion had shot him; what do you have to say about
18 that?

19 A. It's a lie. Even Superman, before he left, he testified.
20 He caught one and killed him. He was called Yellow Man. That
21 was when we returned.

22 Q. [Overlapping speakers] there is no need to go into those
23 details. Thank you. Now, it's also a lie that Komba's nickname
24 is Gullit, isn't it?

25 A. Yes, yes. It was the name given to him because of his
26 football ability.

27 Q. I say to you that Gullit was the name given to his brother,
28 Tamba Brima; what do you have to say about that?

29 A. Who? His younger brother?

1 Q. The accused person in this Court, Tamba Brima, was called
2 Gullit because he was a good footballer, wasn't he?

3 A. No, no, no, no. It was Komba who was a footballer. Tamba
4 was a Yehyeh man. In fact, they always provoked him.

5 Q. You say what man was he?

6 A. Yehyeh, malingering.

7 Q. So he didn't play any sport?

8 A. I can't tell, but it was Komba that we call Gullit. He
9 usually played at hockey pit.

10 Q. I say to you that you are lying and that Komba was referred
11 to as Staff Komba; what do you have to say about that?

12 A. Well, it is Komba that I know better, because Gullit --
13 Gullit was a man -- he was with a lot of friends.

14 Q. You say you are not lying; is that what you are saying?

15 A. I'm not lying. It's Komba that we referred to as Gullit.

16 PRESIDING JUDGE: Well, what's the answer to your question
17 that Komba was referred to as Staff Komba? What was your, answer
18 Mr Witness?

19 THE WITNESS: Well, the staff is military appointment, but
20 he is known as Gullit.

21 PRESIDING JUDGE: [Overlapping speakers] referred to as
22 staff Komba, "yes" or "no" or don't you know?

23 THE WITNESS: I don't know.

24 MR AGHA:

25 Q. Now, you mentioned in this Court this expression "People's
26 Army." Do you remember saying that?

27 A. Yes I can recall.

28 Q. Now, prior to coming and giving your evidence last week,
29 did you ever meet anyone from the Special Court?

1 A. Yes.

2 Q. And did you tell them about what you've told the Court last
3 week?

4 A. Only those who obtained statements from me, my
5 investigators.

6 Q. And can you explain to me why in the summary we have had
7 provided to us, of what you allegedly said to the investigators,
8 you never once mentioned People's Army?

9 MS THOMPSON: Your Honour, I'm not sure if this witness is
10 responsible for the fact that the term "People's Army" is omitted
11 from the summary. How can he answer questions on what is
12 provided by the Defence team when he gave a statement and after
13 the statement doesn't know what is included in the summary or
14 not? He can't give an explanation to that fact.

15 JUDGE SEBUTINDE: Ms Thompson, are you suggesting that
16 counsel for the Prosecution cannot cross-examine a witness on the
17 summary, just because the witness didn't write the summary?

18 MS THOMPSON: No, no, no, Your Honour. That isn't the
19 question. The issue is -- the question was: How come the
20 term -- can you explain why the term "People's Army" is not in
21 the summary? The witness is not responsible for the summary.
22 Perhaps never even has seen the summary. How can he explain why
23 the term "People's Army" is not in the summary. If it was why
24 the term "People's Army" not in your statement, yes. You can
25 cross-examine on the contents of the summary, but not why a
26 particular term doesn't appear in the summary when he is not
27 responsible for making that summary. That's my submission, Your Honour.

28 MR AGHA:

29 Q. Mr Witness, I say to you that you are a liar and you never

1 mentioned the term "People's Army" to the people who took your
2 statement; what do you have to say about that?

3 A. In fact, I can give you some declaration, if I am permitted
4 by the Court. I'm not lying.

5 Q. That is sufficient. I don't need declaration. Now, I say
6 to you that you have been meeting with Momoh Rogers, Tamba
7 Fasuluku, Chicken Soup and other former SLAs --

8 THE INTERPRETER: Your Honours, can I learned counsel please
9 go over slowly.

10 PRESIDING JUDGE: You will have to go a bit more slowly for
11 the interpreter.

12 MR AGHA:

13 Q. I say that you have been meeting with, amongst others,
14 Momoh Rogers, Tamba Fasuluku, a person known as Chicken Soup and
15 other former members of the SLA to come to this Court and give
16 made up evidence. What do you have to say about that?

17 A. It's a lie then and you are just trying to default it
18 because maybe you saw that those guys are role models to whatever
19 you are trying to challenge.

20 Q. They are role models. Now, you say that you refused to
21 fight with the RUF, don't you?

22 A. Sir?

23 Q. You say you refused to fight for the RUF, didn't you?

24 A. Yes, sir.

25 Q. So can you explain why you weren't fired at, like
26 Honourable Momoh?

27 A. Well, they were trying to collect manpower. They said we
28 should go for a muster parade, very early in the morning, so he
29 refused to go and they misbehaved to him.

1 Q. So when you refused to fight, why didn't they fire you?

2 A. They didn't see me. I was nowhere to be seen.

3 Q. I didn't ask you whether you were seen. You said to this
4 Court that you refused to fight for the RUF. Now I'm asking,
5 when you refused, why didn't they fire at you?

6 PRESIDING JUDGE: You mean shoot at him, or fire at him, or
7 simply dismiss him?

8 THE WITNESS: I ran to SAJ.

9 MR AGHA: Well, the words used are fire as in shoot but
10 it's fire he uses, so --

11 Q. Why didn't they shoot you?

12 MS THOMPSON: Asked and answered.

13 THE WITNESS: Because I ran to SAJ Musa.

14 MR AGHA:

15 Q. So as soon as you refused to fight you ran off to SAJ Musa;
16 that's your evidence?

17 A. Yes, because if I had confronted them they would have
18 killed me.

19 Q. Now, you stayed in Kono until ECOMOG drove you out in
20 around May or June 1998; is that right?

21 A. Say again?

22 Q. Well, I will retract that question and I will put another
23 question to you. I say that you are lying when you say that the
24 RUF fired SLAs and when I say fired, I mean, shot them, if they
25 refused to fight; what do you have to say about that?

26 A. They did that.

27 Q. Now, you stayed in Kono until ECOMOG drove you out in
28 around May or June 1998; is that right?

29 A. Well, I didn't stay there until ECOMOG drove them entirely

1 from Kono. Only when the pressure started, they, too, were
2 forcing us so I escaped to Kurubonla, to SAJ. It was after I've
3 left they took them out of Kono.

4 Q. And during this period, from your arrival in Kono, until
5 your escape just before they were driven out, where were you
6 based?

7 A. Where I was based? I was at Post Office Road, where Akim
8 left me.

9 Q. Who was your commander?

10 A. It was Akim. When he left I was a commander. I was taking
11 care of the family. And by then they had already given me one
12 button.

13 Q. What does "one button" mean?

14 A. That is second lieutenant.

15 Q. So you were a second lieutenant --

16 A. By then.

17 Q. -- by then. Now, where you were living, from there, did
18 you ever go to Masingbi Road or Five-Five spot?

19 A. Except Sewafe Bridge. They sent me to Sewafe Bridge at one
20 time to take food. That is by Masingbi Road.

21 Q. So you went there?

22 A. Yes.

23 Q. Now, you say Shaka Zulu was the SLA commander in Kono and
24 that the RUF beat him up, don't you?

25 A. Yeah, he was beaten and he hid.

26 Q. And did Shaka Zulu leave Kono before you or after you?

27 A. He left before I departed.

28 Q. Now, you also refer to Honourable Momoh; where was he
29 during this time?

1 A. Well, himself escaped because they fired at his toe. They
2 took his Land Rover and he also escaped but I didn't know his
3 whereabouts.

4 Q. I say to you that the SLA had their headquarters in
5 Masingbi Road whilst you were there; what do you have to say
6 about that?

7 A. No. You -- it is not correct, sir.

8 Q. I say that the commander of the SLAs in Kono was Ibrahim
9 Bazy Kamara; what do you have to say about that?

10 A. No. We who were going to Kono, it's Akim that is leading,
11 so when Akim went to Kailahun --

12 Q. I'm not asking about Akim. I say you are lying and that
13 Ibrahim Bazy Kamara was the commanding SLA officer in Kono while
14 you were there?

15 A. It's a lie. He was not there. It's a lie. We were at the
16 SLA sector at the post office.

17 Q. The SLA sector. Okay. Have you heard of a place called
18 Jagbwema Fiama, in Kono?

19 A. Jagbwema Fiama.

20 Q. Did you go there?

21 A. No, not that time. I never went there.

22 Q. So I say to you that Captain Junior Sherri f had a mixed
23 SLA/RUF battalion under his command at Jagbwema Fiama; what do
24 you have to say about that?

25 A. No, I never went to Jagbwema Fiama.

26 Q. So the answer is you don't know; is that right?

27 A. I don't know.

28 Q. Have you been to a place called Bumpe, in Kono, when you
29 were there?

1 A. Except that day, when I said we went to Sewafe Bridge
2 taking the food, I passed through.

3 Q. I say to you that Lieutenant Foday Kallay, also an
4 honourable, had a mixed SLA/RUF battalion under his command at
5 Bumpe. What do you have to say about that?

6 A. No, I don't know. I never alighted there. We were in a
7 vehicle and we passed through.

8 Q. Now, you say you went to Sewafe, right?

9 A. Yes.

10 Q. I say to you that Lieutenant Mosquito had a mixed SLA/RUF
11 battalion under his command at Sewafe; what do you have to say
12 about that?

13 A. It was not like that. It was Colonel Isaac that was there.
14 I was the one that was sent as SLA commander at Sewafe Bridge but
15 I had to escape in early morning hours.

16 Q. So then you escaped from Sewafe?

17 A. Yes.

18 MS THOMPSON: Your Honour, the witness I [i ndi scerni ble] --

19 THE WITNESS: Yes.

20 PRESIDING JUDGE: I am sorry, I coul dn' t hear you,

21 Ms Thompson. What was that objecti on?

22 MS THOMPSON: The witness is referring to Sewafe Bridge.
23 My learned friend is talking about Sewafe --

24 THE WITNESS: The bridge. The bridge.

25 MS THOMPSON: The witness keeps answering Sewafe Bri dge.
26 My learned friend is asking questi ons about Sewafe.

27 PRESIDING JUDGE: Two di fferent pl aces, Mr Agha.

28 MR AGHA:

29 Q. Do you know whether there was an SLA/RUF battal ion at

1 Sewafe?

2 A. No, it was RUF command that was -- commander that was
3 there, Colonel Isaac. I was the one that was sent there so that
4 the SLA could capture the place. I myself hid.

5 Q. So was this Sewafe or Sewafe Bridge?

6 A. It was at Sewafe Bridge.

7 Q. What about Sewafe itself; did you go there?

8 A. No, I did not go there.

9 Q. So you don't know who was in command there, do you?

10 A. It was the Kamajors and the Gbethis that were there.

11 Q. I say to you that Sewafe was under the command of a mixed
12 SLA/RUF battalion; what do you have to say about that?

13 A. No, it's a lie. It was the Kamajors and the Gbethis that
14 were in Sewafe Town. They would even come and attack us in the
15 bridge.

16 Q. Did you ever go to Yengema?

17 A. Except when I was in Ngai a, during the days of my SLA
18 operations.

19 Q. What about after the intervention, when you were staying in
20 Kono?

21 A. No.

22 Q. I say to you that Lieutenant Tito had an SLA battalion
23 under his command at Yengema; what do you have to say about that?

24 A. I was not aware of that.

25 Q. What about Tombodu Town; did you ever go to Tombodu Town?

26 A. No, I did not go there.

27 Q. You must have heard about the activities of SLA Savage
28 there, didn't you?

29 A. No, I heard about Savage, but Savage was a man that was

1 under RUF.

2 Q. I say to you that Savage was a commander of a mixed SLA/RUF
3 battalion based at Tombodu Town; what do you have to say about
4 that?

5 A. Well, I do not know who and who he had been controlling, he
6 was a commander.

7 Q. I say to you that you are lying and you were never in Kono
8 at all?

9 A. I was there.

10 Q. I say that you fled with SAJ Musa to the Northern Jungle
11 after the intervention; what do you have to say about that?

12 A. It was after pressure in Kono, that was the time that I
13 went to Northern Jungle. I'd even found out that he had
14 dispatched his first troop.

15 Q. My question to you is that you went straight to the
16 Northern Jungle after the intervention and not to Kono, didn't
17 you?

18 MS THOMPSON: From where, Your Honour?

19 MR AGHA: Doesn't matter from where, does it?

20 MS THOMPSON: No, it does matter because the evidence is
21 that he was in Kono before the intervention. So where is my
22 learned friend placing him and when is he placing him somewhere
23 else? It's only fair to the witness for him to be placed in a
24 particular -- if you are putting a particular place to him and
25 the timeline for him to be able to answer. But if you say to
26 him -- my learned friend is going on saying he fled directly to
27 the Northern Jungle; where did he flee from?

