

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

FRIDAY, 06 OCTOBER 2006
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Mr Simon Meisenberg
For the Registry:	Ms Maureen Edmonds Ms Advera Kamuzora
For the Prosecution:	Mr Charles Hardaway Mr Vincent Wagona Mr Michael Brazao
For the accused Alex Tamba Brima:	Mr Ibrahim Foday Mansaray (legal assistant)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain Mr Silas Cherquera

1 [AFRC06OCT06A-RK]

2 Friday, 6 October 2006

3 [The accused Kamara and Kanu present]

4 [The accused Brima not present]

5 [The witness entered court]

6 [Open session]

7 [Upon commencing at 9.20 a.m.]

8 PRESIDING JUDGE: Good morning. It is general knowledge
9 that there has been a major traffic hold up today, and very few
10 people have been able to get in on time. I see that both the
11 Prosecution and Defence benches are deplete of counsel. For the
12 record, we note that Mr Kamara and Mr Kanu are present in court.
13 We have already received a communication from Mr Brima, that he
14 will waive his right to be present today. I think, in the
15 circumstances, we will need to adjourn this court at this stage.
16 We will adjourn for half an hour. Welcome back to Court at 9.45;
17 that is, 15 minutes to 10.00. We will adjourn now, thank you.

18 [Break taken at 9.21 a.m.]

19 [Proceedings from Audio]

20 [Upon resuming at 9.58 a.m.]

21 PRESIDING JUDGE: Well, for the recorded version, I will
22 note that the time by the Court clock is 9.58. The reason for
23 the late start of this Court is that there was a serious traffic
24 hold up in roads leading to the Court. In fact, two
25 stenographers, one of which was -- one of whom was to be assigned
26 to this Court is still caught in traffic, which means that until
27 further notice, we're going to have audio and video recordings,
28 but no direct transcript. The transcript will be prepared later
29 from the audio records.

1 The other matter is that the first accused, Mr Brima, has
2 communicated, via written message to this Court, that he
3 expressly waives his right to be present today. I note that
4 Mr Brima's counsel is present in Court. Pursuant to Rule 60, the
5 proceedings will be continued in his absence.

6 Yes, Mr Daniels.

7 MR DANIELS: Morning, Your Honours.

8 WITNESS: DBK-012 [Continued]

9 [The witness answered through interpreter]

10 EXAMINED BY MR DANIELS:

11 Q. Morning, Mr Witness.

12 A. Good morning, sir.

13 Q. Mr Witness, if you can recall, yesterday you were telling
14 us about when the Five Star General, SAJ Musa arrived at Colonel
15 Eddie Town. Do you remember?

16 A. Yes, sir.

17 Q. You also told us about a muster parade in which FAT handed
18 power to SAJ Musa; do you remember?

19 A. Yes, sir.

20 Q. Now, Mr Witness, how many soldiers were present at this
21 muster parade?

22 A. Well, we had more than 500 soldiers at the muster parade,
23 the brigade muster parade.

24 Q. Do you recall the exact date that SAJ Musa arrived at
25 Colonel Eddie Town?

26 A. Yes, sir.

27 Q. When was it?

28 A. The 21st of November 1998. That was the date he arrived in
29 Colonel Eddie Town as the Five Star General.

1 Q. Did he say anything?

2 A. Yes, sir. He said something, sir. He handed over the
3 muster parade to the Five Star General as the overall commander
4 of the group, the SLA group.

5 Q. Did he say anything else?

6 A. Well, he explained to the Five Star General about the AFRC
7 men who had wanted to escape, and wanted to go out of the
8 country, and that troops were sent for them to be captured. That
9 he explained to the Five Star General SAJ Musa. And after that,
10 he explained to the Five Star General about Junior Lion, the --
11 he executed brutally one SLA soldier, he fired at with a pistol.
12 After that, the Five Star General -- FAT handed over the parade
13 to the Five Star General, the muster parade and the Five Star
14 General addressed the muster parade and said, "Now we are SLAs
15 and now we are fighting to reinstate the national army." And
16 said from now onwards, he was going to structure the command
17 structure for Freetown.

18 Q. Before we go on to the command structure for Freetown --

19 A. Sir.

20 Q. -- did the Five Star General say anything about what was
21 reported to him about Junior Lion?

22 A. Yes, sir. He said, "Well, this man should be punished. He
23 should be given a task; that is, he should be one of the people
24 at the front line until we enter Freetown."

25 Q. Did SAJ Musa say anything about the arrested AFRC soldiers?

26 A. Yes, sir. He told them that -- he told all the SLA
27 soldiers that from now, this time it is no more AFRC. Now, since
28 they were under detention, they should continue to be under
29 detention and he disarmed them, including their securities, and

1 they were under close surveillance while coming to the city. He
2 said, "Now this is the SLA time, because the SLPP government had
3 disbanded the SLA. Now, we are trying to reinstate the national
4 army as SLA." So he ordered Junior Lion to control the men.

5 Q. Which men?

6 A. The AFRC men that were -- that were in the dungeon, in the
7 box.

8 Q. And when SAJ Musa became the overall commander, who -- or
9 did anyone become his second in command?

10 A. Yes, sir.

11 Q. Who was that?

12 A. FAT was the second in command to the Five Star General, SAJ
13 Musa.

14 Q. Was there a third in command?

15 A. Yes, sir, Captain Eddie, adjutant, he was the third in
16 command.

17 Q. Mr Witness, you told us that SAJ Musa arrived at Colonel
18 Eddie Town with some civilians. Who, if at all, was in charge of
19 the civilians that were in Colonel Eddie Town?

20 A. When SAJ Musa came, he came with civilians that were
21 willing to join us on our movement, so he gathered them at a
22 particular place and handed them over to the G5 commander to take
23 care of them, they the civilians.

24 Q. Who was the G5 commander?

25 A. The G5 commander was Six Finger.

26 Q. Did he have another name?

27 A. Yes, sir, Ayo Cole.

28 Q. Mr Witness, you were also telling us about SAJ Musa setting
29 up --

1 JUDGE SEBUTINDE: Mr Daniels, is that C-O-A-L or C-O-L-E?

2 MR DANIELS: C-O-A-L, I'm assisted.

3 Q. Can you repeat the name again?

4 A. Ayo Cole, Ayo Cole.

5 MR DANIELS: I am being assisted by my learned friend,

6 A-Y-O, first word, and C-O-L-E, second word, Ayo Cole.

7 Q. Mr Witness, you recall telling us that a command structure
8 was then set up by SAJ Musa. Can you tell us about this command
9 structure that was set up in Colonel Eddie Town?

10 A. Yes, sir.

11 Q. Please go ahead.

12 A. Well, the first in command, when Five Star General formed
13 his command structure for the advance to the city, he was the
14 overall commander, the Five Star General, SAJ Musa; the second in
15 command, FAT Sesay; third in command, Captain Eddie, adjutant;
16 fourth in command, Captain King, military police; fifth in
17 command, Junior Lion, ground commandant. From there SAJ Musa
18 changed Junior Lion from ground commandant to task force
19 commander. From there the company A, he had Tito, Salifu
20 Mansaray, alias Tito. The B Company you have -- you had Foday
21 Bah Marah, alias Bulldoze. The C Company you had Junior Sheriff.
22 D Company, they had myself, Mr Witness. So this was the command
23 structure put in place by SAJ Musa, the Five Star General, in
24 order for us to advance into the city. Then you had the task
25 force, O-Five was the operation commander. After that, you had
26 Terminator. He was an RDF, rapid deployment force; he was the
27 commander. That was the command structure formed by SAJ Musa,
28 Five Star General, for the advance into the city.

29 Q. How long did the troops stay at Colonel Eddie Town?

1 A. Well, the troop, as SAJ Musa, Five Star General, arrived

2 in --

3 THE INTERPRETER: Your Honours, could the witness go a
4 little bit slower for the interpreter.

5 MR DANIELS:

6 Q. You remember you were asked to go a bit slowly yesterday.

7 I will remind you to go slowly, as your words are being

8 interpreted. Please repeat what you last said.

9 A. Well, the command structure that was done by SAJ Musa, SAJ
10 Musa arrived in Colonel Eddie Town on 21st of November, 1998. He
11 spent five days. On the sixth day, the troops started departing
12 in order to cross over. The first troop that left, it was Junior
13 Lion's group who was the task force commander. Because at
14 certain -- at certain times it -- he was put at the forefront as
15 a punishment. The second was Terminator's group, that was the
16 rapid deployment force. And the operational commander was with
17 them, O-Five.

18 Q. Did all the groups leave together?

19 A. Well, because we were many, we did not depart together at
20 the same time.

21 Q. What was the first group to leave?

22 A. Well --

23 MR HARDAWAY: Objection, Your Honour, I believe he had
24 already stated it was Junior Lion's group.

25 PRESIDING JUDGE: Yes, he has been through that.

26 MR DANIELS:

27 Q. Very well, when did the first group leave?

28 A. Well, after the five days, the sixth day, the first troop
29 left. The first troop -- the sixth day the first troop left and

1 crossed the Little Scarcies and the Great Scarcies.

2 Q. Where did they go to?

3 A. Well, they crossed and came towards Kambia District over
4 the Little Scarcies. They came over to the Kambia District,
5 proceeded towards Mange.

6 Q. When did the second group leave?

7 A. The second group left, it was just an hour, or two hours
8 between, because they used a boat to cross them over, you see.
9 The second group left after two or three hours, in order to catch
10 up with the advance troop.

11 Q. And the third group?

12 A. Well, the number three group crossed at night between 9.00
13 and 10.00 they crossed, because they were many. The third group,
14 it was the rear team. It was that group of individuals that
15 started to cross between 9.00 and 10.00 at night.

16 Q. At this time, Mr Witness, where were the arrested AFRC
17 members?

18 A. Well, the AFRC members were at the rear, between the
19 B Company and the C Company. They were with some of the
20 securities that were guiding them, so that they wouldn't be able
21 to escape. They were -- they had crossed at night, because the
22 advance group was about 5 to 6 miles apart from them and they had
23 crossed the Little Scarcies.

24 Q. What about the last group?

25 A. Well the last group, I, the witness, went with the last
26 group. We crossed after 11.00 at night. That was the seventh
27 day when SAJ Musa arrived in town, so at night -- we, members of
28 the last group, crossed at 11.00 at night.

29 Q. Did you all arrive at Mange?

1 A. No, sir. All of us did not arrive in Mange at the same
2 time, because there were serious problems on our way, because the
3 ECOMOG force, which was well fortified with arms and ammunition
4 and air raids, so we decided the rear team were at rear and the
5 detainees were between the C Company and the D Companies, so we
6 barricaded the rear. The advance team, rapid deployment force,
7 Terminator and Junior Lion, they were the ones that advanced and
8 attacked, including their operational commander, O-Five. They
9 were the people that attacked the ECOMOG. They push them and
10 moved them out of Mange Town.

11 Q. In which group was SAJ Musa?

12 A. Five Star General, SAJ Musa, he was in the middle group,
13 the headquarters, headquarters, HQ, headquarters.

14 Q. Did you eventually all arrive at Mange?

15 A. Well, yes, because since the advance team had conquered the
16 ECOMOG, we arrived in Mange. We crossed the bridge, because the
17 fighting team pushed them out, all of us arrived there and
18 crossed there tactically and skillfully.

19 Q. Which bridge did you cross?

20 A. The Mange Bridge, the Mange Bridge was the bridge we
21 crossed, a long bridge. The longest bridge in Mange and another,
22 the Little Scarcies Bridge and the Great Scarcies. It is there
23 the Little Scarcies passed through. That is the bridge we used
24 and crossed. That is the Mange Bridge.

25 Q. And for how long did the troops stay at Mange?

26 A. Well, Mange, the group was moving seriously. We did not
27 waste time there. We didn't sleep there. We attacked the ECOMOG
28 and proceeded. We didn't sleep there. We fought and advanced.

29 Q. Where did you advance to?

1 A. Well, after we had crossed the bridge, we crossed the first
2 and the second bridge, we reached in a town. We used bypass
3 roads skillfully and avoided civilian target. We used bypass
4 road to 2 miles to Port Loko. We appeared at Mamusa.

5 Q. When was it that you appeared at Mamusa?

6 A. Well, Mamusa, after we had left Mange Bureh and we were
7 advancing towards the city, so it was the same day that we
8 proceeded. After we had left Mange Bureh, because we are SLAs,
9 within an hour we can walk up to 15 miles, so we used bypass road
10 skillfully and tried to get -- we tried to locate enemy
11 positions, the ECOMOG, so we are army officers, so we -- we used
12 the bypass road and we surfaced a Mamusa.

13 Q. You skillfully avoided civilian targets. What do you mean?

14 MR HARDAWAY: Objection, I don't think he said civilian
15 targets. He did, my apologies.

16 MR DANIELS: Thank you, Your Honours.

17 Q. Can you explain what you mean by "skillfully avoiding
18 civilian targets"?

19 A. Well, what I meant by that, because with Five Star General
20 had instilled an ideology in us, which we mean by skillfully
21 bypass, because we had not wanted civilians to see us and know
22 that we were using a particular route leading to an area which
23 was that highway that was between Gberi Junction and Mamusa. And
24 that is what I'm referring to as using a bypass skillfully,
25 without firing a shot, no communication and nobody -- it was a
26 silent movement, which was systematic, and it was a very skillful
27 one, you see. That is what I meant.

28 Q. Thank you, Mr Witness. Mr Witness, Mamusa, did anything
29 happen there?

1 A. Yes. Well, we met the ECOMOG force at Mamusa. They
2 mounted a checkpoint at the Junction, so we tried to put them
3 under control, yes, because they were armed men. We put them
4 under control. As they saw us, they attacked us and we were
5 skillful in trying to dislodge them, and we captured their arms
6 and ammunition, and from there, we went to Mamusa. We went
7 behind Mamusa and we made an RV.

8 Q. What do you mean by you made RV?

9 A. Well, RV is a soldier expressions; that is, we prepared
10 that place where we based. We organised the place. We made a
11 base. We mounted an operation. If we were not fit to -- we were
12 unable to dislodge the people we attacked, we will come back to
13 the place where we made this RV. That is what we referred to.
14 But if they prepare a place and we attack and if you are unable
15 to overpower the ECOMOG force, we will withdraw tactically and
16 come back to the place and we gather at that place and ensure
17 that no man was missing in action.

18 Q. Mr Witness, you said you were able to capture some arms and
19 ammunition from the ECOMOG. What arms and ammunition were you
20 able to capture?

21 A. Well, we captured artillery weapons and rifles, because the
22 ECOMOG, they had a troop, two field troop, infantry and
23 artillery, and so we had rifle like the LR, light machine-guns,
24 we had SMGs, submachine-guns, semi-automatic rifle, and HMG,
25 heavy machine-gun, bazooka, commando mortar, 60 mm mortars and we
26 captured cannons, French support weapons, and we captured 120 mm
27 mortar, and apart from that, we captured a single-barrel, which
28 was an AA, and we also captured other ammunition, which was a
29 rocket bomb from them, like the RPG bombs, the bazooka bombs, the

1 mortar bombs and the rifles. The arms and ammunitions, we
2 captured up to eight boxes of ammunition from them.

3 Q. You said that you went behind Mamusa. From after the
4 capture of this artillery and arms, did the troops go anywhere?

5 A. Well, a troop -- we regrouped and formed an RV. Five Star
6 General, he was at the RV, at the headquarters, and organised a
7 team which would be the RDF --

8 THE INTERPRETER: The interpreter is sorry, can the witness
9 come again.

10 MR DANIELS:

11 Q. You were talking about the task force -- about SAJ Musa
12 appointing Junior Lion as task force commander. Continue from
13 there and speak a bit slowly.

14 A. Repeat.

15 Q. You were telling us that SAJ Musa appointed SAJ Musa as the
16 task force commander. Continue from there, after your rendezvous
17 at the RV?

18 A. Well, he had appointed Junior Lion as first commander,
19 Terminator as RDF, so he ordered them on an operation to go to
20 Lunsar. He ordered them to attack the ECOMOG base in Lunsar, in
21 order to capture arms and ammunition and combat from them and
22 they should return to report. So they went. They went and
23 overpowered the ECOMOG in Lunsar. They captured arms, ammunition
24 and combat up to a container. They came with them. They met the
25 Five Star General and made a report, because we in the military,
26 any operation you have to give a situational report, so they came
27 and made that report. Junior Lion, the task force commander, he
28 came and handed over to the Five Star General and he gave him the
29 situation report.

