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

FRIDAY, 13 OCTOBER 2006
9.15 a.m.
TRIAL

TRIAL CHAMBER II

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| Before the Judges: | Richard Lussick, Presiding<br>Teresa Doherty<br>Julia Sebutinde |
| For Chambers: | Mr Simon Meisenberg |
| For the Registry: | Mr Thomas George |
| For the Prosecution: | Mr Karim Agha<br>Mr Charles Hardaway<br>Mr Vincent Wagona |
| For the accused Alex Tamba Brima: | Mr Kojo Graham |
| For the accused Brima Bazzy Kamara: | Mr Mohamed Pa-Momo Fofanah |
| For the accused Santigie Borbor Kanu: | Mr Geert-Jan Alexander Knoops<br>Mr Ajibola E Manly-Spain |

[AFRC13OCT06A - MD]

Friday, 13 October 2006

[Open session]

[The accused present]

[The witness entered court]

[Upon commencing at 9.15 a.m.]

WITNESS: DBK-113 [Sworn]

[The witness answered through interpreter]

PRESIDING JUDGE: Yes. Before we -- I have just got one thing to take care of first, Mr Manly-Spain. The second accused, Mr Kamara, has expressly waived his right to be present today. So pursuant to Rule 60 the proceedings will continue in his absence. Yes, Mr Manly-Spain.

MR MANLY-SPAIN: Good morning, Your Honours.

PRESIDING JUDGE: Good morning.

MR MANLY-SPAIN: Right now we have a witness DBK-113 in the box.

PRESIDING JUDGE: Thank you. He is giving evidence in what language?

MR MANLY-SPAIN: In Krio.

EXAMINED BY MR MANLY-SPAIN:

Q. Good morning, Mr Witness.

A. Yes, good morning.

Q. I'm going to ask some questions which will be interpreted to you. I'm asking you to wait for the interpretation or translation to be put to you before you give your answers?

A. Okay.

Q. Mr Witness, you were born in 1974, in Freetown?

A. Yes.

Q. And your father was a military officer?
A. Yes.
Q. And you grew up in Freetown at the Wilberforce Barracks?
A. Yes.
Q. And you attended school up to what year?
A. I attended school up to form 5, at the xxx xxx xxx Secondary School.
Q. Thank you. Mr Witness, what religion do you follow?
A. I'm a Christian.
Q. Thank you, Mr Witness. Mr Witness, do you recall the year 1997?
A. Yes.
Q. Where were you living then?
A. I was living at the military barracks with my father.
Q. Did you have cause to live anywhere else in that year?
A. Yes. I was at the military barracks but just after the -- the military take-over, then I had the cause to move with my stepfather to Wellington, the eastern part of Freetown, because of the jets raiding and something like that. So I had to move because I was afraid that -- I was afraid of the jets, because the jets was raiding at that time. So I had the cause to move with my stepfather to Wellington.
Q. Thank you. At the time, do you recall where your stepfather was working?
A. Yes. My stepfather was working under the AFRC regime. He was working at Salpost direction but, based on that, that was what made me to leave Freetown because my stepfather was under threat. In fact, his house was burnt and his car was seized because they claimed that he was working under the regime.

Q. Thank you. I want you to go slowly and bit by bit and listen to the questions I asked and just answer them to the point. Please don't volunteer any extra answer. I will ask you --

JUDGE SEBUTINDE: Mr Manly-Spain, does this witness have both a father and stepfather?

MR MANLY-SPAIN: Yes.

JUDGE SEBUTINDE: He has two fathers, a father and stepfather?

MR MANLY-SPAIN: Yes. His father was a military man and his stepfather worked for Salpost. And Salpost, Your Honours, is spelt S-A-L-P-O-S-T.

Q. Mr Witness, do you know the third accused, Santigie Kanu?

A. Yes.

Q. Do you remember when you first came to know him?

A. Yes. The very first day I saw him I was in a village called Colonel Eddie Town and at that time he was arrested.

Q. Okay. Thank you. Mr Witness, do you recall the month of February 1998?

A. Yes.

Q. And where were you then?

A. I was at the barracks during February, during the intervention.

Q. Whilst you were there, did anything happen?

A. Well, at that time I heard the announcement over the radio that the military men had overthrown the government.

Q. I want you to reflect back. I'm asking you now about February 1998.

A. Okay. 1998. During 1998, February, we pulled out of

Freetown, during the intervention.
Q. Before you pulled out of Freetown, did anything happen to you?
A. Before we pulled out of Freetown, I had left Wilberforce Barracks and stayed -- and went to stay with my stepfather at Wellington before we pulled out of the barracks.
Q. Whilst you were at Wellington, did anything happen?
A. Yes.
Q. Please explain to the Court briefly what happened?
A. When I was at Wellington, I was staying with my stepfather but the civilians -- some civilians who were around knew that my stepfather was working at Salpost under the AFRC. Some civilians were saying that people were collaborators, so they were pointing fingers are at my father. Some Kamajors and some ECOMOG soldiers went to the house. So they removed us from the house and burned the house and seized his car. So that's led us to flee the western part of Freetown and pulled out of Freetown. We used the Tombu axis.
Q. Thank you. From Freetown, using the Tombo axis, where did you go to?
A. We used the 7th Battalion axis and went to Tombu to cross to Fogbo.
Q. To cross?
A. Fogbo.
Q. With whom did you go, Mr Witness?
A. Well, I was with -- I was with some of my friends.
Q. And did you get do Fogbo?
A. Yes.
Q. Did you stay at Fogbo?

A. Well, I didn't base at Fogbo because when we crossed, we crossed around 6.00. When we crossed the river, until it was dark. So my friends were -- suggested that we should go to Four Mile to stay there for a while. Then maybe if the situation calmed down, then we would come over again.
Q. So, eventually, did you go anywhere?
A. Yes.
Q. Where did you go to?
A. I went to Masiaka.
Q. From Masiaka where did you go to?
A. From Masiaka I went to Makeni.
Q. And where else did you go to? Did you go anywhere else?
A. Yes. On my way to go to Makeni, but we hadn't got to Makeni yet, we heard the news over the radio that ECOMOG had captured Makeni. So we diverted our course and went to Guinea, ten of us.
Q. Thank you, Mr Witness. Mr Witness, when you went to Guinea, did you stay there for any period of time?
A. I was in Guinea for about two weeks because I was unable to stay. Actually ten of us went to stay in Guinea because we didn't want to partake in any military because we were afraid and we knew that it would cause a problem. So we were in Guinea. We took two weeks there but they were harassing us, people were pointing fingers. And most of my friends I attended school with, most of them affiliated -- they affiliated with most of the SLPP ministers and children. So when we were in Guinea they were pointing fingers at me saying that most of us were soldiers' kids and it was hectic because they were killing people. I knew a soldier.

Q. Mr Witness, as you can see, they are interpreting. So I just want you to go bit by bit slowly so they can interpret what you say properly?
A. Okay.
Q. We will get all your explanation. Don't be in any hurry. Just go bit by bit.
A. Okay.
Q. So when you got to Guinea what happened to you?
A. They were pointing finger at me.
MR HARDAWAY: Objection, Your Honour. Asked and answered. He answered what happened to him in Guinea.
MR MANLY-SPAIN: Yes.
PRESIDING JUDGE: Well, I am not sure what the basis of that objection is, Mr Hardaway. He is still talking about what happened to him in Guinea. He hasn't concluded his story yet, from my understanding.
MR HARDAWAY: Very well, Your Honour.
MR MANLY-SPAIN: Thank you.
Q. Please go slowly and complete what you explained about what happened in Guinea.
A. When I was in Guinea, the situation there was hectic because we wanted to go to the embassy, to stay there. But I met some of my friends, who had known me in Prince of Wales who knew that my father was a soldier. They started pointing finger at me, saying they knew me in town and my father was a soldier. So because of all that, we were unable to stay in Guinea because we were afraid. And one of my friend who knew me had some money and he advised me, saying that I wouldn't be able to stay in Guinea. Except we returned again. It was ten of us, actually, who went.

So the two of us who were captured in Guinea, the two of us that were captured in Guinea there. And, at that time, it was the very first time for people who had just gone there to rally, to say that they would come to town again. So it was dangerous because they were capturing people, so we had to leave. We paid some Guinean soldiers to drop us in Pamlap.

Q. Thank you. Where is Pamlap?

A. Pamlap is the last town to go into Guinea, just by Kambia District, if I could remember.

Q. Thank you. I think it's spelt P-A-M-L-A-P, Your Honours. After returning to Pamlap, did you go anywhere?

A. Yes.

Q. Where did you go to?

A. I came to Kambia.

Q. Thank you. And how many of you came to Kambia?

A. Eight of us.

Q. From Kambia, did you go anywhere?

A. Yes.

Q. Where did you go to?

A. From Kambia I came to Port Loko.

Q. Thank you, Mr Witness. At Port Loko, did anything happen to you, Mr Witness?

A. Yes.

Q. Please explain to the Court, briefly and concisely.

A. When I came to Port Loko, but initially when we came in Kambia, we met a lady who was a soldier. He was afraid. She herself was afraid because the Guineans had started capturing people in Kambia, so the lady accompanied us to Port Loko. She said her mother was there. She had some of her luggage. She

wanted to drop them to her mother, so all of us came to Port Loko and she dropped her luggage there. She told her mother that she didn't have any option because they were capturing people, so she wanted to go somewhere else. So when we were going from Port Loko coming to the highway --

THE INTERPRETER: Your Honours, can the witness take it again?

