

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

TUESDAY, 10 OCTOBER 2006
9.22 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Mr Simon Meisenberg
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Karim Agha
For the accused Alex Tamba Brima:	Mr Kojoo Graham
For the accused Brima Bazzy Kamara:	Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain

1 [AFRC100CT06A - MD]
2 Tuesday, 10 October 2006
3 [Open session]
4 [The accused present]
5 [The witness entered court]
6 [Upon commencing at 9.22 a.m.]
7 PRESIDING JUDGE: Now, Mr Fofanah, is this witness DBK-122?
8 MR FOFANAH: No, Your Honours. This is DBK-131 and he is
9 on -- it's actually page 4 on the summaries filed 10 September
10 2006 and he is number 3 on the list. DBK-131. Your Honours, he
11 will be testifying in Krio.
12 WITNESS: DBK-131 [Sworn]
13 [The witness answered through interpreter]
14 EXAMINED BY MR FOFANAH:
15 Q. Good morning, Your Honours. Good morning, Mr Witness.
16 A. Good morning, sir.
17 Q. Mr Witness, I'm going to ask you questions about certain
18 events that occurred some time ago in Sierra Leone and your
19 business is to give precise answers to the questions. After I
20 finish asking you questions, my colleagues on this side may ask
21 you questions and then the lawyer on the other side, the
22 Prosecution, shall also be asking you questions. So we will
23 start, Mr Witness. Mr Witness, you were born on xxx June 1979.
24 After you getting me, Mr Witness?
25 A. Yes. Yes, I can hear you. Yes, I was born on xxx June
26 1979.
27 JUDGE SEBUTINDE: Mr Fofanah, avoid speaking over the
28 witness or even over the interpreter because we don't hear what
29 you are saying.

1 MR FOFANAH: Your Honours, I'm extremely sorry. I was
2 actually on a different channel. That's why. I'm sorry about
3 that, Your Honours.

4 Q. Mr Witness, you were born in Freetown, in the Western Area
5 of Sierra Leone?

6 A. Yes.

7 Q. And you went to school in Freetown and --

8 A. Yes.

9 Q. -- you went as far as the fourth form?

10 A. Yes.

11 Q. You are currently engaged in computer studies as well as
12 petty trading?

13 A. Yes, yes.

14 Q. Mr Witness, you were enlisted in the Sierra Leone Army in
15 February 1992?

16 A. Yes. I joined the army in 1992. At that time I was 13
17 years of age.

18 PRESIDING JUDGE: What was that age again, Mr Interpreter?

19 THE INTERPRETER: 13 years. One three.

20 THE WITNESS: I was 13 years when I joined the army.

21 MR FOFANAH:

22 Q. And did you join the army as a private soldier?

23 A. Yes, of course.

24 Q. Mr Witness, since you went to school as far as the fourth
25 form, I take it that you can read and write?

26 A. I can read and write very well.

27 Q. So when you were enrolled in the army, were you given an
28 SLA number, a Sierra Leone Army number?

29 A. Yes.

1 Q. Now, if given the opportunity, will you be able to write
2 out your SLA number and, if you have any nickname as well, on a
3 piece of paper?

4 A. Yes, I will do that.

5 Q. But, before I go on, do you have a nickname? I'm not
6 asking you to call out the name. I just want to know if you have
7 a nickname?

8 A. Yes.

9 MR FOFANAH: Your Honours, at this stage I'm respectfully
10 applying that, for purposes of the witness's protection, that the
11 sheet of paper be given to him so that he can write out his full
12 names, his nickname and his SLA number.

13 PRESIDING JUDGE: All right. Mr Court Attendant?

14 MR FOFANAH: Your Honours, on behalf of the Kamara Defence
15 team, we are respectfully applying that the said document be
16 tendered, subject to any objection from the Prosecution.

17 PRESIDING JUDGE: Yes, any objection?

18 MR AGHA: No objection, Your Honour.

19 PRESIDING JUDGE: All right. That will be admitted as
20 Defence Exhibit 32.

21 [Exhibit No. 32 was admitted]

22 PRESIDING JUDGE: Do you want that under seal?

23 MR GEORGE: Yes, Your Honour.

24 PRESIDING JUDGE: Marked confidential and under seal.

25 MR FOFANAH: Thank you very much, Your Honour.

26 Q. Mr Witness, where were you trained as an SLA?

27 A. I was trained at Benguema Training Barracks.

28 Q. Your Honours, may I seek your indulgence for a moment.

29 Mr Witness, please wait for the interpretation and whatever I say

1 has to be interpreted and whatever you say has to be interpreted
2 and the language in which you have chosen to testify is Krio, so
3 I hope you will take note of that. So, you said you were trained
4 where, again, please? Can you go over that?

5 A. At Benguema and my advance training I did it at Daru.

6 MR FOFANAH: Your Honours, we've had Benguema before.

7 Q. And what were you trained in at Benguema?

8 A. I was trained as infantry. Infantry training, I did it
9 there.

10 Q. And what does that mean?

11 A. Infantry means that you have been trained to fight on the
12 ground.

13 Q. Now, were you trained in any other thing, apart from being
14 trained to fight on the ground?

15 A. Well, I was trained also to come down from a helicopter.
16 That's all.

17 Q. Did you receive any training in weapons?

18 A. Yes. I received training.

19 Q. What kind of weapons were you trained in?

20 A. AK-47, HNG, GPMG, anti-aircraft single barrel and double
21 barrel, G3, and other smaller weapons.

22 Q. Mr Witness, you have to go a bit slowly because you are
23 being interpreted. Mr Witness, did you have any training
24 instructor at Benguema?

25 A. Yes.

26 Q. Who was your training instructor?

27 A. Sumu, Obereh.

28 MR FOFANAH: Sumu is, S-U-M-U. And Obereh is, O-B-E-R-E-H.

29 Q. Now did these people have any ranks? Were they SLAs first

1 of all?

2 A. Sumu was an SLA soldier. He was a staff sergeant. The
3 training commander was Samura.

4 Q. Okay. We have heard that Sumu was a staff sergeant and
5 SLA. What about Obereh?

6 A. He was a sergeant.

7 Q. Was he also an SLA?

8 A. Yes, he was an SLA.

9 Q. And whom did you say was the training commander?

10 A. Colonel Samura.

11 MR FOFANAH: Samura, Your Honours, is S-A-M-U-R-A.

12 Q. How long did you train for at the Benguema training camp?

13 A. Six months. Six months.

14 Q. And when you left Benguema, did you go anywhere?

15 A. Yes.

16 Q. Where did you go to?

17 A. I went to Daru.

18 Q. Did you go to Daru on a military posting or you just went
19 all by yourself?

20 A. The military sent me there. To go and capture Kailahun and
21 Koindu from -- border from RUF.

22 Q. What is RUF?

23 A. Revolutionary United Front.

24 Q. And what does that mean?

25 A. Well, I'm not an RUF, so I don't know the meaning of RUFs.
26 If you ask me the SLA, I will tell you.

27 Q. I mean, who were they? Who were they, the RUF?

28 A. They were rebels.

29 Q. Mr Witness, did you leave the Benguema Training Camp with

1 any rank?

2 A. No.

3 Q. So how long did you take in Daru when you were posted
4 there?

5 A. About two months.

6 Q. And from Daru, did you go anywhere?

7 A. Yes.

8 Q. Where did you go to?

9 A. We went towards the border, the Koindu border. We captured
10 Kailahun and Pendembu and then we went to Koindu border and we
11 came back to Daru. From there, I went to Tongo.

12 Q. So when you say "we," were you under the command of anyone
13 whilst you were advancing to Koindu and the other places you've
14 mentioned?

15 A. Yes. I was with a lieutenant, Lieutenant Bakarr. He was a
16 task force in Daru, so I was under the task force.

17 MR FOFANAH: Your Honours, Koindu is K-O-I-N-D-U, and
18 Bakarr is B-A-K-A-R-R.

19 Q. So you said eventually you came back after these operations
20 to Tongo; not so?

21 A. Well, from Tongo I went to Bo, I went to Kono, another
22 operation again in Kono because RUF went and captured Kono so we
23 went and recaptured Kono.

24 Q. So what year was it that you went and recaptured Kono from
25 the RUF?

26 A. It was around about 1994.

27 Q. And how old were you around this time?

28 A. At that time I was around about 15 years.

29 Q. Now, in 1997, where were you?

- 1 A. I was at RDF; Rapid Deployment Force in Sumbuya.
- 2 Q. Sumbuya Your Honours, we've had before. Now, do you
3 remember May 25, 1997?
- 4 A. Yes.
- 5 Q. On that day, where were you?
- 6 A. I was at RDF.
- 7 Q. Did anything happen on that day, that you can recall?
- 8 A. I remember that in the morning we heard an announcement
9 that they had overthrown. That's all that I can remember and,
10 from there --
- 11 Q. Okay. Hold it. Hold it.
- 12 A. Colonel Sinah gave us orders that --
- 13 Q. Hold it. You said you heard an announcement that they had
14 overthrown. Now, who made the announcement?
- 15 A. Corporal Gborie.
- 16 Q. And whom did they say they had overthrown -- did he say
17 they have overthrown?
- 18 A. The ex -- His Excellency, the President Alhaji Tejan
19 Kabbah. He was the one that was overthrown at that time.
- 20 Q. Did he say who overthrew the SLPP, His Excellency's
21 government, apart from himself, Gborie?
- 22 A. No.
- 23 Q. And as a result of that overthrow, did you do anything?
- 24 A. No.
- 25 Q. Do you know if any government was formed as a result of the
26 overthrow?
- 27 A. Yes.
- 28 Q. What government was formed?
- 29 A. The AFRC government.

1 Q. Do you know what AFRC means?

2 A. Yes.

3 Q. Please tell the Court.

4 A. Armed Forces Revolutionary Council.

5 Q. Now, who was your commander at Sumbuya, the RDF Sumbuya?

6 A. Colonel Sinah.

7 MR FOFANAH: S-I-N-N-A-H [sic], Your Honours.

8 Q. Now, did he do anything as a result of the overthrow?

9 A. Well, he said that we should come to Freetown to come and
10 counter the coup.

11 Q. And did you come to Freetown to counter the coup?

12 A. No. No.

13 Q. Do you know the strength of the soldiers who were at RDF at
14 Sumbuya, how many of you were there?

15 A. I can't remember. We were so many. The soldiers were so
16 many and they came from different battalions every week and every
17 month, from different deployment. They send them to go and train
18 at Sumbuya so I cannot tell you the exact number.

19 Q. Okay. So after the coup of May 25, 1997, did you stay in
20 Sumbuya?

21 A. That very day I left Sumbuya to come to Freetown with the
22 troop that Colonel Sinah had already said that we should come to
23 Freetown with.

24 Q. And what part of Freetown did you come to?

25 A. When I came, I stopped at 7th Battalion because I met some
26 of my friends there, so I came down.

27 Q. And who were these friends that you met at the 7th
28 Battalion?

29 A. Gabon, Bakarr.

1 Q. Did they belong to any institution? Did they have an
2 occupation, your friends?

3 A. Yes, they were military personnels and we were all trained
4 together and so when I saw them, they called me and I joined
5 them.

6 Q. So when you joined them, did you do anything?

7 A. Well, I spoke with them and they told me that the AFRC had
8 overthrown, so I told them that I was going home, yeah. They
9 explained what transpired, that they overthrew and they --

10 THE INTERPRETER: My Honours, can the witness please go
11 slowly so that I can able to interpret him well.

12 MR FOFANAH:

13 Q. Mr Witness, I've earlier asked you to go as slowly as you
14 can because whatever you say has to be interpreted. Can you
15 kindly go over the bit about the coup. You said your friends
16 were explaining something about the coup. Can you explain that
17 bit again?

18 A. Yes. They told me that it was because of the ill-treatment
19 that they were treating the soldiers. That was why they
20 overthrew.

21 Q. And you said this was at the 7th Battalion. From the 7th
22 Battalion, did you go anywhere?

23 A. I said I went to see my relatives.

24 Q. Now, where is the 7th Battalion?

25 A. Goderich.

26 Q. And where did you go to see your relatives?

27 A. Tengbeh Town.

28 Q. And did you stay in Freetown, when you finally arrived at
29 your home at Tengbeh Town?

1 A. Yes, yes, yes.

2 Q. Now, you've told the Court that you knew that the AFRC
3 government was formed. Did you know the composition of that
4 government?

5 A. No.

6 Q. Do you know if the AFRC government had any leader?

7 A. Yes.

8 Q. Who was their leader?

9 A. Johnny Paul Koroma.

10 Q. Now, apart from Johnny Paul Koroma, was there anyone else
11 in the AFRC government that you knew about?

12 A. Well, the ones I knew officially?

13 Q. Yes, go on.

14 A. Honourable Sulley, Honourable Momoh, Honourable Hector Bob
15 Lahai.

16 Q. Please, go slowly, I have to spell the name. Sulley,
17 S-U-L-L-E-Y. Momoh, M-O-M-O-H. And what was the last name?

18 A. Hector Bob Lahai.

19 Q. Hector, H-E-C-T-O-R, Bob, B-O-B, Lahai, L-A-H-A-I. And who
20 else?

21 A. These were the ones I knew personally.

22 Q. Now, around this time, did you know Ibrahim Bazy Kamara,
23 the second accused in this case?

24 A. No.

25 Q. Did you hear that Ibrahim Bazy Kamara was the principal
26 liaison officer 2, liaison officer 3, PLO 3?

27 MR AGHA: Objection. Your question is leading.

28 PRESIDING JUDGE: It is leading, Mr Fofanah.

29 MR FOFANAH: I will retract that. I thought it was not in

1 issue.

2 Q. So, now, when you stayed in Freetown around this time, were
3 you attached anywhere?

4 A. No.

5 Q. As a soldier, did you go anywhere to report for normal
6 duties?

7 A. Well, at that time there was no command control, so I did
8 not report. I was going there to Cockerill but I was not going
9 there to report on duty.

10 Q. Where is Cockerill?

11 A. At Wilkinson Road.

12 Q. What is Cockerill?

13 A. Our military headquarter.

14 Q. How long did you stay in Freetown for, when you arrived?

15 A. Well, I was in Freetown until the withdrawal. ECOMOG
16 intervention.

17 Q. Do you know what year that was when ECOMOG intervened into
18 Freetown?

19 A. Yes.

20 Q. What year was it?

21 A. 1998.

22 Q. Do you recall the month?

23 A. Yes. February.

24 Q. Now, whilst in Freetown, did anything happen? I mean,
25 before the intervention, did anything happen during the AFRC
26 period that you can recall?

27 A. A lot of things happened.

28 Q. So, can you explain some of the things that you recalled
29 happened during the AFRC period in Freetown?

1 A. The jet air raid killed people. They bombarded the
2 military headquarter, Cockerill. Can I carry on?

3 Q. Yes. But before that, you said they bombarded the military
4 headquarters, Cockerill. Who bombarded the headquarters?

5 A. ECOMOG.

6 Q. And how did you know that?

7 A. Well, at that time, I came out of the gate and then I heard
8 about the bombardment. I was at Wilberforce and they bombarded
9 34, the military hospital, and they killed soldiers as well as
10 civilians. They bombarded at Mabela again and they killed a lot
11 of civilians. They bombarded a lot of places in town.

12 Q. Hold it there. Now, before we come to Mabela, you said
13 they bombarded the 34 Military Hospital and killed people. Do
14 you know how many people were killed?

15 A. I can't remember.

16 Q. And do you know if the people who were killed were soldiers
17 or civilians?

18 PRESIDING JUDGE: He said there were both, Mr Fofanah.

19 MR FOFANAH: Thank you, Your Honours. Sorry about that.

20 Q. Now you spoke about a Mabela. Mabela, Your Honours, is
21 spelled M-A-B-A-Y-L-A [sic]. Where is Mabela?

22 A. Mabela is by the sea, by Guard Street.

23 Q. And what town is that?

24 A. It was in 1998.

25 Q. I mean, the place; is it -- Mabela, where is it? Is it in
26 a town or city that you know?

27 A. A town by the seaside, behind Guard Street.

28 Q. Which town? Which town?

29 A. Freetown.

- 1 Q. And what happened at Mabel a, that you can recall?
- 2 A. They killed a lot of people there, through the bombardment.
- 3 Q. Who killed people at Mabel a?
- 4 A. ECOMOG.
- 5 Q. And how did you know that?
- 6 A. I went there and I saw the people with my own eyes.
- 7 Q. Who were the people whom you saw at Mabel a?
- 8 A. Civilians.
- 9 Q. Do you know how many civilians were killed at Mabel a?
- 10 A. There were many. I'm unable to count them. Some of their
- 11 legs were one side, head one side, stomach one side. They cut a
- 12 lot of them up into pieces so you are unable to count in that
- 13 kind of situation.
- 14 Q. And how did you know that it was ECOMOG that killed these
- 15 people?
- 16 A. Well, it was ECOMOG we were fighting against and ECOMOG,
- 17 they were at Lungi, they were launching through the sea, jet
- 18 raid, and it was cannon bomb that they used at Mabel a. They
- 19 launched bomb and missile into the city and it landed somewhere
- 20 else, but it was Mabel a that caused heavy casualties.
- 21 Q. Okay, Mr Witness. So around what year was this? I mean,
- 22 the events that you have recounted, the bombing at Cockerill, the
- 23 bombing at 34 Military Hospital and the bombing at Mabel a, what
- 24 year was that?
- 25 A. 1998.
- 26 Q. Okay. So let's come to the withdrawal. You said -- the
- 27 intervention, I mean. You said ECOMOG intervened into Freetown
- 28 in February 1998. Where were you?
- 29 A. I was in Freetown.

1 Q. And did you do anything as a result of the intervention by
2 ECOMOG into Freetown?

3 A. Yes, yes.

4 Q. What did you do?

5 A. Well, I am a soldier and when the ECOMOG were advancing,
6 they did not allow only for AFRC but for soldiers. They were
7 trying to fight us and I had a gun, so I had to defend myself and
8 I fought against the ECOMOG then.

9 Q. So during your stay in Freetown, did you have a gun
10 throughout?

11 A. Yes, yes.

12 Q. You said you fought against ECOMOG; were you under the
13 command of anyone during that fight?

14 A. No.

15 Q. So were you alone when you were fighting ECOMOG?

16 A. Well, at that time I was a sergeant. I had my squad mates
17 that were with me. We had a Hilux that we were using to go up
18 and down with. Anywhere that they would attack, I would go there
19 so that we can put their attack under control.

20 Q. Who promoted you to sergeant?

21 A. Colonel Sinnah recommended me to Brigadier Hassan Conteh.

22 Q. And what year were you promoted to sergeant?

23 A. 1996, during the SLPP government.

24 Q. Now, do you know during the AFRC period, the military
25 structure?

26 A. The military structure, I not be able to tell you exactly
27 how it was but I will tell you some of it.

28 Q. Now, you have referred to a Brigadier Hassan Conteh. Who
29 was that brigadier?

1 A. He was the chief of defence staff for the SLPP government.

2 Q. And did he continue as chief of defence staff until the
3 AFRC period?

4 A. No. During the AFRC time, SFY Koroma was the chief of
5 defence staff. Hassan Conteh, when we had left, they killed him,
6 innocently.

7 Q. So apart from SFY Koroma, who was the chief of defence
8 staff, do you know any other top ranking military officer of the
9 AFRC?

10 A. The army chief of staff was SO Williams.

11 Q. What was his rank?

12 A. Colonel.

13 Q. Okay. Did the army at this time have any
14 commander-in-chief?

15 A. Commander-in-chief? The commander-in-chief, I think it was
16 Johnny Paul Koroma.

17 JUDGE SEBUTINDE: Mr Fofanah, are we talking before the
18 intervention or after the intervention?

19 MR FOFANAH: We are talking about before, during the AFRC
20 period.

21 Q. Mr Witness, are we clear on that? Was it during the AFRC
22 period that Johnny Paul Koroma was commander-in-chief of the
23 army?