1 Q. Where was the second accused?

2 A. Well, the second accused, they were between the
3 headquarters, C and B Companies and they were still at the rear.

4 Q. How long did the troops stay at RV after Junior Lion came
5 back to report about the attack on Lunsar?

6 A. It was just a day-and-a-half operation. They came and
7 reported. Junior Lion came and reported to Five Star General
8 about the operation.

9 Q. And from there did the troops move anywhere?

10 A. Yes, sir.

11 Q. Where?

12 A. Well, the troops, we advanced towards Masiaka, but we used
13 bypass road, between Masiaka and the Bo Road. We used bypass
14 road between Masiaka and Bo Road. We went through -- beyond
15 Masiaka and Magbeni area. That was the area we went and made a
16 base.

17 Q. What was the name of the area where you made a base?

18 A. Magbeni, Magbeni, beyond Masiaka.

19 Q. For how long did the troops stay at Magbeni area?

20 A. Well, the troops only spent a day at Magbeni area, about
21 one-and-a-half days that was the time that SAJ Musa organised an
22 operation for Masiaka.

23 [Stenographer entered Court]

24 MR DANIELS: Your Honour, Magbeni, I have, M-A-G-B-E-N-I.

25 Q. From there, did the troops move anywhere?

26 A. Yes, sir.

27 Q. Where did they move to?

28 A. Masiaka Town.

29 Q. Did anything happen at Masiaka Town?

1 A. Yes, sir.

2 Q. What happened?

3 A. Well, we met heavy force of ECOMOG at Masiaka. More than
4 1,000 force of ECOMOG at Masiaka, so, we attacked there. Five
5 Star sent a troop to attack Masiaka and overcome them there. We
6 captured all their ammunition. We captured prisoners of war, two
7 of them, at Masiaka.

8 Q. Did you -- were you part of this operation?

9 A. Well, at that time, the operation -- yes, I was in the
10 operation.

11 Q. And these prisoners of war, who were they?

12 A. They were ECOMOG soldiers.

13 Q. Did anything happen to them?

14 A. No. We secured them. We took care of them because they
15 were prisoners of the wars, war, and we were fighting as SLA and
16 when you capture your enemy you should put him under control and
17 take care of him.

18 Q. And for how long were you at Masiaka?

19 A. It was about -- it was just about four, five hours attack.
20 Short and sharp. We moved and captured all their arms and we
21 withdrew tactically from them.

22 Q. If you can remember, do you know the exact date you were
23 able to attack Masiaka?

24 A. Well, at that time, it was around December, December. I
25 cannot recall the exact date but it was around December.

26 Q. And, from Masiaka, did the troops move anywhere?

27 A. Well, yes.

28 Q. Before you tell me, where was the second accused while you
29 were at Masiaka?

1 A. The second accused he was between -- at the rear. At the

2 rear. The man was at the rear. It was at the rear.

3 Q. And from Masiaka did the troops move anywhere?

4 A. Yes, sir.

5 Q. Where did they move to?

6 A. Well, the advance troop moved to Mile 38, ECOMOG base.

7 That was where the first troop went. They launched an offensive

8 attack against the ECOMOG forces. They moved, repelled them from

9 Mile 38.

10 Q. How did you know that, that the advance group repelled the

11 advance force to Mile 38?

12 A. Well, it was through communication.

13 Q. And did the other groups follow up to Mile 38?

14 A. Well, the other groups didn't go to Mile 38 any more. They

15 used a bypass route.

16 Q. And where did they go to?

17 A. Well, they went back of RDF, Sumbuya. Sumbuya Town.

18 Beyond Sumbuya. That was where the other group blocked.

19 Q. S-U-M-B-U-Y-A for Sumbuya. Did anything happen at Sumbuya

20 Town?

21 A. Yes, sir, yes, sir.

22 Q. What happened?

23 A. Well, what happened a troop of ECOMOG was there. It was a

24 battalion force. ECOMOG was based at Sumbuya, so, from there, we

25 attacked them. We moved them from Sumbuya and captured their

26 ammunition. We captured uniforms from them, and arms and

27 ammunition.

28 Q. Were you part of the attack on Sumbuya?

29 A. Yes, I myself was there because I am a trained soldier. I

1 realised that all, we were coming to Freetown, so I was on the
2 offensive from Sumbuya. We launched the attack. We moved ECOMOG
3 force from there. We captured the town. I am one of them.

4 Q. From Sumbuya, where did the troops -- where did you move
5 to?

6 A. Well, from Sumbuya, we moved back of Four Mile and
7 Ahmadiyya school, back of Ahmadiyya school. That was where we
8 moved to.

9 Q. And from there?

10 A. From there -- from there, well, we -- I the witness, Five
11 Star General gave me a task to lay ambush at Four Mile highway.

12 Q. Did you go and lay the ambush?

13 A. Yes, sir. I laid the ambush, a masterpiece ambush.

14 Q. And who did you ambush?

15 A. Well, I am an SLA. It was ECOMOG force. We had
16 information that they were at muster parade at Benguema with the
17 task commander, Khobe, so they organised a troop for the highway
18 which was --

19 THE INTERPRETER: Your Honour, I didn't get the last word
20 of the witness.

21 MR DANIELS:

22 Q. Mr Witness, you said you went on a -- can you just repeat
23 what you said?

24 A. I said I laid an ambush, a masterpiece ambush for ECOMOG
25 force and four truck of ECOMOG were coming from Waterloo to Four
26 Mile. So they met me on the ambush, so I launched an offensive
27 launching. Yes, support weapon, so I dislodged the four trucks.
28 None of them were able to escape from my ambush; all the ECOMOG
29 forces.

1 Q. What happened to the ECOMOG forces?

2 A. I overcome them. They fell into my ambush. They fell into
3 my ambush. All of them died. I executed all of them through the
4 launching so none of them were able to escape. They all died at
5 the same spot. From then, the Alpha Jets came and was moving
6 around but I took time and deployed tactically and observed the
7 movement of the Alpha Jet bombardment.

8 Q. And after this ambush, did you do anything?

9 A. Well, after the ambush I reported to my Five Star General,
10 SAJ Musa. I gave him a situation report about the ambush and
11 explained what happened in the ambush.

12 Q. And what did he say?

13 A. He said, "Very good. That is what I like because that was
14 an enemy target." That is what he had told us, that we should
15 attack ECOMOG forces, a man that was armed is an enemy. Any man
16 with an arm, if you are able to dislodge him, dislodge him. So,
17 from then, he organised an operation for Waterloo and Benguema.

18 Q. How did he organise the operation for Waterloo and
19 Benguema?

20 A. Well, the operation -- because they had realised, since we
21 had come to a built-up area. Then, finally, they placed me at
22 the front line and said from here you will not go to the rear
23 again. You will be at the front and Junior Lion, as task force
24 commander, we were all in the fighting team, we organised up two
25 companies. I and some commanders, in order to capture Benguema
26 Barracks, planned operation.

27 Q. Which commanders assisted you to capture Benguema Barracks,
28 apart from Junior Lion?

29 A. Well, we had operation Commander O-Five; we had third in

1 command, Captain Eddie; we had Bobson; Alimamy Yapo Sesay; we had
2 Ashim; and after that we had Pikin; MPSL Mambo; we had Zeno and
3 Gold Teeth.

4 Q. Did you eventually launch the offence on Benguema?

5 A. Yes, yes. We launched an offensive attack for Benguema
6 because that was our first barrack, BTC, Bengwema Training
7 Centre. We, as SLA, since they had disbanded the national army,
8 we launched an offensive attack and we dislodged them from
9 Benguema Barracks and we captured arms and ammunition from them.

10 Q. What time of day did this offensive take place?

11 A. Well, it was on the 22nd December 1998. The 22nd December
12 1998, we launched an offensive attack on Benguema Barracks.

13 Q. Did anything happen while you were at Benguema Barracks?

14 A. Yes, sir.

15 Q. Please tell us.

16 A. Well, when we captured -- when I captured Benguema
17 Barracks, together with some of the commanders that I had
18 mentioned, Five Star General arrived. He went to the mess, spoke
19 with the first in command, Khobe, and told Khobe that now he was
20 heading for the city in order to reinstate the national --

21 Q. Before you go on, you said first in command, Khobe. First
22 in command of what?

23 A. ECOMOG force. Khobe, first in command of the ECOMOG force.

24 Q. And how did he speak to the first in command, Khobe?

25 A. Well, it was through communication set that he and Khobe
26 spoke, in Benguema officers' mess.

27 Q. Were you present when he was talking to Khobe?

28 A. Yes, sir, because I was there. I was a commander. I was
29 there.

1 Q. And what did he say?

2 A. Well, he told Khobe that now, he said, "Khobe, first in
3 command, now he is in charge of Benguema Barracks, BTC, Benguema
4 Training Centre." He said now, he is preparing a brigade
5 operation for the city. He would see that he stepped into the
6 city and then the first in command for ECOMOG, Khobe, he pleaded
7 with him. He begged him not to come to the city. Then he said
8 he was coming to the city. So that was the communication he had
9 with the first in command, ECOMOG and Five Star General, SAJ
10 Musa.

11 Q. At this time, where was the second accused?

12 A. He was at the rear. He was at the rear. He was under
13 control.

14 Q. Do you know, if at all, whether SAJ Musa had a call sign?

15 A. What do you mean, call sign or gun sound? I don't
16 understand. Repeat it.

17 Q. I'm talking about call sign, for communication?

18 A. Yes, he had a call sign to communicate.

19 Q. Do you know what his call sign was, the call sign of the
20 Five Star General?

21 A. Well, his call sign was Eagle.

22 Q. And at this time, where were the civilians?

23 A. The civilians were at the headquarters. They were with a
24 group that was up to 150 armed men. They were securing them so
25 that they would not be touched by anything. They were at the
26 headquarters.

27 Q. And how far is Benguema from the city?

28 A. Well, Benguema, I only knew that Benguema, from Benguema to
29 Waterloo is around a mile-and-a-half. From, apart from that, I

1 don't know the mileage between Waterloo and the city.

2 Q. And how long would it take soldiers to arrive at the city
3 from Benguema, marching?

4 A. Well, it depends for, like us, the SLA that were in the
5 jungle, to move within those areas from Benguema to the city, it
6 wouldn't take us five hours, we would be in the city. Five to
7 six hours I will be in the city through walking because I have to
8 use some bypass routes so that I will get there on time.

9 Q. Did anything else happen while you were at Benguema?

10 A. Yes, sir. Yes, sir.

11 Q. What happened?

12 A. Well, what happened, Five Star General called for 120mm
13 mortar. They came with it and he said they should dig the ground
14 and plant it. Then, he tried to organise, in order to launch the
15 120mm mortar into the city. So one of the men made a mistake.
16 They placed fire in a room where there were ammunition and arms.
17 So when he put the fire there, the fire was set ablaze and
18 something exploded in there. So, from then --

19 MR DANIELS:

20 Your Honours, the third accused would like to use the
21 bathroom.

22 PRESIDING JUDGE: Yes. Mr Kanu can leave the Court.

23 MR DANIELS:

24 Q. Yes, Mr Witness. You said something exploded. Please
25 continue.

26 A. Yes, sir. Well, because I wasn't in the ammunition room,
27 but there were arms and ammunition and gas in there, so somebody
28 set fire and we didn't know who it was and it exploded. From
29 then, SAJ Musa, one of the things hit his head and he dropped.

1 Q. Do you recall the names of any senior officers who were
2 around when this explosion took place?

3 A. Yes, sir.

4 Q. Please tell this Court.

5 A. Well, first of all, I was, I, the witness, I was one of the
6 men. I was present. And secondly, adjutant Eddie, Captain Eddie
7 was there.

8 Q. And --

9 A. Tito. Salifu Mansaray, alias Tito.

10 Q. When you say SAJ Musa dropped, what do you mean?

11 A. He died. He died.

12 Q. And after SAJ Musa died, did anything happen?

13 A. Yes, sir. Well, when Five Star General SAJ Musa died, we
14 decided to break a door and placed him on top of the door. And
15 moved with him tactically towards Tombo area.

16 Q. You said, "we," who are we?

17 A. I, Mr Witness.

18 Q. Together with --

19 A. With the names that I had mentioned. I haven't called all
20 the names yet. Junior Lion.

21 Q. Carry on.

22 A. Junior Lion and Alabama, who was cook -- SAJ's cook, the
23 Five Star General. He was the cook for SAJ Musa, Five Star's
24 Batman.

25 Q. And after SAJ Musa was put onto a door, did anything
26 happen?

27 A. Yes. We captured an ECOMOG soldier. He escaped from us
28 after the death of SAJ Musa. So he revealed the secret that Five
29 Star General had died, who was the SLA's general commander, had

1 died. So that caused ECOMOG to organise a troop to come for the
2 corpse, to come and collect the corpse from us. So we repelled
3 the attack. They attacked us. They dislodged the group but we
4 regrouped. And we, too, repelled the attack and went on an
5 offensive attack and removed them from the ground, captured their
6 vehicle, took the corpse and we moved with the Five Star
7 General's corpse.

8 Q. Where did you move to with the Five Star General's corpse?

9 A. We went along the Lion Mountain. We took the corpse at the
10 back of Benguema Barracks and at one village, the last village to
11 go to the Lion Mountain, I don't remember the name of the
12 mountain.

13 Q. Do you remember the name of the village?

14 A. No, no. No, I don't remember the name of the village, but
15 I know it's by the Lion Mountain.

16 Q. Did anything happen to SAJ Musa's corpse?

17 A. Yes, sir.

18 Q. What happened?

19 A. Well, we buried him regimental. We fired 21 gunshot salute
20 and buried him peacefully. From then we moved on.

21 Q. So, at this time, did anything happen to the command
22 structure?

23 A. Well, nothing happened with the command structure because
24 the only thing was that we were disgruntled because Five Star had
25 died. We were disgruntled. There wasn't any command, but the
26 second in command, FAT, took control of the command. And he
27 worked according to SAJ Musa's plan.

28 Q. How did the second in command take control?

29 A. Well, according to the command structure that SAJ Musa had

1 formed from Colonel Eddie Town, he was the second in command so
2 when SAJ Musa died he only had to take command, the second in
3 command, he had to take command of the troop and work with the
4 Five Star General's first plan that he had formed.

5 Q. And from Benguema, did the troops go anywhere?

6 A. We went up the Lion Mountain.

7 Q. And what happened?

8 A. Well, we fasted for a day, for Five Star General because of
9 his death. Everybody fasted for a day because of the Five Star
10 General's death. After the fasting, we came. We lacked food.
11 So we decided to return to Benguema Waterloo, to find food. So
12 we went to Waterloo and searched for food and came back to the
13 hill.

14 Q. And after you had found food went back to the hill, did the
15 troop go anywhere?

16 A. Well, we were up there. We didn't go anywhere. We sat
17 down for a while. Until the 25th of December, we were up the
18 hill.

19 Q. Did anything happen on the 25th of December?

20 A. Yes, sir. Yes, sir.

21 Q. Please tell us.

22 A. Well, from there, while we were up the Lion Mountain, it's
23 by an area called Popo Hill. From there, the ECOMOG forces had
24 information that we, our Five Star General, first in command had
25 died and we were missing in action. We were MIA. So we were up
26 the Lion Mountain. So they should organise a brigade operation
27 to capture us alive up the Lion Mountain. So they formed the
28 brigade operation, ECOMOG. They came up the Lion Mountain. They
29 assaulted us up the Lion Mountain. From then, the air raid came,

1 the Alpha Jet. He bombarded. From then, the Guinean --

2 THE INTERPRETER: Your Honours, please, can the witness go
3 over that jet issue.

4 MR DANIELS:

5 You were talking about the Alpha Jets. Could you please go
6 over that and speak a bit more slowly.

7 A. Well, we were up the Lion Mountain. We -- they formed a
8 brigade. They made an air raid which was an --

9 THE INTERPRETER: The interpreter is sorry, could the
10 witness come again.

11 MR DANIELS:

12 I think you are speaking a bit too fast. Before I go on,
13 Your Honours, do we have a set time we will break today?

14 PRESIDING JUDGE: All right. I think we will take a short
15 break. We will come back at 11.20.

16 Mr Witness, you are aware you are not permitted to discuss
17 the case or your evidence during these breaks. Right. We will
18 adjourn until 11.20.

19 [Break taken at 11.03 a.m.]

20 [Upon resuming at 11.20 a.m.]