MR MANLY-SPAIN:

Q. Go slowly. You are going too fast for the interpreter. Please go slowly. Just slowly.

A. Okay.

Q. Sentence by sentence. One sentence and full stop. Please.

A. Okay. So we were going along the way. Civilians who were forming, some voluntary, or I don't know how they were called, they were fixing nails and sticks. Some had machetes. They were saying they were vigilantes for the government. So the civilians, just as we were going, we would go then and we would turn and see some of them walking behind us. So, when we turned back and looked, they were just going through the bush again. They will wait for us. Then we will look again and they would come out again. When we pretended to go, they would come out again. So we stood and looked. They stopped. So we got to another checkpoint. We were placed down. They asked us who we were. We said we were coming from Guinea. We were coming from Freetown, but we came from Guinea and we wanted to go back to our people. So one was there, who sympathised with us. He told them to leave us. We were left and we went to the highway. We were able to walk to Makeni.

Q. Mr Witness, you are talking about "we." I know you said

you came with eight people. Did the group that went to Makeni include the lady you met in Port Loko?
A. I don't understand.
Q. You said you met a lady in Port Loko. Did you go with her to Makeni?
A. Yes.
Q. Thank you, Mr Witness. Mr Witness, do you recall about what time you arrived at Makeni, the date that you arrived at Makeni?
A. I cannot recall the exact date, but I believed it would be around late February to early March.
Q. Thank you, Mr Witness. Mr Witness, did you stay in Makeni?
A. Yes.
Q. For how long did you stay in Makeni?
A. I stayed in Makeni up to the time ECOMOG attacked Makeni.
Q. And do you recall when that was?
A. I cannot recall the exact date because it has taken a long time.
Q. Do you recall the month?
A. Yes, sir.
Q. What month was it?
A. Between March and April.
Q. In what year?
A. That was 1998.
Q. Thank you, Mr Witness. Mr Witness, when ECOMOG attacked Makeni, did you do anything?
A. Well, when ECOMOG attacked Makeni, because the soldiers that I was with, they had just received the information that the ECOMOG had assembled at Lunsar and they would come at Makeni the

very day. So the soldiers had already packed their luggage to go to Kabala. But no sooner when we were there, the ECOMOG jets came and we just ran out of the town because there was firing in the town, so we left the town.

Q. Thank you.

A. And found our way.

Q. Mr Witness, you mentioned that you were with some soldiers in Makeni. Do you know who they belonged to, these soldiers?

A. The soldiers -- they were soldiers. They were regular soldiers who were in Freetown, because I could remember one who I knew in town, it was based on that that he took me, to say I should stay with him so nothing would happen with me, because he knew my father.

Q. And who was that person, Mr Witness?

A. The soldier is called Joseph Tamba.

Q. Thank you, Mr Witness. So, when you left Makeni with the soldier --

JUDGE SEBUTINDE: Mr Manly-Spain, are you not concerned about this kind of identification?

MR MANLY-SPAIN: I don't think that name would reveal the name of his father.

JUDGE SEBUTINDE: Would not reveal this person's identity?

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

Q. Mr Witness, when you left Makeni, where did you go to with the soldiers?

A. I went to Kabala. My intention was to go to Kabala, but I only stopped five miles to Kabala, a junction called Five Mile.

Q. Five Mile. And when you got to Five Mile, did you meet anyone there?

A. Yes. There were some soldiers there, with RUFs, who themselves wanted to go to Kabala, but we couldn't go into Kabala because there were soldiers returning and some RUFs who said they were going to Kono. So we just joined that group and we ourselves took the road because it was a dusty road, so we took the road to go to Kono.

Q. Thank you, Mr Witness. Mr Witness, did you arrive at Kono?

A. Yes.

Q. And do you recall where in Kono you went to?

A. Yes.

Q. Where was that?

A. Hill Station.

Q. And do you know what part of Kono, or what town in Kono, in the Kono District, Hill Station is?

A. It is in Koidu Town.

Q. Thank you. When you arrived at Kono, Koidu Town, did you meet anyone there?

A. Yes.

Q. Whom did you meet?

A. I met -- the place I went to in Hill Station, RUF were staying at that place.

Q. Apart from the RUF, did you meet any other people in Kono?

A. Yes.

Q. Who did you meet?

A. I -- soldiers were there in Kono.

Q. When you say "soldiers," do you mean members of the SLA?

A. Yes.

Q. Thank you. And do you recall the state you -- the state of Kono at the time? Do you recall anything about Kono, Koidu Town,

at the time?
A. Yes.
Q. What do you recall?
A. When I went to Kono, when we went to Hill Station, the RUFs were there and it's like -- I met most of the houses had been burnt down. Some had been burnt. Some were not burnt up to the -- up the Hill Station. I was with the soldiers and, those soldiers, they were people who I was with, and those soldiers, they were around where Superman was.
Q. Thank you. Do you recall -- did you know any of the soldiers you met in Kono?
A. Yes.
Q. Yes. Can you give us a couple of names?
A. One soldier was there, who was called Leather Boot. And Colonel King was there. I know, I knew a boy who was called Junior Lion, Savage, and some RUF commanders. Superman, Mike Lamin, Morris Kallon.
Q. Thank you, Mr Witness. Mr Witness, did you stay in Kono, Koidu Town, for any period of time?
A. Yes.
Q. And how long did you stay there?
A. I stayed in Kono up to when ECOMOG were advancing from the Sewafe Bridge, to take over Kono.
Q. And at that time, were you still with the soldiers you mentioned that you went with?
A. Yes.
Q. And, Mr Witness, when ECOMOG was advancing, did you do anything?
A. No.

Q. And did you stay in Kono after the advance of ECOMOG?
A. No. When ECOMOG came, when they were advancing to capture Koidu Town, no sooner they broke off from the Sewafe Bridge, when they were coming in, because it was there that they were -- the soldiers were saying that they would go there to make a defensive. So, no sooner they broke it, most of the soldiers I was with, they started to cluster themselves to pull out and go to the Kabala area.
Q. Okay. Before, whilst you were in Kono, did you observe the relationship between the soldiers, the SLA soldiers, and the RUF in Kono?
A. Yes.
Q. What did you notice?
A. When I was in Kono, the relationship between the soldiers, and the RUF, it -- it wasn't good with them because the RUFs were always saying that the soldiers, because when they were in Freetown, they were saying that they had AFRC but when they were in the bush, now, they were not in Freetown again. They were in the bush. It was the jungle. So their movements had started for a while. So all the soldiers believed that, all the soldiers should be under their command. No soldier should be under AFRC again. It was the RUF movement. The revolution to pursue. That was what the RUF were saying.
Q. Thank you, Mr Witness. Mr Witness, you mentioned just a while ago that the soldiers said they were going on the defensive. Did you understand what was meant by that?
A. Yes.
Q. Can you tell us what you understood by that?
A. Based on what I said, when that -- the soldiers were going

on defensive, that is to say that they were going to the Sewafe Bridge. Just to go and make, I don't know how the soldiers call it, to go and form a group just to protect themselves so that the ECOMOG would not be able to kill them.

Q. Come and kill them, I think. Thank you, Mr Witness. Mr Witness, you said that the soldiers left Koidu, Kono. What happened to you? Did anything happen to you when the soldiers were leaving?

A. No.

Q. Okay. Did you do anything when the soldiers were leaving?

A. No. We just followed some of the soldiers with whom I was and we went over to that Koinadugu District. That was around Kabala area.

Q. Thank you. When you say "we" just followed what -- who do you mean?

A. Well, because when I went to Kono, as I earlier said, we were eight that went, who were with the soldiers. After a while, some were able to leave. Out of the eight some were able to leave and went and joined the other soldiers. So we were four that remained I can recall, who were with those sort of soldiers. So I'm referring to those colleagues, when I say all of us, so we clustered together and went to that Kabala axis.

Q. Thank you, Mr Witness. You went with the four soldiers. Thank you, Mr Witness. Mr Witness, where in this Kabala axis did you go?

A. It was -- the village was called Masofinia.

Q. And before we talk about Masofinia, I want to ask you whether whilst you were at Kono, did you see the third accused, Santigie Borbor Kanu?