28 MR AGHA: I will ask a direct question.

29 Q. Witness, I say to you that after the intervention you fled

1 directly from Freetown to the Northern Jungle and that you were
2 never in Kono; what do you have to say about that?

3 A. It's a lie. I have something to say. I moved from
4 Freetown to Tongo, Tongo to Kono, Kono to --

5 Q. Just answer the questions put to you, please?

6 PRESIDING JUDGE: Well, let him explain it. Let him
7 explain. All right. What were you going to say, Mr Witness?

8 THE WITNESS: When I left Freetown, I went to Tongo. From
9 Tongo, I came to Kono. Kono, with a lot of pressure, ECOMOG had
10 not even taken up the town, so I left for Kurubonla.

11 MR AGHA:

12 Q. Now, you say you left for Kurubonla, and you went with
13 Foyoh, and Sherri f. Is that Junior Sherri f you went with?

14 A. No, not Junior Sherri f but Bobby Sherri f.

15 Q. Bobby Sherri f?

16 A. Bobby Sherri f.

17 Q. Now, when you reached Kurubonla, you found SAJ Musa; do you
18 remember that?

19 A. Yes.

20 Q. And according to you SAJ Musa sent an advance team in order
21 to find a base; is that right?

22 A. Yes, sir.

23 Q. I say to you that this advance team was led by Alex Tamba
24 Brima, Ibrahim Bazzy Kamara and Santigie Kanu, aka Five-Five;
25 what do you have to say about that?

26 A. It's a lie. It's -- it was FAT his 2IC, Junior Lion and
27 Eddie, they were the ones that led the first team. That was what
28 I was told when I went. I did not meet them there but when I
29 arrived that is -- was what they told me. They said they were

1 the people that went initially.

2 Q. Who told you that?

3 A. The friends that I met.

4 Q. What were their names?

5 A. One, my colleague officer that was called Jigbwe Musa and
6 Tony. He was a batman to SAJ. Then, in the muster parade in the
7 morning, SAJ Musa, he himself explained to every one of us. He
8 said those men that I mentioned had gone ahead.

9 Q. I say to you that's a lie and that SAJ Musa at a muster
10 parade did not tell you that the men you mentioned had gone
11 ahead; what do you have to say about that?

12 A. It may not be a lie but perhaps it's you that have not got
13 it properly, but if that man had not.

14 THE INTERPRETER: Your Honours, would the witness go a
15 little bit slow.

16 PRESIDING JUDGE: Look, Mr Witness, you are talking too
17 fast, once again. The interpreter is not keeping up with you.
18 Can you please repeat your answer and keep in mind not to talk
19 too quickly.

20 THE WITNESS: I'm nervous, I'm feeling cold.

21 PRESIDING JUDGE: All right. Look, witness section, can
22 you get a coat for the witness, please. He's cold. Now, what
23 was your answer?

24 THE WITNESS: I said I'm feeling cold, so I'm nervous.

25 MS THOMPSON: Your Honour, that's not the interpretation.
26 He's not -- he's trembling, not nervous, which is what we are
27 getting, "nervous".

28 PRESIDING JUDGE: He's trembling with cold not with nerves;
29 is that what he's saying?

1 MS THOMPSON: Yes, Your Honour. Exactly.

2 PRESIDING JUDGE: All right. Look, Mr Witness, we are
3 getting something to keep you warm. Now, perhaps, Mr Agha, you
4 better ask that question again.

5 MR AGHA: Your Honour, I have forgotten what the question
6 was.

7 JUDGE SEBUTINDE: The question pertained to the advance
8 team that went in search of a base and the members that comprised
9 that; in particular, the three accused persons.

10 MR AGHA: If I remember correctly, I believed I suggested
11 that he is lying when he said SAJ Musa had mentioned this or was
12 I past that? I can -- -

13 JUDGE SEBUTINDE: Muster parade, I think you were at

14 MR AGHA:

15 Q. I say to you that you are lying when you say SAJ Musa
16 mentioned the people who you named as going ahead as the advance
17 party; what do you have to say about that?

18 A. He said so. Then any commander would say that. If he had
19 sent an advance team, if any troop came, he would say that such
20 and such people have gone.

21 Q. And roughly how long after the advance team left did the
22 backup team led by Commander 05 and Junior Sherri f leave?

23 A. Ask the question again.

24 Q. Roughly how long after the advance team left did the backup
25 team led by Commander 05 and Junior Sherri f leave?

26 A. Well, after the advance team had left, I was not on the
27 ground. It was on my arrival that 05, they and Keforkeh left.
28 Then they left, I was there when they left, and I did not know
29 the distance between them.

- 1 Q. And how long after the backup team left did the
2 headquarters team led by SAJ Musa leave?
- 3 A. It was in November. That was the time that SAJ Musa left.
4 I and they left together.
- 5 Q. And that was one week, one month, after the team left with
6 Commander 05; can you remember?
- 7 A. One month and some days.
- 8 Q. And the headquarter team, which you were part of, that
9 consisted of Nigerian prisoners of war, didn't it?
- 10 A. This headquarter team in which I was, there was no
11 Nigerian. We had one Guinean who was Sillah. This was the one
12 that was in Kurubonla.
- 13 Q. And this one Guinean was a prisoner of war; is that right?
- 14 A. Yes, we captured him at Mongor.
- 15 Q. Thank you. Did you have any other prisoners of war with
16 you?
- 17 A. No, he was the only one that we had in Kurubonla.
- 18 Q. Now, you said you spent about two months in Kurubonla, with
19 SAJ Musa, didn't you?
- 20 A. Yes.
- 21 Q. And were you there with SAJ Musa the whole time?
- 22 A. The two months that I spent there?
- 23 Q. Yes.
- 24 A. Yes, it was I that was with him.
- 25 Q. Now, didn't you ever go to Koinadugu Village with SAJ Musa?
- 26 A. Yes.
- 27 Q. And he was joined there by Superman and his troop, wasn't
28 he?
- 29 A. Superman joined us from Kurubonla.

1 Q. So he joined you at Kurubonla and then you went together to
2 Koinadugu Village; is that right?

3 A. Koinadugu, when we came from Kabala, that was where we
4 settled.

5 Q. And how long did you stay there, roughly?

6 A. In Koinadugu?

7 Q. Yes.

8 A. I cannot recall now.

9 Q. Now, you said to me that you left Kono because the RUF
10 would fire you, would kill you. So can you explain to me why RUF
11 Superman would join SAJ Musa and the SLAs in Koinadugu?

12 A. Yes, I can brief you. Superman went with a language. He
13 said that we should form a cordial relationship between the SLA
14 and the RUF. He said because Sankoh had said that all of us
15 should be the same force. He said so, Mosquito's threats should
16 not be, make SAJ Musa to be afraid. So he said there should be a
17 cordial relationship. But we, that were in Kono, refused. We
18 said the fellows are too weak, yet. That was the time that SAJ
19 said that we would be, but everybody would have his own aim. It
20 was during those days that they attacked us, they, the Superman.

21 Q. But before that --

22 A. So we split from them.

23 Q. -- before they attacked you?

24 A. Yes, yes.

25 Q. -- did you gather with them?

26 A. Yes, yes.

27 Q. And then, after they attacked you, SAJ Musa went to
28 Colonel Eddie Town, didn't he?

29 A. Yes.

1 Q. I say to you that Superman was not harassing the SLAs in
2 Kono, he was working with the SLAs in Kono; what do you have to
3 say about that?

4 A. It's a lie. It's a commando sense.

5 Q. I say to you that Superman came to continue working with
6 the SLAs in Koinadugu and that's exactly what happened?

7 A. The work that he had been doing, he had been working as an
8 RUF. We were just trying to put this together so that we could
9 have the same group, but he could return and change against us.

10 Q. But you worked together in Koinadugu with Superman and SAJ
11 Musa, didn't you?

12 A. Yes, all of us had been working as one team.

13 Q. Now, you say that prior to SAJ's arrival in
14 Colonel Eddie Town he never held a muster parade. Well, I
15 retract that. When you got to Kurubonla you talk about one
16 muster parade. You also said there was a muster parade where SAJ
17 Musa said his intention was to reinstate the SLA in Kurubonla; do
18 you remember that?

19 A. His intention to bring the SLAs back to Kurubonla? No. He
20 said his intention was to reinstate the army.

21 Q. I say to you that SAJ Musa never made such a statement in
22 Kurubonla and the first time he made that statement was in
23 Colonel Eddie Town; what do you have to say about that?

24 A. He did it, he did it at Kurubonla first. He said we
25 should -- the army should be reinstated, reinstated. We should
26 not go to Kailahun.

27 Q. SAJ Musa went to Colonel Eddie Town because he had an
28 infight with Superman, not because he wanted to reinstate the
29 army; what do you have to say about that?

1 A. It was not like that. If he did not want to go there he
2 wouldn't have sent forces, first and second teams ahead. It's
3 because he wanted to go there, that is why he fought, because he
4 did not want to take the advance, so he said we were to come back
5 to Kailahun, we and all of them, should advance together.

6 Q. Now, when you say you were moving with SAJ Musa to
7 Colonel Eddie Town, you said that Tito was in the rear; do you
8 remember that?

9 A. Say again?

10 Q. When you were moving with SAJ Musa to Colonel Eddie Town
11 you said that Tito was in the rear; do you remember that?

12 A. Yes, sir.

13 Q. I say that you are lying and that Tito was already in
14 Colonel Eddie Town before you left Kurubonla; what do you have to
15 say about that?

16 A. No. Maybe it would have been another Tito.

17 Q. Now, when you arrived at Colonel Eddie Town, what was your
18 rank?

19 A. I was a colonel.

20 Q. A colonel?

21 A. Yes.

22 Q. And who promoted you to colonel?

23 A. SAJ Musa.

24 Q. And your position was chairman of the Council of Chaplains,
25 wasn't it?

26 A. Yes, sir.

27 Q. What actually did you do as chairman of the Council of
28 Chaplains?

29 A. Well, as a chairman, as -- like the time that we reached at

1 Eddie Town, during the day they were in the dungeon.

2 Q. No, no, I'm asking you, what was your job as chairman of
3 the chaplain council, I believe you called it; Council of
4 Chaplains. Did you preach to the troops?

5 A. Yes. For any platoon, I would send one imam or chaplain or
6 christian pastor.

7 Q. So you were making sure the troops' religious welfare was
8 looked after; is that right?

9 A. Exactly say so, so we should pray every morning and every
10 evening.

11 Q. And did you hold any other position like battalion
12 commander or security to anyone during this period?

13 A. No, no.

14 Q. So, can you please explain to me why SAJ Musa sent you to
15 interview the detainees as chairman of the chaplain council.

16 A. Well, I was in charge of that. One, like the commanders
17 who were the ones that would tell them the truth, the dos and the
18 do nots, so even if somebody were to commit, if any action were
19 to be taken, we would go, meet the person first, and we knew what
20 the individual did. Then, if they were to make any inquiry, we
21 would make sure that we were on the board. See, we saw the
22 policies, that would make them to find that man guilty, before
23 any action was taken.

24 Q. So you had a proper disciplinary system; you wouldn't just
25 execute someone, you would investigate the crime and find out the
26 truth about it?

27 A. Exactly so.

28 Q. Okay. Now, I say to you that you are lying when you found
29 that Alex Tamba Brima, Ibrahim Bazy Kamara and Santigie Borbor

1 Kanu, aka Five-Five, were under arrest at Colonel Eddie Town;
2 what do you have to say about that?

3 A. I don't lie. Those men were in the dungeon during the day.
4 During the night they would take them to a thatched house and
5 they would put them into a box which contained rice, see, and
6 where all the logistics rice was kept. Even the day that I went
7 to interview them, so that they could be taken from the dungeon,
8 during the day, the boy said they would not be taken out until
9 Junior Lion came.

10 Q. So, when you say where the logistics were kept, there was a
11 place in Colonel Eddie Town where food was kept for the troops;
12 is that what you are saying?

13 A. It's a big box, which is higher than this box; where the
14 local people would put their food.

15 Q. And did you have food there?

16 A. Yes, we had food.

17 Q. Now, SAJ Musa was the overall commander at Colonel Eddie
18 Town, wasn't he?

19 A. Yes, sir.

20 Q. And you'd agree with me that the SLAs would follow SAJ
21 Musa's orders, wouldn't you?

22 A. Yes, sir.

23 Q. So can you please explain to me why securities refused you
24 to interview the detainees when this had been ordered by SAJ
25 Musa?

26 A. Well, the security did not know that I was working on the
27 orders of SAJ Musa and I was not familiar to them. Because I was
28 a new man on the ground. Then it was the order that was given to
29 them by their boss but later on, when they informed the Junior,

1 he came, he gave me the authority to go and talk to them.

2 Q. So why didn't you say to the securiti es: SAJ Musa has
3 ordered me to interview the detainees?

4 A. It was their own field and they did not want to go against
5 anything that their boss said. I told them.

6 Q. I'm not asking you that. What I'm saying to you is why
7 didn't you say: SAJ Musa, the commander-in-chief, has ordered me
8 to interview the detainees. Stand aside?