21 PRESIDING JUDGE: Go ahead, Mr Daniels.

22 MR DANIELS: Thank you, Your Honour.

23 Q. Good morning again, Mr Witness.

24 A. Good morning, sir.

25 Q. Yes, Mr Witness. Before we broke off you were telling us
26 about the forming of a brigade around Lion Mountains when you
27 were attacked by Alpha Jets. Can you please go over that?

28 PRESIDING JUDGE: No, go on from there. No need to go over
29 that again.

1 MR DANIELS: I beg your pardon.

2 Q. Go on from there.

3 A. Okay. We were up the Lion Mountain. There, we saw an
4 Alpha Jet, ground troops and a gunship and an air taxi. The
5 Alpha Jet started bombarding. The gunship was also bombarding.
6 The ground troops, they were launching overhead with support
7 weapons at the hill. From there, when they had ensured that
8 they've softened the area, the ground troop began moving and they
9 went and met up us the hill. They assaulted us in the bush.
10 From there, we, ourselves, repelled the attack, yes. We,
11 ourselves, we went on the offensive. We started exchange fire
12 but we were more -- stronger than they were. We ensured that we
13 pursued them where they came from. From the Lion Mountain we
14 pursued them down to their own headquarters, which was Grafton,
15 Hastings, so we chased them and went down to Hastings. So,
16 again, we captured the Hasting heliport where they formed their
17 brigade operation. We captured Hasting heliport, and we pursued
18 them to Jui, to the Jui OSD strong base. We captured there too
19 and, from there, we moved to Kossoh Town, where the brigade force
20 of ECOMOG was based, that is Kossoh Town, so we ensured that we
21 divided the Kossoh Town into two. The ECOMOG were on one part,
22 and we were on the other part.

23 Q. Mr Witness, who was the commander in charge of the
24 counter-offensive against the ECOMOG or the troops, when you had
25 to pursue them down the hill heading to Grafton, to Hastings, to
26 Jui Town, to Kossoh?

27 A. Junior Lion. He was the commander for that particular
28 operation.

29 Q. Do you recall which date it was that this counter-offensive

1 took place?

2 A. Well, it was around January 5.

3 Q. At this time, Mr Witness -- January 5 which year, please?

4 A. 1999.

5 Q. And at this time, where was the second accused, if you
6 know?

7 A. Well, the second accused, from the time he was at the rear,
8 I didn't see him again. I was at the battle front, fighting. So
9 I did not know about him again.

10 Q. And from Kossoh Town, did you go anywhere?

11 A. Well, from Kossoh Town, yes.

12 Q. Where did you go?

13 A. Well, from Kossoh Town, Junior Lion withdrew with us. He
14 went back to the Hastings heliport. From there he, we went
15 through the Orugu Bridge. I, Mr Witness, I and the other men, we
16 passed through the Orugu Bridge towards Allen Town, with the
17 troops.

18 Q. Did you eventually get to Allen Town with the troops?

19 A. Yes, sir.

20 Q. And when was this?

21 A. January 6th.

22 Q. And from there, from Allen Town, did you go anywhere?

23 A. Well, from Allen, yes, sir.

24 Q. Please tell the Court.

25 A. Well, from Allen Town, from Allen Town, we were at Allen
26 Town, that was the time we saw the Alpha Jet with -- with the
27 gunship. They came and bombarded where we were. They bombarded
28 at a mosque, at a church. They bombarded at a church, in Allen
29 Town.

1 Q. Did anything happen as a result of the bombardment of the
2 church at Allen Town?

3 A. Yes, sir.

4 Q. What happened?

5 A. Well, they killed people there.

6 Q. Which people? Were they soldiers or civilians?

7 A. They killed soldiers. One of the commanders called Colonel
8 Choku.

9 Q. Was it only the church that was affected by the
10 bombardment?

11 A. No, they bombarded all over Allen Town because the church,
12 it was the BNG they used at the church. And, from there, it
13 launched a cluster bomb. From there it went and came back and
14 used the anti-aircraft, AA, with the grenade launcher, so we were
15 dislodged. Some -- some were missing in action. Everybody was
16 battling for himself. Later we regrouped. From there, we saw
17 infantry troops coming.

18 Q. Where did you regroup?

19 A. We regrouped at the side of Allen Town.

20 Q. And where were the infantry troops coming from?

21 A. It was from the city. That was the ECOMOG force, the
22 infantry, the Kamajors, and the Gbethis.

23 Q. And do you know whether the troops went anywhere, the
24 advancing troops, the Kamajors and the Gbethis, did they go
25 anywhere?

26 A. Yes.

27 Q. Where did they go?

28 A. Well, the Kamajors, the Gbethis and the ECOMOG, they moved
29 towards the location where we were at Allen Town. That was where

1 they went, in order to meet us, and they were on the offensive,
2 firing very seriously.

3 Q. Did anything happen as a result of the offensive you just
4 described?

5 A. Yes, sir.

6 Q. What happened?

7 A. Well we, ourselves, we used bypass roads. We gave them
8 way, so they had wanted to come to town, so we locked them up and
9 contained them. So we moved them. We dislodged them. We ran
10 after them into the city.

11 Q. Did anything happen to them after you ran after them into
12 the city?

13 A. Yes, sir.

14 Q. What happened?

15 A. Well, they were unable to resist us. Our fire power was
16 more stronger than theirs. Our fire power was more than theirs
17 and they retreated rapidly. We forced them to run and they left
18 all their weapons behind. At SLPMB we divided into two groups.
19 One used the Old Road, one used the New Road.

20 Q. Mr Witness what is SLPMD [sic]?

21 A. Well, SLPMB, that is an area, that is an area where you
22 find some factories. You have an area where you have factories.
23 You have -- that is the area where different things are
24 manufactured. I don't know the right -- I don't know the meaning
25 of the pneumonics SLPMB.

26 Q. But where exactly is it?

27 A. Well, after Allen Town. It is located at the east coast of
28 the Western Area.

29 Q. Mr Witness, in this march from Popo hill to Grafton, to

1 Jui, to Kossoh Town, did the soldiers commit any atrocities
2 against the civilians; against, not the civilians that were with
3 you, against the civilians within those areas?

4 A. No.

5 Q. Were the soldiers burning down any of the houses of the
6 civilians?

7 A. No, sir.

8 Q. Were civilians abducted in this march to Freetown?

9 A. No, sir.

10 Q. Were women raped by the soldiers as they advanced to
11 Freetown?

12 A. No. Our Five Star General was against all that you are
13 telling me because the ideology was against that. If anybody did
14 that they were going to be executed, so, we were not trying to --
15 attempting to do that. Our target was the ECOMOG. No burning,
16 no raping. As you know, etcetera, were targeting ECOMOG
17 positions because we were this an armed struggle.

18 Q. Mr Witness, you said after SLPMB you formed yourselves into
19 two groups. Where did the first group go?

20 A. The first group went to the New Road.

21 Q. And the second group?

22 A. Old Road, Old Road.

23 Q. And where were you?

24 A. I, Mr Witness, was at the Old Road on the offensive attack.

25 Q. Who was leading the offensive attack on the Old Road into
26 the city?

27 A. Well, the offensive attack at the Old Road, Junior Lion was
28 the commander for the Old Road group and I was with him. After
29 that you have NPFL. There was Ashim and Tula.

1 Q. And who was the leader of the new group, the commander of
2 the new group on the New Road, I beg your pardon?

3 PRESIDING JUDGE: You mean the first group.

4 MR DANIELS:

5 Q. The Old Road, I beg your pardon. The first group, who was
6 the commander?

7 A. Well, the first group, the commander was O-Five. Tito,
8 Salifu Mansaray, Med Badjegeh.

9 Q. And the new -- the old, Old Road group, where did you go
10 to?

11 A. Well, we went through Blackhall Road by the Benz garage,
12 around the cemetery. The Ugun roundabout. That was where we
13 went and we met a very serious reinforcement of the ECOMOG and
14 they had a very serious fire power. But still, we were able to
15 put them under control. We were able to meet them under control,
16 to put them under control we used a bypass. Junior Lion passed
17 an order that the other men should engage the ECOMOG and both of
18 us, I and himself, we should use a bypass by this cemetery then
19 make an ambush back of road transport by Kissy Road at the back
20 of Kissy Road and the back of ECOMOG and from there we launched
21 an attack. But the fighting took place about one hour. That was
22 a one-hour fight between ourselves and ECOMOG. We, that came
23 from the Old Road, engaged in the battle between ourselves and
24 ECOMOG for about an hour.

25 Q. And the New Road group, where did they head to?

26 A. They went to Ferry Junction, so that would we can meet at
27 Ugun New Road, those from the Old Road. That is by the Ferry
28 Junction.

29 Q. And after the Old Road group overcame the ECOMOG forces,

1 did you go anywhere?

2 A. Yes, sir.

3 Q. And where did you go to?

4 A. Well, we advanced from there. We, the Old Road group, we
5 used the Kissy Road. The New Road group they used Cline Town,
6 Water Quay, Fourah Bay Road by fire burn, Eastern Police, went
7 through Kissy Road. We met at Eastern Police. From there we
8 went to the State House, the State House. We ensured that -- we
9 met very serious, a lot of manpower at the ECOMOG, a serious
10 manpower of ECOMOG at the State House, so we moved them from
11 there. From there we went to the maximum prison central. That
12 is Pademba Road Prisons.

13 Q. Who instructed you to go to the Pademba Road Prison?

14 A. Well, it was Junior Lion and O-Five and Tito. They said we
15 should move through the orders of the commander, FAT Sesay. It
16 was -- he said that was the order given to him by FAT, so that we
17 could go and open up the Pademba Road Prisons.

18 Q. At this time, where was the New Road group?

19 A. Well, the New Road group they had come up to Bathurst
20 Street by PZ, so, they got an information that we have captured
21 the State House. So they went there and they reinforced us and
22 we went together and opened the maximum prisons at Pademba Road.

23 Q. At what time of day did you get to the Pademba Road Prison
24 to break open?

25 A. Well, it was around 4.00 to 5.00 a.m. in the morning. 4.00
26 to 5.00 in the morning.

27 Q. Did you eventually break open into Pademba Road Prison?

28 A. Yes.

29 Q. How did you do so?

1 A. Well, the Pademba Road Prison, when we appeared there, we
2 met very serious resistance at the gate. The ECOMOG forces were
3 there. With tanks and armoured cars and the Kamajors. They were
4 trying to block the gate in order to defend the area, but we
5 ensured that we came from two different areas, the left and
6 right. We came through Campbell Street, we entered the Mende
7 church area. We used the bypass there. We came to Benjamin
8 Lane. At that time the dew was dropping very seriously, we
9 observed there, we knew that was the Pademba Road gate. Some
10 men, who were telling us to wait but we told them that, inasmuch
11 as we were there, we should be able to open up the gate. So the
12 tank of the ECOMOG troop withdrew tactically and left the
13 infantry on the ground, so we were able to dislodge them but we
14 were unable, but time was trying to beat us down. We saw the
15 fire force vehicle by Benjamin Lane, there was a ladder on it.

16 Q. When you broke open into Pademba Road Prison, what
17 happened?

18 A. Well, we entered. 38 of us entered the prison. We met
19 4,000 soldiers in there. They were under punishment in there
20 with their different families. All of them were there. So we
21 entered. The first area we went to was the political block. So,
22 we tried to rescue the political detainees that were placed there
23 who had already been condemned. There was the former president,
24 he was already convicted. He was there serving a sentence. So
25 he, himself, was in a different block. The former president, JS
26 Momoh. From there, we rescue all of them from the Pademba Road
27 Prison.

28 Q. You saw about 4,000 soldiers; which faction did they belong
29 to?

1 A. All of them were SLA soldiers. SLA soldiers. SLA

2 soldiers. All of them were SLAs.

3 Q. And do you know why the 4,000 soldiers were being punished
4 by being put in Pademba Road Prison?

5 A. Yes, sir.

6 Q. Why?

7 A. They said because they were soldiers, they were the ones
8 that overthrew the government of the SLPP, so they had to suffer
9 for their colleagues. That was why they were placed in the
10 prison.

11 Q. Do you know who placed them in the prison?

12 A. Well, according to information it was the government, the
13 ECOMOG force, Khobe and the second in command Buhari Musa. He
14 was, he was supported by the country.

15 Q. And after you rescued the soldiers and the prisoners, did
16 you take them anywhere?

17 A. Yes, sir.

18 Q. Where were they taken to?

19 A. Well, well, the political detainees, we took them to the
20 rear by Blackhall Road, PWD. We took them there. The political
21 detainees, the soldiers, they were disgruntled because some of
22 them, their children, their mothers, their sisters, loved ones,
23 they had already killed them. They'd suffered. Some of them,
24 they were gunned down, so they were disgruntled. When they came
25 out, we were unable to contain them because there were many.
26 Their number was more than us, so we were just trying to go
27 towards Brookfields, Brookfield Hotel, where the ULIMO-K and
28 ULIMO-J were, the special force from Liberia. So we launched an
29 offensive attack against them. We removed them from the

1 Brookfield Hotel. We tried hard and we got an information that
2 there were other soldiers at the national stadium swimming pool.
3 So we went there, we met a lot of ECOMOG there securing the --

4 Q. Mr Witness --

5 A. Yes, sir.

6 Q. -- these disgruntled soldiers you were just talking about,
7 did they do anything, that you know of?

8 A. Well, I was in the fighting team. They were at the rear.
9 They were causing problem. They caused problem. Avenging for
10 other people, that they had been disadvantaged, those people
11 whose children and sisters had been killed, they too began --

12 Q. Mr Witness, what do you mean they were avenging for other
13 people?

14 A. Well, because of they were disgruntled, they've lost their
15 members of their families, mothers, aunt, they have no faith left
16 in them, so, they should survive. That was why, they themselves,
17 when we freed them, they had nowhere to go again. So they were
18 just, they were just around. Some went and joined the ECOMOG
19 again. The ECOMOG killed them again. The other men, they were
20 in town, and they were in the combatant camp --

21 THE INTERPRETER: The interpreter is sorry. Can the
22 witness go a little bit slow.

23 MR DANIELS:

24 Q. You talked about the combatant camp. Can you continue from
25 there, please slowly?

26 A. Well, the combatant camp was a camp which comprised of
27 fighting individuals, were at any stage they stopped, that was
28 where we called the combatant camp, wherein the fighting men
29 based and that area, we referred to it as a combatant camp. That

1 is an expression in the military. So that was the area we
2 stopped and we based there. That is the fighting team.

3 Q. Okay. Mr Witness. Now, did anything happen in Freetown as
4 a result of the soldiers, 3,000, 4,000 soldiers being released?

5 PRESIDING JUDGE: He never said 3,000.

6 MR DANIELS: He said 4,000, I beg your pardon.

7 Q. As a result of the 4,000 soldiers being released?

8 A. Repeat your statement.

9 Q. Did anything happen in Freetown as a result of the 4,000
10 soldiers being released from Pademba Road Prison?

11 A. Yes. Well, those soldiers, some of them, who were
12 disgruntled and decided to join us. Some decided to join the
13 ECOMOG. And alas, they were executed. So the ones that came up
14 to us, they were not under control and, later on, those were the
15 people that went and caused some problems.

16 Q. What problems did they cause?

17 A. Well, they were burning houses. They were shooting
18 unnecessarily. Avenging. Had grudges. What had happened during
19 the intervention, the way they were treated and jailed, killed
20 some of them by time, some of them burnt them, burnt their
21 houses. So when they were released they too revenged in the same
22 way.

23 Q. Did you see any of those 3 -- 4,000 soldiers burning any
24 houses?

25 A. Well, I saw two of the men that we had released. One of
26 them was called Kontobi. He had surrendered. I stopped him when
27 I heard the information. I said next time that was not ideology
28 that Five Star General had given to us.

29 Q. Where were the houses being burnt in Freetown?

1 A. From East End Police, the east coast of the Western Area.

2 Q. And did you see any of the 4,000 soldiers killing anyone?

3 A. Well, these 4,000 soldiers, I didn't actually see where
4 they killed anyone. No, I didn't see anywhere, but I got
5 information that they were the ones performing badly.

6 Q. Apart from killing and burning of houses, did they do
7 anything else?

8 A. Well, they were cutting people's hands and doing some other
9 things that wasn't necessary in our movement, when Five Star
10 General had called a muster parade and explained to us, so they
11 were just going about doing things.

12 Q. Apart from killing, cutting hands and burning houses, did
13 they do anything else?

14 A. Well, I was at the front. It was through radio
15 communication I used to get information.

16 Q. And these 4,000 soldiers, who was their commander?

17 A. Well, those 4,000 soldiers didn't have any commander. They
18 didn't have any commander. They were surrendered soldiers. When
19 we released them, they were mad. They had lost some of their
20 senses.