24 A. Yes, yes, yes.

25 Q. So, Mr Witness, you said you fought against ECOMOG during
26 the intervention. Now, did you stay in Freetown as a result of
27 that intervention by ECOMOG?

28 A. No. I pulled out later when everybody was pulling out, so
29 I myself pulled out. I pulled out 13 February.

1 Q. What year?

2 A. 1998.

3 Q. And where did you pull out to?

4 A. I pulled out and went to Tombo. From Tombo, I crossed the
5 water and I went to Masiaka. From Masiaka I --

6 THE INTERPRETER: Your Honours, the witness --

7 MR FOFANAH:

8 Q. Hold it there. Did you go alone to Masiaka via Tombo?

9 A. No.

10 Q. With whom did you travel?

11 A. I travelled with my family.

12 Q. And when you reached Masiaka, did you meet people there?

13 A. Yes, yes.

14 Q. Whom did you meet?

15 A. I met SAJ Musa.

16 Q. Who was SAJ Musa?

17 A. SAJ Musa was -- the AFRC called him. They gave him
18 appointment.

19 Q. What was his appointment?

20 A. I cannot remember the exact appointment he was given.

21 Q. And did you know his occupation?

22 A. SAJ Musa, he was the NPRC vice chairman and he was at
23 England, studying.

24 Q. No, I mean during the AFRC period, did you know his
25 occupation?

26 A. No.

27 Q. Apart from SAJ Musa did you meet anyone else at Masiaka?

28 A. Yes. Late Bios Conteh. A lot of soldiers were there and
29 it has taken a long time. I cannot remember again but there were

1 lot of soldiers there. Late Bios Conteh, the BF Kamara and
2 others. Zagalo, the late Zagalo.

3 Q. I think Bios is B-I-O-S. Did you see the second accused,
4 Ibrahim Bazy Kamara?

5 MR AGHA: Objection. It's a leading question, Your Honour.

6 PRESIDING JUDGE: Yes, it is leading.

7 MR FOFANAH:

8 Q. Now, apart from the soldiers you've mentioned, I mean, did
9 you see anyone else?

10 A. Yes.

11 Q. Who did you see?

12 A. Well, the second accused, that was the first time for me to
13 know him and that was the first time I saw him.

14 Q. And how did you know him?

15 A. I saw him at Masiaka. I saw him as an ordinary man because
16 I didn't see him as any big man. He didn't have any securities
17 with him. They just told me that that man was a public relation
18 officer.

19 Q. Public relation officer of what?

20 A. Liaison. The AFRC. They said he was a public relation
21 officer but then, that was what the soldiers told me, because I
22 didn't have time to mix with the AFRC men. I was a soldier who
23 was at the front.

24 Q. Now, whilst at Masiaka, did anything happen, that you can
25 recall?

26 A. Yes.

27 Q. Can you tell the Court, please?

28 A. Well, the Guineans said if we give them money, \$10,000,
29 they will give us ammunition, war tanks, ammunition for us to

1 capture the city again.

2 Q. How did you know that the Guineans demanded \$10,000 for
3 arms and ammunition?

4 A. Well, I was at Masiaka so, when I said I knew, I was there,
5 so I know what I'm saying. I was there when the Guineans, when
6 we were making the arrangements to give them the \$10,000.

7 Q. So was \$10,000 given to the Guineans?

8 A. No.

9 Q. And did the Guineans give any arms and ammunition to the
10 AFRC soldiers?

11 MR AGHA: Objection, Your Honours. Leading question.

12 MR FOFANAH: Respectfully, Your Honours, the witness has
13 mentioned that the Guineans demanded money. I mean, in return
14 for arms and ammunition. I'm just trying to --

15 MR AGHA: He didn't say it was in return for arms and
16 ammunition, Your Honour.

17 PRESIDING JUDGE: I thought he did. He did say that,
18 Mr Agha. I will overrule the objection. Go ahead, Mr Fofanah.

19 MR FOFANAH: Thank you very much, Your Honour.

20 Q. So, did the Guineans give you and your other colleagues,
21 soldiers, the arms and ammunition?

22 A. We didn't give them the money, so they didn't give us the
23 ammunitions. If we had given them the money they would have
24 given us the ammunitions.

25 Q. So during that time, where were the Guineans based?

26 A. At the Freetown Highway, the Freetown Road, on the Masiaka
27 terrain.

28 Q. And these Guineans, what were they?

29 A. They were a part of ECOMOG.

1 Q. Apart from that incident, did anything else happen in
2 Masiaka, that you can recall?

3 A. Well, except I heard that Johnny Paul announced, in
4 Masiaka, because I went there the 13th. That was the incident I
5 heard of, in Masiaka. I don't think any other incidents happened
6 before I left Masiaka or after.

7 Q. So what was the announcement that Johnny Paul made at
8 Masiaka.

9 A. Well, I didn't have a radio, so I wasn't listening to news
10 at that time, so I cannot remember the announcement so -- but all
11 I know was that he made an announcement at Masiaka.

12 Q. You said you heard; what did you hear about the
13 announcement?

14 A. I heard that he announced that he was up the hills and
15 would come back to town; that was what I heard.

16 Q. Come back to what town?

17 A. Freetown. Freetown.

18 Q. From Masiaka did you go anywhere?

19 A. Yes.

20 Q. Where did you go to?

21 A. I walked to go to Lunsar. From Lunsar, I got a vehicle to
22 go to Makeni. I was at Makeni for a week. From there, I went to
23 Kabala.

24 Q. Okay. Hold it there. When you arrived at Lunsar, did you
25 meet people there?

26 A. Yes.

27 Q. Who did you meet at Lunsar?

28 A. Well, civilians, as well as soldiers and RUF.

29 Q. Were the RUFs under any command, that you know?

1 A. Yes, they were under Superman. Even though I didn't see
2 Superman, but I heard that he was in the town.

3 Q. And do you know if there was any overall commander of
4 Lunsar at that time?

5 A. No, no. There was no overall commander. Everybody was
6 going about his own business. Everybody was moving up and down.

7 Q. And during your stay at Lunsar, did anything happen there,
8 that you can recall?

9 A. I didn't take more than a day at Lunsar. I heard that they
10 opened Mabaseneh, and took out medicines. Even there, I wasn't
11 part of the troops that went to Mabaseneh but I met a soldier
12 there, who joined me to go to Makeni. He explained that to me.

13 Q. Mabaseneh is M-A-B-E-S-E-N-E-H. Well, what is Mabaseneh?

14 A. It's a hospital.

15 Q. And where is it based?

16 A. Lunsar.

17 Q. Do you know what district Lunsar is?

18 A. Bombali District.

19 Q. Now, do you know who led the troops into Mabaseneh
20 hospital?

21 A. As I told you, one soldier told me that it was Superman,
22 but to say that I, myself, went there, no.

23 Q. So when you came to Makeni, did you meet people there?

24 A. Yes.

25 Q. Who and who were there?

26 A. Soldiers, civilians, as well as RUFs.

27 Q. Did you spend any time in Makeni?

28 A. I took a week there.

29 Q. During that week did anything happen, that you can recall?

1 A. Well, except the looting that was going on in the town,
2 looting was going on.

3 Q. Who was looting what?

4 A. Everybody was looting. Civilians, soldiers, RUF.
5 Everybody was looting.

6 Q. And what were they looting?

7 A. Food, clothing, vehicles, money and other things.

8 Q. Now, the troops that you met at Makeni, were they under any
9 command?

10 A. No.

11 Q. Apart from the looting, did you observe or notice any
12 killing of people at Makeni?

13 MR AGHA: Objection. It's a leading question, Your Honour.

14 MR FOFANAH: It's part of the indictment, Your Honours.

15 I'm just putting --

16 PRESIDING JUDGE: All right. If it goes to the indictment
17 you can ask it.

18 MR AGHA: I'm not sure it does go to the indictment of this
19 period of time, that they are charged with unlawful killings, as
20 they are fleeing.

21 PRESIDING JUDGE: All right. I still allow the question.

22 Go ahead, Mr Fofanah.

23 MR FOFANAH:

24 Q. Did you notice or observe any killings in Makeni during
25 your stay there?

26 A. No.

27 Q. Did you notice or observe any rape during your stay at
28 Makeni?

29 A. No.

1 Q. From Makeni you said you went to Kabala. Were you alone?

2 A. No.

3 Q. Before we go to Kabala, Mr Witness, we've heard evidence
4 before this Court that the second accused ordered the looting of
5 a bank in Makeni. What do you say about that? The second
6 accused, Ibrahim Bazy Kamara?

7 A. That's a big lie. The person who said that in this Court
8 said it because maybe he wanted some money, or he had -- or maybe
9 he wanted some influence but that's a great lie because I was in
10 Makeni.

11 Q. Why do you say it was a lie?

12 A. I was in Makeni for a week, from the beginning, till the
13 end, when ECOMOG launched the last bomb. I didn't see the second
14 accused there in Makeni, with my own eyes, so that's why I said
15 it was a lie because people, they will lie for --

16 Q. Okay. So you said you went to Kabala. Did you meet people
17 at Kabala?

18 A. Yes. Yes.

19 Q. So who and who were at Kabala?

20 A. SAJ Musa was there.

21 Q. And what was he at Kabala?

22 A. At that time, he was only there. He didn't have a specific
23 commander to say this is the commander that is commanding the
24 town. Everybody was going about his own business. You, be you a
25 corporal, you have, if you have voice behind you then you are a
26 commander. If you are a sergeant, you have a vehicle, you have
27 voice behind you, then you are a commander. So everybody had his
28 command. So there was no particular command structure at that
29 time. SAJ Musa, at the time when we were in Kabala, he was an

1 ordinary man for himself. It was after Kabala that he became a
2 commander.

3 Q. So what were you around this time?

4 A. Well, at that time, I had a vehicle. I had boys. I, too,
5 was a commander because I count myself a commander. Nobody
6 promoted me because I was a sergeant, so I claimed the command --
7 nobody had a say over me.

8 Q. Okay. So, as a commander, what was your role?

9 A. My work, I didn't have any work to do. I was just going up
10 and down with vehicle. Up and down, yes.

11 Q. Okay. So apart from SAJ Musa at Kabala, do you recall the
12 name of anyone else who was at Kabala, when you arrived there?

13 A. Yes.

14 Q. Please tell the Court.

15 A. Superman. Superman was there.

16 Q. Did Superman have any other name, that you know?

17 A. Yes.

18 Q. What name was it?

19 PRESIDING JUDGE: Don't you ever walk -- I beg your pardon.
20 I thought it was somebody else. I'm sorry, Mr Fofanah. Go ahead
21 again. Go ahead.

22 MR FOFANAH: Yes.

23 Q. You said Superman had another name. What was the name?

24 A. Denis Mingo.

25 Q. And who was Superman?

26 A. Superman, he was a commander in RUF. He's an RUF. He was
27 the battlefield commander for the RUF.

28 Q. And was he, I mean, the battlefield commander for the RUF
29 at the time you met him at Kabala?

1 A. Yes, yes.

2 Q. How long did you stay in Kabala?

3 A. I was there for some days. Then I heard a blast again,
4 bomb. They said ECOMOG had entered so people were pulling out.
5 When I heard the firing coming closer, I went into the vehicle
6 and started the engine.

7 Q. And where did you go to?

8 A. I went to Senkonia. From Senkonia I went to Mongo Bendugu.

9 Q. Senkonia, Your Honours, is spelt S-E-N-K-O-N-I-A. Now,
10 where is Senkonia?

11 A. Senkonia is behind Kabala. From the highway to go to
12 Kurubonla. To go to Kono, the road that is behind Kabala, to go
13 to Kono. Very close to the Bindi border. The Guinea border.

14 Q. Okay. Now, you said you were a commander and you had boys
15 under your command riding in the vehicle that you had around this
16 time. How were many men were under your command around this
17 time?

18 A. At that time I had 15 boys.

19 Q. And you said from Senkonia you went to Mongo Bendugu. Did
20 you meet people at Mongo Bendugu?

21 A. Yes, yes.

22 Q. So who were at Mongo Bendugu?

23 A. SAJ Musa was there.

24 Q. Was this the same SAJ Musa that you met at Kabala?

25 A. Yes. At Mongo Bendugu SAJ Musa, when I met him there, he
26 was the commander.

27 Q. He was the commander of what at Mongo Bendugu?

28 A. Well, from Mongo Bendugu he took the commandship of all the
29 SLAs or any RUF that is around the area. He was the commander.

1 Q. And how did you know that?

2 A. Well, when I went to Mongo Bendugu, when I saw SAJ Musa, he
3 had security. Then he organised promotions in order to promote
4 those who were corporal to sergeants, staff sergeant major, to be
5 promoted to officers because when we went to the bush, the
6 officers, most of them had ran away, so SAJ Musa tried to give
7 promotions out for the command structure.

8 Q. Okay. Did you stay in Mongo Bendugu?

9 A. Yes.

10 Q. And did you stay with your boys at Mongo Bendugu?

11 A. Yes, yes.

12 Q. So who was your commander at Mongo Bendugu?

13 A. As I've told you, it was SAJ Musa. He was the overall
14 commander. He was my commander.

15 Q. You said SAJ Musa gave out promotions. Where you affected
16 by these promotions?

17 A. Yes.

18 Q. Please explain.

19 A. Well, SAJ Musa promoted 25 of us to lieutenants. Some men
20 to captain.

21 Q. So what was your promotion?

22 A. I was a captain.

23 Q. You were promoted to captain?

24 A. Yes.

25 Q. Do you recall the names of the other people who were
26 promoted at Mongo Bendugu?

27 A. Yes, yes.

28 Q. Can you please tell the Court?

29 A. Yes.

- 1 Q. Please go on.
- 2 A. Piki n.
- 3 Q. Piki n. Piki n, P-I-K-I-N. Did Piki n have any other name?
- 4 A. Abu Bakkar Conteh.
- 5 Q. What was Piki n promoted to?
- 6 A. Lieutenant.
- 7 Q. And what was his rank before he was promoted to Lieutenant?
- 8 A. Lance-corporal .
- 9 Q. Apart from Piki n, who else was promoted?
- 10 A. Ashim.
- 11 Q. Was Ashim the full name of the person you are referring to
- 12 as Ashim?
- 13 A. Ashim Fullah. That is his real name.
- 14 Q. What was his promotion?
- 15 A. Second Lieutenant.
- 16 Q. And what was he before he was promoted to second
- 17 Lieutenant?
- 18 A. Private soldier.
- 19 Q. Who else can you recall?
- 20 A. Adamu.
- 21 Q. What was Adamu's promotion?
- 22 A. Captain.
- 23 Q. What was his rank before he was promoted to captain?
- 24 A. Sergeant.
- 25 Q. Who else?
- 26 A. Rambo.
- 27 Q. What was the full -- did Rambo have any other name?
- 28 A. Red Goat.
- 29 Q. So what was?

1 PRESIDING JUDGE: What was that Red Goat or --
2 MR FOFANAH: Red Goat.
3 Q. Did you say Red Goat?
4 A. Red Goat.
5 Q. So what was Rambo, alias Red Goat, promoted to?
6 A. Captain.
7 Q. What was his rank before he was promoted?
8 A. Sergeant.
9 Q. Who else?
10 A. There were many, so I cannot remember the others. 25. I
11 cannot remember everybody.
12 Q. Now, apart from these promotions you said that SAJ Musa
13 also set up a military structure. Can you tell the Court what
14 that structure was?
15 A. The structure that he put up at Mongo?
16 Q. Yes, at Mongo Bendugu?
17 A. Well, at Mongo, he was the CIC. He was the
18 commander-in-chief. He was the highest in command.
19 Q. Did he have a second in command?
20 A. No.
21 Q. Now apart from him, were any -- how were you organised at
22 Mongo, you the soldiers; how were you organised?
23 A. Well, ECOMOG were advancing towards us. They were trying
24 to trail us to Mongo, so SAJ Musa formed an operation, that's why
25 he promoted us, that we should go and attack the ECOMOGs at
26 Dankawallie.
27 Q. Okay. Before we come to that, I'm talking -- I'm still
28 talking about the structure, because you said he set up a
29 military structure. So when I said how were you organised, I'm

1 referring to the military structure?

2 A. Well, the promotions, there was no command structure. At
3 that time they just gave us the promotions. They would give you
4 a company. They would say you are a company commander. They
5 were just trying to plan ourselves. There was no mixed command
6 structure. We didn't have a CIC. We didn't have section
7 commanders. To say they formed up a command structure, no.

8 Q. Okay. Thank you. Now, how many company commanders did you
9 have, if you can recall?

10 A. Well, at that time they appointed three company commanders.

11 Q. And did you know who these three company commanders were?

12 A. Adamu, he was one.

13 Q. Who else?

14 A. Rambo, Red Goat, he was two.

15 Q. And who?

16 A. Then I was one of the company commanders there.

17 Q. So what company were you commanding?

18 A. A Company.

19 Q. So you said you went on an operation at a place call
20 Dankawallie. D-A-N-K-A-W-A-L-L-I-E. So who led the troops to
21 Dankawallie?

22 A. Major Komba Gbundema.

23 Q. And who was Komba Gbundema?

24 A. Komba Gbundema was an RUF major. He came from Kono and met
25 us at Mongo and SAJ Musa said that he wouldn't give us the
26 operation because we didn't know much about the jungle, so he
27 decided to give the RUF because they were used to fighting in the
28 jungle so he gave him the operation. We went to Dankawallie and
29 attacked.

- 1 Q. Okay. Where is Dankawallie?
- 2 A. Dankawallie is behind Kabala. Koinadugu District.
- 3 Q. And who were at Dankawallie when you went on the attack?
- 4 A. ECOMOG. They were planning to advance towards us.
- 5 Q. Okay. Now, from Mongo Bendugu, did you go anywhere else?
- 6 A. Yes.
- 7 Q. Where did you go to?
- 8 A. Kurubonla.
- 9 Q. And did you meet people at Kurubonla?
- 10 A. Yes, yes.
- 11 Q. Whom did you go with to Kurubonla?
- 12 A. A whole convoy. General Bropleh, he was STF. He was the
- 13 most senior man next to SAJ. Then the whole troop, because they
- 14 were bombarding, ECOMOG was bombarding at Mongo.
- 15 Q. Now, who is General Bropleh? Bropleh B-U-P-L-E-H [sic].
- 16 A. He was the Special Task Force commander; STF commander.
- 17 Q. You said all of you came to Kurubonla. Now, did you stay
- 18 in Kurubonla when you came?
- 19 A. Yes.
- 20 Q. How long did you take in Kurubonla?
- 21 A. We spent some months there.
- 22 Q. And do you recall what year it was when you came to
- 23 Kurubonla?
- 24 A. Yes.
- 25 Q. What year was it?
- 26 A. 1998.
- 27 Q. Do you know what district is Kurubonla?
- 28 A. Yes.
- 29 Q. What district is Kurubonla?

1 A. Koinadugu District.

2 Q. So at Kurubonla, did anything happen that you can recall,
3 to the military structure?

4 A. Well, at Kurubonla, the military structure, because so many
5 things happened there, the military structure --

6 THE INTERPRETER: The question, is it the military
7 structure or what happened at Kurubonla?

8 MR FOFANAH:

9 Q. We are actually discussing what happened at Kurubonla but
10 we are starting with the military structure. Did anything happen
11 to the military structure at Kurubonla?

12 A. Well, the military structure, SAJ Musa was the CIC.
13 General Bropleh, he was the second in command. Then, we had
14 Captain T, he -- he was a major, later. He was the next SLA
15 senior man on the ground, and we had some STF again who were
16 senior men, like Colonel Nimneh, Colonel Gaylah,
17 Lieutenant-colonel Gaylah, Lieutenant Colonel Nimneh.

18 Q. Nimneh, Your Honours, is spelt N-I-M-N-E-H. And what did
19 you say was the other name? Lieutenant-colonel what?

20 A. Gaylah.

21 Q. Gaylah, I think it's G-A-Y-L-A-H. So, apart from these
22 names, I mean, did you recall the names of any other commander at
23 Kurubonla?