A. When I was at Masofinia, no.
Q. No, I'm not talking about Masofinia. I am talking of Kono first, before we finish about Kono --
JUDGE SEBUTINDE: Mr Manly-Spain, when you say when he was at Kono, are you referring to the district? When he was in the district or Kono --
MR MANLY-SPAIN: Koidu Town.
JUDGE SEBUTINDE: -- or when he was in Koidu Town?
MR MANLY-SPAIN: Yes, he said he went to Koidu Town.
JUDGE SEBUTINDE: So, what is your question?
MR MANLY-SPAIN: My question is:
Q. When you were in Kono, Koidu Town, did you see the third accused, Santigie Kanu?
A. No.
Q. Thank you. Mr Witness, you mentioned certain people who you said you met in Kono. You said one Savage. Before that date, did you know -- before you saw him in Koidu Town, did you know him?
A. No.
Q. And how did you come to know him in Koidu Town?
A. Savage, how I came to know Savage, Savage, because I was up at Hill Station, where I was specifically, he had a -- the RUF, the majority, and we had Superman. Superman, during that time I saw that fellow because he was somebody. If you saw him you would be able to recognise him because he had a lot of beards. So he would come up to -- in the Hill Station to Superman and the RUF had been saying that this Savage was Superman's task force officer. So that was how I came to know him.
Q. Thank you, Mr Witness. Mr Witness, when you arrived at

Masofinia, did you meet any people there?
A. Yes.
Q. Who did you meet there?
A. Junior Lion was there; Foday Bah was there; FAT; Colonel King; Tito, all of them were there.
Q. Yes. Let us try and clarify them. You said Junior Lion; do you know him by any other name?
A. Yes.
Q. What name do you know him by? What other name?
A. Junior Johnson.
Q. And you mentioned FAT. Is that all you know him by?
A. Yes.
Q. And who was he, do you know?
A. FAT was one of the heads who had been taking this movement along because he was a senior soldier.
Q. Thank you. And do you know what army he belonged to?
A. It was the SLA army; the Sierra Leone Army.
Q. You said you met Foday Bah; was that his full name?
A. No, Foday Bah Marah.
Q. And I believe you also mentioned Leather Boots. Do you know whether he had another name?
MR HARDAWAY: Objection, Your Honour. He didn't mention Leather Boot in Masofinia.
MR MANLY-SPAIN: I'm sorry. That is absolutely so. Thank you.
Q. But you mentioned Leather Boots in Kono; am I right? Koidu?
A. Yes.
Q. Do you know his full name?

A. Yes.
Q. What was his name?
A. Idrissa Kamara.
Q. Idrissa is I-D-R-I-S-S-A. Mr Witness, when you went to Masofinia and met these people, did you stay there?
A. Yes.
Q. And whilst you were there, did anything happen?
A. No.
Q. For how long did you stay at Masofinia?
A. I was at Masofinia for about a month.
Q. Thank you. Whilst you were at Masofinia for a month, did you see the third accused, Santigie Borbor Kanu, there?
A. No.
Q. Thank you, Mr Witness. Mr Witness, did you go anywhere from Mansofinia?
A. Yes.
Q. Where did you go to?
A. We walked a long distance to go right down to the highway, at Kamabai, between Kamabai and Kabala Highway.
Q. Thank you. And was there any place or village or town nearby?
A. Yes. I can recall.
Q. What village was that?
A. I think the village that I can think about, which was remarkable, was Karina.
Q. Karina. When you got to that village, with whom were you?
A. I was with the same set of soldiers that I was with.
Q. Did this group have a leader at the time?
A. Yes.

Q. Who was that person?
A. It was Colonel FAT, and he had somebody whom he called his operation commander.
Q. Who was that person?
A. Junior Johnson.
Q. Thank you. Mr Witness, you were not a soldier; am I right?
A. Yes.
Q. The other three people with whom you went, were they soldiers? You had eight before, ten, eight, then four of you. Were the other three people with you soldiers?
A. No.
Q. Apart from those other three were there other people with this group who were not soldiers?
A. Yes.
Q. And do you know who these people were?
A. You see, I cannot recall their names but I knew that some were, who were soldiers' affiliates.
Q. By that, what do you mean?
A. When I said that some were soldiers' affiliates because from the initial stage, when soldiers had been pulling out from Freetown most, because of the harassment which they had been receiving, and they had been burning soldiers, some were afraid to leave their children or their nephews, and nieces, so they went with them. So those kinds of people were in that group.
Q. Thank you, Mr Witness. Mr Witness you said the village you last -- you then remembered was Karina. Did your group go into Karina?
A. Yes.
Q. And did you stay in Karina?

A. No.
Q. Did you spend any time in Karina?
A. Yes.
Q. Mr Witness, you mentioned that Junior Johnson was said to be the operation commander; how did you know that?
A. Because when they -- because specifically, see, how the group had been moving, it was in an orderly form because they had a set which they said was the fighting force, which my comprise 300 to 350 who were soldiers, and they had been saying that it was a fighting force and they had another set of people who --
THE INTERPRETER: Your Honours, would the witness go a little bit slow.
MR MANLY-SPAIN:
Q. Please go slowly. Take it from you have a fighting group?
A. Yes.
Q. After that?
A. You had the -- they had some other people who had the luggage which the soldiers had been protecting. Then you had the civilian population, which was referred to as the headquarter, where I was, and I belonged to that group, in that civilian population. But when we were coming by Karina, the fighting force would have gone and passed. Then we would come after. But after we had crossed Karina, we went and stopped at one village. Then the soldiers would come from that fighting force. Some would come and visit their people. Some would come and check on their wives and their children how they were doing, see, but I had a friend of mine who would always update me and would tell me that this and this had happened, and he had to tell me that Junior Lion had led the troop, so that they could pass through

Karina, and that it was Junior Lion, when we were coming, it was Junior Lion who said that when we were arriving at [indiscernible] he said that Karina was Tejan Kabba's village, so it should be burnt down.

Q. Thank you, Mr Witness. Mr Witness, do you know whether the troops, the soldiers you were with, made an attack on Karina?

A. Yes.

Q. Thank you, Mr Witness. And when you passed through?

JUDGE SEBUTINDE: Was that yes, he knows or, yes, they did burn?

MR MANLY-SPAIN: I did not ask about burning. I asked about whether the troops attacked Karina, and he said "Yes."

JUDGE SEBUTINDE: Meaning?

MR MANLY-SPAIN: That they did attack.

JUDGE SEBUTINDE: Is that so? I thought you asked him if you knew.

MR MANLY-SPAIN: Thank you, I will clarify.

Q. Did the troops attack Karina?

A. Yes, they attacked Karina.

Q. At the time these troops attacked Karina, was the third accused, Santigie Kanu, with them?

A. I did not see him. The part where I was, I did not see him there.

Q. Thank you, Mr Witness. Well, did you hear afterwards that he was part of the group that attacked Karina?

A. No.

Q. Mr Witness, do you recall the time of the year that you passed through Karina?

A. The year was 1998. And I cannot recall the right month.

Q. Do you recall whether it was in the rainy season or in the dry season?
A. Yes, it was during the rainy season.
Q. Thank you, Mr Witness. You said you passed through Karina and you went to another village, where you stopped. Do you recall the name of that village?
A. Yes.
Q. What is the name of the village?
A. Mandaha.
Q. Thank you, Mr Witness. Now, Mr Witness, did you stay at Mandaha?
A. Yes.
Q. And can you recall for how long you stayed there?
A. Mandaha, we -- I stayed there up to one week.
Q. Thank you. And with whom did you stay there?
A. I was with -- that Joseph Tamba.
Q. And were there other people with you, apart from Joseph Tamba?
A. Yes.
Q. Who were the other people?
A. Tito was there. Bomb Blast was there. One Bio was there. FAT. Junior Lion. Ato, and some other soldiers, whose names I cannot recall.
Q. Thank you, Mr Witness. Mr Witness, do you know Tito -- whether Tito has any other name?
A. Yes, he had another name, but I cannot recall his right name again.
Q. Do you know whether Bomb Blast had any other name?
A. Yes.

Q. What was his name? What is the name?
A. Hassan Papa Bangura.
Q. Thank you, Mr Witness. Mr Witness, did you leave Mandaha to go anywhere?
A. Yes.
Q. Was there any reason for leaving Mandaha?
A. Yes.
Q. What was it?
A. Because one early morning, around 6.00, I was lying down and I heard some bomb shells. They launched a bomb. So the bomb came to the house where we were. So we were lying down close to the house, and they burnt the house, and it was an enemy attack. So it was, like, the soldiers who were there, they came close and they came and repelled the attack. But, during that day, most people, I think about 14 people, who ran away from the attack, around the Kamabai highway. Later, before we left the town, there was one civilian who came, who came and said, "Eh, ECOMOG thank you. ECOMOG, thank you." We have driven those bad people. We have driven those bad people, but the boy did not actually know that it was soldiers and a small group of RUF. So that was what made the boy to say that we had caught them and we had killed most of them, and that the soldiers and the Kamajors who had boys there were killed. They said they even took some who were brought to Pademba Road. So that made us to leave that place and to come to a place that was called Rosos.
Q. Mr Witness, you said that there was an attack by the enemy. Who do you refer to as enemy?
A. Because --
Q. Just who do you refer to as enemy?

A. ECOMOG and the Kamajors.
Q. Thank you, Mr Witness. Mr Witness, as a result of that attack, did anything happen to the village Mandaha?
A. Yes.
Q. What do you know that happened?
A. The houses were set ablaze.
Q. Okay. Do you know how they were set ablaze?
A. Yes.
Q. Please tell the Court.
A. When the attack happened, initially, it was a bomb that the ECOMOG and the Kamajors launched. But when they launched the bomb, the villages in the -- which had thatched roofs, when they bombed, fell into the house, and it fell on the rooftop. So there was fire and the fire spread to the other houses. That is the way the houses were burnt.
Q. Thank you, Mr Witness. Mr Witness, during that time, during this fighting, did you see any of the soldiers you were with killing civilians in that town?
A. No.
Q. And did you see any of the soldiers you were with amputating civilians in that town?
A. No. Because the town was empty.
Q. What do you mean when you say the town was empty?
A. When we came there, we did not meet any civilian in the town.
Q. Thank you, Mr Witness. Mr Witness, you said you went to where, after you left Mandaha?
A. Rosos Village.
Q. And how did you go there?