21 Q. Mr Witness, did you eventually get back to the State House?

22 A. Well, I went there, yes.

23 Q. And who was in charge of the State House? Who was the
24 commander in charge of the State House?

25 A. FAT Sesay. He was the commander at State House. FAT
26 Sesay. Supported by O-Five operation commander and other
27 commanders, like Bobson Alimamy Yapo Sesay and Alabama, they were
28 all around at State House.

29 Q. Did FAT Sesay do anything while he was at the State House?

1 A. Yes, sir.

2 Q. What did he do?

3 A. Well, he went over the international media and spoke to the
4 international world and told them what our motive was. That was
5 our coming to the city.

6 Q. And how did he come or how did he communicate with the
7 international media?

8 A. It was through a satellite phone.

9 Q. Were you present while he was communicating to the
10 international media?

11 A. Yes, I was a commander. I was there at State House when he
12 was communicating.

13 Q. Do you know who he was communicating with?

14 A. Well, he was talking to the international world, to tell
15 them about our problems as SLAs, what our motives were towards
16 the city, that we had come to reinstate the national army. The
17 international world knew about our arrival in the city, that we
18 had come to reinstate our national army. We were soldiers.

19 PRESIDING JUDGE: Perhaps, Mr Daniels, if you could ask the
20 witness to answer your questions, instead of volunteering all of
21 this information. I don't know whether you want it or not, but I
22 do know that the last question was: Do you know who he was
23 communicating with? He still hasn't answered that.

24 MR DANIELS: I will clarify, Your Honour, and I will take
25 the cue.

26 Q. Do you know who FAT was communicating with? Please listen
27 to the question or. I beg your pardon, who was the FAT
28 communicating with?

29 A. Well, FAT, he was communicating -- I don't know the exact

1 person but he was communicating with the international world.

2 Q. Thank you. And I have to ask this question again: Was the
3 second accused present at the State House at this time?

4 A. I didn't even see him from the rear, I didn't see him.

5 Q. And for how long were you at the State House? How long did
6 you stay there for?

7 A. Well, it was only four or five hours. From then on, I
8 moved.

9 Q. Where did you move to?

10 A. I went to the front.

11 Q. And for how long did the troops remain in Freetown?

12 A. Well, the troop, the troop was in the city. Up to two,
13 three weeks. Two weeks. Around, yes, two to three weeks.

14 Q. And did anything happen during those two to three weeks
15 while the troops remained in the city?

16 A. Yes, sir.

17 Q. What happened?

18 A. Well, the ECOMOG forces repelled the attack from the front
19 and the rear. They appeared from Jui to the east coast of the
20 Western Area. They appeared from the west to central so we were
21 in the middle. So they were bombarding seriously. The jet was
22 bombarding within the city. They shot different artilleries, so
23 through that, we withdrew tactically.

24 Q. At this time, Mr Witness, were you still with the
25 civilians?

26 A. No, the civilians were at the rear. At the headquarters.

27 Q. And where did you withdraw to?

28 A. We withdrew from the route we had used to enter, that was
29 the same route we had used to withdraw by the east coast of the

1 Western Area, Allen Town area.

2 Q. And what was the date that you withdrew from Freetown, if
3 you remember?

4 A. I can't recall the date because --

5 THE INTERPRETER: Your Honour, I didn't get the last word.

6 MR DANIELS:

7 Q. Please repeat what you said. You cannot remember?

8 A. I cannot recall the date. Because all of us, we didn't
9 move on the same day and the same hour. We moved in batches.

10 Q. And from Allen Town, where did you go to?

11 A. From Allen Town, we went to Lion Mountain. Up the hill.

12 Q. And how long did you spend at Lion Mountain?

13 A. Well, we were up the Lion Mountain for 72 hours. We were
14 finding a route out.

15 Q. Did you find a route out?

16 A. Yes, sir.

17 Q. And what route was this?

18 A. We used, the first route was -- was the back of Allen Town,
19 that was where we used.

20 Q. To go where?

21 A. To go to the Lion Mountain to go towards Benguema Waterloo
22 Barracks.

23 Q. Did you get to Benguema Waterloo Barracks?

24 A. Yes, sir.

25 Q. And who was at -- who were the senior commanders at
26 Waterloo Barracks with you, Benguema Waterloo Barracks?

27 A. It was FAT who was the senior commander at Benguema
28 Barracks.

29 Q. And how long did you spend there?

1 A. Well, we stayed in Benguema Barracks up to two, three weeks

2 or a month.

3 Q. And from Benguema Barracks, did you go anywhere?

4 A. Yes, sir.

5 Q. Where did you go to?

6 A. Well, we formed an operation for Tombo.

7 Q. Who are "we"?

8 A. I, Mr Witness, O-Five, Junior Lion, Alimamy Bobson Yapo

9 Sesay and Ashim and Alabama. We took up the movement for Tombo
10 operation.

11 Q. Did anything happen at Tombo? What happened, if anything
12 did?

13 A. Yes, we were not fit to capture Tombo. So we lost some
14 soldiers there, so -- so we retreated to Benguema Barracks.

15 Q. And from Benguema Barracks, did you go anywhere?

16 A. Yes, sir.

17 Q. Where did you go to?

18 A. From there, I went to Lumpa, back of Waterloo. Lumpa.

19 Q. Did anything happen at Lumpa?

20 A. Yes, sir. From there, we started having serious attacks
21 from every angle. Serious offensive attack from ECOMOG forces.

22 Q. So how long did you stay at Lumpa?

23 A. Well, Lumpa, I, for instance, I, Mr Witness, I was at the
24 blocking force. I was there for up to two weeks at Lumpa.

25 Q. And from Lumpa, did you go anywhere?

26 A. Yes, sir.

27 Q. Where did you go to?

28 A. To Four Mile, Four Mile, Four Mile. That is where we went
29 to.

1 Q. Who did you go with to Four Mile?

2 A. I and Junior Lion and O-Five. Together with Bobson Alimamy
3 Yapo Sesay and our main.

4 Q. Did anything happen at Four Mile?

5 A. Yes, sir.

6 Q. What happened?

7 A. Well, we had a serious enemy attack at Four Mile.

8 Q. What happened?

9 A. Well, we fought. We fought and we were dislodged from Four
10 Mile. We have moved, the ECOMOG troop.

11 Q. Where did they move you to?

12 A. Well, from Four Mile, I blocked Sumbuya, Sumbuya.

13 Q. I have to ask this question: At this time was the second
14 accused, was he with you at Four Mile?

15 A. No. I didn't see him. I didn't see him. He was not with
16 us. No.

17 Q. Was he with you at Sumbuya?

18 A. No, no.

19 Q. And for how long were you at Sumbuya?

20 A. Well, I was in the fighting team, I was in Sumbuya for up
21 to a month as a blocking force.

22 Q. Do you recall the exact dates or the month that you were at
23 Sumbuya?

24 A. Well, I can only remember that it was in 1999, but I cannot
25 recall the month because it was operation time.

26 Q. From Sumbuya, did you go anywhere?

27 A. Yes.

28 Q. And at this time, apart from the commanders you just
29 mentioned, were you with any other soldiers?

1 A. Yes, sir.

2 Q. About how many were you?

3 A. I, Mr Witness, for instance, I was with 264 manpower as
4 fighting team. My own company G company. And the other
5 commanders were with their men.

6 Q. Do you know how many men were with the other commanders?

7 A. Well, I only knew about my own men. I didn't know about
8 the other men because casualty used to take place so you wouldn't
9 be able to know the next man's strength.

10 Q. And at this time where were the civilians?

11 A. Well, the civilians, they took the civilians, some of them
12 to Lunsar and Makeni. Some of the civilians, again, who were
13 willing to join us, they were with us. At the rear.

14 Q. Who was in charge of the civilians?

15 A. It was the G5 commander, Six Finger. Ayo Cole.

16 Q. From Sumbuya, did you go anywhere?

17 A. Yes, sir.

18 Q. Where did you go to?

19 A. From there, we went to Magbeni.

20 Q. Where is Magbeni?

21 A. Back of Masiaka.

22 Q. And how did you get to Magbeni?

23 A. On foot. Road walk.

24 Q. And for how long were you at Magbeni?

25 A. Well, we were at Magbeni for three or four hours because we
26 were having pressure from ECOMOG air raid and the infantry was
27 rat racing us.

28 Q. From Magbeni, did you go anywhere?

29 A. Yes, sir.

1 Q. Where did you go?

2 A. We crossed Rokel River, to Rogberi. Rogberi.

3 Q. How did you cross the Rokel River?

4 A. Well, the Rokel River we crossed, we flanked side by side.

5 We went up to half a mile. We tried to locate an area that

6 wasn't deep, an area that wasn't deep, so we held each other's

7 clothes and crossed the river and went to Rogberi itself.

8 Rogberi Town.

9 Q. Where is Rogberi Town, in what district is it?

10 A. Well, it's in Port Loko District.

11 Q. Does Rogberi have another name?

12 A. Yes, sir. Yes, sir.

13 Q. What is that name?

14 A. West Side. West Side.

15 Q. Who led the crossing over to Rogberi?

16 A. Well, I was the commander. I crossed. I crossed and

17 captured there from the enemies' hand. I and Junior Lion

18 commander, but it was I who crossed with my own troop. We

19 captured the base, Rogberi Town, which is called West Side.

20 Q. Did the civilians cross with you?

21 A. Well, yes, they crossed with us.

22 Q. And when you got to Rogberi, do you recall the date you got

23 there?

24 A. I cannot recall the date. But I can recall the year.

25 Q. And while you were at Rogberi, did anything happen?

26 A. Yes, sir.

27 Q. Please tell the Court.

28 A. Well, Rogberi, we met force of armed men, ECOMOG and the

29 Gbethis and Kamajors, they were at Rogberi, so, I moved them from

1 Rogberi. From there, Junior Lion, he was the commander. So he

2 said we should block Rogberi. He called the town West Side.

3 Q. How did you move the enemy force?

4 A. Through firing power. Through firing power.

5 Q. And after, did you eventually settle at the West Side?

6 A. Yes, sir.

7 Q. So at the time you were at the West Side, who was the

8 overall commander?

9 A. It was FAT Sesay.

10 Q. And who was his second in command?

11 A. Junior Lion. Junior Johnson, alias Junior Lion.

12 Q. And after you settled at the West Side, did anything

13 happen?

14 A. Yes, sir.

15 Q. What happened?

16 A. Well, Junior Lion organised an operation towards Port Loko

17 because he had got information that the ECOMOG troop of Port Loko

18 which were Malians and Guineans and Nigerians, supported by

19 Gbethis and Kamajors, were preparing operation to dislodge us at

20 West Side base.

21 Q. Do you know how Junior Lion got this information, that the

22 Kamajors, Gbethis and ECOMOGs were about to launch an operation

23 at the West Side?

24 A. Yes, sir.

25 Q. How did he get this information?

26 A. He got the information through the patrol team that he had

27 sent on food-finding, so they captured the civilian who revealed

28 the information, who was a Gbethi. He gave the information to

29 Junior Lion that they were on a brigade operation to dislodge the

1 West Side base, to capture all of us alive and bring us to the
2 city.

3 Q. And did Junior Lion do anything as a result of this
4 information?

5 A. Yes, sir.

6 Q. What did he do?

7 A. Well, in my own battalion, I, Mr Witness, my own battalion,
8 Junior Lion called for a muster parade and when he called for a
9 muster parade he selected the commanders who were supposed to go
10 on the offensive attack to Port Loko.

11 Q. Who were the commanders that were supposed to go on the
12 offensive attack to Port Loko?

13 A. One, first of all, he was one of the commanders. He was
14 the operation commander and I, Mr Witness, and Bobby Sherrif,
15 alias, Cambodia.

16 Q. Did you go on the offensive attack at Port Loko, or to Port
17 Loko?

18 A. Yes, sir, yes, sir. I went on the offensive attack in Port
19 Loko.

20 Q. Do you recall what the date, what time this took place, the
21 date this event took place?

22 A. Well, it was around the 27th of April, 1999.

23 Q. And please describe the offensive attack. What happened?

24 A. Well, what happened, what happened during the attack, when
25 we were going on the offensive, we deployed in one particular
26 area and observed and saw a troop of enemies backed by Kamajors
27 and ECOMOG, well-armed and fortified.

28 Q. Where did you observe the enemies?

29 A. Around Maforki Chiefdom, a place called Manarrma.

1 Manarrma. Manarrma. Manarrma. That is a place in Maforki

2 Chiefdom. Manarrma. Kontoba.

3 JUDGE SEBUTINDE: I am sorry to interrupt the evidence. Is
4 this period relevant to the indictment, April '99?

5 MR DANIELS: Your Honours, I believe the evidence is that
6 the accused were responsible for an attack in Manarrma and I
7 believe that April is the cut-off date for Port Loko, as per the
8 indictment.

9 JUDGE SEBUTINDE: Can you check that fact, because in my
10 indictment it's February 1999.

11 MR DANIELS: I just -- with the Court's indulgence for one
12 moment.

13 MR HARDAWAY: Actually, Your Honour, as it relates to Port
14 Loko, Count 50 it says between February '99 and April '99.

15 JUDGE SEBUTINDE: That settles it, Mr Daniels. Proceed.

16 MR DANIELS: Thank you, very much, Your Honour.

17 Q. Mr Witness, so you told this Court that you saw -- I'm
18 sorry about that, you said you launched an offensive in the
19 Maforki Chiefdom at the town of Manarrma; is that correct?

20 A. Yes, sir. Yes, sir.

21 Q. Who instructed you to go on this offensive?

22 A. Junior Johnson, alias, Junior Lion.

23 Q. And what happened?

24 A. Well, we met armed men in the village, the Gbethis, the
25 Kamajors, who were supported by the ECOMOG, who were at the rear.
26 So we met a woman, who went with arms and ammunition, with a bag
27 of money.

28 THE INTERPRETER: The interpreter is sorry, this area is
29 not clear with the role there. It's not clear to the

1 interpreter.

2 MR DANIELS:

3 Q. Mr Witness, you said you met a woman with a bag of money.

4 Please carry on from there.

5 A. From there, we met this woman distributing arms and

6 ammunition to the Gbethis and Kamajors at Manarrma, so there

7 Junior Lion said, "Now, look at our enemies, now we should launch

8 an offensive attack because they are distributing ammunitions and

9 arms amongst themselves." So we launched the offensive attack.

10 We overpowered them, so the woman, she was cut off. When she was

11 in that situation, Junior Lion captured her. That was the time

12 she produced the one bag of money and gave it to Junior Lion.

13 Then she told Junior Lion, "Commander, please don't kill me."

14 Junior Lion then said, "Madam, look, we, are fighting anywhere we

15 see arms and ammunition in the hands of people, that person will

16 declare him as an enemy. Now, you came with arms and ammunition,

17 give them to the Gbethis and Kamajors and with money. Now we

18 have captured you, finally, you are going to lose your life."

19 Junior Lion said so. From there, he passed an order to me,

20 Mr Witness, to execute the woman and I gunned her down. From

21 there, he ordered one of his security called Adaquu, he said

22 Adaquu, should capture the other woman who was pregnant. Junior

23 Lion said Adaquu should kill the woman. Adaquu, took a stick and

24 beat the woman on her stomach until the woman died. From there,

25 Junior Lion said we had, we were successful and that we should

26 advance to Port Loko at a place called Schlenker. From there, we

27 moved for the Schlenker secondary school in Port Loko.

28 Q. Mr Witness, how soon after the execution of the woman that

29 you just described did you move to Schlenker secondary school?

1 A. Well, after the operation, it was just about an hour, you
2 know, and Junior Lion ordered that we should move.

3 Q. And where is Schlenker secondary school?

4 A. In Port Loko town. That is where the Schlenker secondary
5 school is.

6 Q. And did you get to Schlenker secondary school?

7 A. Yes, sir.

8 Q. And did anything happen at Schlenker secondary school?

9 A. Yes, sir. Yes, sir.

10 Q. Please tell us.

11 A. Well, what happened at this Schlenker secondary school, we
12 met a troop. Malians. They were based there, at the secondary
13 school. That was their brigade headquarters, so we used a bypass
14 road tactically and they had heard an information and they made
15 an ambush and we bypassed the ambush, so we went on the assault
16 at the Schlenker secondary school and we captured two Malians and
17 we captured all the ammunitions and we burnt down the tanks and
18 the armoured cars. And we dislodged them from that area. And we
19 went back where we came from, tactically, with all the arms and
20 ammunitions that we captured from the Malians and we captured two
21 prisoners who were Malians. So we brought them to our base which
22 was the West Side. The West Side base.