24 A. They were the most senior men. They were the ones that I
25 have called. The other men that were there, they were only there
26 to take commands, to say you go on patrol to so-and-so place.

27 Q. So what were you around this time at Kurubonla?

28 A. Well, I, I was 11 miles from Kurubonla at a village
29 called -- a village called --

1 Q. Okay. Mr Witness, whilst you are recalling the name of the
2 village, the question was: What were you regarding the military
3 structure? What were you around this time?

4 A. As I've said, I was a captain. At that particular time, I
5 didn't have much command. I only had seven boys that remained
6 with me. Seven securities. Then I was at the front line.

7 Q. Did you have any position?

8 A. Well, I was the front commander. At the camp they would
9 call it the combat camp commander.

10 Q. So you were the combat camp commander?

11 A. Yes, for a month. After the month, I rebelled. I said I
12 would not stay there, so SAJ Musa was annoyed with me. He said I
13 should be demoted to sergeant again.

14 Q. Do you recall the name of the village where you said you
15 were based?

16 A. Yes.

17 Q. So what is the name?

18 A. I can recall the name -- when I recall I will call you and
19 tell you the name of the village.

20 Q. Okay. Thank you, Mr Witness. Let's move on. You said you
21 spent some time at Kurubonla and that a lot of things happened.
22 Can you explain to Court some of the things that happened at
23 Kurubonla?

24 PRESIDING JUDGE: Well, was he at Kurubonla? Didn't he say
25 he was at a village 11 miles away?

26 MR FOFANAH: Very well. Very well. I will --

27 Q. Now did you stay at this village 11 miles away from
28 Kurubonla throughout?

29 A. No, I stayed there for a month. After a month, because of

1 the mosquitoes, and I became ill, so I rebelled. I said I will
2 not stay there. I left there. Unbeknown to SAJ I came to
3 Kurubonla. When I came SAJ said I should go back. When I went I
4 came back, so I didn't go there again. I came back to Kurubonla.

5 Q. So when you came back, how long did you spend in Kurubonla?

6 A. I was there for some months.

7 Q. And you said -- do you recall anything happening around
8 this time when you came back?

9 A. Yes.

10 Q. What happened at Kurubonla?

11 A. Except the jets raid, the jets was raiding us. Almost
12 every day the jets was raiding us. Almost every day the jet was
13 raiding. He killed soldiers and wounded soldiers.

14 Q. And what do you mean "jet"?

15 A. Alpha Jets. It's had bombs, that would fire bombs, grenade
16 launchers.

17 Q. Do you know who was flying the jets?

18 A. No, I wouldn't seen the jets, so I wouldn't know who was
19 flying it.

20 Q. And do you know to whom the jet belonged?

21 A. Yes. ECOMOG. They -- it belongs to ECOMOG. The jets is
22 Alpha Jets 448s.

23 Q. So as a result of these air raids, did you do anything,
24 yourself and the other soldiers, at Kurubonla?

25 A. Except we went on a patrol to find food because we were in
26 short of food at that time.

27 Q. Now, it has been alleged before this Court that the second
28 accused, Ibrahim Bazzy Kamara, was the second in command at
29 Kurubonla. What do you say to that?

1 MR AGHA: I object to that question, Your Honour. Firstly,
2 it's leading, and I would like to see the evidence where it's
3 been suggested he, Bazzy, was second in command at Kurubonla.

4 MR FOFANAH: Your Honours, I mean, witness 334 and witness
5 167 who have testified before this Court alluded to the second
6 accused being second in command to the first accused at various
7 places including locations in Koinadugu District. So I'm just
8 trying to elicit that from the witness.

9 PRESIDING JUDGE: Well, I'm not going back to look at the
10 evidence of those witnesses, but we will take you at your word,
11 Mr Fofanah. If that is what was said, I will allow the question.

12 MR FOFANAH: In any case, I will rephrase it. I will
13 rephrase the question.

14 Q. Now, during your movement from Mongo Bendugu to Kurubonla,
15 did you see the second accused?

16 MR AGHA: Objection. It's a leading question, Your Honour.

17 PRESIDING JUDGE: Look, is it alleged in the indictment
18 that the second accused was in this area at that time?

19 MR AGHA: I don't believe it's alleged that the second
20 accused was in this area. We are alleging a joint criminal
21 enterprise. It doesn't necessarily mean that the second accused
22 has to be in that particular area at that particular time, Your
23 Honour.

24 PRESIDING JUDGE: I will overrule the objection. Ask the
25 question.

26 MR FOFANAH:

27 Q. Did you see the second accused at Kurubonla, around this
28 time, Ibrahim Bazzy Kamara?

29 A. The second accused never went to Kurubonla.

1 Q. Did you see him at Mongo Bendugu?

2 A. I never saw him at Mongo Bendugu, nei ther Kurubonl a.

3 Q. Now, did you stay in Kurubonl a throughout or did you have
4 cause to move?

5 A. Yes, yes. I had cause to move. I left there.

6 Q. And where did you go to?

7 A. Well, I left Kurubonl a. I went to Womandu but I didn' t
8 stay there for long. I came back to Kurubonl a.

9 Q. Womandu, Your Honours, is W-O-M-A-N-D-U. So when you came
10 back to Kurubonl a did you go anywhere else?

11 A. Yes.

12 Q. Where did you go to?

13 A. Well, SAJ Musa gave orders that we should move to go to
14 Koi nadugu Vi llage. We went and based at Koi nadugu.

15 Q. Where is Koi nadugu Vi llage?

16 A. Koi nadugu Vi llage, it' s 18 miles from Kabal a.

17 Q. So when you went to Koi nadugu Vi llage, were you alone?

18 A. The whole troop. Even though some troops remained behind
19 but 70 per cent of the troops that was in Kurubonl a moved.
20 Superman came with some RUFs from Kono, and some soldi ers. They
21 joined the troops.

22 Q. So where was SAJ Musa around this time?

23 A. SAJ Musa was with the troops.

24 Q. How long did you take in Koi nadugu Vi llage?

25 A. About one to two months.

26 Q. And whi lst at Koi nadugu Vi llage, did anything happen, that
27 you can recal l?

28 A. Yes.

29 Q. What happened at Koi nadugu Vi llage?

1 A. Well, the things that happened were many, but I will
2 explain some. The most important thing that happened at
3 Koinadugu Village, that was the infighting between the RUFs and
4 the SLA.

5 Q. And what do you mean by that, infighting?

6 A. Infighting, that is when troops are together and they are
7 fighting against themselves, they are fighting themselves, that's
8 the meaning of infighting, yes, because we were in the RUFs were
9 together and, unfortunately, split came and some SLAs were on the
10 RUF side, whilst you had two, three RUFs, they were trained but
11 they were not trained with the RUF, so they were on the side. So
12 call that infighting, because we were fighting to ourselves.
13 Even though I'm not an RUF.

14 Q. Okay. So you said the troops split up at Koinadugu Village
15 and that the RUFs had some soldiers and the soldiers had RUFs?

16 MR AGHA: Objection, Your Honour. I don't think he used
17 the word split up.

18 PRESIDING JUDGE: I thought he did.

19 MR FOFANAH: The interpreter used it, Your Honours.

20 PRESIDING JUDGE: You are wrong, Mr Agha. I'll overrule
21 the objection.

22 MR AGHA: I apologise.

23 MR FOFANAH:

24 Q. So is that your testimony that the troops split up and when
25 they splitted the RUFs had some soldiers and the soldiers had
26 RUFs, some RUFs?

27 A. What I meant the soldiers had RUFs. The SLAs were with the
28 RUF but I, I should say, we had two RUFs who liked me, so they
29 were with me. So that's why I said that was infighting because

1 the soldiers that were with us, they joined the RUF to fight us
2 and we too were fighting then. So we were fighting amongst
3 ourselves.

4 MR FOFANAH: Your Honours, may I respectfully -- it seems
5 like --

6 PRESIDING JUDGE: No, that is a good time, Mr Fofanah.
7 Mr Witness, we are going to have a short break now. I just want
8 to warn you while you are giving evidence, you are not permitted
9 to discuss the evidence or the case with any other person. Is
10 that clear?

11 THE WITNESS: Yes, sir.

12 PRESIDING JUDGE: All right. We will adjourn until 5 past
13 11.

14 [Break taken at 10.45 a.m.]

15 [Upon resuming at 11.09 a.m.]

16 MR FOFANAH:

17 Q. Mr Witness, we stopped at portion of your testimony where
18 you said the RUFs and the SLAs had an infight and, as a result of
19 that, they split up at Koinadugu Village. Now, after this
20 infight, did anything happen in Koinadugu that you can recall,
21 Koinadugu Village?

22 A. Yes.

23 Q. Please tell the Court.

24 A. Well, an RUF killed a recruit that was training at the
25 training base, so SAJ Musa killed the RUF, in turn. After he
26 killed the RUF, the RUFs were annoyed. For example, Superman,
27 his boys incited him that SAJ Musa should not have done that.

28 Q. Where was this training base?

29 A. The training base is at Koinadugu Town, the school. As you

1 enter into the town, the school on the left, that is where the
2 training base was located. So when he killed the recruit, the
3 civilians were afraid. And when SAJ Musa noticed that, because
4 the boy was well favoured, so SAJ Musa killed the RUF. And the
5 RUF captured the ammunition dump which is called -- the
6 ammunition called the G4 belonged the whole RUF movement,
7 because --

8 THE INTERPRETER: Your Honours, can the witness go slow
9 with that, the last part.

10 MR FOFANAH:

11 Q. Okay. Mr Witness, you've explained that SAJ Musa killed an
12 RUF because the RUF had killed an SLA recruit. Now, as a result
13 of that, what was the relationship like between the RUF and the
14 SLAs?

15 A. Well, the relationship, as I have been saying, the RUF and
16 the SLAs were together, but because they killed the recruit, it
17 caused a problem and because of that problem, SAJ Musa was very
18 annoyed because the RUF killed the boy. So SAJ Musa killed the
19 boy in turn, the RUF.

20 Q. Okay, Mr Witness. You've told the Court that. You've told
21 the Court that. Now, what I want to know, after this incident,
22 what happened?

23 A. What really happened, the guys captured the ammunition
24 dump, so SAJ Musa said if they would not hand over the ammunition
25 dump by 12.00, they -- we would recapture the ammunition dump,
26 the SLAs. But by 12.00, surprisingly there was an open fire.
27 They launch and attack.

28 Q. Okay. Hold it. Who launched the attack?

29 A. The RUF started the open fire.

1 Q. And who also captured the ammunition dump?

2 A. The RUFs captured the ammunition dump.

3 Q. As a result of this fire, this open fire, did the SLAs do
4 anything?

5 A. Yes. There was an exchange of fire but, after the exchange
6 of firing, we -- the ammunition reduced, because they had
7 captured some of our ammunition. So there was an exchange of
8 firing for a while. And they were trying to capture SAJ, so I
9 went back to tell SAJ Musa to pull out. So he pulled out and
10 left me in the town and they exchanged fire against them. So I
11 was engaged for a while before I -- I found my way out because I
12 had no ammunition.

13 Q. Okay, Mr Witness. Who was trying to capture SAJ Musa?

14 A. The RUF, Colonel Sengalese, he was an RUF, and his boy did
15 the killing at the base. After SAJ Musa killed his boy.

16 Q. Okay. Do you know where SAJ Musa withdrew to, when he left
17 Koinadugu Village?

18 A. When he left Koinadugu, he went back to the villages behind
19 Koinadugu, back of Koinadugu, so later on, he withdrew, and he
20 went to meet him -- he went to --

21 Q. Okay, Mr Witness, I think you have to go over that again.
22 Now, you said SAJ Musa withdrew to the villages at the back of
23 Koinadugu. Do you know the name of the villages?

24 A. No. The village he went to, that was the first time I went
25 to that village. So I cannot tell the name of the village, and I
26 was unable to ask the name of the village because, at that
27 particular time, I had not got a map with me.

28 Q. Okay. So your testimony is that you later joined SAJ Musa
29 at this village?

1 A. Yes. Later on, I joined SAJ Musa at the village. After I
2 joined up with him, on the same day, we moved to a village called
3 Tumaniya.

4 MR FOFANAH: Hold it. Tumaniya, Your Honours, is spelt
5 T-U-M-A-N-I-Y-A.

6 Q. Now, before reaching Tumaniya, did you see or notice any
7 burning of houses in Koinadugu Village before you left?

8 A. Yes. When we left Koinadugu Village, the RUF killed
9 everybody in the village, all the civilians.

10 Q. How did you know that? How did you know that the RUF
11 killed all the civilians in the village?

12 A. Well, there was a certain boy who -- how I came to know
13 that they killed everybody, because of the smoke. In the
14 evening, we would see smoke and fire at -- in the village and we
15 know it was Koinadugu. And later we saw a boy who was trained at
16 Kailahun, he was my own boy, he escaped to meet me, and he told
17 me that they had killed all the people at Koinadugu Village.
18 They burnt them in the house. I heard that from the boy and,
19 later on, when I saw some of the troops, the SLAs, they told me
20 that that was what the RUF had done. So --

21 Q. And do you know where this smoke was coming from, this
22 smoke that you saw?

23 A. As I have said, it was in Koinadugu Village. They burnt
24 down the whole village because -- because they used to make
25 sacrifice to bring in-fighting between the SLAs and the RUF.

26 Q. Around this time, do you know if the RUFs had a commander
27 at Koinadugu Village?

28 A. Yes, Superman was the commander.

29 Q. Now, you said you came to Tumaniya. Where is Tumaniya?

1 A. Well, Tumania is a village about 25 miles off from Kabala.

2 Q. Did you stay in Tumania yourself and SAJ Musa and the
3 other troops?

4 A. Yes. We were there for about a week. A week and some more
5 days. We were there because the RUF, for example, Superman
6 wanted us to make peace, they were trying to make peace, but SAJ
7 Musa said he would not -- he would make no peace with the RUF.
8 He would have no relationship with the RUF.

9 Q. So at Tumania did anything happen to the SLA military
10 structure?

11 A. Yes, yes.

12 Q. What happened?

13 A. Well, I was promoted to be a battalion commander. I was
14 promoted to the rank of major. SAJ Musa promoted me to the rank
15 of major, and as an RUF battalion commander.

16 Q. Now, can you go over that again? As what battalion
17 commander?

18 A. I was a battalion commander.

19 Q. Of who?

20 A. For -- for the Rapid Deployment Force.

21 Q. That is RDF?

22 THE INTERPRETER: Your Honour, the witness is not audible.

23 MR FOFANAH:

24 Q. Is the Rapid Deployment Force also referred to as the RDF?

25 A. As you have said.

26 Q. Mr Witness, is it "yes" or "no"?

27 A. Yes.

28 Q. Now, you've said you were promoted to major; was this your
29 first promotion after you were demoted to sergeant?

1 A. Well, I was never demoted because I told you they wanted to
2 demote me, but you did not continue to ask me on that line of
3 demotion, so I was not demoted. I only explained to you that SAJ
4 Musa wanted to demote me because I left the front but we did not
5 debate on that.

6 Q. Okay. So you are now major and the commander of the RDF
7 battalion. Apart from the RDF battalion, do you know if there
8 were any other battalions that SAJ Musa formed at Tumania?

9 A. Yes.

10 Q. Please tell the Court.

11 A. Papa 17 was another battalion commander.

12 Q. And what battalion did he command?

13 A. Well, there was no name for that battalion. It was just a
14 2nd Battalion. And the 3rd Battalion was commanded by Konjor.

15 Q. Konjor, K-O-N-J-O-R. Who Konjor?

16 A. Konjor himself, we were promoted along with him at Mongo.
17 He was a senior SLA.

18 Q. And who was Papa 17?

19 A. Papa 17, we were all promoted, and he was a senior SLA. I
20 was the youngest among them. They were older and senior in the
21 SLA.

22 Q. And what year was this?

23 A. 1998.

24 Q. So, do you know if SAJ Musa had any second in command
25 around this time?

26 A. No.

27 Q. Now apart from the changes to the military structure, did
28 anything else happen at Tumania?

29 A. Well, when we went to Tumania, the things that transpired,

1 SAJ Musa formed three battal ion. He said we should try to move
2 up. He spoke to us, lined us up. He said we should go and meet
3 our brothers who had gone ahead to reinstate the army. He said
4 that we were soldiers. He would call on the British
5 international community so that they would come interfere,
6 intervene, and to make sure that the army was reinstated.

7 Q. Now, you've told the Court about your brothers who went
8 ahead. What do you mean by that? Who were the brothers who went
9 ahead to reinstate the army?

10 A. The SLAs, the SLA soldiers, who had gone ahead, whose
11 commander was FAT Sesay. Those are the ones I refer to as
12 brothers.

13 Q. Where did they move from, when you said they went ahead?
14 Where were they before they went ahead?

15 A. They came to -- they left Kurubonla. SAJ Musa sent them to
16 go ahead, around the western area, but they were unable to get
17 around the western area. They were around Port Loko, Bombali
18 District, Kambia District, around those areas.

19 Q. Now, who was FAT Sesay?

20 A. FAT Sesay was the commander of the troops that were -- that
21 was in Rosos, in Camp Eddie Town.

22 Q. Now, you said the troops that FAT Sesay was with came to
23 Kurubonla. Do you know when they came to Kurubonla?

24 A. Sometime in 1998.

25 Q. And were they under the command of anyone, when they came
26 to Kurubonla, FAT Sesay? Was he answerable to anyone?

27 A. Yes. Except SAJ Musa. SAJ Musa.

28 Q. Can you go over that again? What do you mean when you said
29 except SAJ Musa? Who was FAT Sesay answerable to?

- 1 A. He was not answerable to anyone. SAJ Musa was his only
2 commander he was answerable to.
- 3 Q. Do you know who formed the troops that FAT Sesay went ahead
4 with? Who and who were part of that troop?
- 5 A. Yes.
- 6 Q. Who were they?
- 7 A. You had -- we had Eddie. We had King.
- 8 Q. What was the rank of Eddie?
- 9 A. Eddie was Lieutenant-colonel. Lieutenant-colonel or
10 Colonel. I don't know, whichever.
- 11 Q. What about King?
- 12 A. King?
- 13 Q. Yes, what about King?
- 14 A. Lieutenant-colonel.
- 15 Q. Who else, apart from King and Eddie?
- 16 A. Junior Lion.
- 17 Q. Yes. Who was Junior Lion?
- 18 A. Junior Johnson.
- 19 Q. What was his rank?
- 20 A. At that time he was a major, I think, or so. Before they
21 left.
- 22 Q. And do you remember any other soldier who went with the
23 advance troop?
- 24 A. Tito.
- 25 Q. Did Tito have any other name?
- 26 A. Yes.
- 27 Q. What was the other name?
- 28 A. Salifu Mansaray.
- 29 Q. So, from Tumani a, did you go anywhere else?

1 A. Yes.

2 Q. Where did you go to?

3 A. From Tumania, after we formed the battalion, SAJ Musa told
4 us to move on. I was the head of -- as advance team commander, I
5 was in charge. We went on to -- we went to Bafodia.

6 THE INTERPRETER: Your Honour --

7 Q. Can you go over the name of that place again? You
8 mentioned a place just now?

9 A. Bafodia.

10 Q. Bafodia, Your Honours, is spelt B-A-F-O-D-I-A. Where is
11 Bafodia?

12 A. Bafodia is about 18 miles from Kabala. When we went to
13 Bafodia, we met people in the town. It was peaceful. The things
14 were -- business was going on well. We entered at noon, in the
15 afternoon. They were running but we called them. We were at
16 Bafodia for three days with the people. We had no attack from
17 ECOMOG. We were there for three days. During the three days SAJ
18 Musa came across a newspaper. A soldier gave him a newspaper.
19 This newspaper, he saw the 24 men who the SLPP, whom the SLPP
20 government had killed so, he said, "Gentlemen, we should have
21 taken one or two weeks here." But from the looks of things we
22 should not waste any time. My wives and my children, they are in
23 the prison. So he said, "So they have killed these 24 men. We
24 should hurry up and go to Freetown immediately. You've seen what
25 they have done. These 24 men, they have killed that are --
26 they've invested so much money."