A. We walked, to go to Rosos.
Q. With whom did you go?
A. I went with the group which -- in which I was and -- because, just like I've said, initially, like, the fighting force could move ahead. Then we that were at the rear would follow. And, Junior Lion, the group in which Junior Lion was, Colonel Eddie, Colonel King, Tito, Foday Bah Marah were all the people that went.
Q. Thank you. Having arrived at Rosos, did you stay there for a while?
A. Yes.
Q. And how long did you stay there?
A. I spent three to four months at Rosos.
Q. Thank you. Mr Witness, whilst you were at Rosos, did you see the second -- the third accused, Santigie Kanu, there?
A. No.
Q. And whilst you were there, do you know who was the commander of the soldiers at Rosos?
A. It was Colonel FAT.
Q. How do you know that?
A. Because when we came to Rosos, I came to understand that Colonel FAT, he met some soldiers. All of us did not converge in one area. The area comprised villages, so Colonel FAT sent some soldiers to one part. He said, where you have three villages, and some other area, three villages. So FAT, it was like he would come from those soldiers and would be making some rounds, making some routine checks, coming from the headquarters and seeing how we, the civilians, were doing. But if he came, most people would say that this was the big man, this was the big man.

Q. Thank you, Mr Witness. Mr Witness, do you know whether, at that time, he had a second in command, or a deputy?
A. Yes.
Q. Do you know who that person was?
A. It was Colonel Eddie.
Q. Thank you, Mr Witness. Mr Witness, who was Colonel Eddie?
A. Colonel Eddie was a soldier.
Q. And to what army did he belong, if you knew? If you know?
A. It was the -- it was the Sierra Leone Army.
Q. Thank you, Mr Witness. Mr Witness, whilst you were at Rosos, how did you get food?
A. When I was at Rosos, the soldiers with whom I was, who was that [indiscernible] Tamba, they would go on food-finding patrols because I used to hear that word, when they had been saying that we were going on food-finding. I say based on those food that was brought, it was that food that was being given to their relatives and it was the food that was being prepared and that was the food that we ate.
Q. Thank you, Mr Witness. Mr Witness, you said you were with the headquarters at Rosos; am I right?
A. Yes.
Q. Who else were at the headquarters at Rosos?
A. Mostly civilians. It was the civilian population and there were also soldiers who were there to protect the civilians.
Q. Yes. Mr Witness, on this food-finding, were you ever present when the soldiers who went on food-finding returned from the food-finding?
A. Yes.
Q. And do you know whether at any time they returned with

captured civilians who carried the food that they had found?
A. No.
Q. And were you ever present when civilians who were captured during the food-finding missions were executed by the soldiers?
A. No.
Q. Thank you, Mr Witness. Mr Witness, do you recall any name of any person who was with you at the headquarters who was a civilian; any particular person?
A. Yes.
Q. I don't want you to --
A. Yes.
Q. And did anything happen to that person?
A. Civilian?
Q. Yes, civilian who was at headquarters with you?
A. I cannot recall.
Q. Mr Witness, do you recall when you left Rosos?
A. Yes.
Q. When was that?
A. I cannot recall the right month but I knew that one -- one remarkable incident occurred that would make me remember that particular time. When we were at Rosos, the ECOMOG had been shelling. They had been launched bombs over Rosos. They would launch bombs every morning, every evening, every night and the jets would raid the town. So the jets came raiding every day. So one time, when the jets came, it was able to locate that we were at Rosos, so it bombed the area and it killed -- it killed one soldier who was -- who was called Bah. So, that day, we left that place and went to Colonel Eddie Town.
Q. Do you know, Mr Witness, who led you from Rosos to

Colonel Eddie Town?
A. Yes.
Q. Who was that person?
A. Colonel Eddie.
Q. And how did you go from Rosos to Colonel Eddie Town?
A. Before we went to Colonel Eddie Town, a little after the ECOMOG bombing of the village, Colonel Eddie went on a food-finding patrol. So when they went on that food-finding patrol he was able to discover that village, but it was a big village, see, but as a matter of fact the village had a name. See, when Colonel Eddie came back to Rosos, he was able to tell the group that he had discovered a particular area which was very good because the bomb had just made us to leave Rosos yesterday, and he decided that he had seen a place which was a good village, see, which he believed that the group could go there and stay there safely. We walked and we went there and no sooner we went there than we knew that that village was called Colonel Eddie because it was Colonel Eddie who led us to that village.
Q. Yes. You said that this village -- you knew that this village or you came to know that this village had another name. Do you remember the name of that village that Colonel Eddie took you to, which came to be known as Colonel Eddie Town?
A. Yes.
Q. What is the name?
A. Gberamatemtank.
Q. Can you offer us any spelling of that name?
A. Yes.
Q. Please do.
A. G-B-E-R-A-M-A-T-E-M-T-A-N-K. Gberamatemtank.

Q. Mr Witness, when you arrived there did you stay there?
A. Yes.
Q. And where in the village did you stay?
A. I stayed at the headquarters.
Q. And where in the village was the headquarters? I want you to give us a description, if you can, of how the headquarters, of where the headquarters was situated in the town?
A. Okay. Gberamatemtank was a village. But it was a remarkable place that we knew that we had gone to and it was the headquarters that was Gberamatemtank. They had other areas where soldiers were again.
Q. Are you saying that the actual village was where the headquarters was and the soldiers were living around in other places; is that so?
A. Yes. Yes, yes.
Q. Mr Witness, do you recall how long you stayed there?
A. I cannot recall the correct period, the right period that we stayed there, but I knew that I was there up to the time that we left to come to Freetown.
Q. Thank you. Mr Witness, at the time you arrived at Colonel Eddie Town, did you meet any civilians there?
A. No.
Q. Whilst you were at the headquarters in Colonel Eddie Town, were the civilians you came with also there?
A. Yes.
Q. Thank you, Mr Witness. And, Mr Witness, whilst you were at Eddie Town, did anything happen?
A. Yes.
Q. What happened there?

A. When we were at Colonel Eddie Town some -- one incident occurred. When the soldiers went and met us and would give us update that they had captured three soldiers, with whom we came from Freetown, and went to that place, they had caught those soldiers, they said that they had wanted to be an obstacle to the movement. They even said that one of them was --

THE INTERPRETER: Your Honours --

Q. Mr Witness, please --

THE INTERPRETER: Your Honours, no, the witness has used a term which can mean a male or female, so I just want it to be clarified whether --

MR MANLY-SPAIN: I will clarify it. I will clarify that, Mr Interpreter.

Q. Well, go slowly, Mr Witness. You said they had captured three soldiers with whom they had gone from Freetown of whom one was a witch?

A. Yes.

Q. Do you know this soldier that was alleged to be a witch?

A. Yes. It was Ibrahim Bio Sesay.

Q. I believe we've had that name before, Your Honour. Do you know who the other soldiers were that you say had been captured?

A. Yes.

Q. Who were they?

A. One was Santigie Kanu, who was called, also called Five-Five. The other was Tamba Brima. The other one again was Bazzy.

Q. Okay. Apart from these soldiers, do you know whether any other soldiers were held or arrested at Colonel Eddie Town?

A. No.

Q. Thank you, Mr Witness. Mr Witness, did you know where they were held?
A. Yes.
Q. Where was that?
A. They captured them at the military -- the military office.
Q. What do you mean by military office? Can you describe it for us?
A. Okay. They had -- they had a group of people who were in charge of disciplinary actions, and they used to call them MP and that is, they were military police. They had an office where any soldier who misbehaved, there he would be left up for some time, and he would be released later. So they were there, under house arrest.
Q. Thank you, Mr Witness. Mr Witness, you say they were arrested. They arrested them. They locked them up. Who do you refer to as "they"?
A. Well, it was the most senior officers who were the big men in the group. Colonel Eddie, Colonel FAT. Then they had some other commanders again who were Junior Lion, Foday Bah Marah, and I cannot recall the other one 0-Five. Colonel 0-Five.
Q. Thank you, Mr Witness. Mr Witness, did you personally see the people who were arrested?
A. Yes.
Q. How did you manage to do that?
A. Well, at one time we were at the headquarters, so one of my friends, whom I knew, he was the one that came and told me and said "Eh, say they had captured my Brah," so he said "Let's give the impression that we are strolling past that military police building so that we could have a glance." So both of us walked

past, and I saw three of them sitting down.
Q. Thank you, Mr Witness. Mr Witness, you used the word Brah; it is spelt B-R-A-H. What do you mean by Brah?
A. Well, that -- basically, it's just -- say, in our local parlance, it's just like street language. So someone could refer to another as Brah. Like, for instance, if you say I am strong enough financially to assist you in dear things, so if you are hungry, I would be able to give you something to eat. So I would be referred to as Brah. So this means that it is an individual who is good to me.
Q. Thank you, Mr Witness. Mr Witness, whilst you were there, were you able to know how many soldiers were at Colonel Eddie Town?
A. Yes.
Q. How many, do you know, were there?
A. You mean the headquarters or the whole town? The whole group.
Q. With your group in the headquarters, do you know how many soldiers were with you, first of all?
A. Yes, I would be able to approximate. There would be around 100 soldiers.
Q. Thank you. And do you know what their duties were?
A. Yes.
Q. What were their duties?
A. Their duties was to protect us, the civilians, that were with the group.
Q. Thank you, Mr Witness. Now, I'm asking you for the rest of the soldiers. Did you know how many there were?
A. Yes.