9 A. I told them but they did not know that that was my role, to
10 interview any detainee.

11 Q. You just said the soldiers followed SAJ Musa's orders as a
12 commander-in-chief; why wouldn't they have let you through?

13 A. Because they did not know; it was not clear to them that it
14 was SAJ Musa who sent me and, that aside, they did not know me.

15 Q. I say that you are lying and that you never interviewed the
16 detainees at Colonel Eddie Town?

17 A. If they were here, they will testify that I interviewed
18 them.

19 Q. They are here.

20 A. You can ask them. If they agree then it means that you are
21 the one that are lying. I interviewed them.

22 Q. Well, we will see.

23 A. Ask them now.

24 JUDGE SEBUTINDE: Mr Witness, you are not in charge of
25 these proceedings, so you don't give orders as to what is to be
26 done.

27 THE WITNESS: Sorry.

28 JUDGE SEBUTINDE: Keep your testimony to answering the
29 questions asked, please.

1 THE WITNESS: Sorry.

2 MR AGHA:

3 Q. I say to you, witness, that when you reached Colonel Eddie
4 Town, Alex Tamba Brima was in command; what do you have to say
5 about that?

6 A. It was not true.

7 Q. I say to you that Ibrahim Bazzy Kamara was Alex Tamba
8 Brima's second in command; what do you have to say about that?

9 A. I just saw them under dungeon arrest but they are not in a
10 position of command.

11 Q. What happened to the Guinean prisoner of war at Colonel
12 Eddie Town.

13 A. Sillah?

14 Q. Yes.

15 A. I can't recall.

16 Q. Where was he kept?

17 A. Sillah, he was with me and we met other two prisoners at
18 Colonel Eddie Town who were Nigerians and Guineans.

19 Q. And did you look after their spiritual welfare as well?

20 A. Yes. The other one had been pounding rice for Junior Lion
21 and I condemned that, and I said that he was not to pound rice.
22 So I had to rescue him. I took him and brought him to the
23 headquarters with one Captain Umaro, who was a Nigerian. When I
24 came with him, Junior Lion took him from the headquarters. He
25 went with him in the advance team. He said he was the one that
26 captured them.

27 Q. So you say you had the power to take prisoners out of
28 custody?

29 A. The prisoners of war were not in custody. It was the ones

1 that they said they were AFRC, those were the ones that were in
2 the custody. They were in dungeon. The Guinean and the two
3 Nigerians, they were not in custody; they were in open detention
4 but they had been using them to pound rice. So that was what I
5 said they should stop because it was not called for. They would
6 go and fetch water and if they went to fetch water and they hid
7 or any other thing happened with them, it would be a problem.
8 But the other prisoners --

9 PRESIDING JUDGE: Whenever it's convenient, we will
10 adjourn.

11 MR AGHA: I'll just finish this subject, I won't be too
12 much longer, hopefully, Your Honours.

13 Q. Now you say that the prisoners were secured; is that right?
14 Would you agree with that? The AFRC prisoners?

15 A. They were under arrest.

16 Q. And were they guarded?

17 A. Eye watch. They have been watching them through the eye.
18 In the dungeon, they were under lock and it was only during the
19 night that they would bring them under thatched houses. So when
20 they had locked somebody would -- can sit outside. It was a pit.

21 Q. So they were in open detention, weren't they?

22 A. It's a dungeon. It's a built jail.

23 Q. Were they in open detention?

24 A. No, no, no.

25 Q. Did you give a statement to the investigators?

26 A. Yes. Only when we were moving, that was the time that we
27 put them in --

28 Q. One minute, one minute.

29 A. -- open detention.

1 Q. Now, I've a copy of what you allegedly said to the
2 investigators and, in the summary, it's says: "SAJ Musa ordered
3 that they remain under open detention." Did you say that to the
4 investigators?

5 A. Yes. When we were moving to go to Freetown.

6 Q. This was at Colonel Eddie Town?

7 A. We met them in detention.

8 Q. So when they were moving to Colonel Eddie Town SAJ Musa
9 said they would be in open detention; what does that mean?
10 Explain it to me.

11 A. Yes. During the open detention, when we were moving, we
12 had a small unit. There were people who had been taking care of
13 different types of people. Like the AFRC detainees, we had a
14 platoon which consisted of 32 men, which was taking care of each,
15 so those were the men that were in care of them. So that they
16 could not hide.

17 Q. So it's 32 men were guarding the detainees as you marched
18 from Colonel Eddie Town; is that right?

19 A. When we were leaving Colonel Eddie Town, we were going to
20 Freetown, when they were under open arrest.

21 Q. I say to you that is an absolute lie. 38 men never guarded
22 the detainees en route from Colonel Eddie Town to Freetown. What
23 do you have to say about that? It's either a lie or it's not?

24 A. If we did not guard them they would have hidden. If we did
25 not guard them they should have hidden.

26 Q. My question is simple: I say to you 38 men did not guard
27 them? Did they or didn't they?

28 MS THOMPSON: 32.

29 THE WITNESS: I did not say 38. I said 32. We took them

1 as a platoon.

2 MR AGHA:

3 Q. You stick with that?

4 A. Yes, yes, I still hold onto that.

5 PRESIDING JUDGE: We will adjourn for lunch, now.

6 Mr Witness, you have been cautioned before. I will remind you:

7 Don't talk about the evidence with anybody. And we will adjourn

8 until 2.15.

9 [Luncheon recess taken at 12.50 p.m.]

10 [Upon resuming at 2.15 p.m.]

11 PRESIDING JUDGE: Yes, Mr Agha.

12 MR AGHA:

13 Q. Now, witness, just before the break, we were talking,
14 amongst other things, about Colonel Eddie Town. Now, do you
15 remember saying that there was a muster parade at Colonel Eddie
16 Town which was handed over by FAT Sesay to SAJ Musa?

17 A. Yes, I can recall.

18 Q. I say to you, you're lying and that it was Tamba Bri ma who
19 handed over the muster parade to SAJ Musa at Colonel Eddie Town;
20 what do you have to say about that?

21 A. That is not true, because it is not easy where you have a
22 colonel, a prisoner or a corporal in the army to hand over a
23 parade to a general. Because, by then, SAJ Musa was the overall
24 commander and he was the general, while FAT Sesay was the 2 IC.
25 He was the colonel. After that had happened --

26 Q. Witness, witness, I'm simply saying to you, you're lying.

27 A. I'm not lying.

28 Q. Now, did you personally attend this muster parade?

29 A. Yes, I was at the muster parade. Even when AFRC prisoners

1 were released, when Junior Lion handed them over to SAJ Musa at
2 the muster parade, then SAJ Musa said I should bring them to the
3 next-door veranda, so that I will know what they had on them. So
4 after the investigation, we handed them over to Junior Lion, and
5 his boys took them to the dungeon. I was at the muster.

6 Q. Now, at the muster parade, did you hear SAJ Musa say that
7 he didn't want crimes to be committed against civilians on the
8 march to Freetown.

9 A. Since we were coming from Kurubonla, all the civilians that
10 we had, some were their relatives. When we got close to Kabala,
11 he said all those who had come from the north, we should release
12 them to go to Kabala and, from there, they would find their way
13 out. And he said that was the only motorable way, so all the
14 civilians were released.

15 Q. Witness, would you please listen to the question I ask you
16 and answer the question, okay?

17 A. Okay, sir.

18 Q. Now, the question is this: At the muster parade which
19 SAJ Musa gave at Colonel Eddie Town, did he tell the troop that
20 he did not want there to be killing and amputation of civilians
21 en route to Freetown?

22 A. No, he didn't say that. He was trying to put command
23 structures in place and the men were distributed, but that was
24 well known to everybody.

25 Q. What was well known to everybody?

26 A. How we should move from Eddie Town to Freetown; that was
27 what he was putting in place.

28 Q. I say to you, you're lying and that SAJ Musa told the truth
29 at the muster parade, that he did not want the troop to commit

1 any crimes against civilians during the advance; what do you have
2 to say about that?

3 A. Yes, yes. He said that. He said we shouldn't abduct
4 civilians, we shouldn't loot or take vehicles. He said that,
5 during the muster.

6 Q. Now, during the advance from Colonel Eddie Town to
7 Freetown, did you still remain the chairman of the Council of
8 Chaplains?

9 A. Yes.

10 Q. And you kept this position after SAJ Musa's death?

11 A. Yes.

12 Q. And you retained this position when you'd advanced into
13 Freetown?

14 A. Yes, I held that position until the peacetime.

15 Q. Now, during the advance to Freetown, SAJ Musa was in the
16 headquarters group, wasn't he?

17 A. Yes.

18 Q. And ammunition was kept with the headquarters group, wasn't
19 it?

20 A. Yes.

21 Q. Now, during the advance to Freetown, Keforkeh was a
22 lieutenant who was demoted by SAJ for failing to deal with enemy
23 forces, wasn't he?

24 A. I can't recall the name.

25 Q. You can't remember the name Keforkeh?

26 A. Oh, Keforkeh.

27 Q. Yes.

28 A. The question once more.

29 Q. He was demoted by SAJ Musa on the march from Colonel Eddie

1 Town to Freetown, wasn't he?

2 A. Not to my knowledge.

3 Q. I say to you that you're lying when you say that Keforkeh
4 was appointed by SAJ as D Company commander; what do you have to
5 say about that?

6 A. Yes, he was the D Company commander, Keforkeh himself.

7 Q. Now, during the advance to Freetown, you used to attack
8 various ECOMOG positions, didn't you?

9 A. Yes, sir.

10 Q. And at those positions you used to take ammunition and
11 food, didn't you?

12 A. Yes, some would have ammunition.

13 Q. And, as you mentioned, SAJ Musa was killed at Benguema,
14 wasn't he?

15 A. Yes.

16 Q. I say to you that you're lying when you say that FAT Sesay
17 took over command from SAJ Musa; what do you have to say about
18 that?

19 A. That is not a lie. He was the second in command, and when
20 a commander dies, it's the 2 IC that will take command. That was
21 the chain of command.

22 Q. So you followed the chain of command in the jungle, did
23 you?

24 A. Yes.

25 Q. I say to you that Alex Tamba Brima became commander of the
26 troop once SAJ Musa died; what do you have to say about that?

27 A. It's a lie. He didn't command or control anyone among us.

28 Q. Now, you say that after SAJ died, I believe it was at
29 Hastings, a commanders' meeting was held; do you remember that?

1 A. SAJ didn't die at Hastings. He died at Benguema.

2 Q. SAJ is dead at Benguema, then the troop continues. I think
3 you mentioned that a commanders' meeting was held; is that right?

4 A. Yes.

5 Q. At this meeting, the plan to attack Freetown was discussed,
6 wasn't it?

7 A. Yes.

8 Q. You weren't a commander, were you?

9 A. Yes.

10 Q. So you were a commander, as well as being the religious
11 leader for the troop; is that right?

12 A. Well, because I was a religious leader, that was why I
13 was --

14 THE INTERPRETER: Please, Your Honour, can the witness go
15 over that again?

16 PRESIDING JUDGE: Just a minute, please, Mr Witness.
17 You're going too fast for the interpreter. Can you please repeat
18 your answer.

19 THE WITNESS: Yes, sir. It was the appointment that I had,
20 that was why I became a commander, because I was heading a whole
21 unit.

22 MR AGHA:

23 Q. So it was your appointment, rather than your rank which
24 enabled you to attend the commanders' meeting; is that right?

25 A. No. The rank made me a commander, while the appointment
26 was a unit. While -- because of the appointment, I headed a
27 unit, but the rank itself made me a commander.

28 Q. Who else was in this unit? Did you have other people under
29 your command?

1 A. In my unit?

2 Q. Mmm.

3 A. Well, I had chaplains.

4 Q. So it's a religious unit then?

5 A. Yes. Within the army, wherever we are, we will have
6 chaplains.

7 Q. Now, you say there were some RUF with you during the
8 advance on Freetown, including a CO Alfred; do you remember that?

9 A. I said I knew only one RUF by the name CO Alfred. It was
10 only him I was able to recognise among the movement.

11 Q. And he was a radio operator, wasn't he?

12 A. Yes, yes.

13 Q. And his name was Alfred Brown; do you remember that?

14 A. Yes.

15 Q. Other radio operators moved with you from Colonel Eddie
16 Town to Freetown, like King Perry, didn't they?

17 A. Yes. Yes, I know King Perry.

18 Q. And it was through the radio operators you were able to
19 keep communication with the different troops as they advanced and
20 followed up; is that right?

21 A. Yes.

22 Q. I say to you that during the advance on Freetown, Santigie
23 Kanu, alias Five-Five, was in charge of looking after the women;
24 what do you have to say about that?

25 A. That was not the case. We had a unit that would cover all
26 the families. They would take care of the families. There
27 wasn't any individual that would take care of them.

28 Q. I say that you're lying and it was a job of Santigie Kanu,
29 aka Five-Five, to look after the women and families; what do you

1 have to say about that?