23 Q. And after you arrived, having captured the two Malian
24 prisoners of war at the West Side base, did anything happen?

25 A. Well, it wasn't in the -- it wasn't at the West Side base
26 that we captured them, it was at the Schlenker secondary school
27 and when we captured them from there, we went with them to our
28 own base.

29 Q. And when you went back to the West Side, was the second

1 accused present?

2 A. No, sir, no, sir. No, sir. I didn't see him.

3 Q. Did you ever get to hear that the second accused was
4 present at the West Side?

5 A. No, sir.

6 MR DANIELS: Your Honour, I have no further questions for
7 this witness.

8 PRESIDING JUDGE: Yes. Thank you, Mr Daniels. Other
9 Defence counsel, do you wish to cross-examine?

10 CROSS-EXAMINED BY MR MANLY-SPAIN

11 MR MANLY-SPAIN:

12 Q. Mr Witness, good afternoon.

13 A. Good afternoon, sir. Good afternoon, sir.

14 Q. Mr Witness, yesterday, in the beginning of your -- at the
15 beginning of your evidence you said to the Court that you were
16 here to defend the second accused; am I right?

17 A. Yes, sir.

18 Q. Does that mean that you are here to lie on his behalf?

19 A. No, I'm here to say the truth. What had happened.

20 Q. And does that mean that you have come to talk as a witness
21 of facts that you know about?

22 A. Yes, sir. I'm here to talk about the facts I knew while I
23 was in the field, what I saw as a soldier and what I did myself
24 and I was under command.

25 Q. Thank you, Mr Witness.

26 A. The command of Junior Lion.

27 Q. Thank you, Mr Witness. Mr Witness, I want you to recall
28 your evidence yesterday about the year 1997?

29 A. Repeat sir.

1 Q. I want you to remember your evidence yesterday about the
2 month May 1997, at the time of the coup?

3 A. Yes, sir.

4 Q. On the day of the coup, did you go to Cockerill
5 headquarters?

6 A. Well, no, sir.

7 Q. Thank you, Mr Witness?

8 A. Thank you, sir. May God bless you.

9 Q. On the day of the coup, Mr Witness, did you see the third
10 accused Santigie Kanu?

11 A. No, sir.

12 Q. I believe you said you had known him before; am I right?
13 The day of the coup?

14 A. Well, I didn't talk about -- about -- I didn't talk about
15 the third accused yesterday. I only talked about the second
16 accused, that I knew him in the army.

17 Q. So let me ask you now --

18 A. I thank you, sir.

19 Q. -- before the day of the coup did you know the third
20 accused, Santigie Kanu?

21 A. No, sir.

22 Q. After the coup, did you hear that he was given any
23 appointment by the AFRC government?

24 A. Yes, sir.

25 Q. What appointment was that?

26 A. As an honourable.

27 Q. Thank you very much. Mr Witness, at the time of the ECOMOG
28 intervention, where were you?

29 A. I was at the western area; the east end coast of the

1 western area.

2 Q. Do you recall what part of Freetown ECOMOG intervened from?

3 A. Yes, sir.

4 Q. What part was it?

5 A. The first area where they started was the Hill Station by
6 Regent. They infiltrated on to the school. From there, we
7 pushed them again to Regent. From there, they used the New Road,
8 the Waterloo Highway, to Calaba Town, to Freetown.

9 Q. Thank you, Mr Witness. Mr Witness, when you said you
10 pushed them, whom did you mean?

11 A. The ECOMOG forces. Those were the ones we pushed. We, the
12 SLAs, we pushed them by the Hill Station towards Regent. That
13 was the first flank they used, before they used the number two
14 flank by the New Road, Waterloo, Calaba Town towards the city.

15 Q. Thank you, Mr Witness.

16 PRESIDING JUDGE: Mr Manly-Spain, can you confine this
17 witness to answering your questions? We don't want a repetition
18 of any of this evidence.

19 MR MANLY-SPAIN: I will try, sir.

20 Q. Mr Witness, at that time did the SLA have a chief of
21 defence staff?

22 A. Yes, sir.

23 Q. And do you know who that person was?

24 A. Yes, sir.

25 Q. Who was he?

26 A. SO Williams. Colonel SO Williams.

27 Q. Do you know whether the SLA had a chief of army staff at
28 that time?

29 A. Yes. I came to understand about that.

1 Q. Can you remember who this person was?

2 A. I cannot recall. I have forgotten because it has taken a
3 long time.

4 Q. Thank you, Mr Witness. Mr Witness, on whose -- did you
5 fight against the intervention force on anybody's order?

6 A. Yes, sir. Yes, sir.

7 Q. On whose order did you fight?

8 A. Chairman Johnny Paul Koroma.

9 Q. At that time where was Chairman Johnny Paul Koroma?

10 A. He was at Spur Road, near the British High Commission. The
11 British High Commission, by Spur Road, on the right-hand side.

12 Q. Thank you, Mr Witness. Mr Witness, can you recall how long
13 during this period you resisted ECOMOG, during this period of
14 intervention?

15 A. Yes. We resisted a little bit but later on --

16 Q. No, no, please --

17 A. Okay.

18 Q. I just want the number, days or hours?

19 A. Yes, yes.

20 Q. Do you know how long?

21 A. It was about -- it was within a month. Two to three weeks.

22 Q. Thank you. Mr Witness, at the time you were resisting
23 ECOMOG did you have any senior officers of the SLA fighting with
24 you?

25 A. Yes, sir.

26 Q. Can you recall who they were?

27 A. Yes, sir.

28 Q. Please tell this Court.

29 A. Well, we had SLA officers like Lieutenant Eddie, Lieutenant

1 Akim, and we had Lieutenant T.

2 Q. Thank you, Mr Witness. Mr Witness, I want you to recall
3 the period that the AFRC was now in power; when they were in
4 power before the intervention?

5 A. It was in 1997, when the AFRC took over the government of
6 the SLPP.

7 Q. Thank you. During this period, do you recall any attacks
8 on the city of Freetown?

9 A. Yes.

10 Q. Do you know who were attacking Freetown?

11 A. Well, it was the ECOMOG that attacked Freetown.

12 Q. And do you recall any particular attack?

13 A. Yes, sir.

14 Q. Do you recall the date of that attack?

15 A. Well, I cannot recall the date, sir.

16 Q. Do you recall the date June 2, 1997? The 2nd of June 1997?

17 A. Yes, sir.

18 Q. Do you recall whether anything happened in Freetown,
19 whether there was any attack by ECOMOG?

20 A. Yes, sir.

21 Q. Do you remember where this attack took place?

22 A. Aberdeen.

23 Q. As a result of that attack, do you recall whether anything
24 happened?

25 A. Yes, sir. Yes, sir.

26 Q. Please tell the Court.

27 A. Well, through the attack, which occurred between the SLA
28 and ECOMOG soldiers, we overcame the SL -- the ECOMOG soldiers
29 and we captured up to 350 ECOMOG soldiers as prisoners of war.

1 We moved them to the military headquarters, at Cockerill.

2 Q. Thank you, sir. Apart from the capture, do you recall how
3 ECOMOG attacked at Aberdeen?

4 A. Yes, sir.

5 Q. Can you tell the Court how?

6 A. Yes, sir.

7 Q. Please tell the Court.

8 A. Well, the ECOMOG troops, they were deployed at Aberdeen.
9 They deployed at two flanks; the right and the left flank. They
10 found arrow head information, two flanks.

11 Q. Yes.

12 A. So, when they deployed, the arrow head information two
13 flanked, they opened suppressive --

14 PRESIDING JUDGE: Just for the record, I think the
15 interpreter means arrow head formation, not arrow head
16 information.

17 MR MANLY-SPAIN: Formation, yes. That is so. It was
18 formation, not information.

19 THE WITNESS: Two flank formation. Two flank formation.
20 It is a military language; arrow head formation. Two flanks.
21 This way. Two flanked formation, formation.

22 PRESIDING JUDGE: Mr Witness --

23 MR MANLY-SPAIN: Let me ask the question.

24 PRESIDING JUDGE: Mr Witness, I understood you perfectly.
25 I know what an arrow head formation is.

26 THE WITNESS: Okay.

27 PRESIDING JUDGE: I was correcting the interpreter when he
28 said information instead of formation. Go ahead, Mr Manly-Spain.

29 THE WITNESS: Okay.

1 MR MANLY-SPAIN: Okay.

2 Q. My question is directed to you, which I am directed, if I
3 should guide you, is that after this attack did anything happen
4 to the town of Freetown?

5 A. Yes, sir.

6 Q. What was it?

7 A. Well, there was serious firing in the city. Serious
8 firing. And the SLPP government was overthrown. So there was
9 serious firing and the ECOMOG soldiers in the city were captured.
10 So that was what happened.

11 Q. You said that there were attacks on Freetown by ECOMOG. Do
12 you know where ECOMOG was attacking from?

13 A. Yes, sir.

14 Q. Where was that?

15 A. They came from Kossoh Town and attacked at the highway,
16 Calaba Town, to Wellington. That was, those were the areas they
17 attacked frequently.

18 Q. Do you know with what they were attacking?

19 A. They attacked with air raid, gunship, tanks and armoured
20 cars, including four barrels, and an AA one barrel, and rifles.

21 Q. Do you know what was the result of these attacks?

22 A. Yes.

23 Q. What was the result?

24 A. The result was casualties. Casualties was the result.
25 Casualties.

26 Q. Who suffered the casualties?

27 A. Well, we suffered, and the civilians suffered the most.
28 The civilians suffered the most. More than us, the soldiers.

29 Q. Can you remember any area in Freetown where civilians

1 suffered these casualties?

2 A. Yes, sir.

3 Q. Where was that?

4 A. The first area is Mabela. Mabela.

5 Q. I can spell that. It's M-A-B-E-L-A. Where is Mabela, in
6 Freetown?

7 A. Mabela is located at the central part of Freetown; the
8 central part of Freetown.

9 Q. Yes. Do you remember how many people died there as a
10 result of this ECOMOG attack?

11 A. Well, yes, I am unable to recall the number of people but
12 there were casualties; civilians died a lot there. A lot of
13 civilians died because the bomb that was dropped there was 120mm
14 bomb. So it exploded and killed a lot of civilians.

15 Q. Thank you.

16 A. And everybody in this country knew about it.

17 Q. Do you know where this gun was fired from, or bomb was sent
18 from? Did you say gun, 120mm gun?

19 A. Yes, sir. Yes, sir.

20 Q. And do you know where it was fired from?

21 A. It was from Lungi, Lungi. From Lungi. It was from there
22 they fired them into the city. They were not -- they never cared
23 whether - whosoever they killed so for us, the soldiers, we were
24 tactful to conceal ourselves.

25 Q. Did you know at the time whether there was any fighting
26 force at Lungi?

27 A. Yes. There was a fighting force in --

28 THE INTERPRETER: The interpreter is sorry. The
29 interpreter is getting problem from the attorney, when there is

1 an overlap of the mics so --

2 MR MANLY-SPAIN: Sorry, Your Honour.

3 PRESIDING JUDGE: Well, I think we will take a lunch break
4 anyway. Is that going to disrupt this particular --

5 MR MANLY-SPAIN: No, no. I will proceed from there.

6 PRESIDING JUDGE: Well, Mr Witness, I will give you the
7 usual warning. We are going to take a lunch break now. Please
8 don't discuss your evidence or the case with anybody. We will
9 adjourn the Court until 2.15.

10 [Luncheon recess taken at 12.50 p.m.]

11 [AFRC06OCT06C - MD]

12 [Upon resuming at 2.15 p.m.]

13 PRESIDING JUDGE: Yes. Continue, Mr Manly-Spain.

14 MR MANLY-SPAIN: Thank you, Your Honour.

15 Q. Mr Witness, good afternoon. Mr Witness --

16 A. Yes, good afternoon, sir.

17 Q. Mr Witness, you have told us about the attack by ECOMOG on
18 Mabela; did you personally see the civilians who died?

19 A. Yes, sir.

20 Q. And where did you see them?

21 A. I saw them in Mabela, where the bomb exploded.

22 Q. And do you know whether any person belonging to the Sierra
23 Leone Army died in that attack?

24 A. No, sir.

25 Q. Did any of them die there?

26 A. No, sir. It was only civilians that died.

27 Q. Mr Witness, can you recall how often ECOMOG attacked
28 Freetown during this period, from Lungi?

29 A. Go over it again, sir.

1 Q. Do you know, or do you remember how often ECOMOG attacked
2 Freetown from Lungi, during this period of the AFRC?

3 A. Yes.

4 Q. How often was it?

5 A. Well, it was every day and night. They were bombarding
6 from Lungi to the city. Air raid and Alpha Jets, they were also
7 bombarding. Air raid and ground troops and artilleries also.

8 Q. Let us look at the air raids now. Do you know how often
9 these air attacks took place?

10 A. Every day during the day it took place; rapidly. The air
11 raid pressured the city, through bombarding the city.

12 Q. Do you recall anything happening as a result of these daily
13 air raids?

14 A. Yes, sir.

15 Q. Please tell the Court what you remember.

16 A. Okay. The air raid launched bombs, in between New and Old
17 Road Saroula. It killed innocent civilians.

18 Q. Did you see it yourself?

19 A. Yes, yes. Because, as for me, I like to prove certain
20 things with my naked eyes. I went out there and I saw it with my
21 own eyes.

22 Q. And do you know how many people died there, the civilians
23 you talk about?

24 A. Well, the civilians, I will not be able to tell you the
25 number, because it was both children, pregnant women, men. I
26 would not be able to tell you the number of the people that had
27 casualties, or that the jet bombarded.

28 Q. Thank you, Mr Witness. Mr Witness, do you recall any other
29 particular air raid? Do you recall any other particular air

1 raid?

2 A. Yes, sir.

3 Q. Which one do you recall?

4 A. Water Quay. Water Quay. Down by the Savage Square area,
5 Water Quay.

6 Q. Yes. Where is that in Freetown?

7 A. In the east part of Freetown.

8 MR MANLY-SPAIN: I don't know, Your Honours, Water Quay,
9 W-A-T-E-R. Q-U-A-Y.

10 Q. Do you know that place by any other name?

11 A. Deep Water Quay. Deep Water Quay.

12 Q. Do you know what work is being done there?

13 A. Yes, sir.

14 Q. What work is being done there?

15 A. At Water Quay, the ships dock there. They normally come
16 with containers for the country.

17 Q. So what do you remember happening there?

18 A. Well, what I can remember, a particular day, because my
19 house is down by that side, I was at Savage Square down by the
20 Water Quay gate, I saw the Alpha Jet. A Ukraine ship was there,
21 that came with food, which was rice for, for the suffering people
22 together with bulgar, so the jets got the information that the
23 ship had docked.

24 Q. [Overlapping speakers]

25 A. The cluster bomb.

26 PRESIDING JUDGE: [Overlapping speakers] -- got information
27 that the ship had docked --

28 MR MANLY-SPAIN: That is why we stopped.

29 PRESIDING JUDGE: [Overlapping speakers] just none of his

1 embellishments.

2 MR MANLY-SPAIN: Yes, I take the point.

3 Q. Please, Mr Witness, just go straight to the answer. If you
4 can just say "yes," okay or "no," okay. When you have to
5 explain, just explain the facts and don't tell us about
6 information and things like that. So you said you saw this Alpha
7 Jet drop what?

8 A. Cluster bomb.

9 Q. On what did they drop the cluster bomb?

10 A. They were dropped on the buildings where -- at the Water
11 Quay, where they used to keep goods.

12 Q. And did you go there yourself at any time after that?

13 A. Yes, sir.

14 Q. What did you notice?

15 A. I saw the destruction that the jets did.

16 Q. Destruction of what?

17 A. It bombarded the building. The building came down.

18 Q. Thank you, Mr Witness. Mr Witness, do you recall October
19 1997?

20 A. Well, I'm unable to remember that date.

21 Q. Thank you. Do you recall any Alpha Jet attack on the
22 military headquarters at Cockerill Freetown?

23 A. Yes, sir.

24 Q. Did you go to Cockerill on that day?

25 A. No, sir.

26 Q. Do you know what happened there?

27 A. Yes, sir.

28 Q. Please tell the Court what you know.

29 A. Well, the next day, I went there but the day that the thing

1 happened I was afraid of the bombardment, I didn't go down there.