Q. How many, do you know, were there?
A. I cannot tell the right figure because I did not, I was not able to count them, but I would be able to approximate a number. We were -- the soldiers were up to 300, 400 when another group of soldiers came and joined the group.
Q. Thank you, Mr Witness. Mr Witness, you've just said that another group of soldiers came to join them. Do you recall when such other group of soldiers came to join them at Eddie Town?
A. Yes.
Q. When was that?
A. That was just a little later when they had arrested those three soldiers.
Q. Do you recall the month of the year?
A. It was November. October/November, during that time.
Q. And do you recall the year?
A. Yes, 1998.
Q. Thank you. Do you know whether this group of soldiers that came had someone leading them?
A. Yes.
Q. Do you know who that person was?
A. Yes.
Q. Who was that person?
A. It was SAJ Musa.
Q. Before that date, Mr Witness, had you known SAJ Musa?
A. Yes.
Q. And where did you first know him?
A. It was in Freetown, during the NPRC regime.
Q. And during the NPRC regime, do you know whether he had any position in the NPRC?

A. Yes.
Q. What position was that?
A. He was -- he occupied the position after Strasser.
Q. And who was Strasser? What position did Strasser occupy?
A. Strasser was the head of the regime.
Q. Thank you, Mr Witness. Mr Witness, at Eddie Town, before SAJ Musa arrived, is it true that Tamba Brima was the commander?
A. No.
Q. Is it true that before SAJ Musa arrived, the second accused, Ibrahim Kamara, was second in command to Tamba Brima?
A. No. I'm not aware of that.
Q. And is it true that before SAJ Musa arrived, that the third accused, Santigie Borbor Kanu, was the third in command and chief of staff?
A. I'm not aware of that.
Q. Mr Witness, before SAJ Musa arrived, do you know who was in command of Colonel Eddie Town?
A. Yes.
Q. Who was that person?
A. Colonel FAT.
Q. Thank you, Mr Witness. And do you know whether Colonel FAT had a second in command?
A. Yes.
Q. Yes. Who was that person?
A. It was -- his second in command was Colonel Eddie.
Q. And who else was there as a commander, if you know?
A. Junior Johnson was there as commander. Tito was there as commander. O-Five was a commander.
Q. Thank you, Mr Witness. Mr Witness, do you know whether, at

that time, at Colonel Eddie Town, the third accused, Santigie Kanu, had any military position, or operational position in Colonel Eddie Town?

A. No.

Q. Thank you. Why do you say that?

A. Because I have never seen him. Like, anybody who had a position, they were active. So the group would have known that this individual had a position.

Q. Thank you, Mr Witness.

MR MANLY-SPAIN: Your Honours, may I please request permission for the third accused to use the bathroom?

PRESIDING JUDGE: Yes. Mr Kanu can leave the courtroom.

MR MANLY-SPAIN: Thank you, Mr Witness. Thank you, Your Honours.

Q. Mr Witness, when SAJ Musa arrived at Colonel Eddie Town, did you see him?

A. Yes.

Q. And you said he arrived with another group of soldiers. Can you recall how many soldiers he arrived with?

A. I cannot give the right amount but they were in a considerable number.

Q. Thank you. Do you know, Mr Witness, whether SAJ Musa arrived with civilians?

A. Yes.

Q. Did he arrive with some civilians?

A. Yes.

Q. And do you know how many civilians he arrived with?

A. I do not know the number, but when SAJ Musa came, they just incorporated his own civilians that he came with, who were the

relatives of soldiers, children -- soldiers' children, who came from Freetown. They incorporated them into our own civilian group.

Q. And did they stay where you were staying in the headquarters?

A. Yes.

Q. Thank you, Mr Witness. After the arrival of SAJ Musa, do you recall whether you left Colonel Eddie Town?

A. I beg your pardon, please?

Q. Whether you left Colonel Eddie Town after the arrival of SAJ Musa; do you recall that?

A. Yes.

Q. Yes. Do you know how long after his arrival you left Colonel Eddie Town?

A. When SAJ Musa came, it did not take long. It took some two to three weeks when we left Colonel Eddie Town.

Q. Thank you. I want to go back just a little bit. You said he came with some civilians. Do you know whether these civilians included people who had been abducted?

A. No. I'm not sure.

Q. Thank you, Mr Witness. Mr Witness, when SAJ Musa arrived at Colonel Eddie Town, do you know whether he did anything there?

A. Yes.

Q. What did he do, that you know?

A. When SAJ Musa came to Colonel Eddie Town, he came and he met the soldiers, because they said a muster parade where all the soldiers would come and assemble and he's told to assemble the whole group, and he told the whole group that when he had come, he was not coming to fight into the bush. He came because he was

a soldier. He came to reinstate the army in town. So he was talking to the soldiers that all of them should join hands together and come to town, so as to reinstate the army.

Q. Thank you, Mr Witness. Mr Witness, did you attend this muster parade?

A. No.

Q. How did you come to know that this is what SAJ Musa said to the soldiers at the muster parade?

A. Just like I said initially, most of the soldiers, when they came from their various places, where they were assembled, they would come to the headquarters. That was something that would happen very often. They would come and sit together and chat with us, and they would say it. And I myself would ask some of the soldiers, whom I knew, who were friends. I would ask them, say, "Fellow, what is happening with us now?" Then they would explain to us that this and this was the thing that happened.

Q. Thank you, Mr Witness. I want to ask you this question which I forgot to ask you earlier: Whilst you were with the soldiers, were you with them of your own will?

A. Yes.

Q. Thank you, Mr Witness. Mr Witness, you said that you left Colonel Eddie Town two or three days after the arrival of SAJ Musa. At that time, before you left Colonel Eddie Town --

PRESIDING JUDGE: I think he said two or three weeks.

MR MANLY-SPAIN:

Q. Was it two or three weeks, or two or three days?

MR HARDAWAY: I have weeks, Your Honour.

THE WITNESS: Two or three weeks.

MR MANLY-SPAIN: Thank you.

Q. When you were leaving Colonel Eddie Town, were you able to observe the senior military officers that were at Colonel Eddie Town, before you left or at the time you were leaving?

A. Yes.

Q. And do you remember who they were?

A. Colonel FAT. Junior Lion was a commander. Colonel Tito, Colonel Bulldoze, who was Foday Bah Marah. They had another one who was called Colonel Sesay. They had commanders and commanders. They used to call their commanders, commanders. Then these three accused persons -- SAJ Musa just put them, based on the fact that they were under arrest. They said that they were an obstacle to the movement. They did not want them to achieve the goals of the movement, they were afraid that they wanted to run away, so they were being punished. They said they were the ones that would be the forefront of that team until we came to town.

Q. Thank you, Mr Witness. Your Honours, I want to move into something else?

PRESIDING JUDGE: Yes, I think this is an appropriate time, Mr Manly-Spain.

Mr Witness, we are going to have a short break now. I want to caution you that you are not permitted to discuss this case, or this evidence, or your evidence with any other person in the meantime; is that clear?

THE WITNESS: Yes, sir.

PRESIDING JUDGE: All right. We will adjourn the Court until 11 a.m.

[Break taken at 10.45 a.m.]

[Upon resuming at 11.04 a.m.]

MR MANLY-SPAIN: May it please, Your Honour. Your Honour, Mr Graham is not here yet. He had to run to the office on something urgent. He will be back in a couple of minutes.

PRESIDING JUDGE: Yes. All right. Well, is anybody protecting the first accused's interest should the occasion arise?

MR FOFANAH: Yes, Your Honour. I will protect the interest of the first accused.

PRESIDING JUDGE: All right. Thank you, Mr Fofanah. Go ahead, Mr Manly-Spain.

MR MANLY-SPAIN: Thank you, Your Honour.

Q. Mr Witness, welcome back. Mr Witness, before we left, you said that you had to leave Colonel Eddie Town and, before you left, SAJ Musa said that he was going to send the prisoners to the front; is that so?

A. Yes. Well, SAJ Musa said he'd send the prisoners in the front line, in order to punish them. But, when we were coming, they weren't there, they were at the headquarters. Because he was sort of threatening them, to say that he would send them in the front line. But when we were coming on the way, they were -- soldiers were there. They placed some soldiers who were there as securities to watch over them.

Q. Thank you, Mr Witness. Mr Witness, when you left Eddie Town, where did you go to?

A. We crossed -- I don't know if it's the Great Scarcies or the Little Scarcies. We crossed the river and came to the Lunsar area.