2 A. It's a lie. We were at the headquarters with the families.
3 We were the commanders, while we had the back-up team. There,
4 they would take care of us and the family, together with the AFRC
5 detainees that we had at the headquarters.

6 Q. Now, you say that Alabama was a cook and a henchman to SAJ
7 Musa; do you remember that?

8 A. Yes, I can recall.

9 Q. What do you mean by henchman?

10 A. Hench?

11 Q. Henchman.

12 A. Spell the word.

13 Q. They were your words, you said cook and henchman,
14 H-E-N-C-H-M-A-N.

15 MS THOMPSON: Your Honour, those were not his words. His
16 words were being --

17 THE WITNESS: No, I did not say that. I said that Alabama
18 was SAJ Musa's cook.

19 MR AGHA:

20 Q. You didn't say he was his henchman?

21 A. The word is strange to me. I cannot recall that.
22 Henchman.

23 MR AGHA: Well, I would like to refer to the transcript, if
24 I may. On 25 September, page 72, lines 3 to 6. My case manager
25 again has copies that she can distribute to the Court attendant.
26 This is page 72, lines 3 to 6 of the transcript of 25 September
27 2006.

28 Q. Witness, I'll read to you --

29 A. Sir.

1 Q. I'll read to you a question and then your answer.

2 "Q. Can you recall what role was given to Alabama?

3 If there was a role given to Alabama?

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

7 Do you remember saying that?

8 A. No. The word "hench" I can not recall using that word. It
9 is either a cook or a batman. That's the way we would refer to
10 them.

11 Q. I would say to you that you're lying and you did refer to
12 Alabama as a henchman?

13 MS THOMPSON: Your Honour, I object.

14 THE WITNESS: Simplify the word "hench." I didn't mention
15 it.

16 PRESIDING JUDGE: Yes, there's an objection.

17 MS THOMPSON: The witness is talking in Krio. It is being
18 interpreted in English. There is no Krio word "henchman." It's
19 the interpreter's language, not the witness's language. To say
20 to the witness that he did say that is actually putting the words
21 of someone else who has interpreted whatever this witness said to
22 this witness as this witness's own words.

23 MR AGHA: Well, Your Honour, I can only go along with the
24 official transcript and no application, so far as I'm aware, has
25 been made to amend it.

26 PRESIDING JUDGE: No, it's on the transcript. But the
27 witness has said it's not his words. There is more than one
28 possibility. He may be lying, then again, he may have said
29 something else and it has been interpreted as henchman. I think

1 Ms Thompson is objecting you to arbitrarily calling him a liar
2 when there is another fairly likely reason why that word
3 "henchman" appears in the transcript.

4 MR AGHA:

5 Q. Apart from SAJ Musa being a cook, what other roles did he
6 perform -- sorry. I beg your pardon. Apart from Alabama
7 supposedly being a cook, what other roles did he perform for
8 SAJ Musa?

9 A. Well, he was the one that was in charge of morale boosting,
10 logistics that would have -- he was in charge to keep the men
11 motivated.

12 Q. He was also one of SAJ Musa's securities, wasn't he?

13 A. Yes, yes.

14 Q. And you say that Alabama went in search of the detainees
15 when they ran away; is that right?

16 A. Yes, that is after we had left Freetown.

17 Q. I say to you that's a lie; Alabama didn't go running after
18 any detainees, at any time.

19 A. He did it.

20 Q. Now, you say that when you arrived in Freetown, you were at
21 Kissy with the people released from Pademba Road and
22 ex-politicians; do you remember that?

23 A. Yes.

24 Q. How long did you remain in Kissy for, roughly?

25 A. I cannot recall the week or month, but we took a long time,
26 until they told me that I should retreat with them and go back to
27 Waterloo.

28 Q. But were you based the whole time in Kissy?

29 A. Since we came, if all the time I was at Kissy?

1 Q. Yes, is that where you were stationed?

2 A. Yes. I was usually based there, then I would walk within a
3 few areas within the town.

4 Q. You said you used to go to other parts of Freetown by a
5 vehicle; do you remember that?

6 A. Yes.

7 Q. For example, you went to Commander O-Five's position?

8 A. Yes. O-Five, yes.

9 Q. And, as you travelled around Freetown, did you hear that
10 the SLAs had been killing civilians?

11 A. No.

12 Q. Did you hear about the SLAs killing civilians during the
13 retreat from Freetown?

14 A. No, no. It was the jet and the mortar bombs, they were the
15 ones killing.

16 Q. As you travelled around Freetown, did you hear that the
17 SLAs had been setting fire to civilian property?

18 A. No, we had a law: You shouldn't go into their houses.

19 Q. Did you hear about SLA setting fire to civilian property
20 during the retreat from Freetown?

21 A. No.

22 Q. As you travelled around Freetown, did you hear that the SLA
23 had been raping civilians?

24 A. No, no.

25 Q. As you travelled around Freetown, did you hear that the SLA
26 had been amputating the arms of civilians?

27 A. No.

28 JUDGE DOHERTY: Mr Agha, I'm not clear if those two
29 successive answers of no meant the witness did not hear of these

1 things, or these things did not take place.

2 MR AGHA:

3 Q. Did you hear of them? Did you hear that these things took
4 place?

5 A. I heard that they happened.

6 Q. So you heard, whilst you were in Freetown, that there were
7 killing of civilians, by the SLAs?

8 A. It was after I left Freetown, when I was at Waterloo, then
9 I heard that the destruction had occurred. But they didn't tell
10 me that SLA had killed. It was after we retreated and we were at
11 Waterloo, the men returned and met us there. They told us that
12 the jets atrocities and the current --

13 Q. Forget about the jets for the moment. I'm asking you, when
14 you retreated, did you hear that the SLAs had been killing
15 civilians in Freetown; yes or no?

16 A. No. No, no, no.

17 Q. Did you hear that the SLAs had been burning civilian
18 properties during retreat from Freetown?

19 A. No.

20 Q. Did you hear that the SLAs had been amputating arms of
21 civilians during the retreat from Freetown?

22 A. No.

23 Q. Did you hear that the SLAs had been raping civilians during
24 their retreat from Freetown?

25 A. No.

26 Q. Did you hear that the SLAs were abducting civilians as they
27 retreated from Freetown?

28 A. No.

29 Q. Did you hear that the SLAs abducted children as they

1 retreated from Freetown?

2 A. Yes.

3 Q. I say to you that you're lying and you know full well that
4 the SLAs were killing civilians in Freetown. What do you have to
5 say about that?

6 A. I didn't hear about it and I didn't see that happening.
7 Maybe through a stray bullet -- the only thing I saw was the
8 children. That means our sisters or relatives of soldiers. Even
9 that, we even advised them to release them.

10 Q. Mr Witness, you're saying that you heard some civilians may
11 have been killed by a few stray bullets; is that all you heard?

12 A. No, no. I said, except -- except it occurred through stray
13 bullet, but I didn't see that happening.

14 Q. I say you're lying.

15 A. I'm not lying.

16 Q. I say you're lying and you know full well that SLAs were
17 amputating the arms of civilians during the retreat from
18 Freetown.

19 A. I don't know. I didn't see. I was against that. Myself
20 and my entire team, we were advising against that.

21 Q. I say you're lying and you know full well the SLAs were
22 burning the properties of civilians during the retreat from
23 Freetown; what do you have to say about that?

24 A. It's not righteous, because we were in Freetown --

25 THE INTERPRETER: Your Honour, please, can the witness go
26 over that again?

27 PRESIDING JUDGE: Mr Witness, once more, the interpreter
28 did not get what you said. Can you please repeat your answer?

29 THE WITNESS: We were fighting in order to gain Freetown,

1 to reinstate our army. So, with that kind of thing, we wouldn't
2 be able to implement that, because that would tarnish our image,
3 so we didn't do it.

4 MR AGHA:

5 Q. So you just attacked and fought against a military target;
6 is that what you're saying?

7 A. Yes.

8 Q. Because you knew it was wrong to kill innocent civilians;
9 is that what you're saying?

10 A. Yes, we didn't kill any civilian.

11 Q. Yes, but you knew it was wrong to do that, to kill innocent
12 civilians, didn't you?

13 A. Yes, yes. I know it is wrong.

14 Q. Now, I say to you that Alex Tamba Brima led the attack on
15 Freetown; what do you have to say about that?

16 A. He didn't have any battalion. He was not a platoon
17 commander, so I doubt. He didn't come.

18 Q. And you being in charge of the chaplains, if you did see
19 any SLAs killing civilians, you would, of course, tell them off,
20 wouldn't you?

21 A. I didn't get the question.

22 PRESIDING JUDGE: I think the expression "tell them off"
23 would be confusing. You better find another word.

24 MR AGHA:

25 Q. If you saw SLA soldiers killing innocent civilians, you
26 would report that to another commander, wouldn't you?

27 A. Yes. Because anything that they would do at the frontline
28 area, for any platoon or company, we had a chaplain that would
29 monitor. So if anything went on where I wasn't, they would

1 inform me. So where I was, if anything happened there, I would
2 take action.

3 Q. So through this chain of command from your unit, all the
4 commanders were informed about how their troops were behaving; is
5 that right?

6 A. Yes, yes.

7 Q. Now, during the retreat from Freetown, some SLAs were
8 killed, weren't they?

9 A. If they are to kill some SLAs?

10 Q. Yes, killed in the combat with ECOMOG? Are you aware --

11 A. Yes, during the fighting, yes, cross firing, they killed.

12 Q. Colonel Eddie was killed in Freetown, wasn't he?

13 A. Yes, but I wasn't there. It was when they were retreating
14 to meet us at Waterloo. They said it was then he died.

15 Q. Woyoh was killed in Freetown, wasn't he?

16 A. Who?

17 Q. Woyoh.

18 A. Woyoh?

19 Q. Yes.

20 A. No, I didn't see Woyoh in Freetown. I didn't see Woyoh in
21 Freetown.

22 Q. I say to you that Woyoh was killed in Freetown.

23 A. Well, not to my knowledge.

24 Q. Now, you say you retreated to Waterloo, where you met a
25 large presence of RUF under Superman, didn't you?

26 A. Yes.

27 Q. The retreating SLAs and RUF then regrouped and re-attacked
28 Freetown, didn't they?

29 A. No. When we retreated, we didn't come back to Freetown.

1 Q. I say to you, you're lying and after you were pushed out of
2 Freetown, the SLAs and the RUF jointly, again, attacked Freetown;
3 what do you have to say about that?

4 A. They didn't come.

5 Q. Now, you say that you've heard of the West Side Boys; is
6 that right?

7 A. Yes, yes.

8 Q. I say to you that Ibrahim Bazy Kamara was in command of
9 the West Side Boys from February to May 1999; what do you have to
10 say about that?

11 A. Well, I didn't go there. I wasn't there. I only went
12 there once when Johnny Paul summoned me there.

13 Q. So your answer is you don't know; is that right?

14 A. Yes. Because if I say he wasn't there, the man will say I
15 am lying. I will only say I don't know, because I wasn't there.

16 Q. Now, after the conflict, you worked with Tamba Brima,
17 Ibrahim Bazy Kamara and Santigie Kanu in the Office of the
18 Commission to Consolidate Peace in Freetown, didn't you?

19 A. No, no. Tamba left me in Makeni, and they said they were
20 heading for Freetown. It was there I heard that he had been
21 captured at west side.

22 Q. My question to you is: Did you ever work with Tamba Brima,
23 Ibrahim Bazy Kamara and Santigie Kanu in Freetown for the
24 Commission for Consolidation of Peace; yes or no?

25 A. I worked with Tamba Brima, but it was I and the youth --
26 Dennis Bright, the youth minister who I was working under the
27 cease fire monitoring organisation.

28 Q. I say to you, that you're a friend of Tamba Brima, comrade
29 in arms and you've come here to lie in order to protect him; what

1 do you have to say about that?

2 A. I would only say -- I would answer that we are friends,
3 because all of us were combatants. We were soldiers, but we were
4 not intimate friends.

5 Q. But you've come here to lie on his behalf, haven't you?

6 A. A true Muslim wouldn't say lies, so I wouldn't say a lie.
7 I'm sorry when you say that I'm saying lies.

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

10 PRESIDING JUDGE: Yes. Thank you, Mr Agha. Any
11 re-examination, Ms Thompson?

12 MS THOMPSON: Yes, Your Honours.

13 RE-EXAMINED BY MS THOMPSON:

14 Q. Mr Witness, I only have a few questions for you, not long
15 questions. Just I want you to clarify some things for me. Now,
16 Mr Witness, this morning, my learned friend put a series of
17 questions to you and stated that you were lying when it appeared
18 that at one stage you had said that you saw the three indictees
19 in Benguema last and then you had seen them -- and then on
20 another page it appeared you had seen them in Waterloo; you
21 remember that?