2 The next day, I saw the jet, the Alpha Jet, by the admin. The
3 jet bombed the admin and brought the building down.

4 Q. Thank you, Mr Witness. Mr Witness, I want to move on now
5 to the period after the intervention. Mr Witness, you said that
6 you withdrew at Masiaka. You met military officials and
7 civilians.

8 A. Yes, sir.

9 Q. Do you know who these civilians are, the civilians were?

10 A. Yes, sir.

11 Q. Who were they?

12 A. Well, they were the civilians who were willing to follow
13 us.

14 Q. Did you know any of them?

15 A. Yes, sir.

16 Q. Did you have any relationship with any of them?

17 A. Yes, sir.

18 Q. What relationship did you have?

19 A. Because we were all first class citizens of the country and
20 we know ourselves, facially and normally we do talk to each other
21 once in a while. That's the relationship that we had.

22 Q. Apart from that let me put it direct to you: Did you have
23 any family with you when you pulled out of Freetown?

24 A. Yes, sir.

25 Q. Without calling names, whom did you have with you? Who was
26 your family?

27 A. Well, my brother, with my sister, they were with me.

28 Q. Thank you. Do you know whether any of the troops that were
29 at Masiaka have brothers and sisters, mothers, with them, for

1 example?

2 A. Go over it again, sir.

3 Q. I'm asking you whether any other of the troops you were
4 with at Masiaka had their brothers, their mothers, their sisters,
5 et cetera, with them?

6 A. Yes, sir.

7 Q. Are they the civilians you were talking about?

8 A. Yes, sir.

9 Q. Thank you, Mr Witness. Mr Witness, you said that after
10 Masiaka you decided to go to Makeni and you made your way to
11 Makeni; is that so?

12 A. Yes, sir.

13 Q. And you also said that after Makeni you went -- you decided
14 to go to Kabala?

15 A. Yes, sir.

16 Q. What made you decide to go to Kabala?

17 A. Because of the pressure of the ECOMOG and the air raid,
18 they started advancing towards Makeni. That was why I withdrew
19 and I went to Kabala.

20 Q. Okay. At Masiaka, you told this Court about a broadcast
21 made by Johnny Paul Koroma on the international radio; am I
22 right?

23 A. Yes, sir. You are correct, sir.

24 Q. In that broadcast, did you hear Johnny Paul Koroma declare
25 an operation called Operation Pay Yourself?

26 A. No, sir. The operation that I heard was Operation Pave
27 Your Way to the Rear. Not Operation Pay Yourself, but Operation
28 Pave Your Way. Pave. Pave. Pave Your Way. Operation Pave
29 Yourself Way, not Operation Pay Yourself but Operation Pave Your

1 Way.

2 Q. To the rear?

3 A. To the rear.

4 Q. [Overlapping speakers] Mr Witness --

5 A. Yes, sir.

6 Q. -- you decided to go to Masiaka, Kabala. I want to ask you
7 since you left Freetown, until you get to Masiaka, were you and
8 your forces fighting with anybody?

9 A. No, no, we were running away.

10 Q. And you said you met with pressure. Pressure from whom?

11 A. Pressure from the ECOMOG force and the air raid.

12 Q. Sir, I want you to tell me now, bit by bit, when you were
13 crossing from Tombo to Fogbo did you fight with ECOMOG?

14 A. No. We were on the run. We avoided enemy attack. We
15 retreated tactically without no firing. Skilfully.

16 Q. Up to where were you in this mode retreating tactically and
17 not fighting anybody? Where did you get to in that sequel?

18 A. Excuse me, repeat it again, sir.

19 Q. You said you were running away. You were escaping
20 tactically. Up to where did you get when you were escaping
21 tactically?

22 A. Well, we retreated tactically to the Northern Province,
23 Koinadugu District.

24 Q. And, Mr Witness, at the time you were recruiting [sic],
25 what was the position with regard to the soldiers' arms and
26 ammunition?

27 A. Well, we didn't have arms and ammunition. We had lack of
28 arms and ammunition. We had only one armed rifles or two arms
29 rifle.

1 Q. Thank you, Mr Witness. Mr Witness, when you were
2 retreating you said you did not fight with ECOMOG. Were you
3 attacking civilian population?

4 A. No, no, sir.

5 Q. Were you kidnapping or abducting civilians to go with you
6 at that stage?

7 A. No, sir. No, sir.

8 Q. When you were moving from Makeni to Koinadugu, am I right
9 that you went from Makeni to Koinadugu, Kabala, Koinadugu?

10 A. Yes, sir, you are correct.

11 Q. How long did it take you?

12 A. Well, from Kabala to Koinadugu, we spent a month between
13 Kabala and Koinadugu. We wasted time at Kabala and after that we
14 went to Koinadugu, so we spent a month.

15 Q. At that time, when you arrived at Koinadugu, before you
16 went to Kabala, did the troops you were with, did they have a
17 commander?

18 A. Well, we came first from Kabala before we went to
19 Koinadugu. Koinadugu is beyond Kabala.

20 Q. Thank you, Your Honour. I'm asking you whether, when you
21 were moving to Koinadugu, first of all, the troops you were with,
22 did you have a commander?

23 A. Yes, sir, I had a commander.

24 Q. Who was that person?

25 A. Five Star General SAJ Musa.

26 Q. Do you know, Mr Witness, whether there was any, or whether
27 there were any other groups moving towards Kabala which were not
28 part of you with the Five Star General?

29 A. Yes, sir.

1 Q. Which groups were you aware of?

2 A. I was aware of the RUF group and the STF.

3 Q. Thank you. Mr Witness, when you were going now to Kabala,
4 did you do any attack on any towns on your way, or villages on
5 your way?

6 A. No, sir. No, sir.

7 Q. You have mentioned the STF; what does it stand for, STF?

8 A. Special Task Force. Special Task Force.

9 Q. Were they SLA soldiers?

10 A. No, sir.

11 Q. Who were they?

12 A. Well, they were a special group from Liberia who came and
13 stayed at Brookfields Hotel.

14 Q. Do you know what they were doing in Sierra Leone?

15 A. Yes, sir.

16 Q. What were they doing?

17 A. They were saying that they were soldiers.

18 Q. Yes; what were they doing?

19 A. They had arms.

20 Q. When did you first come across STF in Sierra Leone, these
21 Liberians?

22 A. Well, the first time that I met them was through NPRC time,
23 when they came from Liberia. When they came with Colonel Koroma,
24 who was the STF commander, with General Bropleh. That was where
25 I came to know that they were the people that were referred to as
26 STF.

27 Q. Thank you. I think Bropleh is B-U-P-L-E-H [sic]. Was
28 General Bropleh a Liberian?

29 A. Yes, sir.

1 Q. And do you know whether he was with this group at the time
2 you were retreating to Kabala?

3 A. Yes, sir.

4 Q. You said that they came at the time of the NPRC. Do you
5 know whether they were fighting alongside the Sierra Leone Army
6 against the RUF?

7 A. Yes, sir. They were assisting the Sierra Leone Army to
8 fight against the RUF.

9 Q. And they, I put it to you, were a different group from the
10 RUF?

11 A. Yes, sir.

12 Q. Mr Witness, you mentioned --

13 JUDGE SEBUTINDE: Mr Manly-Spain, it's not clear to me. Is
14 the evidence that the STF were fighting alongside the SLA during
15 the SLPP government or at the time the witness crossed to Kabala?

16 MR MANLY-SPAIN: No, he said --

17 JUDGE SEBUTINDE: What period?

18 MR MANLY-SPAIN: -- they were fighting since the time of
19 the AFRC, the NPRC and the NPRC preceded the SLPP. Well, I will
20 put it to him to clarify.

21 Q. Do you know whether the STF were fighting -- let me clear
22 it. You have said they were fighting since the NPRC period, the
23 STF; is that so?

24 A. Yes, sir.

25 Q. Do you know whether they continued with the Sierra Leone
26 Army during the period of the SLPP government?

27 A. Yes, sir. Yes, sir.

28 Q. And am I right to say that they stayed with the Sierra
29 Leone Army after the overthrow of the SLPP?

1 A. Yes, sir.

2 Q. Thank you. I hope it clarifies it now, Your Honour.

3 Mr Witness, you said that you left Freetown with one Lieutenant

4 Akim and one Lieutenant Savage. At the time you were going to

5 Kabala where -- do you know where Lieutenant Akim was?

6 A. Yes, sir.

7 Q. Where was he?

8 A. Well, he left us at Kabala and he went with Johnny Paul

9 Koroma, the chairman of AFRC, to Kono and Kailahun.

10 Q. Thank you. After that, during your movement to Freetown,

11 did you see this Lieutenant Akim at any time?

12 A. No, sir. No, sir.

13 Q. Okay. Let me ask you now about this Mr Savage who you

14 referred to as Mr Die? Did he retreat with you from Makeni to

15 Kabala?

16 A. Yes, sir.

17 Q. And did he stay there with you?

18 A. No, sir.

19 Q. Do you know where he went to?

20 A. Yes, sir.

21 Q. Where did he go to?

22 A. He was one of the people that escorted the chairman of the

23 AFRC, Johnny Paul Koroma, to Kono.

24 Q. After that, on your movement to Freetown, did you see

25 Savage?

26 A. No, sir.

27 Q. Mr Witness, you also mentioned one Bobson Yapo Sesay, who

28 you said you retreated with from Freetown. Did you see Bobson

29 Yapo Sesay when you were retreating from Makeni to Kabala?

1 A. Yes, sir.

2 Q. And whilst you were at Kabala, did you see him there?

3 A. Yes, sir.

4 Q. Can you tell this Court where else you saw him during the
5 period of -- you have given evidence about? The other places
6 that you saw him?

7 A. Well, the other places that I saw him, I saw him at Colonel
8 Eddie Town. He was working under me. He was my 2IC. I was his
9 commander. He was with me until the time that we came to
10 Freetown until return, so he was with me. He was my 2IC. He had
11 been working under me.

12 Q. I'm putting it to you that is not true?

13 A. It is true.

14 Q. We have evidence before this Court that this person was
15 working under somebody else, and not you?

16 A. Well, the whole SLA troop knew that he was under me, and
17 ask any other soldier, that they would tell you that he was under
18 me, Bobson Yapo Sesay. He was my 2IC. Ask any other person or
19 bring him before me.

20 Q. Do you know anyone called Papa?

21 A. Yes, sir.

22 Q. Was he with you at any time during this movement?

23 A. He was, but he was at the rear. He was under arrest. He
24 was not with me. He was at the rear.

25 Q. Are you telling this Court that it is not true that Bobson
26 was working under this Papa?

27 A. At the time that he had been working under Papa it was
28 during the AFRC time. But when the command structure came to
29 Five Star General he was under me.

1 Q. Thank you, Mr Witness. Mr Witness, I want to jump a bit
2 because this just came up with respect to Bobson. Did you go to
3 any place on your way to Freetown called Karina?

4 A. No, sir. No, sir. I did not go there, sir.

5 Q. Do you know whether this Bobson went to Karina on an
6 attack?

7 A. Well, I was not with the first batch, I was with the second
8 batch. They were with the first batch. So I did not know
9 whether they passed through there. See, I was with the second
10 batch when Five Star sent us.

11 Q. Thank you, Mr Witness. Mr Witness, also, do you know a
12 place -- do you know whether a place called -- I will come to it
13 later, the place has escaped me -- Gbinti. Do you know whether a
14 place called Gbinti was attacked by your troops, on your way to
15 Freetown?

16 A. No.

17 Q. No. What do you mean by "no", you did not pass or you did
18 not attack?

19 A. We did not attack.

20 Q. What would you say if somebody else told this Court that
21 the third accused was ordered and the third accused attack led
22 some of your troops to attack Gbinti; is that true? That is,
23 Santigie Kanu?

24 A. Not to my knowledge. I did not know about that.

25 Q. But you are certain that Gbinti was not attacked?

26 PRESIDING JUDGE: No, by him. Didn't he say his troops did
27 not attack? He didn't say he was certain Gbinti was not
28 attacked.

29 MR MANLY-SPAIN: I said "by your troops on your way to

1 Freetown." That was the question, sir.

2 Q. Let me put it again. Do you know whether the troops you
3 were with, the entire troops, whether Gbinti was attacked on your
4 way to Freetown?

5 A. We did not even pass through there. We did not attack the
6 place.

7 Q. Thank you, Mr Witness. Mr Witness, whilst you were at
8 Eddie Town, do you recall whether any other officers, apart from
9 those you have named, went to Eddie Town?

10 A. Repeat that, sir.

11 Q. At the time you were at Eddie Town, apart from the officers
12 you have named --

13 THE INTERPRETER: Your Honour, would learned attorney wait
14 for interpretation before he poses his questions to the witness.

15 MR MANLY-SPAIN: Thank you. Yes. Can I go on now?

16 THE INTERPRETER: Yes.

17 MR MANLY-SPAIN:

18 Q. Whilst you were at Eddie Town, do you recall whether any
19 other senior officers, apart from those you've named, went to
20 Eddie Town?

21 A. Yes. Except the overall Five Star General, he was the one
22 that went to Colonel Eddie Town. No other officer went there
23 again.

24 Q. Thank you. I believe, Mr Witness, that you mentioned
25 yesterday about a Colonel Mani; am I right?

26 A. Well, Brigadier Mani, he did not come to
27 Colonel Eddie Town.

28 Q. Yes. Where -- did you see him at all whilst you were in
29 the north?

1 A. Well, I saw him at Kurubonla. There I left him when I
2 moved with the second batch.

3 Q. Thank you, Mr Witness. Mr Witness, when you left him, did
4 he have troops with him?

5 A. Well, I was with -- I was under the commander O-Five who
6 was the operation commander, so I was with him. I fought with
7 him under O-Five.

8 Q. I believe you misunderstood my question. Let me put it
9 again. At the time you were leaving, Brigadier Mani, did he have
10 troops with him?

11 A. Yes, sir.

12 Q. And do you know whether there were any Sierra Leone Army
13 officers that remained with him?

14 A. Yes, sir.

15 Q. Do you recall any of their names?

16 A. Yes, sir.

17 Q. Please tell this Court what their names are?

18 A. SO Williams was with him; Lieutenant Ballah was with him;
19 Captain Serry was with him; Lieutenant Tumani was with him.

20 Q. Go slowly. I think Tumani is T-U-M-A-N-I. Yes, go on.

21 A. Lieutenant Saidu was with him. They were the officers who
22 I knew.

23 Q. Thank you.

24 A. Who were with him.

25 Q. What I want to ask you now: Do you know about bush ranks,
26 word in inverted commas, what people have been referring to as
27 bush ranks, as people who have been given ranks in the jungle
28 during this war; are you aware of that?

29 A. Yes, sir.

1 Q. These officers that you have named, were they the ranks you
2 gave to them, you mentioned that they -- were they bush ranks?

3 A. No, sir. They had original ranks from the ministry.
4 Military.

5 Q. That is what you call it; commissioned rank, from the
6 military?

7 JUDGE SEBUTINDE: Mr Manly-Spain, don't overlap the
8 witness, please. We didn't hear what you asked.

9 MR MANLY-SPAIN: Yes, Your Honour. I'm sorry, I apologise.

10 Q. They were fully commissioned officers from the Sierra Leone
11 Army, were they?

12 A. Yes, sir.

13 Q. Thank you, Mr Witness. Mr Witness, I want to ask you the
14 same questions about the officers that were with you at
15 Kurubonla, at Colonel Eddie Town. You mentioned O-Five. What
16 was he -- was he a commissioned officer?

17 A. No, sir. It was bush rank, sir.

18 Q. What was his rank in the bush?

19 A. Well, he was a lieutenant-colonel.

20 Q. What about Eddie?

21 A. Eddie was -- he was a military officer. That was his
22 original --

23 THE INTERPRETER: Your Honours, would the witness go over
24 the last bit of his testimony.

25 MR MANLY-SPAIN:

26 Q. Please go over it again.

27 A. Captain Eddie, he had a military rank from the army, it was
28 not a bush rank. It was a soldier rank, a military rank.