Q. I don't know whether we've previously had the spelling of

Scarcies. It's S-C-A-R-C-I-E-S. So you crossed the Scarcies River and went where?
A. We came along the Lunsar area.
Q. And do you know how the troops left Eddie Town?
A. Yes. Yes.
Q. And can you please tell us?
A. After SAJ Musa had assembled the soldiers, all the groups were petitioned into groups and the advance team, the soldiers who were in the advance team, they crossed the river first. They were going, and we who were in the civilian groups followed after them.
Q. Thank you, Mr Witness. Do you know whether there was any other group behind the civilian group?
A. Yes.
Q. Thank you, Mr Witness. Mr Witness, when you left, where was SAJ Musa?
A. SAJ Musa was with the advance team.
Q. Thank you, Mr Witness. Mr Witness, you said you went to the Lunsar axis. From the Lunsar axis, did you go anywhere else?
A. Yes.
Q. Where did you go to?
A. We came around the Masiaka area.
Q. Thank you, Mr Witness. And whilst you were coming, did you stay at the Masiaka area for any period of time?
A. Yes.
Q. Do you know how long you stayed there?
A. For about two days.
Q. And do you know why you stayed at Masiaka area for about two days?

A. Yes.
Q. Will you please tell this Court what you know?
A. We were in a village. Well, I do not know the name of the village. Then we had known that SAJ Musa ordered some troops to attack Masiaka. But when the troops had gone, SAJ Musa came to the headquarters where we were. He came there. I was there some time when SAJ Musa came to the headquarter and told Five-Five that, "You, when I'm sending your colleagues, you are just after women. When women are quarrelling, you are there to settle that. That's your duties. You should settle their problems. You and the women should be together."
Q. So where did that happen?
A. At the headquarters.
Q. Thank you, Mr Witness.
JUDGE SEBUTINDE: Sorry, Mr Manly-Spain. Who was given this instruction?
MR MANLY-SPAIN: He said SAJ Musa.
JUDGE SEBUTINDE: Who was it given to? Who was told to be with the women.
MR HARDAWAY: Your Honour, my record says he said Five-Five.
MR MANLY-SPAIN:
Q. Who do you refer to as Five-Five?
A. Santigie Kanu, because that was his other name; Five-Five. That's what most people were calling him, but he's Santigie Kanu.
Q. Thank you. Mr Witness, you said you were at Masiaka for two days. After the two days, did you go anywhere?
A. Yes.
Q. Where did you go to?

A. We came around Mile 38.
Q. And did you stay in Mile 38?
A. No.
Q. From there, where did you go to?
A. We came straight to Waterloo.
Q. Thank you, Mr Witness. Mr Witness, do you know when you arrived at Waterloo, what time of the year, or the month, or date of the year?
A. It was in 1998, I think. November.
Q. Thank you, Mr Witness. From Waterloo, did you go anywhere?
A. Yes.
Q. Where did you go to?
A. Benguema.
Q. Where in Benguema did you go to?
A. At the barracks.
Q. And do you recall what date you arrived at the barracks?
A. No. That was during December. I'm sure it's early December time.
Q. Thank you, Mr Witness. Mr Witness, do you know -- sorry, when you went to Benguema, did you meet anyone there?
A. No.
Q. And with whom did you go to Benguema?
A. I just said Tamba, who was a soldier, because I was always with him. They were at the headquarters. They were the soldiers protecting the civilian group.
Q. And what happened at -- did anything happen at Masiaka?
A. Yes.
PRESIDING JUDGE: Are they at Benguema now or Masiaka?
MR MANLY-SPAIN: Sorry, Your Honour, it's my fault. I was

1 going to ask did anything happen at Benguema. I'm sorry.
2 JUDGE SEBUTINDE: Please ask again the question.
3 MR MANLY-SPAIN: Thank you.
4 Q. Mr Witness, when you arrived at Benguema, did anything
5 happen?
6 A. Yes.
7 Q. What happened?
8 A. When we were at Benguema, then SAJ Musa -- some bomb had
9 exploded at Benguema, where a bomb hit SAJ Musa and he fell down.
10 Q. Thank you, Mr Witness. Mr Witness, after he fell down, did
11 anything happen to him?
12 A. Yes.
13 Q. What happened to him?
14 A. When the bomb had hit SAJ Musa, when he had fallen down, I
15 was able to see some soldiers who took SAJ Musa and carried him.
16 When they had carried him -- because all of us were going. When
17 they were carrying him, they went along the Tombu Road. But when
18 we got to Tombu, the road, ECOMOG, they were on a hill and they
19 opened fire on us. So SAJ Musa -- we were able to return again.
20 So when we came to a village that was called Koba Wata, then we
21 heard that SAJ Musa had died. So that was the village they
22 buried him.
23 Q. Mr Witness, after the burial of SAJ Musa, did you see the
24 third accused, Santigie Kanu?
25 A. No.
26 Q. And at the time of the death of SAJ Musa, or at the time
27 you said the thing hit SAJ Musa and he fell, did you see the
28 third accused there?
29 A. No.

Q. Thank you, Mr Witness. Mr Witness, after the burial of SAJ Musa, did you do anything?
A. No.
Q. Did you go anywhere?
A. Yes.
Q. Where did you go to?
A. The peninsular hill.
Q. With whom did you go?
A. Well, the whole troops moved. The advance team went, which was comprised of the commanders that I had been calling. We were with the civilian group. We just went to the hill around Hastings.
Q. Thank you. Who were the commanders that you saw with the advance team after the death of SAJ Musa?
A. Junior Lion. Junior Johnson was one of the commanders. Colonel Tito, Colonel FAT. FAT -- all of them were -- Colonel Eddie. All of them were there.
Q. Do you know how long after the death of SAJ Musa that you got to the hills by Hastings, as you said?
A. Come again, sir?
Q. Do you know how long after the death of SAJ Musa that you arrived at the hills by Hastings?
A. Yes.
Q. How long was that?
A. It was just about three or four days.
Q. Thank you, Mr Witness. Mr Witness, do you -- from Hastings, did you go anywhere?
A. Yes.
Q. Where did you go to?

A. We came to Freetown.
Q. When you say "we" who do you mean?
A. The whole group.
Q. At that time that you were coming to Freetown, do you recall how many civilians you were with?
A. No.
Q. Thank you. When you were coming to Freetown, did you pass by Allen Town, Wellington, and Kissy?
A. Yes.
Q. Whilst you were at Allen Town and Wellington, coming to Kissy, did you see the third accused, Santigie Kanu, distributing boxes of matches to people in the civilian group and telling them to go and burn houses?
A. No. They were not even encouraging us to give civilians weapons to do something.
Q. And, Mr Witness, did you see houses being burnt by your group in Allen Town and Wellington, on your way to Freetown?
A. No.
Q. Thank you, Mr Witness. Mr Witness, where did you go to in Freetown?
A. I came to Hill Cot Road. I came during the January 6th -- during the early morning. I came as far as Hill Cot Road.
Q. Thank you. Were you heading for any special place?
A. Yes.
Q. Where was that?
A. Wilberforce barracks.
Q. Thank you, Mr Witness. Mr Witness, just to take you a little back. On your way to Freetown, when you were in this group, the headquarters group, do you recall whether anybody was

appointed a Mammey Queen?

A. No. No. I cannot recall that.

MR MANLY-SPAIN: We have heard it before, but I can assist with the spelling. It's spelt M-A M-M-E-Y, and Queen.

Q. Thank you, Mr Witness. Mr Witness, you said you came to Hill Cot Road. Did you arrive at Wilberforce?

A. No.

Q. Why -- what happened?

A. When we got to Hill Cot Road, soldiers were around Tengbeh Town area, who were firing towards the road, so we couldn't return again.

Q. From Hill Cot Road, did you go anywhere?

A. Yes.

Q. Where did you go to?

A. State House.

Q. Did you spend any time at State House?

A. Yes.

Q. How long did you spend there?

A. Two days.

Q. Do you know whether there were civilians from your headquarters group in State House at the time?

A. Yes, some were there.

Q. Thank you, Mr Witness. Mr Witness, at State House, did you see any of the commanders you had referred to earlier?

A. Yes.

Q. Who were the ones that you saw?

A. Colonel Eddie was at State House, FAT. Junior Johnson was at State House. Colonel Foday Bah, Colonel Sesay. Many commanders.

Q. Thank you, Mr Witness. Mr Witness, did you see the third accused at State House?
A. No. During the two days, I didn't see him there.
Q. Thank you, Mr Witness. From State House, did you go anywhere?
A. Yes.
Q. Where did you go to?
A. Calaba Town.
Q. And whilst you were at State House, do you know who was the overall commander at State House?
A. Yes.
Q. Who was he?
A. Colonel FAT.
Q. Thank you, Mr Witness. Mr Witness, when you arrived at Calaba Town, were you with anyone?
A. Yes.
Q. Who were you with?
A. One Joseph Tamba.
Q. Thank you, Mr Witness. And did you stay at Calaba Town, for any period of time, Mr Witness?
A. Yes.
Q. How long did you stay there?
A. Some ten to 12 days.
Q. Thank you. Did you go anywhere after that?
A. Yes.
Q. Where did you go to?
A. I left Calaba Town because the soldiers who were in town, they were not able to withstand the ECOMOG, so I went to Benguema.