27 Q. Hold it there, who were these 24 men that were killed?

28 A. The 24 men, was Abu Sankoh, Zagalo, Tamba Gborie, Hassam
29 Conteh, AK Sesay, Bios Conteh, AF Kamara, Johnny Moore,

1 Lieutenant Kelly Jalloh, Lieutenant Marouf.

2 Q. Okay. Mr Witness, did they belong to any organisation?
3 What was their occupation, if you knew?

4 A. Well, for example, Hassam Conteh was the chief of defence
5 staff SLPP. When SLPP government was reinstated he was arrested
6 and, later on, he was killed.

7 Q. Now, these 24 men who you have referred to, were they
8 soldiers or civilians?

9 A. Well-trained soldiers. Well-qualified soldiers. And some
10 of them had done training outside of this country.

11 Q. Now, you said SAJ Musa told you that his wife and children
12 were in prison; what prison were they?

13 A. They were at the Pademba Road Prison and whenever he
14 explained that he would always cry because he loved his wife and
15 children so much. Whenever he explained that he would always
16 cry.

17 Q. Okay, Mr Witness. From Bafodia, did you go anywhere else?

18 A. Yes.

19 Q. Where did you go?

20 A. Well, we moved on to the hills. We walked on to Kamakwei,
21 close to Kamakwei line, a place called Laminaya.

22 Q. Your Honours, hold it there, Mr Witness. Kamakwei is spelt
23 K-A-M-A-K-W-I-E [sic] and Laminaya is L-A-M-I-N-Y-A. Now where
24 can you find both Kamakwei and Laminaya? What district?

25 A. Tonkolili District or Bombali District or Kambia District.
26 Between Bombali and Kambia.

27 Q. Do you know the district or you don't know?

28 A. I don't know.

29 Q. So when you arrived at Laminaya, did anything happen?

1 A. Yes. Yes.

2 Q. What happened at Laminaya?

3 A. Well, we got information that a priest was in a village
4 called Kamalu, so SAJ Musa sent to capture the priest, to bring
5 him so that the priest would have a satellite phone because he
6 would want to talk to the BBC. He wanted to tell them what he
7 was fighting for. What were his aims and objectives.

8 Q. Okay, hold it there. Kamalu is spelt K-A-M-A-L-U. Do you
9 know the name of this priest whom SAJ Musa sent to be captured?

10 A. Yes.

11 Q. What was his name?

12 A. His name was Father Mario.

13 Q. And was that done? Was Father Mario captured?

14 A. Yes, he was captured and brought. They brought him to
15 Laminaya and he met us there.

16 Q. Did he bring the satellite phone that you referred to?

17 A. No. SAJ Musa asked him for the satellite phone and he
18 replied that he had no satellite phone. He said he would give
19 SAJ Musa some money if he wanted money. SAJ Musa replied that he
20 should not use cheek, so SAJ Musa said if there was no satellite
21 phone, then you become a hostage and you will be with us wherever
22 we go. You would be promoted to a captain, so Father Mario was
23 --

24 THE INTERPRETER: Your Honours, can the witness take that
25 bit again.

26 MR FOFANAH:

27 Q. So was Father Mario promoted to a captain?

28 A. Yes.

29 Q. By who?

1 A. By SAJ Musa and Father Mario accepted the promotion and he
2 was even proud of the promotion. He told some boys around that
3 "I am a captain. You should salute me."

4 Q. Did Father Mario belong to any religious faith or
5 denomination that you know?

6 A. Yes, he was a Catholic priest.

7 Q. So from Laminaya, did you go anywhere else?

8 A. Yes.

9 Q. Where did you go to?

10 A. Well, as we were crossing over from Kamakwei, the boys who
11 were in my battalion captured a policeman but this policeman, I
12 knew him, so when they brought the policeman, his uniform was in
13 a plastic. The boys said that we should kill him but I said no.
14 So I asked him if he knew me. So I told him that I had known him
15 since I was going to school in Bo and I was trained with his
16 uncle. He said --

17 Q. Mr Witness, having captured the policeman, did you do
18 anything to the policeman?

19 A. No. The only thing we found a letter with him and the
20 ECOMOG had given that letter to take it to Gbendembu to say that
21 they were around, so I told him that that was a crime but "We
22 will not do anything to you because I know you. And we are under
23 law and order. So I will take you to my boss but when you get to
24 him, you must tell him that you are my uncle." He carried SAJ
25 Musa's luggage until it got to a time he escaped.

26 Q. Did you see the letter which ECOMOG gave to the police
27 yourself?

28 A. Yes, I removed it myself from his pocket.

29 Q. And did you go anywhere else? I mean, from Kamakwei.

1 A. Kamakwei Highway, the line, not Kamakwei, not in Kamakwei,
2 very close to Kamaranka village.

3 Q. From the highway, did you go anywhere else?

4 A. Yes. We heard that a civilian from a village came to meet
5 us and he told us that he was finding us. He said they were
6 Gbethis in a village and these Gbethis were harassing people, so
7 he was happy to receive us and he was happy that we were around,
8 so he came to join up with us.

9 Q. Gbethis, we've had that before. Where were the Gbethis
10 based?

11 A. He said they were at Kamaranka and they were harassing and
12 threatening people. So the boys said --

13 Q. Kamaranka, Your Honours, is spelt K-A-M-A-R-A-N-K-A. Now
14 how far was Kamaranka from the Kamakwei Highway?

15 A. It was in the main main highway. By that time we had
16 crossed over. So when we got the information, SAJ Musa said that
17 I should go and check but, when I went there, I did not see the
18 Gbethis. So I gave five shot. When they heard the shot they ran
19 away and left the town. So we went to the town and we had some
20 -- found some logistics, food and we left, the very night. We
21 returned to SAJ Musa and reported. We came with food stuff but
22 we reported that the Gbethis were unable to engage and they fled.

23 Q. So where was SAJ Musa when you came back?

24 A. It's two miles from the highway. He was two miles from the
25 highway.

26 Q. And from that two miles did SAJ Musa and the troops go
27 anywhere?

28 A. Yes.

29 Q. Where did you go to?

1 A. Well, we were in that village when SAJ Musa gave orders for
2 the signaller to send a message to the men that we had crossed
3 over and were on the Kamakwei Highway. So, when he sent the
4 message, the signaller came and said that the message had been
5 received. That the men were coming to receive us. So when these
6 men came --

7 Q. Hold it. Who was the signaller?

8 A. Well, we had Josie and Ologima. Josie.

9 Q. What is the other name?

10 A. Josie. We had two signallers, Josie and Ologima, Ologima.
11 It's a Mende name.

12 Q. Ologima is O-L-O-G-I-M-A. So these two signallers, were
13 they with your troops, the troops that SAJ Musa was leading?

14 A. Yes.

15 Q. Did they have any communication set?

16 A. Yes, because we had a set, we moved from Koinadugu and when
17 we got to Bafodia we had a new set, so we had two sets in all.
18 At that particular time, even though on the way one was
19 destroyed, so only one remained because we had no mechanic to
20 repair the set.

21 Q. So you've talked about -- I mean a message sent. To whom
22 was the message sent?

23 A. To the commander who was FAT Sesay. He was in charge.

24 Q. Where was FAT Sesay around this time?

25 A. FAT Sesay was at Camp Eddie.

26 MR AGHA: Your Honours, could we kindly have some
27 foundations as to how he knows that the message was sent.

28 MR FOFANAH: Yes. I'm coming back to the message, I mean.
29 I just wanted to clarify that.

1 Q. Now, where were you when this message was sent?

2 A. Well, I was in the village, at the headquarters. I
3 listened and I was there when SAJ Musa passed the order that they
4 should send the order and I was there when they said they should
5 send the message. I was there. I was there myself. It was not
6 that I heard it. I was there and I listened for myself.

7 Q. What was the message that you heard?

8 A. The message was to tell the signaller to tell FAT Sesay
9 that we have crossed over and that they should come and receive
10 us at Kamakwei. He located the area on the map and he told us
11 the name of the village, even though I cannot recall the name of
12 the village. They had a map and so they were able to trace the
13 direction. They came and they said --

14 THE INTERPRETER: Your Honours, the witness is going too
15 fast.

16 MR FOFANAH:

17 Q. Hold it, Mr Witness. Mr Witness, once again, the
18 interpreters are straining to catch up with you. You are very
19 fast. Whatever you say has to be interpreted. So now, you said
20 they came. Who came?

21 A. O-Five and Junior Lion. They came to receive us across a
22 river, a small river.

23 Q. And were they alone, O-Five and Junior Lion, when they came
24 to receive you?

25 A. They were with some troops. They had manpower.

26 Q. And did anything happen after they had received you?

27 A. Not me. When they received the old troop, that is what we
28 should say.

29 Q. That is what I meant, Mr Witness, all of you. When they

1 received all of you, did anything happen?

2 A. Well, nothing strange, except we were happy. We were
3 rejoicing, especially those who hadn't seen their friends for a
4 long time, they were hugging each other. So the men in the
5 village --

6 Q. Yes, just tell the Court what happened. Did you go
7 anywhere after they have received you?

8 A. Yes. We didn't move immediately. We cooked, everybody
9 cooked. We ate and from there the jet raided but they didn't see
10 us. So we started moving gradually, though we were moved
11 advancing, but we were all mixed up. But those of us who were
12 left there to join them were with our families. Those who came
13 to receive us weren't with their families, so there wasn't any
14 advance team. We were all just mixed up. But that area was a
15 well-fortified Gbethi area but the Gbethis were afraid of us.
16 They were very scared of us, yes.

17 Q. And how did you know that it was a fortified Gbethi area,
18 the Kamakwei area?

19 A. Well, how I came to know that it was a well Gbethi
20 fortified area, because we would get to some villages -- as I
21 told you before, I was in the advance team -- we would get to
22 some areas, when the Gbethis would see us, they would run away.
23 They would run away. Some would drop their guns, their ronko,
24 their slippers, so I knew it was a well-fortified Gbethi area.
25 There were many there. They will attack us but they will never
26 succeed.

27 Q. Mr Witness, where did you go to after you were received by
28 Junior Lion and O-Five and his troops, and their troops?

29 A. Well, we moved to Camp Eddie. We went to Camp Eddie. We

1 went to Camp Eddie.

2 Q. Do you know if Camp Eddie had any other name?

3 A. Well, Camp Eddie, the other name, I cannot tell the other
4 name but --

5 Q. Do you know what district Camp Eddie was?

6 A. I don't know. I don't know because the villages were many.
7 We were just moving from village to one village to another
8 village or the bushes. We were not going to the bigger towns.

9 Q. Okay, Mr Witness.

10 A. But it was around Sendugu area, a village called Sendugu,
11 that one I can recall it, because I was able to locate the area
12 on the map. Yes, Sendugu. It was around there that Camp Eddie
13 was.

14 Q. Sendugu, Your Honours, is spelt S-E-N-D-U-G-U. So when you
15 arrived at Camp Eddie, did you meet anyone?

16 A. Yes.

17 Q. Whom did you meet at Camp Eddie?

18 A. The first person I saw was Tito, Major Tito, may his soul
19 rest in peace -- he is a late man now. I met him there.

20 Q. Who else did you meet?

21 A. Well, I met different people there. I met Tito who was the
22 A Company commander and we went to his area where he was
23 responsible for. That was the area we entered. We entered the
24 camp.

25 Q. Now, do you know if Tito and the other people you met were
26 under any overall commander?

27 A. Yes.

28 Q. Who was their overall commander?

29 A. Commander FAT Sesay was their overall commander.

- 1 Q. Now, you've talked about Tito heading A Company. Apart
2 from the A Company do you know if there were any other companies
3 at Eddie Town?
- 4 A. Yes.
- 5 Q. What other companies were there?
- 6 A. We had B Company.
- 7 Q. Was anyone in charge of B Company?
- 8 A. Yes.
- 9 Q. Who was heading B Company?
- 10 A. Foday Bah Marah.
- 11 Q. Apart from that was there any -- did Foday Bah Marah have
12 any other name?
- 13 A. Yes.
- 14 Q. What was his other name?
- 15 A. Bulldoze.
- 16 Q. Apart from these two companies, were there any other
17 company?
- 18 A. Yes. C Company.
- 19 Q. Was anyone in charge of C Company?
- 20 A. Yes.
- 21 Q. Who was in charge of C Company?
- 22 A. Junior Sheriff.
- 23 Q. Was there any other company?
- 24 A. Yes.
- 25 Q. What was it called?
- 26 A. D Company.
- 27 Q. Was anyone in charge of D Company?
- 28 A. Yes.
- 29 Q. Who was he?

1 A. Keforkeh.

2 Q. Now, apart from FAT Sesay being the overall commander, do
3 you know if there was any second in command?

4 A. Yes.

5 Q. Mr Witness, are you feeling all right?

6 A. I'm not too okay, but I'll try to cope. I'm not too okay.
7 I'm encountering serious pain. I'm cold. I have serious pain.

8 PRESIDING JUDGE: Mr Witness, would a coat help you, if
9 that were to keep you warm?

10 THE WITNESS: I'm feeling pain, pain, sir. A lot of pain.
11 It's not the cold but the pain. I have pain on my left shoulder.

12 PRESIDING JUDGE: Well, can you go on or do you want to
13 have a short break?

14 THE WITNESS: Yes, sir.

15 PRESIDING JUDGE: What does that mean?

16 THE WITNESS: Well, I would like to take a break, sir. The
17 pain, I'm feeling sick.

18 PRESIDING JUDGE: All right. We will have a break until 10
19 past 12. Once again, Mr Witness, during the break you are not
20 allowed to talk about the case or the evidence.

21 THE WITNESS: Yes.

22 [Break taken at 11.55 a.m.]

23 [Upon resuming at 12.12 p.m.]

24 MR FOFANAH:

25 Q. Mr Witness, are you okay now?

26 A. Yes, sir.

27 Q. Mr Witness, my last question to you was whether FAT Sesay,
28 whom you've described as the overall commander of
29 Colonel Eddie Town, before you came, whether he had a second in

1 command?

2 A. The person that was next to him was Eddie, Colonel Eddie.
3 The third in command was King. And he had O-Five and Junior
4 Lion.

5 Q. Do you know if O-Five had any position?

6 A. He was operation commander.

7 Q. What about Junior Lion, did he have any position?

8 A. Junior Lion, when he entered there, he was -- he was MP.
9 Later he was appointed as task force, task force. Task force
10 commander. Junior Lion.

11 Q. Now, how did you know all of these? How did you know the
12 structure of the four -- the military structure at Camp Eddie
13 before you came there?

14 A. Well, I was on the ground. I used to see what was
15 happening and I had my own command.

16 Q. So did SAJ Musa arrive at Camp Eddie?

17 THE INTERPRETER: Your Honour, the witness's mic is off.

18 THE WITNESS: SAJ Musa went to Camp Eddie.

19 MR FOFANAH:

20 Q. So when you arrived with SAJ Musa at Camp Eddie, was there
21 any military structure put in place?

22 A. Yes. FAT Sesay was the commander. When SAJ Musa
23 eventually got there, he was the overall commander. FAT was next
24 to him.

25 Q. And did O-Five continue to be the operations commander
26 after SAJ Musa had appointed -- after SAJ Musa's arrival at Eddie
27 Town?

28 A. Yes.

29 Q. Did anything happen to the position of Colonel Eddie as

1 second in command to FAT Sesay?

2 A. Yes, yes.

3 Q. What was he when SAJ Musa arrived at Eddie Town?

4 A. He was promoted to adjutant also, adjutant, and King, King
5 was overall MP commander.

6 Q. Do you know when Junior Lion was made task force commander?

7 A. Yes.

8 Q. When was he made task force commander?

9 A. Well, it was after our arrival.

10 Q. Who made him task force commander?

11 A. SAJ Musa appointed him as task force commander.

12 Q. Now, apart from the commanders that you have referred to,
13 and the company commanders, did you meet any other person at
14 Eddie Town?

15 A. We met a lot of people there.

16 Q. And did you settle down at Eddie Town, all of you, the
17 troops which came?

18 A. We were there for about two weeks. We were at Camp Eddie
19 Town preparing ourselves for a week or two, but SAJ Musa, because
20 of the newspaper that he had seen, he was urging us to move
21 faster.

22 Q. What month and year did you arrival at Colonel -- at Eddie
23 Town?

24 A. November. 1998.

25 Q. So among the people that you said you saw, at Eddie Town,
26 do you recall the names of any?

27 A. Yes.

28 Q. So who can you recall?

29 A. Well, first, second and third accused were under arrest at

1 Eddie Town. I met them. I saw them in a box. The second
2 accused, they were in a box. I met Lion, he was in charge of
3 them. I spoke to him. I asked him to give me permission to talk
4 to Santigie Kanu.

5 Q. Hold it there. Hold it there. What Lion are you referring
6 to?

7 A. Junior Lion.

8 Q. And who placed the first, second and third accused under
9 arrest?

10 A. Well, I asked Junior Lion himself. He said his men wanted
11 to surrender. They wanted to surrender to ECOMOG. In fact, they
12 should have been killed, but they were lucky that SAJ Musa came
13 so -- so when -- because of SAJ Musa's arrival that was why they
14 weren't killed. So I said I wanted to talk to Santigie Kanu. So
15 myself and Santigie Kanu spoke. He said I should plead with SAJ
16 Musa that they shouldn't be killed. So I said they wouldn't kill
17 you. I asked them why they wanted to surrender.

18 Q. Please go slowly, Mr Witness. You are still being
19 interpreted. Now, when you were referring to the day, who was
20 Junior Lion referring to when they said they wanted to surrender
21 to ECOMOG, they wanted to escape?

22 A. Well, Tamba Brima, the first accused. The second accused
23 Bazzy Kamara and Santigie Kanu and others were there. And there
24 were some other people who were under arrest who were being
25 referred to as witches. They were bewitching the movement so
26 that the troop wouldn't come to Freetown. So all those people
27 were under arrest. But I said I wanted to talk to Santigie Kanu.
28 When I spoke to him he told me that I should plead with SAJ Musa
29 on his behalf.

1 Q. And did you do that?

2 A. Well, later, I spoke to SAJ Musa. SAJ Musa said later,
3 during the meeting, I didn't go the very day but later, when we
4 had the meeting, I spoke with SAJ Musa and he said he wouldn't
5 kill them. But the only thing, he wouldn't release them because
6 the men, he asked why the men should go and surrender, and he
7 said the fighting we were embarking on was not for the SLA, so
8 the men were under arrest.

9 Q. Mr Witness, please, again you have to go slowly because the
10 interpreters are straining to catch up with you. Now, you said
11 that SAJ Musa said that he was not releasing them. Can you go
12 over that again. I did not get that clearly. The reference to
13 the accused persons and SAJ Musa?

14 A. SAJ Musa said he was not going to release them. He said
15 they should be under open detention. They should have guards
16 that will be guarding them. Anywhere they would go there should
17 be people watching them and they shouldn't be in possession of
18 weapons. He said they would be with the movement and they would
19 have security, so the men were under close arrest. They
20 continued to be under close arrest. But they were not released.
21 They were only released from the box. But to say that they were
22 released or given pardon, nothing like that happened.

23 Q. Do you know how long they took in the box before they were
24 placed in open detention?

25 A. Well, if I say I know --

26 THE INTERPRETER: Your Honour, please can the witness go
27 over that bit again.

28 MR FOFANAH:

29 Q. Mr Witness, please, you have to go over that again. The

1 interpreter did not get you.

2 A. I said the men were in the box before we got to Camp Eddie,
3 so I wouldn't be able to tell how many days they had taken in the
4 box. But the only thing I saw them looking dirty and were
5 smelling.

6 Q. Okay, Mr Witness. So you said -- I mean, did you
7 eventually leave Camp Eddie together with SAJ Musa and the other
8 troops?