29 Q. Thank you. And what about King, what was his rank?

1 A. King was a cadet officer in the army. He was a lieutenant.

2 Q. Thank you.

3 A. Yes, sir.

4 Q. I want you to, if you can now, tell me if there were any
5 officers with you at Eddie Town who had bush ranks?

6 A. Yes, sir.

7 Q. Please tell this Court?

8 A. Junior Lion, bush rank.

9 Q. Yes. Where you are calling him, please tell us the rank
10 side-by-side; okay?

11 A. Yes, sir. Junior Lion was a colonel.

12 Q. Yes, go on please.

13 A. O-Five, a lieutenant-colonel. Baski was a major. Tito,
14 Salifu Mansaray, was a major. Arthur was a major.

15 Q. What about Foday Bah Marah?

16 A. Foday Bah Marah was a major.

17 Q. Thank you, Mr Witness. Mr Witness, do you know how they
18 got these rankings?

19 A. Yes, sir.

20 Q. How did they get the rankings?

21 A. Well, the rank, Five Star General gave it to them, SAJ
22 Musa.

23 Q. What about you yourself, Mr Witness?

24 A. Well, I got my rank through Five Star General SAJ Musa.

25 Q. And what was your rank?

26 A. I am a major.

27 Q. Thank you, Mr Witness --

28 JUDGE SEBUTINDE: Mr Witness, are we to assume that is a
29 bush rank? It's also a bush rank?

1 MR MANLY-SPAIN: I will ask to clarify.

2 Q. Was your rank a bush rank?

3 A. Yes, sir. It's a bush rank.

4 Q. You say you got it through SAJ Musa?

5 A. Yes, sir. Yes, sir.

6 Q. During your movement to Freetown, do you know whether any
7 other person gave people rank in the bush?

8 A. No, nobody did. Nobody did. Unless Five Star General, he
9 was the only person that gave out ranks.

10 Q. Is it a lie that the third accused, the first accused Tamba
11 Brima, gave ranks to people?

12 A. No, sir.

13 Q. Is it a lie or is it true?

14 A. It's a lie, sir. It's a lie. It's a lie.

15 Q. Do you recall whether the third accused, Santigie Borbor
16 Kanu, was referred to as a brigadier?

17 A. Through Five Star General, at that time these men were
18 under detention, so Five Star promoted him to brigadier, but,
19 when they had this problem, they were not. They came to a
20 standstill.

21 Q. Thank you. Now, since the movement to -- from Eddie Town,
22 do you know whether the third accused took part in any fighting?

23 A. The third accused, he was under arrest. He didn't have any
24 arms with him. He was with security that guided him. He was a
25 coward.

26 Q. Thank you. I believe you've said that. What do you mean
27 that he was a coward?

28 A. That man, even if you give him a chicken to kill, he will
29 shout. He has never been to the front. He's always at the rear.

1 He doesn't like to see blood. If he sees blood it's a problem.

2 That's why I said he was a coward. He was a coward.

3 Q. Over what period did you assess him to come to that
4 conclusion? Was it during your time in the bush or even before
5 the AFRC?

6 A. Well, throughout the AFRC he was a coward man, until we
7 went into the bush. He was a coward man.

8 Q. Thank you, Mr Witness. Mr Witness, you mentioned that SAJ
9 Musa came to Eddie Town in November 1998?

10 A. Yes, sir. Yes, sir. He came to Eddie Town.

11 Q. I want to ask you how long you had been at Eddie Town
12 before SAJ Musa arrived?

13 A. Well, I was there up to two or three weeks before SAJ Musa
14 arrived.

15 Q. During those two weeks that you were there before the
16 arrival of SAJ Musa, was FAT Koroma, FAT Sesay, in Eddie Town?

17 A. Yes, sir. He was a commander. He was there.

18 Q. Thank you. I believe I forgot to ask you whether his
19 ranking was a bush rank or whether he was a fully commissioned
20 officer?

21 A. He was a fully commissioned officer in the military force.
22 He was not a bush ranking.

23 Q. Thank you, Mr Witness. Mr Witness, of these officials that
24 you given -- let me first ask you: Were any of these officials
25 combatant officers?

26 A. Yes, sir.

27 Q. By that I mean many officers who actually go to fight; am I
28 right?

29 A. No, no, no, no, sir.

1 Q. What do you mean by combatant officers?

2 A. Well, to my understanding, I think a combatant officer is
3 the person that wears a combat as an officer. That's what I mean
4 by a combatant officer, from my own perspective, but, in another
5 way, a combatant is a man that is in the front, that is a
6 fighter, that goes to the front, but these men, they were in the
7 rear.

8 Q. You mean -- the officers I'm asking for. I'm asking you, I
9 want you to clarify for me. In the army, in the Sierra Leone
10 Army in particular, you have officers who are purely
11 administrative men and you have officers who do go to the war; am
12 I right? Who go to the war front?

13 A. Yes, sir.

14 Q. Well, what do you call, if you know, the officers who go to
15 the war front? When I say "officers," I mean, commissioned
16 people?

17 A. Well, these men, before SAJ came, they were in the
18 administration area. They were in the HQ headquarters in
19 Colonel Eddie Town. They were in the administration area.

20 Q. Thank you.

21 A. Yes, sir. Thank you, sir.

22 Q. On your way to Freetown, how many of these officers, these
23 commissioned officers, actually took part in fighting?

24 A. Well, the commissioned officers the only one that was in
25 front, like the military police, who was Captain King, died in
26 the end.

27 Q. So what I want to ask you now, Mr Witness, when you said
28 after SAJ Musa died at Benguema, FAT Koroma, FAT Sesay became the
29 commander, what do you mean?

1 A. What I mean, was that he was the overall commander. He
2 took SAJ Musa's plan because he was the second in command. When
3 the first in command died, the second in command just had to take
4 the first in command, his position.

5 Q. Is it -- tell me what did he do when he took over? What
6 did he do?

7 A. Well, he told us that now he was the commander for the
8 movement and he was working with SAJ Musa's plan, what he had
9 told them to do earlier. So we should try to pursue and come to
10 the city.

11 Q. Thank you, Mr Witness. When this occurred, when it
12 occurred that he took over, did the rest of the troops take
13 command from him?

14 A. Yes, sir.

15 Q. Thank you, Mr Witness. And am I right to say that was the
16 case until you retreated from Freetown until - what you call -
17 West Side?

18 A. Yes, sir.

19 Q. Thank you, Mr Witness. Mr Witness, during this period,
20 from your retreat from Freetown, to Koinadugu to Freetown and
21 then back to West Side, did you at any time see the third accused
22 commanding soldiers under him?

23 A. No, no, no, no.

24 Q. And did anybody tell you about that?

25 A. Not to my own understanding, no.

26 Q. Did anyone -- do you know whether SAJ Musa at Colonel
27 Eddie Town appointed the third accused as fourth in command?

28 A. Yes, sir.

29 Q. [Overlapping speakers] as fourth in command at Eddie Town?

1 A. Yes, sir.

2 Q. What was the appointment?

3 A. The fourth in command, who was Junior Lion, was given task
4 force commander. He was made a task force commander.

5 Q. Let me ask you again. I'm asking you about the third
6 accused, Santigie Kanu?

7 A. Okay.

8 Q. At Eddie Town, was he appointed fourth in command?

9 A. No, sir. He was under suppression. He was under torture.
10 He didn't have any appointment.

11 Q. We have evidence in this Court, Mr Witness, that SAJ Musa
12 appointed the first accused, Tamba Brima, as his second in
13 command, the second accused as, that is Ibrahim Kamara, as second
14 in command -- as third in command and the fourth [sic] accused,
15 Santigie Kanu, as fourth in command; is that true?

16 A. No, it's not the truth.

17 Q. Thank you, Mr Witness. Mr Witness, when you came to
18 Freetown, before you personally went to the State House, did you
19 go anywhere else in Freetown?

20 A. Yes. I was going right around the city, from east to west.
21 From east to west. I was patrolling.

22 Q. Did you, Mr Witness, at that time, that is the morning and
23 day of January 6th, did you see any of the troops with whom you
24 came to Freetown burning houses?

25 A. No, sir. It was not in our agenda. Our plan was to attack
26 ECOMOG positions.

27 Q. Let me take you to the area around Kissy, Kabala Town,
28 Wellington. Did you see anyone distributing matches to the
29 civilians that were with you and instructing them to go and burn

1 houses?

2 A. No, no.

3 Q. I want you to give us a little bit of the mood you were in
4 when you were coming to Freetown. Okay, Mr Witness, at the time
5 when you said you divided into two groups, where were the
6 civilians who were with the headquarters?

7 A. Go by it again, sir.

8 Q. At that time, the time when you said you divided yourselves
9 into two groups, one went by the Old Road and one went by the New
10 Road, where were the civilians that were with the headquarters
11 group?

12 A. Well, when we were coming into the city, we left the
13 civilians up on the Lion Mountain. We were trying to secure them
14 because we knew that we were advancing into an area, the city
15 area, that was built up. We didn't want any civilians to die
16 through these arms, because as soldiers, we have signed for
17 lives, for civilian lives and properties and our intention, that
18 we were coming with, was to reinstate the national army. So we
19 left the civilians, the ones that were with us, behind in the
20 Lion Mountain and we came into the city and we launched an
21 offensive attack.

22 Q. All right. Thank you, Mr Witness. Mr Witness, is it true
23 that after the area that you refer to as SLPMB, you put the
24 civilians in front of you to march into Freetown.

25 A. No, sir, it wasn't like that, sir. The civilians were at
26 the back. The fighting forces were in front.

27 Q. Do you know what is referred to as human shield?

28 A. Well, I have a little understanding over it. I do not have
29 a very deep understanding in that.

1 Q. What do you understand? Tell the Court. Let me not put it
2 to you.

3 A. Well, what I understand is that that we were using the
4 civilians in the front and we were behind and we pushed them to
5 the enemies. That's the idea that I have and that doesn't mean
6 that we did that.

7 Q. Thank you. You say you did not do that?

8 PRESIDING JUDGE: I didn't hear your question, what was
9 your question?

10 MR MANLY-SPAIN:

11 Q. My question now: Are you saying that you did not do that?

12 PRESIDING JUDGE: His answer was, "not at all."

13 THE WITNESS: No.

14 MR MANLY-SPAIN:

15 Q. Thank you, Mr Witness. Mr Witness, when you were coming to
16 Freetown on the 6th of January, did you see any soldiers around
17 Kissy, Wellington area, putting fire to houses?

18 A. No, I never saw any soldier burning houses.

19 Q. Mr Witness, just a short while ago, I spoke about the mood
20 you were in when you were coming to Freetown. At the time you
21 were divided into two groups and you were coming to Freetown, how
22 did you march into Freetown?

23 A. It was a road walk and we came by foot. Using the
24 footpath. We took Old Road and the other troops took New Road.

25 Q. Did you have time to stop and go into the houses of people?

26 A. No. Upon such firing, enemy firing, ECOMOG firing and we
27 also were doing exchange of firing, we did not have that time.
28 When we were fighting ECOMOG, it is the main road that we use
29 from corner to corner. We not have time to go into the civilian

1 houses. We didn't -- that's not in our plan as soldiers.

2 Q. Thank you, Mr Witness.

3 MR MANLY-SPAIN: Your Honour, may I ask for the second
4 accused to be excused?

5 PRESIDING JUDGE: Yes, Mr Kamara can leave the Court.

6 MR MANLY-SPAIN: Thank you.

7 Q. Mr Witness, I want to ask you a few questions about Upgun.

8 You know the area called Upgun in Freetown?

9 A. Yes, sir.

10 Q. Is that area by the cemetery known as Kissy Road cemetery?

11 A. Yes, sir. Yes, sir.

12 Q. At the time you were coming, you said you were there,
13 Junior Lion was there. What about Bobby, was he there?

14 A. Yes, sir.

15 Q. And you said that you divided into two. One group went
16 around the cemetery, bypassed around the cemetery, and appeared
17 on the other side of ECOMOG; am I right?

18 A. Yes, sir. You are right, sir.

19 Q. When you appeared on the other side of ECOMOG, what
20 happened?

21 A. We gave them key offensive attack and we moved them from
22 the ground.

23 Q. Do you know whether the ECOMOG soldiers went anywhere,
24 those who were at Upgun?

25 A. Yes, sir.

26 Q. Where did they go to?

27 A. They ran all the way down to Water Quay.

28 Q. Thank you, Mr Witness. Mr Witness, you told this Court
29 that the idea, or the reason that SAJ Musa came, for your coming

1 to Freetown, was for you to reinstate the SLA?

2 A. Yes, sir. That was Five Star General SAJ Musa's plan, to
3 reinstate the national army again. That was his motive.

4 Q. Thank you. Do you know whether, before you came to
5 Freetown on your way to Freetown -- I'm not talking about
6 Benguema, before Benguema, whether SAJ Musa had told the
7 authorities about this, your movement to reinstate the SLA?

8 A. Yes. SAJ Musa called the commanders and 2 ICs and gave
9 them the ideology and briefed them about the reinstatement of the
10 national army in the city.

11 Q. Thank you. But I want to make it clear. Apart from your
12 own people, whom he told, do you know whether he spoke with
13 others about that?

14 A. Well, he was a general. He talked all, he talked to all
15 the SLAs. He gave them the briefing about reinstating national
16 army.

17 PRESIDING JUDGE: That is not what you are asking, can you
18 please interrupt him and get him to answer your question, please.

19 MR MANLY-SPAIN: Yes, let me put it. He probably doesn't
20 understand, let me put it.

21 Q. Do you know the name Bishop Biguzzi?

22 A. Yes. I heard the name from Five Star General, SAJ Musa.

23 Q. Do you know whether SAJ Musa, during your movement to
24 Freetown, was in communication with Bishop Biguzzi?

25 A. Well, one of the father's men, Father Mario, he was the one
26 that made a contact between SAJ Musa and the Father.

27 Q. And do you know where this contact took place?

28 JUDGE SEBUTINDE: What father are we talking about?

29 MR MANLY-SPAIN: He said one of Bishop Biguzzi's men,

1 Father Mario. Mario is M-A-R-I-O.

2 JUDGE SEBUTINDE: I'm not asking about Father Mario, I'm
3 saying, Father Mario contacted SAJ with the Father. What Father?

4 MR MANLY-SPAIN: It's probably his interpretation. He said
5 one of Father Biguzzi's men, Father Mario, made contact with SAJ
6 Musa.

7 Q. I just want to clarify; let me clarify for Your Honour.
8 Who made contact with SAJ Musa?

9 A. It was Father Mario.

10 Q. And who was Father Mario representing?

11 A. Well, Father Mario, he was captured from Kamalo. He was
12 with ECOMOG troop.

13 THE INTERPRETER: Your Honours, Your Honours, would the
14 witness go over his testimony.

15 MR MANLY-SPAIN:

16 Q. I too didn't hear it --

17 PRESIDING JUDGE: The interpreter didn't get the question
18 either. I beg your pardon, did not get the answer.

19 MR MANLY-SPAIN: Yes.

20 PRESIDING JUDGE: He did not get the answer but what I
21 heard of the answer it wasn't an answer to the question you
22 asked.

23 MR MANLY-SPAIN: Yes.

24 Q. I said, who was Father Mario representing?

25 A. Well, Father Mario, he was not on the move and he had been
26 trying to get Father Biguzzi but there was no way.

27 Q. All right. I'll move on. Yes. I just want you to --
28 where did you meet with Father Mario?

29 A. It was at Kamalo. Kamalo. Kamalo, there Five Star met

1 with him, Five Star General.

2 Q. K-A-M-A-L-O, is Kamalo. Do you know what happened to
3 Father Mario?

4 A. Yes, sir.

5 Q. Please tell the Court?

6 A. Well, Father Mario, SAJ Musa, he sent a troops to put him
7 under control at Kamalo, for a satellite phone, because SAJ Musa
8 sent a troop, they went to Kamalo, and they saw Father Mario
9 talking to ECOMOG soldiers so as to -- so as to recruit
10 civilians.

11 Q. After Father Mario was taken by you, SAJ Musa's troops,
12 what happened to him?

13 A. Well, SAJ Musa moved with him to Colonel Eddie Town.

14 Q. When did you last see Father Mario?

15 A. I saw him the day of January 6th. We all of us came
16 together.

17 Q. Yes. Did he come with your troops into Freetown?

18 A. All of us came to Freetown.

19 Q. Was he a combatant?

20 A. No. He was not a fighter but we -- we gave him a rank in
21 the bush, we gave him combat, so as to camouflage his skin but he
22 wasn't a fighter.

23 Q. Thank you, Mr Witness. Mr Witness, please let us go to
24 Benguema; okay?

25 A. Yes, sir.

26 Q. At Benguema, at the time SAJ Musa actually died, were there
27 civilians in Benguema? Let me clarify. Sorry, Your Honour. I
28 mean the civilians who had been coming with you to Freetown.