22 A. Yes.

23 Q. Mr Witness, do you know the distance between Waterloo and
24 Benguema?

25 A. If it is up to a mile, it wouldn't be above a mile.

26 Q. Thank you, Mr Witness. Mr Witness, do you know under which
27 council Benguema is?

28 A. Under which?

29 Q. District council, which authority Benguema is?

1 A. It is a military institution.

2 Q. Sorry, not the barracks, the area called Benguema.

3 A. It is a rural district, Western Rural District.

4 Q. Okay. Mr Witness, do you know -- if you don't know, it
5 doesn't matter -- but do you know, this rural district that you
6 have mentioned, do you know where its headquarter office is?

7 A. No.

8 Q. Now, Mr Witness, when you mentioned that you had seen
9 them -- when you said you had seen them at Benguema and Waterloo,
10 where exactly -- were you talking about the same place?

11 A. Well, the manner in which we left them, in fact, Waterloo
12 and Benguema are almost joined together. We arrived at Tumbu and
13 the entire headquarter was blocked. That was where the AFRC and
14 prisoners were. So, we had a very stiff resistance to capture
15 Benguema. They sent for SAJ Musa so that he could move and
16 capture the barracks. During the period, we -- the headquarter
17 personnel that were combatant, all of us moved together. By
18 then, the detainees were with us. As we were going, an AA was
19 firing, so everybody dashed at the Fullah Town Junction. When
20 the firing subsided, we entered Benguema. Before dawn, the
21 explosion occurred. SAJ Musa died with other soldiers. After
22 SAJ died, all of us were confused.

23 Q. Thank you, Mr Witness. Now, Mr Witness, you were asked
24 again about Tongo, and about the SLA strength in Tongo, in
25 particular, at the time you were there. Can you tell the
26 Court -- perhaps you did, but I didn't get it down and I'm a bit
27 confused about this, maybe it's for my own benefit as well -- but
28 can you tell the Court when the 6th Battalion was in Tongo? What
29 period was it in Tongo?

- 1 A. The 6th Battalion, it was since '93 to '96.
- 2 Q. In 1998, was there a battalion in Tongo?
- 3 A. There was no battalion there which was an SLA. We only had
4 a company, and the company commander was Seth Marah.
- 5 Q. When you say a company, how many men would that be?
- 6 A. Let us say it would be up to 100, but not above hundred.
- 7 Q. In the period -- that was 1998; is that --
- 8 A. Yes, yes.
- 9 Q. From August '97 to January '98, do you know the strength of
10 the SLA -- sorry, I will ask you this first: Was there an SLA
11 presence in Tongo from August '97 to January '98?
- 12 A. Yes, there were SLAs there.
- 13 Q. Do you know the strength of the SLA presence in that
14 period?
- 15 A. From August to?
- 16 Q. August '97 to January 1998.
- 17 A. That's what I'm saying. I said it was only a company,
18 because before the AFRC overthrow, SLA presence wasn't in Tongo.
19 It was during the AFRC overthrow, that was the time the RUF came
20 and captured the ground. That was the time they sent a company
21 of SLA. My boss was posted as a platoon commander.
- 22 Q. In that period, Mr Witness, you had said that the RUF was
23 there. Between the RUF and the SLA, who had the highest number
24 of fighting men in Tongo?
- 25 A. It was the RUF.
- 26 Q. In that time, Mr Witness, you had mentioned there was a
27 place called Cyborg Pit. Do you know if any one of those two
28 fighting factions controlled Cyborg Pit?
- 29 A. There was no competition there. The place, it was the RUF

1 that captured there. We only went there as a backup team. So
2 all the work that was going on there, it was under the RUF.

3 Q. Specifically about Cyborg Pit, that's what I'm asking
4 about.

5 A. Yes, that is what I'm saying. It was only at the Cyborg
6 Pit that was -- work was going on during that period. The other
7 areas, where mining were to take place, Kamajors were there.

8 Q. Mr Witness, you mentioned, also, Shengema crossing point.
9 You remember you said you were going on your way to Kailahun
10 after Akim had left you in Kono, and you stopped at Shengema
11 crossing point.

12 A. Yes.

13 Q. Do you recall -- first of all, what district is Shengema
14 crossing point?

15 A. Kailahun District.

16 Q. How far is Koidu Town from where you had come from to
17 Shengema crossing point? How far is it from Koidu Town to
18 Shengema crossing point?

19 A. It's a long distance. A long distance. I wouldn't be able
20 to call. If you were to travel from the morning, you would leave
21 there in the evening, if you walk, stride very fastly.

22 Q. How long did it take you to Shengema crossing point from
23 where you had left to Shengema crossing point?

24 MR AGHA: I object, Your Honour. These questions do not
25 arise out of cross-examination.

26 PRESIDING JUDGE: What do you say, Mrs Thompson?

27 MS THOMPSON: Your Honour, they do. The reason I ask is
28 because my learned friend had in his cross-examination -- the
29 note I have to myself is that there were questions asked about

1 Sengema crossing point which had to deal with whether the witness
2 had gone all the way to Sengema crossing point and back. And now
3 what I'm trying to do is to put it into context, into the
4 distance between where they were to Sengema crossing point, and
5 from Sengema crossing point to where they were heading.

6 PRESIDING JUDGE: Just hold it there, please.

7 [The Trial Chamber conferred]

8 PRESIDING JUDGE: We don't have any notes about any
9 questions on Sengema crossing point. We thought it was -- wasn't
10 the argument between Sewafe and Sewafe Bridge?

11 MS THOMPSON: No, Your Honour, it was the portion of the
12 evidence where the witness had said there were those who were
13 with Akim were left behind, whilst Akim had gone ahead and Akim
14 had said he would call them at some stage. He would call them
15 some time later. And they had gone on their way and were -- they
16 were to be made on stand-by. They were on their way to collect
17 some arms. They got to Shengema crossing point and had to come
18 back. It is that portion of the evidence. In fact, if I
19 remember rightly, my learned friend was struggling with the name
20 -- the word Sengema.

21 JUDGE SEBUTINDE: Yes, but what's the issue with this
22 re-exam now?

23 MS THOMPSON: The issue is, Your Honour, my learned
24 friend's line of questions asked whether or not they had gone all
25 the way to Shengema crossing point. Now, I don't know the
26 distance between where they left off to Shengema crossing point
27 and to Kailahun where they were going. And all I'm trying to do
28 is to put distance because it was left in such a way as if the
29 witness had made up a part of his evidence regarding where they

1 had gone to, Shengema crossing point.

2 MR AGHA: Your Honours, my question didn't actually refer
3 to distance and from the evidence-in-chief was led that he went
4 to Shengema crossing point and then ammunition was sent back by
5 the RUF. So this is a question of distance, it could quite
6 properly have been dealt with in chief rather than out of
7 cross-examination.

8 PRESIDING JUDGE: But what I think my colleague Justice
9 Sebutinde and myself want to know is what was cross-examined on
10 about Shengema crossing point that merits, Ms Thompson, you being
11 able to ask questions in re-examination?

12 MS THOMPSON: Your Honour, I made a note to myself, not
13 necessarily verbatim what my learned friend had said. But it's
14 not very important. My learned friend doesn't -- I mean, I
15 didn't raise it in examination-in-chief, I beg your pardon,
16 because distance, of course, at the time didn't really mean --
17 was not of much relevance to the case I was putting forward. It
18 came out of his own cross-examination. But, in any event, it is
19 not a most important point I have anyway, so I can move on.

20 PRESIDING JUDGE: All right. Thank you.

21 MS THOMPSON:

22 Q. Mr Witness, another thing that I need to ask you is you
23 were asked about Superman and whether Superman -- these came out
24 of questions, borning out of Superman working with -- coming to
25 join SAJ Musa's group at Kurubonla; do you remember that?

26 A. Yes, ma'am.

27 Q. And you had said that the reason for this was Superman had
28 said he wanted a cordial relationship?

29 A. Yes, ma'am.

1 Q. And you were asked questions about whether Superman had
2 been working with the SLAs in Kono; do you recall that?

3 A. Yes, ma'am.

4 Q. And your answer was that that was in commando sense. Can
5 you explain that, please?

6 A. Yes, ma'am. That area, where I had talked about, when I
7 said it was a commando's team, when the man came, he came with a
8 very good picture --

9 JUDGE SEBUTINDE: Mr Interpreter, it was a what? A
10 commando what?

11 THE INTERPRETER: I believe the witness said it was a
12 commando sense.

13 JUDGE SEBUTINDE: Yes, but that's not what you said.

14 THE INTERPRETER: Well, Your Honours, if that's exactly --
15 the interpreter is sorry.

16 JUDGE SEBUTINDE: What did you say?

17 THE INTERPRETER: Precisely, the interpreter cannot recall,
18 Your Honour.

19 MS THOMPSON: Perhaps Mr Witness can start the answer
20 again.

21 Q. Mr Witness, my question was what did you mean by commando
22 sense, if you can give us the answer again, please.

23 A. Commando sense, I was referring to the commando ideology.
24 When the RUF came to us, when they came to us, they talked to us
25 nicely, so that we would be together. But the sooner they got
26 little bit of freed, they would turn against us, then they said
27 they -- we should be under them, because we have joined them in
28 their bush. So that idea, which I have explain is what we
29 referred to as commando ideology.

1 Q. Thank you, Mr Witness. They are all the questions I have
2 for you.

3 A. Thank you.

4 PRESIDING JUDGE: Thank you, Ms Thompson.

5 QUESTIONED BY THE COURT:

6 JUDGE DOHERTY:

7 Q. Mr Witness, when you gave evidence-in-chief, you referred
8 to a place as being named Kres yard. Is that the Kissy Mental
9 Institution?

10 A. No, it is within the area, the Kissy area.

11 Q. You have also referred to many of the other SLAs by
12 nicknames. Was it common for soldiers in the SLA to have
13 nicknames?

14 A. Yes, during the war, it was common for somebody to have an
15 alias, a nickname.

16 Q. Did you have a nickname?

17 A. Yes.

18 Q. What was the nickname?

19 A. For security purposes --

20 MR AGHA: Your Honour --

21 MS THOMPSON: Your Honour --

22 JUDGE DOHERTY:

23 Q. Please ignore that question, Mr Witness. I withdraw it.
24 Were your army numbers or a soldier's army number used for
25 nicknames at any time?

26 A. Once more?

27 Q. Could SLA soldiers be given a nickname using part of their
28 SLA soldier's number?

29 A. Yes, yes. Like, if you have the number 69, they will call

1 you 69. If you are 30, where your number ends, you will be
2 called 30.

3 JUDGE DOHERTY: Thank you, Mr Witness. Those are all my
4 questions.

5 THE WITNESS: Thank you.

6 PRESIDING JUDGE: That completes your testimony,
7 Mr Witness. Thank you for coming to Court. Just sit there and
8 we'll make arrangements for you to leave.

9 THE WITNESS: Thank you, si rs.

10 MS THOMPSON: Your Honour, those were the two witnesses.
11 That completes the Brima individual witnesses, and, therefore,
12 the Brima defence case, as an individual defence case.

13 PRESIDING JUDGE: Thank you, Ms Thompson.

14 MS THOMPSON: Your Honour, the second accused would like to
15 be excused to use the convenience.

16 PRESIDING JUDGE: Yes, Mr Kamara can leave the courtroom.

17 [The witness withdrew]

18 PRESIDING JUDGE: Mr Daniels, are you taking the next
19 witness? Mr Fofanah, what is the number of the next witness?
20 DAB-147, or 137?

21 MR FOFANAH: Good afternoon, Your Honours, respectfully,
22 the witness is going to be 137, DAB-137. He'll be testifying in
23 Krio. Your Honours, just one slight -- it's not a problem,
24 because we shall be making an application. The witness raised an
25 issue with us since he arrived here that, because of his role in
26 his community, as well as in the country at large, he would
27 prefer an application for a voice distortion, because he's been
28 on the radio on several occasions and he's also had a lot of
29 discussions in various communities. So he's apprehensive, that

1 if he gives live testimony which is not distorted, that might
2 disclose his identity. We shall be very mindful to make the
3 application in open Court, if Your Honours are so inclined.

4 PRESIDING JUDGE: What is the Prosecution's attitude to
5 this?

6 MR AGHA: Your Honour, if it is necessary for the security of
7 the witness, then the Prosecution would have no objection.

8 PRESIDING JUDGE: All right. Well, I gather the
9 application is made, Mr Fofanah, on the basis that he has a voice
10 that is fairly well known in the community; is that correct?

11 MR FOFANAH: Yes, Your Honour, and in the meantime, since
12 this morning, the WVS was informed, the witness section, and they
13 have accordingly made provisions, if Your Honours are inclined to
14 give the order. They have made provisions for voice distortion.

15 PRESIDING JUDGE: I see. Thank you.

16 [The witness entered Court]

17 [Trial Chamber conferred]

18 PRESIDING JUDGE: All right, Mr Fofanah, we will grant that
19 application. You have asked for voice distortion. We will order
20 that, in addition to the protective measures ordered for this
21 witness, we will order the additional protective measure of voice
22 distortion, as provided for in Rule 75(C).