9 A. Yes, I was with the advance team. I was the first person
10 to cross the river because the first area where we went to go
11 across, they started shooting us. They shot a boy on his head.
12 So the other route that we used, I was the first person to cross
13 with the boat, together with four men. I was the fifth. We
14 crossed the river where the Gbethis were.

15 Q. Okay. Mr Witness, you said you were with the advance
16 group. I mean, you were in the advance team. Apart from you,
17 who else was in the advance team?

18 A. Well, Junior Lion was with me. Foday Bah Marah was with me
19 as well, but I was the most senior man among them. Yes.

20 Q. What was your rank around this time?

21 A. At that time I was a major. Junior Lion, too, was a major.
22 Although he was appointed as task force but he didn't have
23 command over me, yes. My own battalion, I was only answerable to
24 SAJ Musa.

25 Q. Okay. So do you know how the other troops left Eddie Town,
26 after you had left?

27 A. After I had left, the village that I went to, I was
28 attacked there. By then, SAJ Musa was at the rear. When I was
29 attacked I repelled the attack on both sides. They came again.

1 I led an ambush somewhere. The boys that were in the ambush,
2 they opened firing on them because the boys were talking in the
3 ambush, so the Gbethis who came opened firing on the boys. Some
4 of them were wounded and three of them were killed but I trailed
5 the Gbethi on to their village. I dislodged them and later SAJ
6 Musa met me in the village. He gave me order to move to advance.
7 So I advanced while he was left in the village.

8 Q. What was the name of this village where you attacked the
9 Gbethis?

10 A. The villages are many. I cannot recall the names, but, the
11 village is between Madina, Tonko and Bamoi. Bamoi. The road
12 leading to Kupur from Madina. It was between there. There is a
13 junction there and an old truck was parked there.

14 Q. Now, Madina Tonko, Your Honours, is spelt M-A-D-I-N-A,
15 T-O-N-K-O, Bamoi, B-A-M-O-I. Okay. So now you said you left SAJ
16 Musa at the village. Do you know where those who were in open
17 detention were around this time?

18 A. Well, those ones were at the headquarters. At times they
19 would be at the rear, at the headquarters. They were under heavy
20 security.

21 Q. And what do you mean by headquarters?

22 A. The headquarters is where SAJ Musa was, where the signal
23 set was. It's the place where the documents were, the adjutant,
24 MP, and some other administrative areas.

25 Q. Now, Mr Witness, before you left Eddie Town, do you know if
26 anything happened to the companies which you met there? Were the
27 companies still operational, the A, B, C and D Companies?

28 A. Yes, they were operating.

29 Q. And were the commanders whom you mentioned as commanding

1 those companies respectively, were they still in charge of the
2 respective companies?

3 A. Yes.

4 Q. So, Mr Witness, after leaving the village where you
5 attacked the Gbethis, where did you go to?

6 A. When I left there, I moved towards Mange, passed through
7 some villages. Walked for the entire -- for a whole day and
8 night and went towards Mange. We got to Mange. When we reached
9 there, the ECOMOG was there pointing his torch, because he had
10 heard some noise. So while he was penetrating the torch, the
11 boys launched an attack. They opened fire. So we entered the
12 town. The ECOMOG went over the bridge with their war tank. They
13 were there exchanging fire. After the men had captured the town
14 then I said I would cross the bridge because they were launching
15 mortar, so I took a heavy machine gun. I took an RPG too, so I
16 went, I went very close to them while they were shooting because
17 they wouldn't see me because it was dark, because there was a
18 bank. So I launched an RPG bomb. While I was launching the
19 bomb, I dropped the tube. So I started assaulting them and,
20 because of that, they ran away. They pulled out and I called on
21 the troops to join me up. The troops joined me. From there --

22 Q. So what place are you referring to? Where did all of this
23 happen, where you attacked ECOMOG soldiers?

24 A. At Mange, Mange Bridge.

25 Q. And do you know what district Mange is?

26 A. Mange, Mange is between Port Loko and Kambia. I don't know
27 whether it falls within the Kambia or the Port Loko District.

28 Q. Thank you, Mr Witness. So did you overrun this base where
29 you attacked the ECOMOG troops?

1 A. Yes.

2 Q. And did anything happen as a result of that?

3 A. Well, except the ECOMOG that we dislodged, they had a war
4 tank and they pulled out. They were bombing and while bombing
5 they bombed some houses in the town at Mange, over the bridge.

6 Q. Now, did you and your troops do anything in the town, Mange
7 Town, apart from the ECOMOG base?

8 A. Well, as I mentioned, I said as soon as I captured the
9 junction, while the men were going to the town to check for them,
10 I would try to cross the bridge. I went to the bridge but I was
11 unable to enter the town because there were no enemies in the
12 town any more. They all had pulled out. So I went where the
13 enemies were, over the bridge. That's where I went straight off.

14 Q. From Mange, did you go anywhere?

15 A. Well, from Mange, yes. I walked. Since that night we
16 walked the whole night till we got to an area where the soldiers
17 said that they were tired to walk, so, when they said that, and
18 because I didn't want SAJ Musa to meet me there, I started
19 beating them up. I beat up some soldiers and I said we should
20 move on. Some of them were hiding, so I forced them to move. So
21 we moved until we got to a junction and I waited there for SAJ
22 Musa and I told him that I wanted to use that route to bypass
23 through Port Loko. That was very close Calaba Town.

24 Q. Did you have any communication set with you?

25 JUDGE SEBUTINDE: No, Mr Fofanah. The interpreter -- it's
26 the words at the end of whatever. She doesn't finish the
27 sentence. Madam Interpreter, what is the problem?

28 THE INTERPRETER: Because, Your Honour, the witness doesn't
29 finish his sentences.

1 MR FOFANAH:

2 Q. Mr Witness, did you hear that? The interpreter is
3 complaining that you do not finish your sentences. I mean, can
4 we get the last bit of your explanation about where you said you
5 were waiting for SAJ Musa?

6 A. Yes. I said I waited for SAJ Musa at a junction. SAJ Musa
7 met me at the junction and I told him, "Sir, I want to use this
8 route, for us to bypass Port Loko, because it wouldn't be nice
9 for us to go through Port Loko, so we should go around Port
10 Loko," so we bypassed Port Loko. We went around Port Loko. We
11 bypassed Port Loko.

12 Q. And were you still with the advance team around this time?

13 A. Yes.

14 Q. When you bypassed Port Loko, did you go with SAJ Musa?

15 A. As I've mentioned, I was with the advance team and SAJ Musa
16 was at the headquarters. I would move first before SAJ Musa
17 would move. If I don't move SAJ Musa wouldn't move.

18 Q. Okay. So when you bypassed Port Loko, where did you go to?

19 A. We bypassed Port Loko, we went to a village called
20 Malaykulay Makama. That is 12 miles from Port Loko.

21 Q. Can you go over that name again?

22 A. Malaykulay Makama. That was where we went because we
23 walked for the entire day and the entire night. We went to a
24 village called Malaykulay Makama. It's a big village.

25 Q. Okay. Just hold it there. Your Honours, Malaykulay Makama
26 is spelt M-A-Y-L-A-Y-K-U-L-A-Y and M-A-K-A-M-A. So you said it
27 was 12 miles from Port Loko?

28 A. Yes, sir.

29 Q. So did you spend time at Malaykulay Makama?

1 A. We got there at night and we left at night again. We took
2 about two or three hours there but when we got to the village, I
3 went ahead into the bush at the end of the town, that was where I
4 was. When I came back --

5 Q. Okay. Mr Witness, from Malaykulay Makama, where did you go
6 to?

7 A. From Malaykulay Makama, we crossed Lunsar Highway, Mamusa.
8 We crossed Mamusa, we went inside to a village.

9 Q. And where were you heading for all this while?

10 A. As I've mentioned, SAJ Musa said we should come to Freetown
11 for his wife and children and the soldiers that were in prison
12 and we should reinstate the army. He was calling on the
13 international community.

14 Q. Okay. Mr Witness, so you said you crossed the highway,
15 Lunsar Highway and went to a village. From -- do you know the
16 village that you went to?

17 A. No, but if there is a map some of these villages I would be
18 able to identify them.

19 Q. From that village, did you go anywhere?

20 A. Yes.

21 Q. Where did you go to?

22 A. Well, we crossed that highway. The whole troop had lacked
23 ammunition. Some men had two rounds, some had one round and some
24 had three rounds, so, and we only had one bomb, so SAJ Musa --

25 Q. How did you know that the troops had run out of ammunition,
26 when you were in the advance team?

27 MR AGHA: Objection, Your Honour. I think the word is lack
28 of ammunition.

29 PRESIDING JUDGE: He didn't say they ran out. His evidence

1 points to the fact they were low on ammunition but he didn't say
2 they ran out.

3 MR FOFANAH:

4 Q. How did you know that you lacked ammunition?

5 A. Well, as I have mentioned, I was in the front line. I was
6 a commander in the front line. All the boys were complaining to
7 me that they had no ammunition. The headquarter as well, because
8 the headquarters, at times they would attack there and they would
9 attack the rear, so my own job, as RDF, wherever they would
10 attack I would be there. I would go there and reinforce there.
11 Make sure that I would put the situation under control and come
12 back to the advance team. So, through the fighting, we faced a
13 lot of attacks. The rear, the headquarter and the front, had
14 lacked ammunition. By that I mean some men had two rounds, some
15 had three rounds. Some didn't even have any ammunition or
16 magazine.

17 Q. Okay, Mr Witness. We've heard that. So now, Mr Witness,
18 did anything happen as a result of the fact that you lacked
19 ammunition?

20 A. Yes.

21 Q. What happened?

22 A. SAJ Musa called a meeting. He asked everybody their plight
23 and he asked us what we should do then because he said we were at
24 the point that if we go ahead it will be a problem and if we go
25 -- retreat it will be a problem. So he asked us what we should
26 do and some people suggested that we should lay ambush. Some
27 said that if we lay an ambush they would realise that we were
28 there and they would cause problem for us. So we were on that
29 debate and then they said Lunsar is very close to this place. So

1 I told SAJ Musa during the meeting that I would take upon myself
2 that task to go to Lunsar. Then they said that's an ECOMOG
3 brigade headquarter. What, I would be able to embark on that.
4 Then I said I would try my best. Then they said they didn't have
5 any bomb. Then I said even if there is no bomb I would go.
6 Then, then O-Five came up with the idea that there was one bomb
7 remaining. He said we do not have any HND rounds. So I said
8 some boys have the HND bombs, rounds, tied their necks. So I
9 said those that are tied to their necks, I will take them. So I
10 gathered those ammunition.

11 Q. Mr Witness --

12 A. Yes.

13 Q. -- what is this HND rounds?

14 A. Heavy machine gun rounds. Heavy machine gun rounds.

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

16 MR FOFANAH:

17 Q. And what bomb were you referring to when you said you had
18 just one bomb?

19 A. RPG bombs. RPG bomb. One bomb.

20 Q. So when you gathered these ammunition, what did you do?

21 A. Well, when I -- after I'd gathered the HND rounds and the
22 one bomb, then SAJ Musa said that I should go on the attack to
23 attack Lunsar, so I went. I attacked Lunsar. I met ECOMOG
24 there.

25 Q. Now, Mr Witness, did you go alone on the attack?

26 A. No. I went together with 180 armed men and 80 unarmed men.
27 The number was 260.

28 Q. Did you reach Lunsar, the headquarters where the ECOMOG was
29 based?

1 A. Yes. As I got there, when I got to Lunsar Town I fired
2 three shots. After I fired three shots the ECOMOG fired up and
3 when they fired up I knew that the headquarters were there. So I
4 walked through the bushes and behind the houses. I trailed their
5 direction. As I reached very close to the fence, they opened
6 firing. So I told the boys not to open any firing, so they
7 ceased fire and I said we should shout. So everybody shouted
8 "woe." I also shouted "capture live". So when I shouted
9 "captured life" we exchanged some shots. So that was how the
10 shooting was going on. Because we didn't have enough rounds, we
11 shot one or two rounds. We shout and we used stones. I shouted
12 on them. So they killed a Captain Army.

13 Q. Hold on Mr Witness.

14 PRESIDING JUDGE: Yes. Well, Mr Fofanah, he answered
15 infinitely more than you ever asked him, and I don't know what
16 part of that evidence you wanted us to hear and what part you
17 didn't. But it does seem to me -- but is it necessary for us to
18 hear every intricate detail of everything he does in these
19 villages? Or is there some point to you asking these questions?
20 Is there some evidence you want us to hear?

21 MR FOFANAH: Your Honours, respectfully, I have been trying
22 very much to contain the witness but each time it's like he has a
23 flair for details but I will --

24 PRESIDING JUDGE: But would you agree with me that a lot of
25 these details are not relevant to the purpose of your calling
26 this witness to give testimony?

27 MR FOFANAH: As Your Honours please.

28 PRESIDING JUDGE: No, I'm asking you. If you say they are
29 relevant, I won't interrupt you, but it seems to me that these

1 details don't go to proving anything. They are just telling us
2 what he did, in minute detail, but if you --

3 MR FOFANAH: Your Honour, I will take the cue. I
4 understand your drive. I will take the cue. Some details we
5 will need and some we will not need but I will --

6 PRESIDING JUDGE: That is why you are counsel questioning
7 him. You should be guiding him to what you want him to say, not
8 let him ramble on saying anything that comes into his head
9 because I think that's just wasting time. In any event, it's
10 time for our luncheon break, Mr Fofanah, so we will take the
11 break now. Once again, Mr Witness, please don't discuss your
12 evidence or the case itself with anybody else in the interim. We
13 will adjourn until 2.15.

14 [Luncheon recess taken at 12.45 p.m.]

15 [AFRC100CT06C-RK]

16 [Upon resuming at 2.16 p.m.]

17 PRESIDING JUDGE: Yes, continue, Mr Fofanah.

18 MR FOFANAH: Yes, good afternoon, Your Honours.

19 Q. Good afternoon, Mr Witness.

20 A. Good afternoon.

21 MR FOFANAH: Your Honours, just in accordance with the last
22 direction, I was just going to indicate to the Court that I have
23 not reviewed the case of Prosecution including the military
24 expert report as well as the testimonies of certain Prosecution
25 witnesses. I might be requesting or requiring this witness to go
26 into a little detail with certain aspects of our case because it
27 shows a system -- the Prosecution has established a system and we
28 are merely calling witnesses to see if they can contradict or
29 match the system that was established and especially the military

1 expert report. I will try as much as possible to avoid prolix in
2 order to avoid time-wasting.

3 PRESIDING JUDGE: All right. As I said, Mr Fofanah, if
4 this detail is necessary, I was relying on your submissions. If
5 not, we can do without it. But I understand what you are saying,
6 so go ahead.

7 MR FOFANAH: Thank you very much, Your Honours.

8 Q. Mr Witness, when we left off, we were talking about the
9 attack on Mange; do you remember?

10 A. Yes.

11 Q. Now, I think it was the attack on Lunsar, sorry. We left
12 off when you were talking about the attack on Lunsar. Do you
13 recall?

14 A. Yes, yes.

15 Q. And you were explaining how the attack took place. Now
16 what I want to know from you: Did you succeed in running over
17 the ECOMOG base at Lunsar?

18 A. Yes. We dislodged them and captured large quantities of
19 arms and ammunition.

20 Q. Yourself and whom dislodged the ECOMOG base at Lunsar?

21 A. Myself and the battalion and some field soldiers from the
22 headquarters.

23 Q. So did anything happen after you had overrun the ECOMOG
24 base at Lunsar?

25 A. Well, just -- we captured the ammunition, the uniforms and
26 we told the armed men to carry the uniform. There were a lot of
27 uniform, large quantity of ammunition with weapons, which were
28 enough. So it was the men that we told to carry them because,
29 towards the morning, the jets had already started flying over the

1 air. I told the men that we should withdraw because the base
2 where SAJ Musa was not far away from where we were.

3 Q. Thank you. Okay, Mr Witness. Still on the Lunsar attack,
4 did anything happen to you during that attack?

5 JUDGE SEBUTINDE: Sorry, Mr Fofanah, did I hear the witness
6 say we made the captured men carry the things; is that what he
7 said?

8 MR FOFANAH: I will go over that again with the witness.

9 Q. Mr Witness, who carried the items that you captured at
10 Lunsar?

11 A. It was the unarmed men, 80 unarmed men. I myself brought
12 them.

13 Q. Okay. So did anything happen do you during the attack on
14 Lunsar?

15 A. During the attack in Lunsar, as I told you, we lost only a
16 man and we had a casualty, a wounded person. That happened on
17 our own part.

18 Q. No, I mean, yourself, you personally, did anything happen
19 to you?

20 A. Well, except my voice, I --

21 THE INTERPRETER: The interpreter is sorry, the attorney is
22 disturbing a little bit by causing an overlap on the mic.

23 MR FOFANAH: Yes, you are right, Mr Interpreter. I wanted
24 to withdraw that question just to avoid time-wasting, I mean.

25 Q. Mr Witness, I want us to move on from Lunsar. Now you have
26 captured the base and you have taken these items. Where did you
27 go to from Lunsar?

28 A. I returned to SAJ Musa and reported, saying that I have --
29 I had done what he had ordered me. He congratulated me and I

1 went where I was based initially.

2 Q. And where were you based initially?

3 A. At the front, because at any time we went to fight, we will
4 block either two villages, or three villages. The advance team
5 would block about three miles from where SAJ Musa was, so that
6 was where I went. I reported to SAJ Musa and he ordered that I
7 should go back to the base. He recommended me to be promoted.

8 Q. So where was SAJ Musa based around this time?

9 A. As I told you, it was at the headquarters. The village's
10 name I cannot recall, but the headquarters was behind and the
11 advance team was in front, toward the Rogberi area.

12 Q. Thank you, Mr Witness. So, after this incident, did you go
13 anywhere else?

14 A. Yes.

15 Q. Where did you go to?

16 A. The next day, SAJ Musa ordered me that we should proceed
17 further, so we went further. We went to Rogberi. We meant
18 Gbethis in a particular village. We attacked them but we were
19 unable to proceed. From there, we went to the bridge and at the
20 bridge there, there was a stiff resistance there, but the men we
21 met there we were able to overpower them. So we crossed the
22 bridge.

23 MR FOFANAH: Mr Witness, Your Honours, I think we have had
24 Rogberi before. It is R-O-G-B-E-R-E [sic].

25 Q. Now, do you know what district Rogberi is?

26 A. Rogberi, I think it is in the Port Loko District.

27 Q. And what bridge were you referring to? You said you
28 crossed a bridge?

29 A. Rogberi bridge.

1 Q. So after crossing the bridge, where did you go to?

2 A. We branch on the left. There is a village which has --
3 which had a mosque. That was where we went to.

4 Q. So from there, did you go anywhere?

5 A. Yes. We were there for two days. After the two days they
6 were attacking us frequently, so we left there, because we had
7 been experiencing air raids. So we left there.

8 Q. [Indiscernible] Yourself and the troops frequently?

9 A. It was the ECOMOG and the Gbethis.

10 Q. How were you attacked by the ECOMOG and the Gbethis?

11 A. Well, the ECOMOG were afraid to be at the front. They will
12 send the Gbethis to be at the front, so they will advance towards
13 us, so when we fire at them, we will -- we realised that as they
14 retreat, we see the ECOMOG, so that was the way we came to
15 realise that it was the Gbethis that were in front.

16 Q. And who are these Gbethis?

17 A. Well, the Gbethis are the CDFs, the Temne men. Who were
18 the CDF. They wore the ronko like Kamajors, but they are called
19 the Gbethis, but they are different from the Kamajors because of
20 the language.

21 Q. What do you mean by CDF?

22 A. Civil Defence Force; that is, untrained civilians that took
23 up guns to fight.

24 Q. The Gbethis that you said took up the fight, were they
25 armed?

26 A. Yes.

27 Q. With what?

28 A. They had -- they were having different types of guns,
29 because the government and the ECOMOG used to supply them -- the

1 arms, so they had different arms and ammunition.