Q. Thank you. And did you stay at Benguema?
A. Yes.
Q. For how long?
A. Benguema, it was about -- it will be up to a month.
Q. Thank you, Mr Witness. Whilst you were at Benguema, did you see the third accused, Santigie Kanu, there?
A. No.
Q. Do you know whether there was any SLA commander at Benguema whilst you were there?
A. Yes.
Q. And do you know who he was?
A. Yes. It was FAT, because Colonel Eddie had died in town. And Junior Lion himself was there. He was acting as second to Colonel FAT, because he was in charge of operations.
Q. Thank you, Mr Witness. Mr Witness, how long did you stay at Benguema?
A. I said, it should be almost --
Q. Sorry about that. And, from Benguema, did you go anywhere?
A. Yes.
Q. Where did you go to?
A. We went to Mile 38.
Q. And did you stay at Mile 38?
A. Yes.
Q. Yes. For how long did you stay there?
A. At Mile 38, group was there, but I didn't stay there because I was afraid that, when the ECOMOG will come, when they were advancing, I wouldn't want to be in that area. So I was going behind. I was in a village, but I cannot recall the name of the village.

Q. Mr Witness, I want you to -- if you can remember the month of May 1999. May 1999?
A. No.
Q. Mr Witness, did you ever hear that a cease-fire was signed between the honourable president, Ahmad Tejan Kabbah, and Foday Sankoh of the RUF?
A. Yes.
Q. Do you recall where you were at that time?
A. Yes.
Q. Where were you?
A. I was at Four Mile.
Q. And whilst you were at Four Mile, did anything happen to you?
A. Yes.
Q. What was it that happened to you?
A. When I was at Four Mile, when the government and the soldiers and the RUFs came into an agreement to cease-fire, most of us, the civilians, because they went with some religious group, and the group went and pleaded that most of the civilians, they had -- they wanted the soldiers to allow them to bring the civilians in town. They would be able to take care of them and sort their problems out and reintegrate them into the society again. I was rather fortunate, me and one of my friend. We came with the group and we came to Freetown.
Q. Thank you, Mr Witness. Mr Witness, I want you to recall the year 2000.
A. Yes.
Q. Some time around June of that year, did anything happen to you?

A. Yes.
Q. What happened to you?
A. Around June 2000, I was arrested and taken to Pademba Prison because, at one time -- because I knew most of the soldiers, but I had come to town. It had taken a long time. At one time I was going to my uncle, and one soldier, this soldier and Papa, Hassan Papa Bangura, they gave me ride to drop me at Lumley. But just on the way when we were coming, I think they had some dispute when they went and scattered his house. I don't know what was the cause, but when they took me, as we were approaching Lumley, then Bomb Blast, Hassan Papa, he went up Kabasa Lodge area. He said he was going to Johnny Paul. When he went to Johnny Paul, he just came into the car and said, "Okay, let's go." When he went, he and his soldiers -- he and his soldier guys went up the Kabasa hill. When we went to the Kabasa hill, some disputes occurred there. When he came down to Johnny Paul, he said he was going to report. Johnny Paul said, well, since they went to the war front, they should give them gun. No sooner the soldiers gave the guns to Johnny Paul's guys, I just saw them started arresting everybody. I, myself, I was arrested. I was telling them that I am a civilian. I had come to town and my father was trying for me to go to college. They couldn't listen. They took off my shoes. They took me to prison and we ended up being in the prison.
Q. Thank you, Mr Witness. Amongst the people -- can you remember who else was arrested with you?
A. Yes.
Q. Who?
A. I was arrested. They arrested Hassan Papa Bangura. They

arrested Lansana Bangura. They arrested Foday Kamara. They arrested the younger brother of Papa, who was called Junior Bah Tuta. They arrested Bobson Yapo Sesay. They arrested Eddie Maff. They arrested Foday Bah Marah. They arrested one Ibrahim Koroma. They arrested one other little boy, who was called Inaco.

Q. Thank you for that. Mr Witness, when you were arrested, where were you taken?

A. It was at Pademba Road Prison.

Q. And how long did you spend there, as a result of that arrest?

A. I spent up to four years, two months and two weeks.

Q. Thank you, Mr Witness. Mr Witness, we are going to round up now. I want to ask you some general questions. First of all, you said you stayed with the group of soldiers that you were with willingly. Why did you stay with them?

A. Well, basically, as I have been saying, the soldiers, I felt that maybe it was a safe haven. Because, initially, when I was in town, when the president, His Excellency, had gone to Guinea, most of his ministers had gone to Guinea. We were -- the jet had been raiding. One, I feared that the jet would not drop a bomb on me and the jet had been killing people, and the jet had been dropping bombs which killed people. My stepfather with whom I stayed at Eastern, he was sort of harassed, so I had all those fears, which made me. The President, Ahmad Tejan Kabbah, at one time, he announced over the local media, the time that he established the radio, 98.1 -- I think he was in Guinea or so -- Tejan Kabbah said everybody should leave the town and should go over to Guinea. Whosoever did not go to Guinea, he was a rebel

in the country. So the Nigerian should come and first -- and oust the soldiers from this place. And --

Q. Thank you, Mr Witness. I think you have given us enough. Thank you, Mr Witness, while you were with this group, did you see the third accused involved in any burning of houses?

A. No.

Q. Did you see had him killing people, civilians?

A. No.

Q. Did you see him amputating the limbs of civilians?

A. No.

Q. During that time, did you see the third accused operate as a senior commander of the SLA?

A. No.

Q. Do you know, Mr Witness, whilst you were coming to Freetown, whether there was any communication between SAJ Musa and members of the RUF, like Mosquito, Sam Bockarie?

A. No.

Q. Do you know of -- you don't know?

A. I don't know.

Q. Were you told that there was any such communication between them?

A. Nobody told me and I did not know about it.

Q. Thank you, Mr Witness.

MR MANLY-SPAIN: Your Honour, that is all for this witness.

PRESIDING JUDGE: Thank you, Mr Manly-Spain. Any other Defence counsel wish to ask questions in cross-examination?

MR FOFANAH: Yes, Your Honour, on behalf of the second accused.

CROSS-EXAMINED BY MR FOFANAH:

Q. Good morning, Mr Witness.
A. Yes, good morning.
Q. Mr Witness, do you know the second accused in this case, Mr Ibrahim Bazzy Kamara?
A. Yes.
Q. Where did you know him?
A. At -- at Colonel Eddie village, when they were arrested.
Q. At the time of his arrest, was he a soldier; a Sierra Leonean serving in the Sierra Leone Army?
A. Yes.
Q. And do you know who arrested him?
A. Yes.
Q. Who arrested him at Eddie Town?
A. Colonel FAT. Colonel FAT. He was the overall who gave the order for them to be arrested with Junior Lion and some other commanders.
Q. When you say for them to be arrested with Junior Lion, what do you mean?
A. I said FAT, he was the boss. He was the big man. He -- he gave instructions to Junior -- to the other lower commanders, like Junior Lion, Tito, for them to be arrested.
Q. Okay. Thank you, Mr Witness. Now, you said you were at Koidu Town in Kono, and that you saw houses being burnt down at Hill Station. You saw burnt houses at Hill Station, at Koidu Town; do you recall that?
A. Yes.
Q. Do you know who ordered the burning of the houses you saw at Koidu Town?
A. Yes.

Q. Who ordered the burning of the houses at Koidu Town?
A. It was Superman who was the overall commander for Kono.
Q. And during your stay at Koidu Town, did you see or hear about Ibrahim Bazzy Kamara being present at Koidu Town?
A. No, I didn't hear about that.
Q. It's been alleged in this Court that Ibrahim Bazzy Kamara ordered the burning of houses in Koidu Town, including houses along Masingbi Road; what do you say to that?
A. I've never known -- I never knew about that. I only know that when we were in Hill Station, when the ECOMOG were fighting along Sewafe, jets was raiding and it was bombing houses. It was bombing nearly almost every day and it bombed houses.
Q. Thank you, Mr Witness. You also told the Court that you went -- during your movement, you went through Karina. Do you recall that?
A. Yes, of course.
Q. And you spoke about the burning of houses at Karina. Do you recall that?
A. Yes, of course.
Q. Now, during this period at Karina, did you see or hear about Ibrahim Bazzy Kamara being at Karina?
A. No.
Q. Did you see or hear that Ibrahim Bazzy Kamara was ordering soldiers to burn houses at Karina?
A. No, I've never heard about that.
Q. Did you see or hear about Ibrahim Bazzy Kamara ordering soldiers to kill civilians at Karina?
A. No.
Q. Did you see or hear about Ibrahim Bazzy Kamara ordering

soldiers to burn civilians alive in houses at Karina?
A. No, I've never heard about that and I didn't see.
Q. You said, from Karina, you went to Mandaha. Whilst at Mandaha, you said that ECOMOG and the Kamajors were bombing Mandaha; do you recall that?
A. Yes.
Q. How did you know that ECOMOG and the Kamajors were bombing Mandaha?
A. Because the men, when they came, the jets was raiding, and when the men came to attack us, the very early morning, when the soldiers were able to stand them -- stand up to them and fight them, I was able to see a Kamajor that was killed.
Q. Did you see any ECOMOG soldier at Mandaha?
A. No. But I was able to know that it was ECOMOG soldiers, because the Kamajors, they had light weapons. No sooner there was an attack when they would start to launch heavy bombs. Then we would be able to know that it was ECOMOG.
Q. Thank you, Mr Witness. You said you also went through Rosos. Do you recall that?
A. Yes.
Q. And at Rosos you said Colonel FAT Sesay was the commander whilst Colonel Eddie was the second in command. Do you recall that?
A. Yes, of course.
Q. Did you see or hear about Ibrahim Bazzy Kamara at Rosos?
A. No.
Q. Did you see or hear as to whether Ibrahim Bazzy Kamara was second in command to anyone at Rosos?
A. No.