29 A. Well, the civilians who were in Freetown, because we were

1 with the fighting team, they were in the headquarters at

2 Waterloo.

3 Q. Yes. I'm asking now when --

4 A. They were not with us. They were not with us.

5 Q. -- when SAJ Musa died, did civilians, these civilians, did

6 they go to Benguema Barracks?

7 A. Yes, sir.

8 Q. Thank you. Mr Witness, when SAJ Musa died at Benguema, did

9 you announce it to all of the troops?

10 A. No, sir.

11 Q. Why?

12 A. Why? Because Five Star General, we did not want everybody

13 to know about his death, see, because during the operation it

14 would have flopped, if we had done so, so we kept it to

15 ourselves, we, the commanders.

16 Q. Thank you. Did you at any time tell the people in the

17 headquarters, or the people who were not around when he died, did

18 you at any time tell them about his death?

19 A. Repeat, sir.

20 Q. You said you did not inform people because that would

21 destabilise your thing, to put it in short. I said, did you at

22 any time tell others who were not there?

23 A. Well, it was in Freetown here, it was in Freetown here, 60

24 per cent of the people came to know that SAJ had died.

25 Q. When you say the people, you mean the people who were with

26 you?

27 A. Yes. The people that were with you us.

28 Q. Thank you, Mr Witness. Mr Witness, you said one -- you

29 said the motive that SAJ gave you to come to Freetown was to

1 reinstate the army. Do you know whether SAJ Musa, at that time,
2 was married?

3 A. No, sir.

4 Q. You don't know whether he was married?

5 A. No, sir.

6 Q. Did you know whether he had children?

7 A. Yes. I knew. He told us. He said that his children --

8 Q. Yes, go on. His children?

9 A. He told us that he had information that they had arrested
10 his child with his child's mother in Guinea, and that they had
11 been brought at the maximum prison at Pademba Road. Gina Musa
12 and SAJ Musa. Gina and SAJ.

13 Q. Were those the names of his children?

14 A. Yes, sir.

15 Q. You say and the children's mother. Do you know whether --
16 did you ever come to find out whether they were actually at the
17 maximum prison in Freetown?

18 A. Yes, sir.

19 Q. When did you come to know that?

20 A. I, the witness, I was one of the --

21 THE INTERPRETER: Your Honours, would the witness go a
22 little bit slow.

23 MR MANLY-SPAIN:

24 Q. Go slowly, go slowly, please.

25 A. I, Mr Witness, I was one of the men that entered the
26 maximum prison, Pademba Road. When I went to the female section,
27 where I went and got Gina Musa and SAJ Musa, with their mother.

28 JUDGE SEBUTINDE: Is this Junior Musa or Gina Musa?

29 MR MANLY-SPAIN: Gina. G-I-N-A.

1 JUDGE SEBUTINDE: Well, the interpreter wasn't saying Gina.

2 MR MANLY-SPAIN: It`s Gina.

3 THE INTERPRETER: I am sorry, Your Honour, if I didn't say
4 Gina.

5 THE WITNESS: Gina. Gina Musa.

6 MR MANLY-SPAIN:

7 Q. Did you know the name of the children's mother?

8 A. Yes, sir.

9 Q. What was her name?

10 A. Tina Musa.

11 Q. Thank you very much, Mr Witness. Mr Witness, when you got
12 them from -- you said the female section of the prison?

13 A. Yes, sir. Yes, sir.

14 Q. Did you take them anywhere?

15 A. Yes, sir.

16 Q. Where did you take them to?

17 A. I took them to the G4. G4, at the rear. PWD. Old Road.

18 Q. After that, do you know what happened to them?

19 A. Well, I -- no, I left them there, and I went to the front.
20 I did not know what happened with them.

21 Q. Thank you, Mr Witness. Mr Witness, you referred to one
22 Terminator, a person called Terminator?

23 A. Yes, sir.

24 Q. Do you know his -- I take it that is a nickname; am I
25 right?

26 A. Yes, sir.

27 Q. Do you know his actual name?

28 A. Yes, sir.

29 Q. Please tell us, tell the Court what is his name?

1 A. Lamin Sidiki. Lamin Sidiki, alias Terminator.

2 Q. Thank you. Mr Witness, was he SLA?

3 A. Yes, sir.

4 Q. And was he an officer, commissioned officer?

5 A. Well, he was not a commissioned officer. He was a jungle
6 cadet.

7 Q. No, you said it's a jungle rank he has. Am I right?

8 Jungle rank that he has?

9 A. Yes.

10 Q. What was his rank?

11 A. Colonel. Colonel. Colonel Terminator. He had two
12 buttons. He was a full colonel.

13 Q. Mr Witness, please now let us concentrate on your retreat
14 from Freetown; okay?

15 A. Yes, sir. Yes, sir.

16 Q. At the time you were retreating, do you recall how many
17 soldiers were with you, that is, when you were leaving Freetown,
18 not when you were at Four Mile et cetera?

19 A. Well, at that time, I did not know the strength of the men,
20 the number of the men, because we were on the way, retreating.
21 So we did not call a muster parade to know the strength, the
22 manpower.

23 JUDGE DOHERTY: Mr Manly-Spain, we are talking about 1999
24 now, are we?

25 MR MANLY-SPAIN: Yes, Your Honour.

26 Q. How were you retreating? You remember earlier I asked you
27 whether you were fighting when you were retreating from Freetown
28 in 1998, and you said no. At this time, how were you retreating?

29 A. '98, '99, when we were retreating we retreated in batches.

1 See, we were the last batch that left the city. Batch after
2 batch. Group after group.

3 Q. Were you fighting with anyone when you were doing this
4 retreat?

5 A. Well, when we were retreating, on the way, we would not
6 fight with people again because the combatant camp were --

7 THE INTERPRETER: Your Honours, would the witness go slow.

8 MR MANLY-SPAIN:

9 Q. Slowly, slowly. In bits, small batch and we will take
10 slowly.

11 JUDGE DOHERTY: And, Mr Witness, you appear to be
12 presenting us with a theory what you would do, but we want to
13 know what you did do.

14 MR MANLY-SPAIN: Okay, Your Honours.

15 Q. Tell us what you did? How did you go? You said that you
16 went in batches and your group was the last batch; am I right?

17 A. Yes, sir.

18 PRESIDING JUDGE: I think you went a bit more particular
19 than that. You asked him was he fighting on the retreat.

20 MR MANLY-SPAIN: That is why --

21 PRESIDING JUDGE: We don't want to know everything he did.

22 MR MANLY-SPAIN: Yes.

23 PRESIDING JUDGE: If you are just asking him was he
24 fighting.

25 MR MANLY-SPAIN: Yes.

26 Q. When you were retreating were you fighting with ECOMOG?
27 Like ECOMOG was attacking and you were repelling them and at the
28 same time you were going back? Was that the situation?

29 A. Well, when we were retreating, we retreated tactically to

1 Calaba Town. There we heard an armoured car, at our rear, when
2 we were retreating. There was an armoured car and a tank full of
3 ECOMOG and Kamajors. After that we saw another troop from the
4 hills, the Lion Mountains, see, where we were to use, so they
5 surrounded us, so there was no way for us to escape, so we
6 concentrated on one side, so we bulldozed the area. Serious
7 enemy firing. See, there was bombardment. They bombarded us.

8 JUDGE SEBUTINDE: You've said so many things but you
9 haven't answered the question. Did your troops fire at the
10 ECOMOG?

11 MR MANLY-SPAIN: No, did they fight.

12 JUDGE SEBUTINDE: Fight with the ECOMOG. Your troops. You
13 are telling us how the ECOMOG fired at you.

14 THE WITNESS: Yes, yes.

15 MR MANLY-SPAIN: He said that they had no alternative but
16 to fight and bulldoze their way through. I'm sorry. Okay, thank
17 you, Mr Witness.

18 Q. Mr Witness, when you are explaining, do it bit by bit,
19 short, short; okay? Then the Court will understand you but if
20 you go on long --

21 A. Yes.

22 Q. -- we cannot understand what you are saying, so short
23 short. Thank you, Mr Witness. Mr Witness --

24 A. Yes, sir.

25 Q. -- you went to Benguema at one time; okay? On your
26 retreat?

27 A. Yes, sir.

28 Q. Do you know whether the -- did you see the third accused
29 there?

1 A. No, sir. No, sir.

2 Q. Thank you. Did you stop at Waterloo on your retreat for
3 any -- just one hour, four hours, two days, any period of time,
4 did you?

5 A. Well, we stopped at Benguema and Waterloo.

6 Q. Whilst you were at Waterloo, did you see the third accused?

7 A. No, sir, no, sir.

8 Q. Mr Witness, you have told us in your evidence-in-chief
9 about weapons. You named all sorts of weapons; rifles;
10 artillery; BMG; SAR; LMG; HMG; bazooka; mortars; canons; bombs;
11 everything. Mr Witness, have you ever come across with a cane
12 that fires bombs, in your experience as a soldier? Or a walking
13 stick that fires bombs; have you come across that?

14 A. No, no. No, sir.

15 Q. Thank you, Mr Witness. Mr Witness, after Lumpa, on your
16 way back, you said you had a blocking force at Sumbuya; am I
17 right?

18 A. Yes, sir. You are correct, sir.

19 Q. Who were you blocking?

20 A. We had been blocking ECOMOG, the ECOMOG force.

21 Q. Were you actually fighting with them?

22 A. Seriously, yes, sir. Seriously.

23 Q. Do you know the name of any village that is near Sumbuya?

24 A. I cannot recall.

25 Q. Do you -- have you ever come across any village in that
26 area called Monorma, M-O-N-O-R-M-A?

27 A. No, sir, no, sir.

28 Q. Do you know how many soldiers were with you at Sumbuya when
29 you were blocking the ECOMOG?

1 A. Yes, sir.

2 Q. How many were with you?

3 A. I was with -- up to 264 manpower, at Sumbuya, as a blocking
4 force.

5 Q. Do you know whether the third accused Santigie Kanu was one
6 of them?

7 A. No. No, sir.

8 Q. Mr Witness, I want you to describe Sumbuya for the Court.
9 What is that place like?

10 A. Well, Sumbuya, Sumbuya Town, you had ECOMOG brigade at
11 Sumbuya. Sumbuya, the ECOMOG were based this part. Here is
12 Sumbuya Town and you had the RDF, Rapid Deployment Force. There
13 they had their deployment, ECOMOG. They wrote there RDF.

14 Q. Slowly, slowly. Just be putting the question. Do you have
15 a barracks there or a semi-barracks where the Sierra Leone Army
16 RDF force used to be stationed?

17 A. Yes, sir.

18 Q. Is it at that place that you have the village known as
19 Sumbuya, the same place where the barracks is?

20 A. Yes, sir. Yes, sir.

21 Q. You said the village is on the right and the STF, RUF
22 barracks is on the left; is that right?

23 A. Yes, sir. You are correct.

24 Q. On your way going from Freetown?

25 A. Yes, when you are going, on the right hand you had the
26 village. On the left, you had the semi-barracks.

27 Q. Thank you very much. Mr Witness, whilst you were there
28 doing this blocking, was the third accused there?

29 A. No, sir. No, sir. I did not see him with my naked eyes.

1 Q. Whilst you were there, did you stay in houses, your troops?

2 A. No. I was in the semi-barracks.

3 Q. Do you know whether your troops went to live in houses in
4 the village? Or any of them?

5 A. No.

6 Q. Did they all live in the barracks?

7 A. No. 60 persons were in the barracks. 40 persons were in
8 the jungle. They deployed right around the jungle.

9 Q. Thank you. We have evidence that the third accused raped a
10 lady in the house in Sumbuya; is that true?

11 A. It's a -- it's a big lie. It's a big lie.

12 Q. Mr Witness, on your way after Sumbuya, when you got to
13 Mamamah, do you know Mamamah?

14 A. Yes, I know Mamamah.

15 Q. Did you meet Mamamah, before you go to Mile 38 and Masiaka,
16 when you are leaving Freetown?

17 A. Yes. After Mamamah you have Mile 38. After that you have
18 Masiaka. But we bypassed Mamamah because ECOMOG forces were
19 deployed there with the Gbethis.

20 Q. In this, your bypass, Mr Witness, did you encounter a
21 battle with Kamajors?

22 A. Well, no.

23 Q. Did you hear, ever hear that some of your troops fought
24 with Kamajors in that area, and after the battle one of the
25 Kamajors was cooked?

26 A. No, that did not take place.

27 Q. Did you ever hear that this Kamajor that had been cooked
28 was given to civilians to eat?

29 A. It's a big lie. It's a big lie. It's an allegation.

1 Q. Do you know whether -- okay, you said you bypassed Mamamah.

2 Thank you. Mr Witness, I want you to tell this Court when you
3 were on this your march, to Freetown, did you eat at all?

4 A. Repeat. What did we eat?

5 Q. Food. Food. Did you eat to sustain yourself?

6 A. Yes.

7 Q. Did you at any time eat people, human beings?

8 A. No, no, no, no. No, no, no, no. No, no, no, no.

9 Q. Let me ask you for that. Did you, Mr Witness, cook your
10 food when you wanted to eat?

11 A. Well, it depended on the type of attack. When there was no
12 attack we would send our boys to go in food finding, on food
13 finding. They would come and they would prepare the food and we
14 ate. I would -- in the jungle we lived on bush food and for the
15 jet, if it saw smoke, it would bombard. If it saw any movement
16 it would bombard, so we used not to cook, so we lived by the
17 jungle food.

18 Q. When you cook, at the times you cook, did you put the food
19 anywhere before you eat them, the food?

20 A. Well, yes, we would put it on a tray. We would put it on a
21 tray and we ate.

22 Q. By that you mean you ate in groups, four, five, ten people
23 on one tray?

24 A. Yes. Like me, as a commander, I ate with my 2IC, Bobson
25 Yapo Sesay. I ate with him. The others would eat in groups.

26 Q. How about the civilians; how did they eat?

27 A. Well, they ate in fours. They ate in fours, four, five, in
28 groups.

29 Q. Did you give food to civilians individually, one man, one

1 plate, one man, one bowl, things like that?

2 A. No. It used to be in groups of four, five. They would sit
3 down and eat. Because if you had somebody that was good who
4 would give you food, then you would cook on your own.

5 Q. Thank you, Mr Witness. Mr Witness, I want to ask you
6 something personally. Do you have any relationship with the wife
7 of the second accused? The -- with the sister of the second
8 accused?

9 A. No.

10 MR MANLY-SPAIN: I'm sorry, Your Honour, I'm just
11 conferring.

12 [Counsel conferred]

13 Q. Do you know that the second accused has sisters?

14 A. Yes, I know that he has sisters.

15 Q. Do you have any relationship with one of them?

16 A. No. No.

17 Q. Thank you. Mr Witness, I want to go now to your going back
18 to -- going to West Side. At the time you were going to West
19 Side, to find West Side, you say that you led -- you were the
20 first person to go over the river. Okay? Am I right?

21 A. Yes, sir. You are right, sir.

22 Q. Where was FAT Sesay?

23 A. FAT Sesay, all of us were together.

24 Q. Thank you. And where was O-Five?

25 A. O-Five went to Makeni.

26 Q. What about Eddie?

27 A. Eddie, he died by ECOMOG, through exchange of firing.

28 Q. Thank you, Mr Witness. Apart from these two, three people
29 that I'm asking about, what about Alabama?

1 A. Well, Alabama, he went to Makeni.

2 Q. Thank you, Mr Witness. Mr Witness, after the entire
3 episode after the cease-fire, when the cease-fire came, did you
4 go through DDR?

5 A. Well, I, as a soldier, I did not go through DDR.

6 Q. Did you go back to the army?

7 A. Yes, sir.

8 MR MANLY-SPAIN: Thank you, Mr Witness. Your Honour, I
9 have about 15, 20 minutes more to go.

10 PRESIDING JUDGE: We will adjourn for the day. Mr Witness,
11 we are going to adjourn until Monday. You will have to come back
12 Monday morning. I will remind you once more, you are forbidden
13 to talk about your evidence, or this case in the meantime, with
14 anybody; is that clear?

15 THE WITNESS: Yes, sir. It's clear to me, sir. Thank you,
16 sir.

17 PRESIDING JUDGE: Thank you.

18 THE WITNESS: Thank you.

19 PRESIDING JUDGE: We will adjourn until Monday morning at
20 9.15.

21 [Whereupon the hearing adjourned at 4.00 p.m.,
22 to be reconvened on Monday, the 9th day of
23 October 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DBK-012	3
EXAMINED BY MR DANIELS	3
CROSS-EXAMINED BY MR MANLY-SPAIN	49