2 Q. Okay. So after this incident at the village that you have
3 referred to, did you advance to anywhere else?

4 A. Yes.

5 Q. Where did you advance to?

6 A. We crossed the Masiaka Highway, because at the Masiaka
7 Highway -- from that Masiaka Highway, we went to a village and
8 blocked the area. We slept there. The following day SAJ Musa
9 said we should go on patrol.

10 Q. So was SAJ Musa present at this place that you have just
11 referred to, where you slept?

12 A. Yes, yes.

13 Q. How far was that place from Masiaka?

14 A. About 7 miles.

15 Q. So did you receive any orders? You were just explaining
16 that SAJ Musa said something.

17 A. SAJ Musa, all what he used to say was, "Gentlemen, we
18 should move very fast." Always when he spoke to us, he said,
19 "Well, you say you are going to Freetown to reinstate the army.
20 You are soldiers, you should ensure that you fight, because the
21 army had been disbanded. You should ensure that the army is
22 reinstated. You are not rebels. You should behave very well."
23 That was what SAJ Musa used to tell us.

24 Q. So from this village from Masiaka, near Masiaka, where did
25 you go to?

26 A. Well, he gave me an order to go to -- to go to Okra Hill,
27 to set an ambush. So I went at Okra Hill and I laid an ambush.
28 But the ambush I laid, there were -- there was a civilian
29 vehicle, which was a bus, but the boys were hungry and they told

1 me that -- said we should attack the vehicles. Then I said no.
2 I said, if we were to do that, it was a very bad crime and we
3 were to be disciplined for doing that. I told them that we
4 should wait for the ECOMOG. It was not too long when the ECOMOG
5 arrived and fell into our ambush and we opened fire at them.

6 Q. Now, Mr Witness, where is Okra Hill?

7 A. Okra Hill, it is located 14 miles from Freetown, because
8 after 38 -- behind 38, about 39 miles, because 1 mile from 38 you
9 go to Okra Hill, up the hill, where you have the banks. The
10 banks.

11 Q. Is it part of the Freetown/Masiaka Highway?

12 A. Yes, the Freetown Highway, going to Masiaka.

13 Q. So you said ECOMOG came and you attacked -- you laid an
14 ambush and attacked them. What happened after that?

15 A. Well, when we attacked them, the ambush was successful, the
16 ECOMOG -- there was one truck of ECOMOG that bulldozed and went
17 to the men on the front. We captured the two trucks. During
18 that process, the jets came. So the jets fired very close to us,
19 but it was unable to damage any one of us. We returned to SAJ
20 and I made a report that I made an ambush. He said -- he said
21 everything was good, then he said, "Okay. Go back to where you
22 were deployed."

23 Q. Did anything happen to the trucks that you referred to, the
24 ECOMOG trucks?

25 A. Well, the trucks, we drove it from the highway and brought
26 it to where we were. There was some food, so we collected all
27 the food there. We entered into the village where we were based.

28 JUDGE SEBUTINDE: Mr Interpreter, was that truck, as in
29 singular, or trucks?

1 THE INTERPRETER: Truck, Your Honour.

2 MR FOFANAH:

3 Q. How many truck or trucks are you referring to, Mr Witness?

4 A. Two trucks. Two trucks, but it was only the one that we
5 drove into the village, but the other one went and met the men
6 that were in front, so it was only -- there were two trucks, but
7 only the one that we drove and parked it in the village.

8 Q. Mr Witness, around this time, where were the other troops,
9 I mean, the other battalions and companies that you had earlier
10 referred to, which were from that Eddie Town, where were they,
11 the other troops?

12 A. The other troops, were inside where SAJ Musa was. The
13 village name, I cannot recall, but when you reach Okra Hill, the
14 village at Okra Hill, you branch on the left and enter. The road
15 on the left is the road you should use and you would reach where
16 SAJ Musa was. After one village, the second village, the road on
17 the left, that was the way.

18 Q. Okay, Mr Witness, thank you very much.

19 A. The village is Ropat.

20 Q. Can you go over it again, Mr Interpret?

21 A. Yes, Ropat. That is the village close to Okra Hill. Ropat
22 is the village's name.

23 MR FOFANAH: Your Honours, R-O-P-A-T.

24 Q. Now, Mr Witness, did your troops make any further advance
25 from Ropat?

26 A. As I told you, we were at Ropat, we were about to advance,
27 then the jets came. So the jets disturbed our operation. We
28 were unable to go, because it was daylight. I went to SAJ. When
29 I went to him, he was so angry.

1 THE INTERPRETER: The interpreter is sorry. One part of
2 the witness's testimony is not audible to him.

3 MR FOFANAH:

4 Q. Hold there, Mr Witness. Please, you have to be as audible
5 as you can? Now, what I want to know is: After you came back to
6 Ropat and explained or reported the incident that you -- your
7 encounter with ECOMOG, did you go anywhere else from Ropat?

8 A. When I left Ropat, I went and reported to SAJ Musa before I
9 went to any other area, later.

10 Q. When you reported, did he say anything? Did he tell you
11 anything?

12 A. Well, he was vexed. He said I should not do that the next
13 time. At any time he sends me on an operation, since I had a
14 signal set, I should inform him through that and explain all the
15 details concerning that. I said "Yes, sir," and then he ordered
16 me to go back to my deployment area.

17 Q. Who was operating the signal set that you had?

18 A. Well, it was one -- it is a late boy -- a late soldier --

19 Q. If you cannot recall the name, let's move on. Mr Witness,
20 so after all the reports, did you advance to anywhere else?

21 A. Yes, but it wasn't the same day.

22 Q. Did you later advance to anywhere?

23 A. Yes, yes.

24 Q. Where did you advance to?

25 A. I went to Sumbuya, that is the RDF, the ECOMOG base. We
26 captured there. We captured ammunition. I came back and
27 reported to SAJ Musa.

28 Q. Did you have subcommanders with you around this time?

29 A. Yes.

1 Q. Who were your subcommanders?

2 A. Well, Junior Lion was one. He was in charge of the G4, the
3 ammunition. Any ammunition that I captured, I was to give the
4 ammunition to him and he was taking care of everything, and there
5 were other commanders that were with me.

6 Q. So when you returned with the captured ammunition from
7 Sumbuya to SAJ Musa, did he do or say anything?

8 A. Yes.

9 Q. What did he do or say?

10 A. Well, he was happy. He was happy and he went to the extent
11 saying that I had made the same mistake. While I was at RDF, I
12 should have communicated through the set before going there. He
13 said I shouldn't have returned. That is what he told me, but he
14 was very happy.

15 Q. So when you came on the Sumbuya attack, where was SAJ Musa?

16 A. SAJ Musa was at the base that I have told you about, the
17 village I have talked about. That was where he was.

18 Q. How far is Sumbuya from Ropat, if you know?

19 A. Sumbuya to Ropat is about 7 to 8 miles. It is about 7
20 miles.

21 Q. Now, did SAJ Musa, at any point in time, leave Ropat on his
22 advance to Freetown?

23 A. Yes. It was not at Ropat. SAJ Musa did not go to Ropat.

24 Q. Please, Mr Witness, you have to be audible enough so they
25 can hear and interpret you. Where was SAJ Musa? Was he at
26 Ropat, or was he not at Ropat? Where was he? Where was he
27 based?

28 A. He was inside, as I have told you, Mr Lawyer. I am not
29 well, that is why I'm speaking in this way. If I am well, I

1 would have spoken very loud. It is because I am not well, I'm
2 just trying to make up -- patch up things so that the situation
3 with can forge ahead. That's why I'm trying to manage up things.

4 Q. Okay, Mr Witness, I'm sorry about that. I'm not trying to
5 push you beyond your limits, but I basically just want to make
6 some progress. Now, from this village that SAJ Musa was based,
7 which was close to Ropat, did he make any further advance?

8 A. Yes, yes, but before that, he ordered us -- he gave us an
9 order for a mission to go to Mile 38. And before the 38
10 operation we went first at Masiaka, but the Masiaka operation he
11 said I should lead that operation. But I had a problem with my
12 neck. I had a pain on my neck. I saw a snake and from there my
13 neck started aching me, except when traditional medicine was used
14 on me.

15 Q. Mr Witness, please explain to the Court about the attacks
16 that you went on and then the sequence in which the attacks were
17 made. Did you go on the Masiaka attack?

18 A. No. The Masiaka attack, I did not go.

19 Q. You had earlier spoken about an attack on Mile 38. Did you
20 go on that attack?

21 A. Yes. 38, I went there and that was the time I was fired at
22 and from the time we were moving, it was at Mile 38 that we had
23 the highest number of casualties, because there we lost ten men.

24 Q. Now, whom did you attack at Mile 38?

25 A. It was the ECOMOG and the surrendered SLA soldiers who were
26 there.

27 Q. What do you mean by "surrendered SLA soldiers"?

28 A. That it was the soldiers who surrendered to the ECOMOG, who
29 were fortunate and they were not killed. But some who

1 surrendered, the ECOMOG killed them. So the ones that were lucky
2 that were not killed, they were also incorporated into the ECOMOG
3 forces.

4 Q. Now, you said you lost ten men on the attack. Were you
5 successful on that attack?

6 A. Yes, we captured the place. We captured mortars and
7 ammunition, yes. The only thing -- the situation was not good
8 for me because I got an injury there.

9 THE INTERPRETER: The interpreter is sorry. The
10 interpreter would like to make a correction. The number of
11 individuals that got a problem at the Mile 38 attack, instead of
12 ten, it was 12.

13 MR FOFANAH:

14 Q. Thank you, Mr Witness. So you said you got an injury at
15 the Mile 38 attack. So what injury did you get?

16 A. I was fired at six times on my chest and my hand, and that
17 caused me serious bleeding. My nose -- blood was dripping from
18 my nose and I had some serious problem. So I came back to SAJ
19 Musa, but we had already captured the place.

20 Q. Mr Witness, what part of the your hand? Which hand did
21 you say you sustained the injury?

22 A. My left, my left hand, on my left shoulder here, from my
23 neck here to this part of my shoulder on the back, my nerves. My
24 nerve cut.

25 Q. How did you sustain this injury?

26 A. Well, when we reached at 38, I left the men behind. I and
27 one of my securities went ahead. We went ahead. I had captured
28 a headquarters. We went ahead, almost at the Junction, that was
29 the time the machine -- there was a heavy machine-gun that was

1 used to block. As I was trying to -- as I was trying to cock the
2 gun, as I pressed the trigger, when the boy told me that, "Eh,
3 you have fired the man." I said, "Eh, boy, the man had fired at
4 me." But the boy did not believe. He said, "Let me go and
5 collect the man's weapon." I said, "Boy, the man has cut off my
6 hand."

7 MR AGHA: Your Honour, at this stage I rise to object on
8 the basis that the witness says he was shot and injured. I mean,
9 what is the relevance of all the detail in which we seems to be
10 going into?

11 PRESIDING JUDGE: What is your reply to that, Mr Fofanah?

12 MR FOFANAH: I will take the cue. I basically asked him
13 how he sustained the injury. I will take the cue and move on
14 from there.

15 Q. Before I move on, Mr Witness, would you like to show the
16 Court where you sustained this injury on your arm?

17 A. Yes.

18 Q. Just sit where you are.

19 MR FOFANAH: Respectfully, Your Honours, I do not know if
20 Court Management can assist the witness.

21 PRESIDING JUDGE: What is the relevance? Is this to prove
22 that ECOMOG fired at people?

23 MR FOFANAH: Well, in the course of the attack, the
24 crossfire and the like, I mean, it shows that attacks did take
25 place and forces were firing at each other and he was one of the
26 victims.

27 JUDGE DOHERTY: Is that in dispute?

28 MR FOFANAH: Well, it is not in dispute, Your Honours, but
29 then it is just to show credibility that he was one of those who

1 were involved and -- except if Your Honours do not --

2 PRESIDING JUDGE: All right, look, for what it is worth, he
3 can show us his injuries. Incidentally, I might mention this,
4 Mr Fofanah, and it is probably a defect in the interpreting, but
5 the term used was "fired at six times." Now, fired at does not
6 mean that the person hit the target. You can fire at the thing
7 six times and miss six times, so I think fired at does not mean
8 he was shot six times. It just means that somebody shot at him
9 six times. He might have missed the whole six times. That is
10 probably an interpreting fault.

11 MR FOFANAH: I will agree with Your Honours. And, in fact,
12 we don't have the word "shot" in Krio. It is fired, which should
13 be rightly interpreted to mean "shot at," but I will leave that
14 with the interpreters.

15 PRESIDING JUDGE: All right. Well, look, witness section,
16 can you please go and help this witness remove his coat.

17 THE WITNESS: These are the bullet marks, six bullet marks.

18 PRESIDING JUDGE: You will have to move that shoulder strap
19 of the singlet down. No, no, just slip the strap of singlet over
20 his shoulders.

21 THE WITNESS: The bullet marks, and I have one here.

22 PRESIDING JUDGE: I cannot see anything from here.

23 JUDGE SEBUTINDE: Is that his shoulder or is that a scar,
24 that bone? Is that the scar or is that his normal shoulder?

25 MR FOFANAH: Your Honours, I can see a scar on the left
26 shoulder.

27 THE WITNESS: Look at the scars here. The marks over here.
28 These are the bullet marks, all these are bullet marks, six
29 bullet marks from here.

1 PRESIDING JUDGE: Now, Mr Witness, you have a very
2 protruding left shoulder there. Is that a result of the bullet
3 wound, or does your shoulder always look like that?

4 THE WITNESS: Yes.

5 PRESIDING JUDGE: What does that mean?

6 THE WITNESS: It was because I was shot at. That is where
7 the shoulder is protruding. As you can see, you can observe the
8 bullet marks there. The other one got stuck into the body. The
9 other ones stuck into -- in the body. It was a nurse that
10 removed them in Freetown here. Here are five. Here is one on my
11 hand, five up here.

12 PRESIDING JUDGE: You have five bullet wounds in the
13 shoulder and one on the hand; is that right?

14 THE WITNESS: Yes. One on the palm here, then five bullet
15 marks are up here, five marks. The man standing very close to me
16 here can observe and he would see the marks.

17 MR FOFANAH: Respectfully, Your Honours, I can also see a
18 big scar on the left shoulder where the bone seems to be
19 protruding. There is a scar there.

20 PRESIDING JUDGE: I see. All right, thank you.

21 MR FOFANAH: Which is about two-and-a-half inches, if I can
22 say for the records.

23 PRESIDING JUDGE: What did you see, Mr Court Attendant?

24 MR GEORGE: Scars, Your Honour, just as described by the
25 witness.

26 PRESIDING JUDGE: All right. The witness is showing some
27 scars to the left shoulder and the shoulder itself seems to be
28 somewhat misshapen. Yes, go on, Mr Fofanah.

29 MR FOFANAH:

1 Q. So, Mr Witness, after this attack on Mile 38, did you come
2 back to SAJ Musa to report?

3 A. Yes, but during that time I was carried and brought to him.

4 Q. And in what state were you?

5 A. At that particular time, I was unconscious.

6 Q. So do you know how the troops moved -- first of all, did
7 you later gain consciousness?

8 A. Yes, yes. I became conscious, later on.

9 Q. Where did you gain consciousness?

10 A. It was when we came back to the village. I felt something
11 like light, a flash of light, and I heard people crying, saying
12 "He has died. He has died." So when I woke up, I coughed and
13 people said "Oh, he has not yet died."

14 Q. From that point on, do you know if SAJ Musa's troops
15 advanced?

16 A. Yes.

17 Q. Where did they advance to?

18 A. Well, the next day we moved during the night. We walked
19 and crossed Sumbuya, that is at RDF. We crossed there and went
20 ahead. After we had crossed there, we entered around Four Mile.
21 We were there when SAJ Musa sent troops to lay an ambush at the
22 highway. We were there for the rest of the day.

23 Q. Mr Witness, do you know if Four Mile has any other name?

24 A. Around Songo.

25 Q. And from -- I mean, was the ambush laid, the ambush that
26 you referred to?

27 A. Yes.

28 Q. And did anything happen?

29 A. Yes.

1 PRESIDING JUDGE: Just so that I will understand this,
2 Mr Fofanah, he was shot six times the day before, did he take
3 part in this ambush?

4 MR FOFANAH: Very well, Your Honours.

5 Q. So, Mr Witness, did you take part in the ambush that you
6 are talking about?

7 A. No. But I was lying down in the headquarters, anything
8 that happened, I would know. Because as long as I was in
9 headquarters, I would know. And if they came back from the
10 ambush, if they came, I would know. Because it was before me
11 that they came and reported to SAJ Musa saying that we had
12 accomplished the mission. So anything that happened, although I
13 was injured during that time, I wasn't able to go, but I hoped
14 that anything that happened, no matter how little it was, I would
15 know.

16 Q. Thank you. Now, when you reached Four Mile, do you know
17 where the three accused persons who were in open detention, do
18 you know where they were?

19 A. Those men, first of all, they did not even encourage them
20 to come where SAJ Musa was, yes. Men were under arrest. And
21 when we were at Four Mile, I did not the see them with my own
22 eyes, but I knew they were under arrest, because they were not
23 being encouraged to that extent from that time that we left the
24 base, I did not see them until when we reached at Waterloo. That
25 was where I saw them for the last time. Waterloo, I did not know
26 whether they were taken. It was at Waterloo that I saw them with
27 my own eyes.

28 Q. So from Four Mile, did you go anywhere, the troops?

29 A. Yes, yes.

1 Q. Where did you go to?

2 A. We moved towards Freetown.

3 Q. During your movement, did you pass through any place or
4 places?

5 A. Yes.

6 Q. So where did you go to from Four Mile?

7 A. When we left Four Mile, we came straight away to Lumpa
8 straight by the old road before we reached at Lumpa, we were
9 ambushed. They launched an attack, RPG.

10 Q. Who ambushed you?

11 A. Well, I cannot tell, because it was during the fight that I
12 just saw a bomb from the bush and it came and exploded on the
13 line on the West Side and it damaged a boy. And the few rounds
14 that had been coming from that particular direction, so the men
15 ran away. So we left that part and came to Waterloo, Lumpa.
16 From there, when we arrived at Waterloo, SAJ Musa said that we
17 were to go into Benguema.

18 Q. Okay. During your movement from Eddie Town until the time
19 you came to Waterloo, did you have civilians with you?

20 A. Civilians, like where I was in the advance team, I did not
21 have any time with the civilians, because SAJ Musa told me that I
22 should not capture civilians and that I should not kill civilians
23 and that I should not burn the houses of civilians and that I
24 should not take their property. So when I arrived, or before I
25 arrived in some areas, if civilians saw us, they would run away.
26 They would hear that we were coming and they would run away. So
27 the only civilians --

28 Q. I mean, the entire troop movement, I do not mean that the
29 civilians -- I'm not talking about the civilians that you met in

1 the places that you were going.

2 A. Okay.

3 Q. Did your troops have civilians?

4 A. A lot, a lot. Some men were with their mothers, their
5 children, their sisters, their brothers, their uncles, their
6 aunts, some men were with their whole families, some were with
7 even their grandmothers and grandfathers. The people were so
8 many. Some men were with their wives.

9 Q. Thank you. Now, Mr Witness, did you -- or do you know if
10 the troops finally reached Benguema from Waterloo?

11 A. Yes. They arrived at Benguema, but the fight took place.

12 PRESIDING JUDGE: Look, Mr Witness, you are not being asked
13 anything more than: Do you know whether the troops arrived at
14 Benguema? And you have answered that question. Now, move on,
15 Mr Fofanah.