23 MR FOFANAH: Most grateful, Your Honour.

24 PRESIDING JUDGE: Now, Court Management, can that voice
25 distortion be activated right now?

26 MS KAMUZORA: I will do that, Your Honour.

27 MR FOFANAH: Respectively, Your Honour, I think it is Rule
28 75(B)(i)(c).

29 PRESIDING JUDGE: That's right. The C stuck in my mind,

1 but the sub rule didn't.

2 MR FOFANAH: Yes, just for the record, thank you.

3 PRESIDING JUDGE: Thank you, Mr Fofanah.

4 JUDGE SEBUTINDE: Mr Fofanah, is your witness wearing
5 shades or are those spectacles. We would like to see his eyes.

6 MR FOFANAH: Mr Witness, could you kindly remove the
7 spectacles? Can you put your mic on, please? Do you have any
8 special reason why you want to retain the shades?

9 PRESIDING JUDGE: Don't ask him questions until the voice
10 distortion is on, Mr Fofanah, but the microphone is not on,
11 anyway.

12 MS THOMPSON: Your Honour, the first accused would now like
13 to use the convenience.

14 PRESIDING JUDGE: Yes, Mr Brima can leave the Court.
15 What's going on, Madam Court Attendant?

16 MS KAMUZORA: The Court is now using the distorted voice.

17 PRESIDING JUDGE: Go ahead, Mr Fofanah?

18 MR FOFANAH: Is it before he is sworn?

19 PRESIDING JUDGE: He hasn't been sworn yet, of course.
20 Yes, go ahead.

21 WITNESS: DAB-137 [Sworn]

22 [The witness answered through interpreter]

23 EXAMINED BY MR FOFANAH:

24 Q. Good afternoon, Mr Witness.

25 A. Good afternoon.

26 Q. Mr Witness, is there any reason why you want to keep the
27 shades or glasses on? Are you convenient without it?

28 A. No, I'm not convenient, because I have been using my
29 glasses for the past 30 years. They are -- it is bifocal.

1 MR FOFANAH: I think it's for medical reasons, Your Honour.
2 In that case, may I respectfully crave the Court's indulgence for
3 him to use shades whilst testifying?

4 PRESIDING JUDGE: When you say bifocal, witness, that
5 simply means that you've got two different prescription lenses in
6 the one glass.

7 THE WITNESS: Yes, there is one that I use to read with,
8 the one I use to see some distance away.

9 PRESIDING JUDGE: Yes, but that doesn't explain the shades.
10 Why do you need shades in Court?

11 THE WITNESS: Well, I'm used to using them in my house, in
12 my room. When the glasses are not on my face now, I am seeing
13 people, but not properly.

14 JUDGE SEBUTINDE: Mr Witness, we would like to see you and
15 for purposes of these proceedings, it is important that we
16 communicate with you, not looking through your shades. I am
17 wearing bifocals, but you can see my eyes. I'm not wearing dark
18 shades. We're not just asking you this because we're trying to
19 be unreasonable, but your spectacles are also shades, dark
20 glasses, and we can't see your eyes, and we need to see your
21 eyes. And the other thing is you don't need to read anything
22 during the proceedings, at least as far as we know. If you do
23 need to read anything, we will allow you to put back your reading
24 glasses. But I really think, for the purposes of these
25 proceedings, you would do well not to wear shades in Court. If
26 they were clear spectacles, like I am wearing, we would have no
27 objection, but these are definitely sunshades, in addition to
28 other things.

29 THE WITNESS: Okay, I have agreed. It isn't bad at all.

1 PRESIDING JUDGE: Go on, Mr Fofanah.

2 MR FOFANAH:

3 Q. Mr Witness, I'm going to ask you some questions about
4 certain events that occurred in Sierra Leone, and do listen to
5 the questions carefully. You give your answers as precisely as
6 you can. Then, when I'm through, my colleagues on this side may
7 ask you questions, then my colleagues on the other side may also
8 ask you questions about your testimony.

9 Do you understand? Be as precise as you can.

10 A. Yes.

11 Q. So that we don't waste time. Mr Witness, you were born in
12 xxx, xxx village.

13 A. Yes.

14 MR FOFANAH: xxx, Your Honours, is xxx,
15 xxx, as in the number.

16 A. Yes, sir.

17 Q. And that is in xxx Chiefdom, Bo District?

18 A. Yes, sir.

19 MR FOFANAH: xxx, Your Honours, is xxx.

20 Q. Mr Witness, you are an industrial engineer, and you can
21 read and write?

22 A. Yes, sir.

23 Q. You speak Mende, English, German and Krio?

24 A. Yes, sir.

25 Q. You are married with children, and you do small-scale
26 business for a living?

27 A. Yes, sir.

28 Q. Mr Witness, where do you currently reside? I mean, apart
29 from where you're staying in Freetown at the moment; where do you

1 ordinarily reside?

2 A. I live in xxx.

3 Q. Mr Witness, three accused persons have been charged before
4 this Court with various crimes. The first one is Alex Tamba
5 Brima; do you know that person called Alex Tamba Brima?

6 A. No, sir.

7 Q. The other person, who is the second accused, is Ibrahim
8 Bazzy Kamara. Do you know him?

9 A. No, sir.

10 Q. And the third person is Santi gie Borbor Kanu; do you know
11 him?

12 A. No, sir.

13 Q. Mr Witness, do you recall May 1997?

14 A. Yes, sir.

15 Q. In May 1997, where were you?

16 A. I was in my village.

17 Q. And what village is that again?

18 A. It's name, xxx xxx, by Kenema District.

19 MR FOFANAH: xxx, xxx, Your Honours, xxx
20 xxx.

21 Q. So, you said you were in xxx xxx in the Kenema
22 District in May 1997. Whilst there, did anything happen in the
23 country, that you can recall?

24 A. Oh, yes.

25 Q. What happened?

26 A. Well, I was -- one morning I was listening to the radio,
27 and I heard that a group of soldiers had overthrown the
28 Government of Sierra Leone; they have taken over the Government
29 of Sierra Leone.

- 1 Q. Did you know who -- did you know the group of soldiers who
2 overthrew the Government of Sierra Leone?
- 3 A. Well, the man who made the announcement was one Gborie.
4 Gborie.
- 5 Q. And after hearing the announcement did you continue to live
6 or stay in your village, xxx xxx?
- 7 A. Well, things happened that made me to leave there and came
8 over to Bo.
- 9 Q. So can you explain to the Court what the things were that
10 happened which made you to leave?
- 11 A. Well, my village, which is just about two-and-a-half miles
12 to the bridge, which is between Nongowa Chiefdom and Dama
13 Chiefdom, the bridge had some soldiers. One morning, the
14 Kamajors attacked the soldiers. That made everybody in the
15 village go into the bush, and some people went elsewhere. And I
16 came over to Kenema and continued my journey to Bo.
- 17 Q. You spoke about two chiefdoms; one was Nongowa.
18 N-O-N-G-O-W-A. What was the other chiefdom?
- 19 A. Nongowa, Dama Chiefdom. I mean Dama Chiefdom.
- 20 MR FOFANAH: Dama, it's D-A-M-A, Your Honours.
- 21 Q. So you said Kamajors attacked soldiers; did you see the
22 Kamajors yourself?
- 23 A. Yes, they passed through my village.
- 24 Q. And as a result of that attack, did anything happen?
- 25 A. Well, after, when everybody had dispersed, I met a village
26 had already been burnt called Konnelah. Then I saw some -- I saw
27 a man that wore combat. I cannot tell whether he was a soldier,
28 but he was dead.
- 29 Q. Now, what did you say the name of the village was which

1 burnt down?

2 A. Konnel ah.

3 MR FOFANAH: K-O-N-N-E-L-A-H, Your Honours.

4 Q. Now, do you know who burnt down the village Konnel ah?

5 A. Well, I wasn't present when it was burnt, but I thought it
6 was the Kamajors that burnt it because, on our way going, we -- I
7 met with some of them and they were jubilating while coming.

8 Q. Now, you said when you left your village, passing through
9 Konnel ah, you came to Bo; do you remember saying that?

10 A. Yes.

11 Q. So, do you recall what time it was when you came to Bo?

12 A. Are you referring to the day, or the time?

13 Q. Well, the month and the year.

14 A. Well, that was around -- sometime around June. Sometime
15 around June. June -- it was toward the end of June. It was
16 toward the end of May. I don't know. I cannot really recall.
17 When the takeover occurred, it wasn't too long again when the
18 military took over the government.

19 Q. So I just -- what year was it?

20 A. 1997.

21 Q. Okay. Very well. We'll move on. So what part of Bo did
22 you come to?

23 A. I came from one section called Sawabe [sic].

24 MR FOFANAH: Sawabe [sic], Your Honours --

25 THE WITNESS: Samame.

26 MR FOFANAH: S-A-M-A-M-E.

27 Q. Where is Samame again, please?

28 A. It is in the -- located in the northern part of the town.

29 Q. What town?

1 A. I'm referring to Bo Town.

2 Q. Now, did you meet people in Bo Town when you arrived?

3 A. Yes, we met people there.

4 Q. Who were the people that you met?

5 A. We met civilians, as well as the soldiers.

6 Q. When you say soldiers, what soldiers do you mean?

7 A. I mean the Sierra Leone soldiers, as well as the Nigerian
8 soldiers; they used to call them the ECOMOG.

9 Q. What part of Bo were the Sierra Leone soldiers based?

10 A. Well, it was at the reservation that they had their brigade
11 headquarters.

12 Q. What about the Nigerian ECOMOG?

13 A. They were at Gondema, seven miles up from Bo, but they used
14 to come to the town.

15 MR FOFANAH: Gondema, Your Honours, is G-O-N-D-E-M-A.

16 Q. So did you stay in Bo when you arrived?

17 A. Yes, I was there, yes. I live in there.

18 Q. And whilst in Bo during that period, do you recall anything
19 happening?

20 A. Yes, a lot of things happened. I don't know -- actually
21 know what you are talking about.

22 Q. Now, you have talked about the presence of soldiers and
23 ECOMOG as well as civilians. What was the relationship like
24 between the soldiers and the civilians in Bo, whilst you were
25 there?

26 A. Well, that time, when I came with -- it was really good,
27 because I can recall the soldiers summoned a meeting at the town
28 hall. I mean, the gentleman, the SOS for the AFRC, one AF
29 Kamara, something like that, summoned a meeting at the town hall.

1 Q. And did you attend that meeting?

2 A. Yes.

3 Q. Did anything happen at the meeting when you attended?

4 A. Well, we were happy because the SOS had -- that is AF
5 Kamara -- said the war was over. He announced to us that the war
6 was over and appealed to all civilians that anybody who had a
7 brother amongst the Kamajors should talk to him so that he can
8 join hands together and disarm the AFRC -- sorry, the RUF. So we
9 were happy about that, for some of us, who had wanted the war to
10 come to an end.

11 Q. At that time were Kamajors present in Bo?

12 A. Very few were there, but they were in one area, one town
13 called -- in Gerihun.

14 MR FOFANAH: Gerihun, N-G-E-R-I-H-U-N [sic], Your Honours.

15 Q. Now, you've used this word "Kamajors." Who are Kamajors,
16 or what do you mean by Kamajors?

17 A. Well, we say they are the civil defence. They were the
18 people that were trying to help. In the beginning, we knew them,
19 that they were helping the soldiers. They were fighting against
20 the RUF.

21 Q. Now, apart from this meeting which you have referred to,
22 attended by AF Kamara, whilst in Bo, did anything happen, apart
23 from this meeting?

24 A. There was another meeting which took place that was
25 organised by some senior citizens in Bo, one Mr Tommy and Mr Jah,
26 a businessman in Goderich, all of us are aware of that, and
27 another fellow called Tommy, three of them, and other members,
28 went to the paramount chief and that they were about to talk to
29 the Kamajors at Gerihun. So they went to the paramount chief to

1 give them a letter so that they could go -- go and talk to the
2 Kamajors so that they could go through the war. I attended that
3 meeting. The reason why I attended the meeting, because Mr Jah
4 was my friend, because all of us were in Germany. It was he who
5 invited me.

6 Q. Okay. Hold it there. Now, who -- what paramount chief are
7 you referring to?

8 A. Late JK Boima.

9 MR FOFANAH: Boima, B-O-I-M-A, Your Honours.

10 THE WITNESS: He was the paramount chief for Kakua
11 Chiefdom.

12 MR FOFANAH: Kakua, K-A-K-U-A.

13 Q. Where is Kakua Chiefdom?

14 A. It's in Bo. Bo Town is the chiefdom headquarters of the --

15 Q. Okay. So you said you attended the meeting. Do you recall
16 what year it was?

17 A. The meeting, it was a very good meeting, because the same
18 thing the soldiers told us at the town hall, that was the same
19 thing these people told us. They said we should go and talk
20 to --

21 Q. Hold on. Please listen to the question. Do you recall
22 what year the senior citizens meeting was held?

23 A. 1997.

24 Q. Do you recall the month?

25 A. It was around June. Around June. Sometime in June.

26 Q. Okay.

27 A. June/July. I don't really know, but some time
28 in June/July.

29 Q. Okay. So as a result of that meeting, did you do anything?

1 A. Well, my friend told me that I should accompany them to
2 Geri hun, but I was unable to go, so they went. The paramount
3 chief gave them a letter. The paramount chief of Boama Chiefdom,
4 that is late Chief Demby gave them a letter in order for them to
5 talk to the Kamajors, so I did not go with them again.