16 MR FOFANAH:

17 Q. So when you arrived at Benguema, did anything happen,
18 Mr Witness?

19 A. Yes.

20 Q. What happened at Benguema?

21 A. Well, SAJ Musa gave an order that the ammunition dump
22 should be burnt, because when all the ammunition had been take
23 from the ammunition dump, there were some bombs that had been
24 left there. So those bombs that had been left, were those that
25 did not have artillery with which they could use them. So SAJ
26 Musa said, "Those bombs, as long as we do not have anything to do
27 with them, they should be -- they should set fire on them." When
28 fire was set on them, about two to three minutes there was an
29 explosion took place. After the explosion, I just heard that SAJ

1 Musa had died through the explosion. Yes.

2 Q. Okay, thank you, Mr Witness. So after the death of SAJ
3 Musa, did you continue on your advance to Freetown?

4 A. Yes. We did not go straight away, or immediately. We
5 tried to bury him first before we moved.

6 Q. Now, after the burial, do you know if the troops were
7 reorganised under any commander?

8 A. FAT Sesay was the commander, whom I knew.

9 Q. Did FAT Sesay have any second in command?

10 A. Eddie. Eddie was next to him, because King had died. We
11 had O-Five and Junior Lion. We had Tito. So they were ranked.

12 Q. Around this time, where were you, when you reached
13 Benguema?

14 A. As I told you, at that time, you see, I was injured, so I
15 did not have much time to go to the front.

16 Q. Thank you. Now, do you know if the three accused persons,
17 you have earlier referred to, reached Benguema?

18 MR AGHA: Objection, Your Honour. I think he said he last
19 saw them at Waterloo.

20 THE WITNESS: I told you that they then stopped at
21 Waterloo. How many times do you want me to answer that question?

22 MR FOFANAH:

23 Q. Mr Witness. I will take the cue, thank you. Now, you said
24 that FAT Sesay took charge of the troops. Do you know if they
25 advanced from Benguema to anywhere?

26 A. Yes.

27 Q. Where did they advance to?

28 A. When we beyond Benguema, Samuel Town, Samuel Town also,
29 there was one village, Goba Wata. There I heard that SAJ was

1 buried. FAT Sesay gave order and he said that Tombo was to be
2 attacked. His men went and attacked Tombo and came. From there,
3 the other time, he said they were to go and attack York. They
4 went and attacked York, but York -- the attack was not easy for
5 them, so they were not able to overpower those people there. So
6 when they came back. So when they came back, they said we were
7 to go. So we went into the forest walking. We came close to
8 Benguema, but the area where we came to, by Benguema, when the
9 soldiers went and patrolled, they realised that it was just by
10 Freetown and they had reached. So they gave a report that they
11 had seen houses and they saw light, because it was during the
12 night.

13 Q. Okay, Mr Witness. Mr Witness, how far is Benguema from
14 Freetown, if you know?

15 A. From when Benguema to Freetown, it is around 22 to 23
16 miles.

17 Q. You referred to villages like Tombo and York. Do you know
18 what part of Sierra Leone those places are?

19 A. Yes.

20 Q. Where?

21 A. They are found at the peninsula. They are found at the
22 peninsula, to come to Freetown, right around the peninsula.

23 Q. So did you and the rest of the troops finally came to
24 Freetown?

25 A. Yes.

26 Q. What part of Freetown did you come to?

27 A. Well, I came up to State House, because since I was not
28 well, so I couldn't walk a lot. So I came to State House and I
29 spent one week. After one week they were attacking us and there

1 was pressure, so we decided to go back. I went to Kissy; there I
2 stayed.

3 Q. Now, who led you to State House in Freetown?

4 A. Well, it was not a single individual. When I was wounded,
5 the man who had been taking care of us was a strong man. We had
6 Pikin, we had Ashim, we had NPFL.

7 Q. Mr Witness, I was basically asking of you if there was any
8 overall commander who led you to State House, the rest of the
9 troops?

10 A. FAT Sesay, he was the overall commander. In order to prove
11 me right, he was the one that made the announcement when he came
12 into Freetown.

13 Q. What announcement is FAT Sesay make in Freetown?

14 A. Well, he announced that we had come back. The soldiers who
15 had gone had come back. Yes, that was what I could recall that
16 he announced.

17 Q. So you said you spent one week at State House. After the
18 one week, where did you go to?

19 A. I went at the rear and I made sure that I had good
20 treatment. And it was in that treatment that they extracted
21 another bullet from my hand.

22 Q. So did you stay in Freetown throughout the period of your
23 attack on Freetown?

24 A. As I told you, I said I spent one week at State House.
25 After that, I went to the rear, that is, at Kissy. See, I had
26 one white vehicle. From time to time, you see, I would get into
27 it and drive around, after which I would go at the rear again. I
28 was there throughout, in Freetown. I spent 21 days in Freetown.
29 From there, I withdrew, whilst other men stayed in town. Some

1 stayed at Calaba Town area. As regards me, I returned to
2 Waterloo.

3 Q. Thank you, Mr Witness. So during your stay in Freetown,
4 did you see the three accused there?

5 A. Mr Lawyer, how many times do you want me to answer this
6 question? I have told you that I saw them last at Waterloo. I
7 do not want you to make me go where I had explained. I'm not
8 trying to take you back. Did I not say that I last saw these
9 people at Waterloo?

10 Q. Mr Witness, I was merely requesting a "yes" or "no" to my
11 question. I was trying to ask you a question that demanded a
12 "yes" or "no." But if your answer is that you last saw them at
13 Waterloo, I will move on. So when you came back to Waterloo, did
14 you meet the three accused at Waterloo?

15 MR AGHA: Leading question, Your Honour. I would object to
16 that.

17 PRESIDING JUDGE: It is leading, Mr Fofanah. You can ask
18 that in a different way.

19 Q. Whom did you meet at Waterloo when you came back?

20 A. When I came back to Waterloo, I wasn't able to see the
21 three accused persons again. I did not know their whereabouts,
22 because when I came to Waterloo, I did not even spend much time
23 there, but throughout in Freetown I did not see the three accused
24 persons. Because if they were in Freetown, I would have seen
25 them.

26 Q. Thank you, Mr Witness.

27 A. But I did not see them.

28 Q. From Waterloo, did you go anywhere?

29 A. Yes.

1 Q. Where did you go to?

2 A. I went to Makeni.

3 Q. How long did you take in Makeni?

4 A. About four months, or so, because I had been taking
5 treatment.

6 Q. Did you meet people at Makeni when you returned?

7 A. Yes, there were civilians.

8 Q. Apart from civilians, were there any other people?

9 A. Yes.

10 Q. Who were they, at Makeni?

11 A. RUF, as well as SLA.

12 Q. Do you know if the people that you have referred to, the
13 RUF and the SLAs, do you know if they were under any overall
14 commander?

15 A. Well, the commander in Makeni was Superman. Superman was
16 the -- he was the one that had the last say in Makeni.

17 Q. From Makeni, did you go anywhere?

18 A. Yes.

19 Q. Where did you go to?

20 A. When they signed the cease fire, I decided to come to
21 Freetown so that I could get better treatment, but when we were
22 coming, I passed through West Side.

23 Q. Where is West Side?

24 A. West Side? Okra Hill jungle, which is in the western part
25 of the Freetown, behind Masiaka.

26 Q. Who were at West Side?

27 A. It was the SLA soldiers.

28 Q. When you arrived there -- first of all, what year was it
29 that you arrived at West Side?

1 A. Let me say May to June 1999.

2 Q. When you arrived there, were the SLAs, whom you met there,
3 under any command?

4 A. Yes, yes.

5 Q. Who was their commander?

6 A. Well, Junior Lion, he was the commander at the West Side.

7 Q. How did you know that?

8 A. Well, that particular time he was the one that I met, who
9 was the most senior man. He had Tito, who was the next -- who
10 was next to him, then after one month or so Foday Kallay came,
11 who came and took over as overall commander at the West Side. So
12 he went straight off and took off the command.

13 PRESIDING JUDGE: You are objecting.

14 MR AGHA: Yes, I am, Your Honour, on the basis that he said
15 he reached there in May to June 1999, so I believe that would be
16 outside the indictment period for Port Loko. I'm not sure of the
17 relevance of these further questions.

18 PRESIDING JUDGE: What do you say, Mr Fofanah?

19 MR FOFANAH: Your Honours, I was merely trying to establish
20 the commandship at the time the witness arrived there. It does
21 not suggest that -- those whom he met were not, in fact, the same
22 people who were within the crime period. I was merely trying to
23 let him tell the Court what he saw when he arrived.

24 May I seek your indulgence for awhile.

25 [Defence counsel conferred]

26 MR FOFANAH: Respectfully, Your Honours, in addition to
27 that, even the witness who testified yesterday was giving the
28 story as he perceived it and experienced it at the West Side. I
29 thought the same would apply to this witness, what he saw when he

1 arrived, was basically what I was asking him about.

2 PRESIDING JUDGE: Yes, go ahead. I understand why you are
3 asking it, Mr Fofanah. I will overrule the objection. You ask
4 the question.

5 MR FOFANAH: I'm grateful, Your Honours.

6 Q. So you mentioned Junior Lion, Tito. Apart from these two,
7 did you see any other commander at the West Side?

8 A. Yes.

9 Q. Which other commander did you see at the West Side?

10 A. You had Mines No Mines; you had Piki n; you had Ashim; you
11 had NPFL. You had other commanders that were there that were
12 senior men. I cannot call all their names right now.

13 Q. Now, did Mines No Mines, did he have any other name?

14 A. Yes, but I cannot recall his name, his right name again.

15 Q. Mr Witness, did you stay at West Side throughout the year
16 1999?

17 A. Yes. I was there until the time that Johnny Paul came to
18 Freetown, when he came. That was the time that I left West Side
19 to come to Freetown.

20 Q. Okay, Mr Witness, just a few general questions and then I
21 will close out. Mr Witness, during your training, you referred
22 to earlier, were you trained in the conduct of war?

23 A. If I was trained how to fight?

24 Q. Were you told about the Geneva Conventions?

25 A. I was never told about that. I was not trained on that.

26 MR FOFANAH: That is all for the witness, thank you.

27 PRESIDING JUDGE: Thank you. Yes, Mr Manly-Spain or
28 Mr Graham, do you have any questions?

29 MR GRAHAM: Your Honours, Mr Spain would follow on

1 Mr Fofanah.

2 PRESIDING JUDGE: Yes.

3 MR MANLY-SPAIN: Thank you.

4 CROSS-EXAMINED BY MR MANLY-SPAIN:

5 Q. Good afternoon, Mr Witness.

6 JUDGE SEBUTINDE: Mr Manly-Spain this is cross-examination?

7 MR MANLY-SPAIN: Yes, I know.

8 Q. I really just have a few questions for you, Mr Witness.

9 Mr Witness, when did you know the third accused, Santigie Kanu?

10 A. Santigie Kanu, I knew him as a soldier.

11 Q. What was the first time that you got to know him?

12 A. It was during the NPRC.

13 Q. Did you get to know him in any particular place?

14 A. In Freetown, Wilberforce, that was all.

15 Q. Do you know, Mr Witness, whether Santigie Kanu, the third
16 accused, served with the ECOMOG forces in Liberia during the
17 period of NPRC?

18 A. Yes, I knew about that.

19 Q. Do you remember when he returned to Sierra Leone after his
20 service?

21 A. No, I cannot recall again.

22 Q. Can you recall any place in Sierra Leone where he was
23 deployed, apart from Freetown?

24 A. No.

25 Q. Mr Witness, after the coup that brought Johnny Paul and the
26 AFRC into power, did you meet with Santigie Kanu whilst you were
27 in Freetown?

28 A. No, no.

29 Q. Thank you very much. Mr Witness, you mentioned that during

1 the withdrawal you went to Masiaka; that is, after the
2 intervention by ECOMOG forces?

3 A. Yes.

4 Q. Did you see Santigie Kanu there?

5 A. After the intervention?

6 Q. Yes, when you pulled out from Freetown and you were at
7 Masiaka?

8 A. No, I did not see Santigie Kanu.

9 Q. Thank you, Mr Witness. Mr Witness, sometimes it is
10 necessary for us to put certain questions to you. I know you
11 have been telling my learned friend, who was asking you, or
12 questioning you before me that you have said that you last saw
13 the accused persons at Waterloo, but sometimes it is necessary
14 for us lawyers to ask you certain particular questions because of
15 the evidence already in court. That is why we need to ask you
16 certain questions. I hope you understand. The question I want
17 to ask you --

18 A. I understand.

19 Q. Did you see the third accused at State House?

20 A. No. If I saw him there, I would say it to this Court.

21 Q. Thank you. Did you see the third accused anywhere in
22 Freetown after January 6th?

23 A. No, no.

24 Q. Thank you, Mr Witness. Mr Witness, you said that when you
25 were coming to Freetown SAJ Musa, I believe, told you three
26 reasons for coming to. I want to put them to you, if I'm right.
27 You said he gave you three reasons. First of all, the first
28 reason was to reinstate the Sierra Leone Army?

29 A. Yes.

1 Q. The second reason was to --

2 A. His wife and child.

3 Q. Release [Overlapping speakers] from the prison?

4 A. Yes.

5 Q. And the third reason was to remove the soldiers from the
6 prison?

7 A. Yes. It was not the only soldiers that were in prison.

8 There were other important people that were in prison, who were
9 kept by the government.

10 Q. Thank you. Mr Witness, do you know how often SAJ Musa told
11 you about this, that this is what you had to do?

12 A. Yes, yes, I can recall.

13 Q. How often [Overlapping speakers]?

14 A. Like, me, see, I would say it was almost every week that he
15 had been telling me that. See, at times he would tell me --
16 almost every week he would say that three times to me.

17 THE INTERPRETER: Your Honours, would he go a little bit
18 slow.

19 PRESIDING JUDGE: Mr Witness, none of this is being
20 interpreted, because you are talking too quickly. Could you
21 please slow down.

22 THE WITNESS: Okay.

23 MR MANLY-SPAIN:

24 Q. Go back to where you said [Indiscernible]?

25 A. Yes, sir.

26 Q. Please go on, slowly.

27 A. So, just like I have been saying, SAJ Musa would always say
28 that he was not happy. When he saw some people with their
29 children and their family and his own family was in prison, you

1 see, why should he not be arrested and put in prison? Why should
2 his wife and child be put in prison? He said that was against
3 human rights. So because of that, we should try hard. He said
4 even if he was to lose his life so as to release his wife and
5 child, he said he was ready and prepared to do that, yes.

6 Q. Thank you, Mr Witness. Mr Witness, did that have any
7 effect on you.

8 A. Effect? If what had effect on me?

9 Q. If what SAJ Musa had been telling you weekly and all the
10 time [Overlapping speakers] at one time you said he use to cry?

11 A. Yes.

12 Q. [Overlapping speakers] effect?

13 A. That, it had very big effect on him, because, one, SAJ Musa
14 was my boss, I was loyal to him and I loved him; second, he said
15 his wife and children were there; and three, the effect which
16 that had on me, you see, a lot of my squad mates were in prison,
17 friends were in prison, and I knew that important people were in
18 prison, as well, who were suffering innocently. So that had a
19 very big effect on me. You see, I wasn't happy, so I was one who
20 was pitying -- one of the men that was pitying SAJ Musa for what
21 he had been saying to me.

22 Q. Did it give you more determination to achieve what you had
23 set out to do?

24 A. Yes.

25 Q. Mr Witness, you also gave evidence about a newspaper that
26 shown to SAJ Musa at Bafodi a?

27 A. Yes.

28 Q. Which, it was reported that 24 soldiers had been killed and
29 you gave the names of some of the soldiers. Did that news have

1 any effect on your move to Freetown?

2 A. Yes. That news was the one that gave us speed, because if
3 it were not for that news, we should have delayed any way. If we
4 were to come at all, we wouldn't have had any speed, but that
5 particular news gave us more speed to come to Freetown.

6 Q. You said that these soldiers had been killed, I believe you
7 used the word "unjustly" or "wrongly"; am I right?

8 A. Yes, you are right, because to me, those 24 soldiers were
9 all innocent. They were all innocent. Why? Why should they
10 kill Hassan Conteh, because he did not plot the coups, and that
11 why is he was killed. Why should they kill AK Sesay, very
12 important men in the country? There was no need for them to have
13 been killed.

14 PRESIDING JUDGE: Is this evidence, Mr Manly-Spain? It is
15 just his opinion on what somebody else has decided.

16 MR MANLY-SPAIN: Sorry, Your Honour, I think this is
17 evidence. There is a question of motive in this matter.

18 PRESIDING JUDGE: I appreciate that and I think you have
19 made the point. Do we have to sit here and listen to him go
20 through his opinion of who should have been convicted and
21 shouldn't be?

22 MR MANLY-SPAIN: No, he is not saying who should have been
23 convicted. He is saying why they were determined to come to
24 Freetown.

25 PRESIDING JUDGE: Mr Manly-Spain in saying why he was
26 determined, he is doing precisely that, going through the
27 victims, or the people that were executed and giving his opinion
28 on whether they should have been or not. That is what he is
29 doing. You have made your point. You have established motive,

1 but I think his opinions on convictions or otherwise are not very
2 relevant, are they?

3 MR MANLY-SPAIN: I'm sorry, Your Honour, but I did not ask
4 him for his opinion. I asked him --

5 PRESIDING JUDGE: But he is giving the opinions, that is my
6 point.

7 MR MANLY-SPAIN: I will limit it to that. What I was
8 asking for is what effect it had on him and he said it made him
9 more determined to come to Freetown.

10 PRESIDING JUDGE: If you will recall after that,
11 Mr Manly-Spain, he then started going through the people who were
12 executed and giving his opinions on whether they should have been
13 or not. Now, if you have any trouble remembering that, we can go
14 back on the transcript.

15 MR MANLY-SPAIN: No, I remember that. Any way, I will go
16 on, Your Honour.

17 Q. Mr Witness, you told this Court about the capture of the
18 priest, Brother Mario, and you said that he was promoted to
19 captain. Can you tell this Court how he was dressed after his
20 promotion?

21 A. Yes.

22 Q. How was he dressed?

23 A. Well, at first he used to dress in his own attire, but when
24 he found out that they were dirty, then he changed, because he
25 wanted a combat jacket, which he used to wear. So they gave him
26 a combat jacket, which he wore.

27 Q. Thank you, Mr Witness. Mr Witness, I want to ask you
28 specifically about your stay at Kabala. Whilst you were at
29 Kabala, did you see the third accused?

1 A. The third accused never went to Kabala.

2 Q. Do you know whether the third accused was in communication
3 with SAJ Musa, at that time?

4 A. No.

5 Q. No, you don't know, or no, he wasn't?

6 A. I knew that he had not been communicating with SAJ Musa.

7 Q. Up to the time that you got to Eddie Town, do you know
8 whether the third accused was communicating with SAJ Musa?

9 A. He never communicated with SAJ Musa.

10 Q. Throughout your movement from Eddie Town to Freetown, do
11 you know whether the third accused and SAJ Musa made any
12 decisions to attack any place?

13 A. Just like I have said in this Court, the third accused had
14 nothing to do with SAJ Musa. SAJ Musa had nothing to do with
15 him. They had never sat together to make a plan to attack a
16 place or not to attack a place.

17 Q. Thank you, Mr Witness. Mr Witness, at Eddie Town, do you
18 know whether the first accused appointed the second accused to be
19 second in command, and the third accused to be his third in
20 command at Eddie Town?

21 A. That was not true. Where SAJ Musa was as CIC, who would
22 appoint himself. It was SAJ Musa who was the overall commander
23 and we met FAT on the ground. Those men on the ground and, in
24 fact, they had wanted to kill him.

25 Q. Mr Witness, this matter of witchcraft or someone bewitching
26 the movements, can you tell this Court the people who were
27 accused of trying to bewitch the movement?

28 A. Yes.

29 Q. Who were the people?

1 A. One you had was called Jajuwa. There was another lady that
2 was called Adama. You had one that was called Sniper, Amos.
3 Then you had other ladies and other men whose names I cannot
4 recall now in this Court.

5 Q. Do you know, Mr Witness, whether the people who were
6 accused were, in fact, arrested at that time?

7 A. If those people who were accused of bewitching or who
8 wanted to run away?

9 Q. No, I'm not talking about the people who wanted to run
10 away. Those who were accused of bewitching, were they arrested?

11 A. Yes, they were arrested. They were arrested and they were
12 locked up. In fact, they were seriously tortured, because when I
13 went, I saw the marks on them.

14 Q. Thank you. Mr Witness, do you know what happened to them
15 when you left Eddie Town to come to Freetown?

16 A. Nothing specific happened to them. Like Amos, he -- when
17 we were returning from Freetown, that was the time that he died
18 through an attack from ECOMOG. Adama, he ran away. Jajuwa he
19 also died in an attack.

20 Q. What I was asking you, did they come with under guard as
21 prisoners when you left Eddie Town?

22 A. Yes, they were guarded as prisoners, but there was a
23 certain time when -- when they were --

24 THE INTERPRETER: Your Honours, would the --

25 MR MANLY-SPAIN: Take it slowly.

26 THE INTERPRETER: Your Honours, what I want to clarify is
27 the word "witches."

28 THE WITNESS: You have different types of hostages. You
29 had the Nigerian troop.

1 PRESIDING JUDGE: Yes, go ahead, Mr Interpreter.

2 THE INTERPRETER: Yes, Your Honours, the witness used the
3 word "witches."

4 PRESIDING JUDGE: Mr Witness, will you please stop talking
5 while we're trying to hear what the interpreter is saying. Yes,
6 go ahead.

7 THE INTERPRETER: Yes, Your Honours, the witness used the
8 word "witches," and in Krio that can refer to both male and
9 female, so I wanted that clarification, whether he was referring
10 to male or female.

11 MR MANLY-SPAIN: Mr Interpreter he has called the names of
12 both men and women.

13 THE INTERPRETER: Yes, but Adama can refer to a man or it
14 can refer to a woman.

15 MR MANLY-SPAIN:

16 Q. When you say Adama, was it a man or a woman?

17 A. It is a woman.

18 Q. Thank you. When you were coming to Freetown, were they
19 under arrest and guarded?

20 A. Yes, yes.

21 Q. Thank you, Mr Witness. Mr Witness, during your march to
22 Freetown, did the third accused go on any mission or any attack?

23 A. No.

24 Q. Thank you. When you were coming to Freetown, Mr Witness,
25 did you pass through a place called Gbinti?

26 A. No, we never passed through Gbinti.

27 Q. Did you pass through a place called Kari na when you were
28 coming to Freetown?

29 A. I do not the even know the place.

1 Q. Thank you. Mr Witness, am I to understand that at the time
2 SAJ Musa was buried, you were not present at the spot?

3 A. I was in the village.

4 Q. Thank you. Finally, Mr Witness, you said that when you
5 were at Mange, ECOMOG burned houses there; am I right? Do you
6 know what happened to these houses?

7 A. Yes. They burnt these house and in these houses there were
8 civilians, because when the houses were burnt --

9 Q. Did you meet the second accused at West Side when you were
10 there?

11 A. No.

12 MR MANLY-SPAIN: That is all for this witness.

13 CROSS-EXAMINED BY GRAHAM:

14 Q. Good afternoon, Your Honours. Good afternoon, witness.

15 A. Good afternoon, sir.

16 Q. Mr Witness, have you, at any point in time in your life,
17 been locked up at the Pademba Road Prison before?

18 A. Yes.

19 Q. When were you first locked up by the Pademba Road Prison,
20 Mr Witness?

21 A. I was arrested at Port Loko, year 2000, in September, and I
22 was locked up at Pademba Road. They said I was a member of the
23 West Side group.

24 Q. When you were locked up in 2000, how long were locked up at
25 Pademba Road Prison before you were released? For how long?

26 A. Six years.

27 Q. So am I right in saying that you were released from Pademba
28 Road Prison in the year 2006?

29 A. Yes, you are right.

1 Q. And, Mr Witness, do you Alimamy Bobson Yapo Sesay, also
2 known as Bobby?

3 A. I know him very well. I know him very, very well.

4 Q. How well do you know him, Mr Witness?

5 A. Well, I knew Yapo Sesay as a soldier.

6 Q. As a soldier with the SLA?

7 A. Yes, yes.

8 Q. And during the time that you were at Pademba Road Prison,
9 did you ever get to meet Alimamy Bobson Yapo Sesay at Pademba
10 Road Prison?

11 A. Yes, I met him there.

12 Q. And, Mr Witness, do you remember the year that you met
13 Alimamy Bobson Yapo Sesay, also known as Bobby at the Pademba
14 Road Prison?

15 A. The year 2000.

16 Q. Do you know why he was locked at the Pademba Road Prison,
17 Mr Witness?

18 A. Yes, yes.

19 Q. I want you to be very brief with your answer. Why was he
20 locked up, very briefly?

21 A. Well, I heard that he opened fire in town. That was what I
22 heard. Well, I did not know what caused the firing.

23 Q. Thank you, Mr Witness. Mr Witness, do you know one Alie
24 Turay, also known as Alabama?

25 A. Yes, I knew him very well.

26 Q. How well do you know him, Mr Witness?

27 A. Alabama, I knew him as SLA, then as a security to SAJ. He
28 was one of SAJ's security.

29 Q. Thank you, Mr Witness. Mr Witness, during the time that

1 you were at Pademba Road Prison -- sorry, Your Honours. When you
2 went to the Pademba Road Prison in the year 2000 -- Mr Witness,
3 are you all right?

4 A. Yes, yes. I'm not all right, but let's carry on for the
5 time of the Court.

6 Q. We have 15 minutes to go, so please just bear with us.
7 When you went to Pademba Road Prison in the year 2000, did you go
8 and meet, did you meet Alie Turay, also known as Alabama there?

9 A. Yes, I met him there.

10 Q. Do you know why he was there, Mr Witness?

11 A. Yes.

12 Q. Very briefly, why was he there, Mr Witness?

13 A. They went and fired at each other, he with one Bakarr at
14 Lunsar. They made the whole of the troop to dislodge, and that
15 was why he was arrested and taken to Pademba Road Prisons.

16 Q. Thank you, Mr Witness. Mr Witness, do you also know one
17 Ayo Cole, also known as Six Finger?

18 A. Yes, I knew him.

19 Q. How did you know him, Mr Witness?

20 A. Well, I knew him as a civilian who was with the soldiers in
21 the jungle. Then I also knew him as -- I also knew him in
22 prison.

23 Q. Thank you. And when you were taken to Pademba Road Prison
24 in the year 2000, did you meet go and meet Ayo Cole, Six Finger,
25 at Pademba Road Prison? I mean, was he there before you were
26 taken there?

27 A. Yes.

28 Q. Do you know why he was taken to Pademba Road Prison,
29 Mr Witness, very briefly, please?

1 A. Well, he was laundering in his house when one Foday Jange
2 arrested him and they said that he was a West Side man. They
3 took him to prison and he was locked up. He did not do anything.
4 The junta just went and locked him up.

5 Q. Thank you, Mr Witnesses. Mr Witness, do you no one Ranger?

6 A. Yes.

7 Q. And do you know him by any other name, Mr Witness?

8 A. Yes.

9 Q. Can you please tell this Court by what other name do you
10 know Ranger?

11 A. He was called Alfred Hindolo Samai, alias Ranger.

12 Q. And the last name?

13 A. Hindolo Samai. Hindolo, H-I-N-D-O-L-O. Samai, S-A-M-A-I,
14 Samai.

15 Q. Grateful, Mr Witness. Mr Witness, Ranger, was he already
16 at Pademba Road Prison at the time you were sent there?

17 A. Yes.

18 Q. And, Mr Witness, there are five housing blocks for the
19 holding of prisoners in Pademba Road Prisons, isn't it?

20 A. Yes, there are five blocks.

21 Q. The blocks are, Your Honours, Wilberforce? There is a
22 block by the name Wilberforce?

23 A. Yes [Overlapping speakers].

24 Q. There is another block Clarkson? Is that right?

25 A. Yes.

26 MR GRAHAM: Your Honours, Clarkson is spelled
27 C-L-A-R-K-S-O-N.

28 A. Yes.

29 Q. And there is another block by the name of Blyden, spelled

1 B-L-Y-D-E-N; is that right?

2 A. Yes.

3 Q. And then there is another block by the name Howard, spelled
4 H-O-W-A-R-D; is that right?

5 A. Yes, yes, you are right.

6 Q. And then there is the remand block; is that right?

7 A. Yes, you are right.

8 Q. And, Mr Witness, during the time that you were in Pademba
9 Road Prison, which of these blocks were you detained in?

10 A. Wilberforce Block.

11 Q. During this period, did you know the block in which Alabama
12 was being held?

13 A. It was at the Wilberforce Block, where I was. There he
14 was.

15 Q. Thank you. And you did know the block in which Alimamy
16 Bobson Yapo Sesay, also know as Bobby, do you know the block in
17 which he was held?

18 A. He was at Wilberforce block.

19 Q. What about Ranger, what block was he being held in?

20 A. Wilberforce Block. There he was.

21 Q. What about Ayo Cole, also known as Six Finger, Mr Witness?

22 A. Wilberforce Block. There he was.

23 Q. Thank you, Mr Witness. Mr Witness, during this period that
24 you were in Wilberforce Block with the people that you have
25 mentioned, did you ever have the opportunity to have any contact
26 with Alie Turay, also known as Alabama?

27 A. Yes.

28 Q. Did you please tell this Court the kind of contact that you
29 had with Alabama?

1 A. Well, the contact year 2000, 2003, sometimes 2003, some
2 people came from the Special Court here and went and met Alabama
3 in prison. They went and said to him that he should come and
4 prosecute the first, second and third accused at the Special
5 Court.

6 Q. Witnesses, before you go on, how did you know that some
7 people came from the Special Court to contact Alabama for the
8 purpose to which you have just told this Court?

9 A. Well, I saw the people and Alabama told me that the people
10 wanted to talk to me and I said I was not interested, and he,
11 Alabama, Ranger, Bobson Yapo Sesay, they called me in in
12 Alabama's cell and they tried to persuade me that if I agreed to
13 come and prosecute the first, second and third accused I would be
14 freed from prison and that they would buy a vehicle for me.

15 Q. Before you go on, how do you know that these people came
16 from the Special Court?

17 A. Well, at any time that a vehicle went for them, they would
18 say that, "Fellow, we are going to the Special Court," and when
19 they were returning, I would see them with money, I would see
20 then with chicken. They would tell me that I did not want to get
21 my freedom.

22 Q. That's fine. I will come to that. Just focus on the
23 questions that I ask of you, Mr Witness. Mr Witness, on this day
24 that you said Alabama invited you to his cell to engage in this
25 discussion, did he offer you anything whilst you were in his
26 cell?

27 A. Yes. Your know he persuaded me, he came with money, he
28 gave me 20,000 Leones, he gave me chicken with some medicines
29 saying that I should join him so that we could come to the

1 Special Court and prosecute and that houses would be built for us
2 and that we would be flown to Canada. But I told him that Canada
3 was not my problem and that I was not going to lie about
4 somebody. And they said that they would do anything that would
5 make them prosper.

6 Q. Mr Witness, can you please tell this Court who and who was
7 present at this meeting in Alabama's cell?

8 A. I was one. Ranger was there. Bobson Yapo Sesay was there.
9 Ayo cole, with he, the Alabama. It is the first time that I'm
10 talking about when they gave me that money. The other time --
11 the other time there was one boy called V Boy. They also tried
12 to convince him.

13 Q. Mr Witness, just focus on the questions that I'm asking
14 you. Apart from the money that you said Alabama gave you when
15 you met him in his cell, did he offer you anything else?

16 A. Yes. He gave me medicines. He gave me chicken, but the
17 chicken that was given to me, I was afraid to eat it. He gave me
18 medicine. Because why I was afraid to eat the chicken,
19 because --

20 Q. Mr Witness, I don't need that part of your story, but I
21 want to ask you: Did you ask him where he got those things from?

22 A. It was not I that asked him. It was he that told me, he
23 said, "Fellow, these things were given to me by the Special
24 Court." He said, "Since you do not want to prosper," he said,
25 "The Special Court they are going to make me free, yes, I will go
26 to Canada and I will also have a jeep.

27 Q. Mr Witness, on this day, I'm putting it to you, that
28 Alabama also offered you alcohol on this day, didn't he?

29 A. Yes, he gave me alcohol and then he even gave me cannabi s

1 sativa, a lot of cannabis sativa and said we were to smoke, but I
2 told him that I was not going to smoke. The alcohol I was able
3 to drink, but then when he found out that he was not able to
4 convince me [Overlapping speakers]. So he convinced Alimamy
5 Bobson Yapo Sesay.

6 Q. Please hold on, and just for the convenience of everyone,
7 just be brief and focus on the questions that I have asked you.
8 What do you mean by "cannabis sativa," what is that?

9 A. That is marijuana, which is called jamba.

10 Q. Thank you Mr Witness. Now, Mr Witness, after he offered
11 you these things, you said he told you some things. Did Alabama
12 also talk to Bobby on this day that you were in your cell?

13 A. Yes, he talked to Bobby. He said --

14 Q. Thank you, Mr Witness. What did he talk to Bobby about?
15 What did he tell Bobby?

16 A. He told Bobby that, he said "Now, we are in jail. We do
17 not have money. We do not have our freedom." He said, "The
18 Special Court has a lot of money. They have given us a lot of
19 money. Let's go and lie about those people that are in the
20 Special Court." Then Bobby was convinced. He said he was coming
21 to testify. He said, don't you even see Junior Lion, right now
22 he has been given vehicle and a house so that he could lie about
23 those people, so I said I would not do that.

24 Q. Mr Witness, after he said that, did Bobby say anything in
25 response to what Alabama had said?

26 A. Yes, Bobby agreed. He said he wanted to prosper, so he
27 said he was coming to lie about these people, the first, second
28 and third accused so that he could be taken to Canada so they
29 would build a house for him and buy a vehicle for him?

1 Q. Thank you, Mr Witness. Mr Witness, Ayo Cole, did Ayo Cole
2 say anything after he had heard Alabama say what you have just
3 told this Court?

4 A. Yes. Ayo Cole as well agreed. He joined Alabama so that
5 he could come to the Special Court, but after some time I did not
6 see him again coming. He would not go again with Alabama.

7 Q. Where was it that Ayo Cole used to go with Alabama?

8 A. They said they were coming to special court. Since I was
9 not here, I do not know where they were going, and each time they
10 returned, they would tell me that they came from the Special
11 Court and they would even make fun out of me saying, that I did
12 not want my freedom and that I did not want to prosper, and I
13 said, okay, that wasn't a problem.

14 Q. Thank you, Mr Witness. Mr Witness, what about Ranger?
15 What did Ranger say in response to what Alabama said that you
16 have just told this Court?

17 A. Well, Ranger he was desperate more than everybody. He said
18 for himself he would do everything for money, even if he were to
19 sell his own child. He would do that, let alone those people
20 whom he did not know to come and lie about them. It was not
21 something that was big for him. He said, at that time, if he was
22 asked to come and testify against them, he would do so. That was
23 what he told me, he, the Ranger.

24 Q. So did he agree to eventually agree to go along with what
25 Alabama had said?

26 A. Yes. He agreed and he was desperate, more than Alabama
27 himself.

28 Q. Thank you, Mr Witness. And, Mr Witness, after he had
29 agreed, did you at any point in time observe him and Alabama

1 going out to the Special Court, as Alabama had promised?

2 A. Yes. They would always go out together. Like Yapo Sesay,
3 he and Alabama at first they were not in agreement, but when the
4 Special Court started --

5 Q. Mr Witness, my question was on Ranger. Let's just focus on
6 that. I will come to that in due course. You yourself,
7 Mr Witness, after you had heard Alabama speak, what did you tell
8 him in response to what he had just told you?

9 A. Well, at first when I saw the money -- well, during that
10 time I hadn't got anything. If I had said I was going to deny at
11 that particular time, they would not have given me those 20,000
12 Leones, so I agreed. So he gave me the money. When I had left
13 the money, I came and I told him that, "Fellow, I would not do
14 this," and he said that I was to give him the money back. So we
15 had a row for that money, but I did not give him the money back.
16 So I said the one that he had used, let him use it since he was
17 going to lie about people's children, let him go and lie, but I
18 said I was not going to lie about people and that I was not going
19 give him that money again, yes.

20 Q. Thank you, Mr Witness. Mr Witness, prior to this meeting
21 in Alabama's cell, were you aware of the nature of the
22 relationship between Alabama and Bobby?

23 A. The relationship was not that strong. They had always been
24 quarreling because Alabama was a provost. At any time that he
25 met him outside, he would ask him to get into the cell. But when
26 this Special Court thing started, they became so close, they
27 became so close. None would do something without his companion.

28 Q. Mr Witness, after this meeting at Alabama's cell, to which
29 Bobby agreed to come and testify at the Special Court against the

1 first accused, second and third accused, did you observe any
2 changes in their relationship, in the relationship between
3 Alabama and Bobby?

4 A. Yes. Just as like I have been telling you, initially they
5 were not in agreement, but when that Special Court business
6 started, when they started coming out and getting in, there was
7 agreement. The relationship became very strong.

8 Q. Mr Witness, did you observe any changes in Bobby's life in
9 prison after he agreed to Alabama's request?

10 A. Yes, yes, yes. There were some changes in his life.

11 Q. What changes, please tell this Court, Mr Witness?

12 A. Well, one, he had privilege by then in prison. Two, he had
13 been handling money and he had been bluffing with the money and
14 three, he would cook every day, special cook. He would eat
15 chicken, hamburger and he would drink soft drinks and he had
16 enough medicines, so those were the changes that I saw in his
17 life.

18 Q. Mr Witness, during the time that you were in Pademba Road
19 Prison were there certain areas of the prison that were
20 restricted areas, to mean that there were certain areas that you
21 could not go without getting permission? Were there restricted
22 areas in prison?

23 A. Yes, yes, there were some areas.

24 Q. And the area where the hospital was located was one of
25 these restricted areas, isn't it?

26 A. Yes.

27 Q. The area where the kitchen was, was one of these restricted
28 areas, wasn't it, Mr Witness?

29 A. Yes.

1 Q. And the place where the bakery was located was one of
2 restricted areas, wasn't it, Mr Witness?

3 A. Yes.

4 Q. And the place where the tailoring shop was located was also
5 a restricted area within the Pademba prison, wasn't it,
6 Mr Witness?

7 A. Exactly, yes.

8 Q. Am I right in saying that you could not get to those areas
9 without special permission from the prison authorities,
10 Mr Witness?

11 A. Yes, yes.

12 Q. Am I right in saying that as part of the special treatment
13 that the Alabama and Bobby received in Pademba Road Prison
14 involved unrestricted access to these areas at any time of the
15 day?

16 A. Yes, yes, they would go there at any time that they wanted
17 to, except during the night when it had passed 8.00 or 9.00.

18 Q. Thank you, Mr Witness. I'm putting it to you that during
19 this period that you were in Pademba Road Prison after the
20 meeting in Alabama's cell, both Alabama and Bobby were not bound
21 by any movement restrictions within the prison during the day; is
22 that right?

23 A. Yes, sir.

24 PRESIDING JUDGE: Mr Graham, if you are going to be much
25 longer, we will adjourn.

26 MR GRAHAM: Yes, I agree, Your Honour. I think this is a
27 propitious time to end. I'm grateful.

28 PRESIDING JUDGE: Mr Witness, we are going to adjourn now
29 until tomorrow morning. I will just remind you again of that

1 caution I gave you. Please do not discuss this case or the
2 evidence with any other person.

3 THE WITNESS: Yes, My Lord.

4 PRESIDING JUDGE: All right. We will adjourn now until
5 9.15 tomorrow morning.

6 [Whereupon the hearing adjourned at 4.07 p.m. to be
7 reconvened on Wednesday, the 11th day of October,
8 2006, at 9.15 a.m.]

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

EXHIBITS:

Exhibit No. 32 4

WITNESSES FOR THE DEFENCE:

WITNESS: DBK-131 2

EXAMINED BY MR FOFANAH 2

CROSS-EXAMINED BY MR MANLY-SPAIN 95

CROSS-EXAMINED BY GRAHAM 104