6 Q. Now, you have referred to another paramount chief. You
7 said it is late Chief Demby.

8 A. Yes.

9 MR FOFANAH: Demby is D-E-M-B-Y.

10 Q. Now, where was Chief Demby?

11 A. Geri hun.

12 Q. So who gave letter to be given to whom?

13 A. Paramount chief of JK Boima of Kakua Chiefdom, it was he
14 who gave the letter to the delegates, Dr Tommy and others, so
15 that they could carry the letter to the paramount chief of Boama
16 Chiefdom. That is PC, Paramount Chief Demby.

17 Q. And do you know if they took the letter to the Paramount
18 Chief Demby?

19 A. Well, all of us moved together from the paramount chief's
20 compound. I went to my home. I don't know whether they went
21 with the letter or not.

22 Q. And do you know where Paramount Chief Demby was, where he
23 was based?

24 A. In Geri hun town, Baoma Chiefdom.

25 Q. Now, you said you returned to your home town.

26 A. My house. I returned to my house, yes.

27 Q. Now, did you see this delegation again after they left for
28 Geri hun?

29 A. Except when we heard that Dr Tommy and Mr Jah had been

1 killed. They killed them.

2 Q. Do you know who killed them?

3 A. Well, according to the civilians that came from that end,
4 they said it was the Kamajors that killed them.

5 Q. Do you know where they killed them?

6 A. No, I don't know where they killed them, but I met one man,
7 the man's name is Lawrence Tommy, Mr Lawrence. Both of us met
8 and said it was the Kamajors that killed his companions. It was
9 only he that survived amongst them.

10 Q. So this Lawrence Tommy that you have referred to, is it
11 your evidence, your testimony, that he was part of that
12 delegation?

13 A. Yes. All of us were together to the chief, and all of them
14 went, and he was part of the delegation.

15 Q. Now, when you returned home, did anything else happen
16 during that period, that you can recall?

17 A. Well, the only thing was the constant attack that was
18 launched by the Kamajors. That even made me to move from Bo Town
19 to the other village called Sembehun 17.

20 Q. So how did you know that the attacks were by the Kamajors?

21 A. Do you mean Bo Town?

22 Q. The ones you have just spoken about? Were the attacks on
23 Bo Town?

24 A. We used to see them. They came around. We knew a lot of
25 them.

26 Q. Did you see them yourself?

27 A. Several times I used to see them, yes.

28 Q. How were they dressed?

29 A. I don't know. They had the traditional ronko, traditional

1 dresses, I think so. Ronko. They had cowrie shells on their
2 clothes, horns on their clothes, something like that.

3 Q. And were they armed?

4 A. Yes. Some had cutlasses. Some had military weapons, that
5 is this -- they had guns. They had the thing that is called the
6 RPG and bombs. I used to see them. It was common. Everybody
7 used to see them around.

8 Q. Do you recall what year it was when these attacks were made
9 by the Kamajors?

10 A. 1997 to the early part of 1998.

11 Q. And did you witness any of the attacks yourself? Did you
12 experience any of the attacks?

13 A. My house wasn't far away from the area that they came from,
14 yes.

15 Q. Now, the attacks that you witnessed, did anything happen in
16 Bo Town, which you can recall, as a result of the attacks?

17 A. Some houses were burnt down. In fact, there was a house
18 near mine. In fact, it was a school. It wasn't a house. It was
19 burnt down. I was there when the school was burnt down. A
20 Muslim school.

21 Q. So apart from that house, do you know the number of the
22 other houses that were burnt? How many other houses, if you
23 know?

24 A. I knew some houses that were burnt, but the number, I
25 cannot say.

26 Q. Do you know who burnt those houses?

27 A. Well, no.

28 Q. Mr Witness, during your stay in Bo, did you see or witness
29 or hear about any unlawful killings in Bo Town, during your stay

1 there?

2 A. Yes.

3 Q. Can you tell the Court which unlawful killings you
4 witnessed, or heard about?

5 A. Well, I knew about one soldier that was there. He was
6 working at the brigade headquarters, and he was very close to us.
7 One time he was kidnapped. People that were dressed in Kamajor
8 gear came and kidnapped him and I did not see that man again.
9 Then again, there was one other. We used to see corpses.
10 Sometimes in the morning you see the corpses of people in the
11 street around. So, that was a common thing in Bo Town.

12 Q. And do you know how those corpses are -- what happened to
13 them?

14 A. Well, sometimes they will come and pick them up. I don't
15 know where they were buried. That even forced the soldiers to
16 regroup, the ones that were occupying the private houses, they
17 moved and went to the brigade headquarters, because they were the
18 people that were constantly attacked and were the people they
19 were looking out for.

20 Q. Okay. Now, what I want to know is: Do you know what
21 caused the death of the corpses you saw?

22 A. Well, majority of the people that -- the corpses I saw,
23 they were hacked by cutlasses. They had serious wounds. They
24 had cutlasses wounds. I don't know. I think that was what
25 caused the death of the people.

26 Q. And how many of those corpses which had machete or cutlass
27 wounds?

28 A. As far as I know, the corpses that I used to see, a
29 majority, more than 10, 20, they, were killed by cutlasses.

1 Q. Where exactly did you see these corpses, that were more
2 than 10, 20?

3 A. On the street. That was a common thing. Everybody that
4 was in Bo Town during that time, at that part of the country we
5 were used to that situation that, in the morning, you see corpses
6 littering around. Most of the time when the Kamajors attack.

7 Q. So do you know the total number of times that the Kamajors
8 attacked Bo?

9 A. So many times. Many, many times. Many, many times. I
10 cannot tell the exact number of times.

11 Q. Now, during these attacks, did the soldiers that you had
12 referred to continue to stay in Bo?

13 A. The soldiers?

14 Q. Yes.

15 A. I don't understand.

16 Q. You referred to AFRC soldiers before. Did they continue to
17 stay in Bo during the attacks?

18 A. Are you referring to the commanders?

19 Q. No. Remember you said earlier that AF Kamara was the head
20 of -- was the AFRC man in Bo and that they had headquarters at
21 the reservation, the soldiers.

22 A. Okay.

23 Q. So I want to know if --

24 A. Well, I thought -- I don't know. All of them had already
25 been killed. The brigade commander, the AFRC secretariat
26 commander, the SOS --

27 Q. Hold it. Hold it. I mean during the period, during the
28 attacks. I mean --

29 A. Yes, they were there. They were there, yes.

1 Q. So apart from those that you have called who were
2 commanders, were other soldiers present in Bo during the attacks?

3 A. Well, we used to see soldiers with batons, but there
4 were -- the soldiers were not many in the township. You have
5 more of the Kamajors -- you would see a lot of the Kamajors among
6 the civilians in the township.

7 Q. And during the attacks that you have referred to, did the
8 soldiers do anything?

9 A. Well, there was a fight between the people that came and
10 attack, and the soldiers.

11 Q. You also referred to Nigerian ECOMOG soldiers. Were they
12 present in Bo during any of these attacks?

13 A. In the beginning, what I saw, they were together with the
14 Sierra Leone soldiers. They were fighting together against the
15 Kamajors. At any time, they came and attack, yes.

16 Q. But what happened later? Did they divide?

17 A. Well, I don't know. I'm a civilian. I don't know. That
18 part, I don't know.

19 Q. Now, you've told -- you've mentioned the village Gerihun
20 where Chief Demby was. Now, apart from the delegation that you
21 heard went to Gerihun, some of whom never came back, did you know
22 or hear about anything happening in Gerihun, during that period?

23 A. Yes, they killed the paramount chief, Chief Demby. The
24 civilians told us that it was the Kamajors that killed him.

25 Q. And do you know when the chief was killed; what year?

26 A. It was the same, 1997. I wouldn't show the exact time.

27 Q. But do you know the month?

28 A. No, I cannot recall again.

29 Q. Now, have you been to Gerihun yourself?

- 1 A. After the killings, yes.
- 2 Q. How far is Gerihun from Bo, Bo Town?
- 3 A. About 12 miles.
- 4 Q. Now, you've also told the Court that you were born in the
5 Tikonko Chiefdom, Sembehun 17. During the period of your stay in
6 Bo in 1997, did you go to Tikonko Chiefdom?
- 7 A. Yes. Yes, sir.
- 8 Q. And do you recall what month it was?
- 9 A. That was June/July. June, July, August.
- 10 Q. Of 1997?
- 11 A. Yes.
- 12 Q. Now, did you meet people in Tikonko Chiefdom when you went
13 there?
- 14 A. Do you mean my town, my home town, or the chiefdom itself?
- 15 Q. What part of Tikonko Chiefdom did you visit during --
- 16 A. My own village, that is xxx xxx.
- 17 Q. And when you went there, did you meet people in your
18 village?
- 19 A. Yes, sir.
- 20 Q. Who were they?
- 21 A. Civilians. Civilians as well as soldiers who had a
22 military post there.
- 23 Q. And by soldiers, are you referring to Sierra Leone
24 soldiers?
- 25 A. Yes.
- 26 Q. Did you stay in your village during this period?
- 27 A. Yes, yes. I was there, but not throughout.
- 28 Q. And whilst at your village, did anything happen during that
29 time, that you can recall?

1 A. Yes.

2 Q. Please tell the Court.

3 A. We had a military post there. The military, the soldiers
4 left the town, then the Kamajors entered the town. They burnt
5 down more than ten houses in my village. The reason they
6 advanced was that were the people that harboured the soldiers --
7 we hadn't the right to harbour soldiers in the town. But the
8 soldiers had entered our village since the beginning of the war.
9 But they accused us that we were the people that kept them. So,
10 they burnt over ten houses, and they killed two people. I was
11 there. I was present. This is not a story; nobody told me. So,
12 the soldiers that were there, they pulled out. We never knew
13 their whereabouts. Since the end of the war, I haven't set my
14 eyes on any one of them. So that was what happened.

15 Q. So how did you know that those who attacked your village
16 were Kamajors?

17 A. They came and met our brothers who were Kamajors. All of
18 them joined together in the same society, so I knew that they
19 were. If my brother was not a member of the society, they
20 wouldn't have included him in the group, at all.

21 Q. Now, apart from your village, did any other incident happen
22 in the chiefdom, that you can recall, Tikonko Chiefdom, during
23 that period?

24 A. Yes. Again, soldiers attacked Tikonko Town. It wasn't the
25 Kamajor. The Kamajors were in Tikonko Town when the soldiers
26 launched an attack.

27 Q. What soldiers are you referring to?

28 A. The Guinean soldiers.

29 Q. How did you know that the Guinean soldiers attacked Tikonko

1 Town?

2 A. They passed through us and then -- they're our neighbours.
3 The languages they speak is Madingo, Soso, Fullah as well. They
4 speak French as well. And the members of the Sierra Leone Army
5 wouldn't speak French at all.

6 Q. Now, you said they passed through us. Did you see the
7 Guinean soldiers themselves on their way --

8 A. Yes, yes. They came and talked. All of us went there.
9 They stopped at the Junction.

10 Q. As a result of that attack, did anything happen on Tikonko,
11 that you know of, at Tikonko?

12 A. They burnt down some houses, but I don't know the people
13 that burnt the houses, but we heard that they burnt some houses.

14 Q. So whom did the Guineans attack at Tikonko?

15 A. Well, we knew about the Kamajors, because they were the
16 ones that settled there. So I don't know, really, whether the
17 Kamajors were the ones that attacked, or who attacked but they
18 said Tikonko was attacked.

19 Q. Okay. Mr Witness, throughout the period that you have
20 referred to, did you see or hear about any Ibrahim Bazy Kamara
21 as being --

22 A. What?

23 Q. Please listen carefully. Listen --

24 A. Yes, sir.

25 Q. -- and you'll have an opportunity to answer the question.
26 Throughout the period that you have referred to, and the places
27 that you have mentioned, Bo Town, Gerihun, Tikonko, and your
28 village, did you see or hear about any Ibrahim Bazy Kamara as
29 being one of the soldiers who attacked the places that you have

1 mentioned?

2 A. No, sir.

3 Q. Did you also see or hear about any Alex Tamba Brima as
4 being one of the soldiers who attacked the places that you have
5 mentioned?

6 A. No, sir.

7 Q. Did you see or hear about any Santi gie Borbor Kanu as being
8 one of the soldiers who attacked the places that you have
9 mentioned?

10 A. No, sir.

11 Q. Have you heard the acronyms RUF before?

12 A. Pardon?

13 Q. Have you heard the acronyms RUF before?

14 A. Yes, I've heard about them, the RUF. Yes, yes.

15 Q. What do you understand RUF to mean?

16 A. They said Revolutionary United Front.

17 Q. Now, what was the RUF?

18 A. Well, they called themselves freedom fighters. That was
19 the way they used to -- that was what people say they used to
20 call themselves, because I was not fortunate to talk to them.

21 Q. And, during this period, did you see or hear about the
22 presence of RUF in any of the places you've mentioned?

23 A. No. During this period, no, no.

24 MR FOFANAH: I have no further questions for the witness.

25 Thank you very much, Mr Witness.

26 PRESIDING JUDGE: Thank you, Mr Fofanah. Anything else in
27 chief?

28 MS THOMPSON: Just one question, Your Honour.

29 EXAMINED BY MS THOMPSON:

1 Q. Mr Witness, you've mentioned about Tikonko Chiefdom. I
2 just need to ask you one question. The questions you've been
3 asked relate to 1997. Now, before June 1997, do you know whether
4 there were any attacks on Tikonko?

5 A. Yes.

6 Q. When was that attack?

7 A. That's the attack I've just mentioned about. I cannot
8 remember any more, but I knew about that attack.

9 Q. Was that before or after May '97?

10 A. After May 1997.

11 Q. The question I asked you, Mr Witness, was before May 1997.

12 A. No, before May, I don't know. It was after May that I know
13 about.

14 Q. Witness, that's all. Thank you.

15 A. Thank you.

16 PRESIDING JUDGE: All right. That completes the in-chief
17 evidence, does it?

18 MR MANLY-SPAIN: There are a few questions.

19 EXAMINED BY MR MANLY-SPAIN:

20 Q. Mr Witness, in answering to my learned friend on my right,
21 I believe you said Mr Lawrence Tommy. Is it Mr Lawrence Tommy,
22 or Mr Lawrence Lamin?

23 A. Lamin, sorry. Not Tommy. Lawrence Lamin.

24 Q. Thank you, Mr Witness.

25 JUDGE SEBUTINDE: Mr Manly-Spain, that was really leading;
26 wouldn't you agree?

27 MR MANLY-SPAIN: No, Your Honour.

28 JUDGE SEBUTINDE: He definitely said Tommy, not Lamin.

29 THE WITNESS: Lamin, sir.

1 JUDGE SEBUTINDE: You reminded him of this. Unfortunately,
2 the Prosecution was asleep, so it slipped.

3 MR WAGONA: That's correct, Your Honours. The witness said
4 Dr Tommy.

5 JUDGE SEBUTINDE: Well, the answer is on the record. You
6 should be awake next time, I suppose.

7 MR MANLY-SPAIN: It was confusing. I'm only trying to
8 clarify.

9 Q. Was there a Dr Tommy?

10 A. There was Dr Tommy.

11 Q. And is he different from Lawrence Lamin?

12 A. Lawrence Lamin is different from Dr Tommy. I forgot.

13 Q. Thank you, Mr Witness. Mr Witness, before the AFRC came
14 into power, were there soldiers in Bo? Sierra Leone Army
15 soldiers?

16 A. Yes, sir. Yes, sir. Yes, sir.

17 Q. Do you know whether it was a brigade that they had in Bo?

18 A. Yes, it was a brigade they had in Bo.

19 Q. And did they have a commander, a brigade commander, in Bo?

20 A. Yes, sir.

21 Q. Do you know him?

22 A. Yes, sir, I knew him.

23 Q. And can you recall his name?

24 A. Boysie Palmer was the brigade commander.

25 Q. Do you remember his rank?

26 A. I think it was colonel. I think so.

27 Q. Thank you, Mr Witness. Mr Witness, after the AFRC came

28 into power, did Sierra Leone Army soldiers continue to be in Bo?

29 A. Yes, they were still there, even though they were here

1 before.

2 Q. Thank you, and did they have a brigade in Bo?

3 A. Yes, they had a brigade in Bo, when AFRC took over power.

4 Q. And did they have a brigade commander?

5 A. Yes, they had a brigade commander.

6 Q. Did you know who he was?

7 A. It was the same man who was there, Boysie Palmer.

8 Q. Thank you, Mr Witness. Mr Witness, at the meeting you
9 attended in which the secretary of state, AF commander spoke,
10 could you remember the names of people from Bo who attended that
11 meeting?

12 A. Yes, sir.

13 Q. Can you please tell the Court?

14 A. Well, the most prominent people who attended that meeting
15 were Mr Sesay Hanciles, now honourable Sesay Hanciles.

16 Q. You said people, that was one.

17 A. Sorry?

18 Q. You have given the name of one person.

19 A. Okay. Then Toma Elias, the town -- the town council chair
20 lady.

21 Q. Thank you, Mr Witness. Mr Witness, do you remember what,
22 if any, position Mr Hanciles held at the time?

23 A. Yes, sir. He was the regent chief. When the paramount
24 chief died, he was made regent chief for the chiefdom, acting
25 paramount chief.

26 Q. After the AFRC was overthrown, do you remember what
27 happened to Mr Hanciles, if anything?

28 A. When AFRC was --

29 Q. Removed from power.

1 A. Oh, yes, he was arrested. They said he was a collaborator.

2 Q. And do you recall what happened to Toma [indiscernible]?

3 A. He was also arrested. They said he was a collaborator.

4 Q. Thank you, Mr Witness. Mr Witness, at the meeting, you
5 said that the Secretary of State asked their people to tell their
6 Kamajor relatives to join them so they could -- that the war was
7 ended, that they should join the soldiers to disarm the RUF.

8 A. Yes, sir, that was what he said.

9 Q. Do you know whether the Kamajors accepted this invitation?

10 A. No, they didn't accept it.

11 Q. During this period, Mr Witness, that is the period from --
12 during the time of the AFRC, do you know of any attacks by Sierra
13 Leone Army soldiers on the population of Bo?

14 A. No, sir.

15 Q. Thank you. At that time, Mr Witness, do you know of any
16 other person, apart from Boysie Palmer, commanding Sierra Leone
17 Army troops in Bo?

18 A. AFR --

19 Q. Apart from Boysie Palmer, who was a brigade commander, do
20 you know of any other Sierra Leone Army soldiers commanding
21 Sierra Leone Army troops in Bo?

22 A. Yes. AF -- AK -- AF Kamara.

23 Q. That was the Secretary of State.

24 A. No, the other one who was secretary to AFRC secretariat.
25 He himself was ABK -- ABK Kamara.

26 Q. Thank you. Mr Witness, you said that you were informed
27 that the Kamajors killed the Chief Demby of Gerihun.

28 A. Yes, sir. That was what we heard from the civilians.

29 Q. Were you told why he was killed by the Kamajors?

1 A. They said he had entertained the strangers who were going
2 there to make peace with them.

3 Q. Mr Witness, you spoke about this man Lawrence Lamin as the
4 only survivor of this attack. After the end of the AFRC period,
5 do you know what happened to him?

6 A. Yes, yes.

7 Q. What happened to him?

8 A. They arrested him. They said he was a collaborator and he
9 was placed in the Pademba Road Prisons.

10 Q. Do you know who arrested him?

11 A. It was the Kamajors who arrested him and took him to the
12 ECOMOG soldiers.

13 Q. Mr Witness, I believe you used, at one stage, the word
14 "strangers." The word "strangers," did you?

15 A. Except you refresh my memory.

16 Q. Yes, when you said the chief was killed by the Kamajors
17 because he entertained strangers.

18 A. He entertained the people, the delegates who came from Bo,
19 in order to make peace. That is Dr Tommy and others.

20 Q. Mr Witness, do you know -- do you know what happened to the
21 SLA soldiers in Bo after the overthrow of the AFRC?

22 A. Yes, sir. ECOMOG soldiers -- ECOMOG soldiers drove them
23 out of the cities and the barracks. All of them left the cities,
24 Bo, Kenema. They drove them out of the barracks.

25 Q. Thank you. Finally, Mr Witness, do you know what happened
26 to the brigade commander, Mr Boysie Palmer, who you've spoke
27 about, afterwards?

28 A. Yes, sir. Boysie Palmer, the brigade commander, the
29 Secretary of State South, AF Kamara, the secretary to the

1 secretariat of AFRC, that is Mr ABK -- ABK Kamara, they were all
2 arrested. They said they were collaborators. They arrested
3 them. They said they were collaborators. Later, they killed
4 them publicly in this town.

5 Q. Who killed them?

6 A. Masked uniform men.

7 Q. Do you know on whose orders?

8 A. Court-martial. The judge of the court-martial that was
9 held. The court-martial.

10 Q. Thank you, Mr Witness.

11 MR MANLY-SPAIN: That is all.

12 JUDGE SEBUTINDE: Mr Manly-Spain, you kept eliciting the
13 answers collaborators, collaborators, but we don't know
14 collaborators of what, of who?

15 MR MANLY-SPAIN: I'll clarify. Thank you.

16 Q. Do you know what they meant when they said they were
17 collaborators? First of all, who accused them to be
18 collaborators?

19 A. Well, it was very common in the entire country, especially
20 the south, eastern, western area. ECOMOG and the Kamajors were
21 arresting citizens of this country, people of this country, who
22 were in this country, saying that they had joined hands together
23 with the Sierra Leone military forces, that is the AFRC, or the
24 Sierra Leone military force, to overthrow the SLPP government.
25 So, therefore, they would term them as collaborators, anybody
26 that will join together with those people to overthrow the
27 government, but, if you wanted peace, you would talk about peace
28 at that time. They would say collaborators. That's what they
29 would say.

1 MR MANLY-SPAIN: I don't know if that was clarified.

2 JUDGE SEBUTINDE: So the short version is they were
3 suspected collaborators of the AFRC?

4 MR MANLY-SPAIN: Yes, and people who said they wanted
5 peace.

6 Q. Is that so, Mr Witness?

7 A. Yes. At that time, yes.

8 MR MANLY-SPAIN: Thank you.

9 PRESIDING JUDGE: Thank you, Mr Manly-Spain. Mr Wagona,
10 we'll reserve your cross-examination until tomorrow morning.

11 MR MANLY-SPAIN: May it please Your Honour, I just wish to
12 inform the Court that I am bereaved and the funeral is tomorrow
13 afternoon. I craving indulgence to permit me to be away tomorrow
14 afternoon. I will come in the morning until probably the break
15 in the morning, or soon after.

16 PRESIDING JUDGE: I'm sorry to hear that, Mr Manly-Spain.
17 When you go, can we assume that your client's interests will be
18 looked after by the other members of the Defence team?

19 MR MANLY-SPAIN: Yes, I have the assurance of my
20 colleagues.

21 [Trial Chamber conferred]

22 PRESIDING JUDGE: Mr Manly-Spain, these arrangements
23 tomorrow, there's some concern that once the cross-examination of
24 this witness finishes, the Kamara defence will then begin its
25 case, and there will be no member of the Kanu team to
26 cross-examine.

27 MR MANLY-SPAIN: Well, the position is that we have copies
28 of the statements and we have the summaries with us, there's
29 hardly anything we would want to cross-examine on at the moment,

1 except something unforeseen happens. In the morning, we'll be
2 taking a common witness, the last of them.

3 PRESIDING JUDGE: That's 147, is it?

4 MR MANLY-SPAIN: Yes, I believe so. Yes, 147.

5 PRESIDING JUDGE: You're aware of the evidence going to be
6 led?

7 MR MANLY-SPAIN: I will be leading.

8 PRESIDING JUDGE: You'll be here in the morning.

9 MR MANLY-SPAIN: I'll be here in the morning until after
10 the morning break.

11 PRESIDING JUDGE: Then the first of Kamara's witnesses, you
12 already know that evidence-in-chief.

13 MR MANLY-SPAIN: My assistant, if permitted, will be in
14 Court to take notes, but there is hardly anything to
15 cross-examine on at the moment.

16 PRESIDING JUDGE: Mr Manly-Spain, you're an experienced
17 counsel, and I'm not trying to offend you by asking this, but I
18 presume, just for our own peace of mind, these arrangements for
19 you to be absent tomorrow when Mr Kamara's case begins are well
20 known to your client, and he would have no objection either;
21 would that be correct?

22 MR MANLY-SPAIN: Yes, I have spoken with him. I've
23 explained the situation with him.

24 PRESIDING JUDGE: And he'll be in Court himself, won't he,
25 tomorrow afternoon?

26 MR MANLY-SPAIN: He'll be in Court.

27 PRESIDING JUDGE: Thank you, Mr Manly-Spain.

28 MR MANLY-SPAIN: I'm sorry Your Honour. Thank you.

29 PRESIDING JUDGE: Witness, we have to caution you that

1 while you're in the course of giving evidence, you're not
2 permitted to discuss the case or your evidence with any other
3 person; is that clear?

4 THE WITNESS: Yes, sir.

5 PRESIDING JUDGE: All right, thank you. We'll adjourn
6 Court until 9.15 tomorrow morning.

7 [Whereupon the hearing adjourned at 4.15 p.m., to be
8 reconvened on Tuesday, the 3rd day of October 2006,
9 at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

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WITNESS: DAB-033	32
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