Q. Now, you said Colonel Eddie Town was also called Gberamatemtank. Do you know what district Gberamatemtank is?
A. No, I do not know, but it's in the north. I do not know the exact district but it's in the north.
Q. Now, Colonel Eddie Town, do you know, or did you hear about Ibrahim Bazzy Kamara being third in command to SAJ Musa after his arrival there?
A. No, no. I never heard about that.
Q. Now, you said that Ibrahim Bazzy Kamara and the two other accused persons in this case were at -- were captured. Do you know where they were captured, whilst you were at Eddie Town?
A. Yes.
Q. Where were they captured?
A. At the headquarter.
Q. So when you saw them, did you see them being captured or -- did you see them yourself?
A. Yes.
Q. And when you saw them, were they captured?
A. Yes.
Q. Now, after SAJ Musa's death and burial at Koba Wata, did you see the second accused, Ibrahim Bazzy Kamara, again?
A. No.
Q. Did you see him up to your march into Freetown?
A. No.
Q. Now, do you know or did you hear about Ibrahim Bazzy Kamara being the second in command to anyone at State House, in Freetown?
A. No. When I was at State House, I only knew that Colonel FAT and Colonel Eddie, they were the big men, because that's how

they were calling them. Whenever they come to State House, they will say the big man had come.

Q. Now, were you armed in Freetown?

A. I didn't have ammunition.

Q. And you said you were trying to escape to Wilberforce. You said you were trying to go to Wilberforce Barracks, when you arrived in Freetown. Why were you trying to go to Wilberforce barracks?

JUDGE SEBUTINDE: I'm sorry, Mr Fofanah. We have to interject. Madam interpreter.

THE INTERPRETER: Yes, Your Honour.

JUDGE SEBUTINDE: The witness was saying he was not armed or didn't have --

THE INTERPRETER: No, Your Honours, it was the interpreter's mistake. It was arms.

JUDGE SEBUTINDE: So what is the answer?

THE INTERPRETER: Arms, that he didn't have arms.

MR FOFANAH: I will go over it again, Your Honours.

Q. Did you also have -- did you have ammunitions, apart from arms?

A. I specifically?

Q. Yes.

A. No.

Q. As a civilian?

A. No.

Q. And the question that I asked of you before Her Honourable Justice interjected was, you said you were going to Wilberforce Barracks. Why were you going to Wilberforce Barracks, when you came to Freetown?

A. Because there, my father was. I just wanted to make a check and to know whether he was alive.
Q. Now, on your retreat, you said you went first to Benguema. Did you see Ibrahim Bazzy Kamara on your retreat from Freetown to Benguema?
A. No.
Q. Who was in charge of the people that you were with, on your retreat from Benguema to Mile 38?
A. It was Colonel FAT. Junior Lion was the commander who was responsible for all the operations. He was there. Then he had some other soldiers who came from the north with SAJ Musa, who came and joined us.
Q. Now, witnesses have been brought to this Court who have told this Court that Ibrahim Bazzy Kamara ordered the killing of civilians at Mamamah upon the retreat of troops from Freetown, in January -- after the January 6th invasion of Freetown. Did you see or hear about that?
A. No.
Q. Did you see or hear about the killing of civilians at Mamamah on your retreat?
A. No.
Q. It's been also alleged, or at least witnesses have come to this Court who said, in particular, that Ibrahim Bazzy Kamara ordered the killing of 20 civilians at Masiaka -- at Mile 38, sorry; that he ordered the killing of 20 civilians at Mile 38. Now, whilst at Mile 38, did you see or hear about Ibrahim Bazzy Kamara ordering the killing of 20 civilians at Mile 38?
A. No.
Q. Was Ibrahim Bazzy Kamara ever at Mile 38 upon your retreat

from Freetown?
A. I did not see him, because -- Mile 38, I only spent two days there and I went to one village.
Q. Yes. I mean during your stay there, during the two days, did you see or hear about him?
A. No.
Q. Mr Witness, did you ever go to any place called West Side?
A. No.
Q. And did you ever -- during your entire encounter or experience with soldiers of the SLA, did you ever hear, or know, that Ibrahim Bazzy Kamara was commanding troops at a place called West Side, in 1999?
A. No, I never knew about this because I had come to town after that cease-fire.
Q. Mr Witness, you also said that you were incarcerated at Pademba Road prisons, in 2000. Now, whilst there, did you come across anyone by the name of Alimamy Bobson Sesay, also called Yapo?
A. Yes.
MR HARDAWAY: [Redacted].
PRESIDING JUDGE: I think that name has come up many times during the hearing.
MR FOFANAH: Respectfully, Your Honours, I think my learned colleague has even blown the cover. Probably we can just --
PRESIDING JUDGE: Yes. Nobody would have known he was a witness in the case, Mr Hardaway --
MR FOFANAH: Exactly.
PRESIDING JUDGE: -- until you've just mentioned that.
MR HARDAWAY: Very well.

MR FOFANAH: It may be redacted in the interest of fairness to my learned friend.

JUDGE SEBUTINDE: You mean counsel's comments be redacted?

MR FOFANAH: Yes.

MR HARDAWAY: Yes, Your Honour, I would ask you do that.

JUDGE SEBUTINDE: I agree. I think they should be redacted. Mr Hardaway's comments relating to this name should be redacted.

MR FOFANAH: As well as a general warning to members of the press and the public. Can I go on, Your Honours?

PRESIDING JUDGE: Yes, continue.

MR FOFANAH:

Q. So, did you see that person that I mentioned, at Pademba Road prisons?

A. Yes.

Q. Did you also see at Pademba Road Prison anyone called Keforkeh?

A. Yes.

Q. Did you see at Pademba Road prisons anyone called Lamin Sidiki, alias Terminator?

A. Yes.

Q. Did you see at Pademba Road prisons, whilst you were there, anyone called Alabama?

A. Yes.

Q. And did you see or hear about anyone called Ayo Cole at Pademba Road prisons?

A. Yes.

Q. Did you see or hear about anyone called Ranger at Pademba Road prisons?

A. Yes.
Q. Now, whilst at the prisons, were you in any form of communication with these people that I've mentioned?
A. Yes.
Q. Were you communing together in the prisons, during your stay there?
A. Yes.
Q. Now, during your stay there, do you recall any special encounter about the need for you to give testimony to the Special Court?
A. Yes.
MR FOFANAH: Something is wrong. The translation is not coming through.
JUDGE DOHERTY: I missed the entire answer. There is some problem.
THE WITNESS: Yes, that I can explain in detail.
MR FOFANAH: I really don't know where the mechanism went off, but I will repeat some of the questions.
Q. My question, I think some questions back, was whether you were communing with the names that I mentioned whilst in prison?
THE PRESIDING JUDGE: Well, he said yes. He has answered that.
MR FOFANAH: Sorry, I was just trying to --
PRESIDING JUDGE: His last answer to your question was: Yes, I can explain in detail.
MR FOFANAH: Thank you very much, Your Honours.
Q. So can you explain the encounter you had with anyone of the names that I've mentioned about the need for you to testify to this Court?

A. Yes.
Q. Please go slowly and tell the Court, Mr Witness?
A. During the time that I was in prison, we had spent three years. So most of the time CIDs would come and give us an update, to know whether we went to Court or not. They would come on and off. Perhaps after every six months they would come and go, but after some time they would --
Q. Hold on, Mr Witness. What do you mean by CIDs, CIDs would come?
A. It was the Criminal Investigation Department under the police. They would -- initially they came to make a follow-up of our case but, later, they just cut off and they would not come again. So, at one point in time, people came from the Special Court, see, as far as I can recall. They came into prison, through the prisons authority that were there. They said that all of us were to be called, who were put in safe custody, because the whole group that was there, under these warring factions, were charged to Court, so we that were put under safe custody --
Q. Just hold it there, Mr Witness. How did you know that the people who summoned you who were under safe custody were from the Special Court?
A. We were told.
Q. And how many of you were under safe custody, if you can recall, during that time?
A. Yes, I'm quite sure I can recall. We were 16.
Q. So you said they summoned you. Where were you summoned?
A. They summoned us down to the prisons office.
Q. And did anything happen there?

A. Yes.

THE INTERPRETER: Your Honour, would the witness be instructed to wait for the interpretation?

MR FOFANAH:

Q. Mr Witness, before you go on, I think you heard the interpreter. Please wait until what you are telling the Court is interpreted before you go to your next statement. Go slowly, please.

A. Yes. Okay. When we were there, they would call us. The people that went there, the people that came from the Special Court who went there, they called us with -- they had some other people who said that they were CIDs and that they were working directly under the Special Court for the Prosecution to come and prosecute people who had committed the greatest atrocities in this country. So they did that in order. They would come, and took two people. And I was very lucky, because I was the very first individuals whom they took from up to come and see these people. So when we went down the place to the office, it was not too open. They took us to an office which was so small, where officers were not around. It was just the people that came, so we went and saw them.

Q. Yes. Let's pause there for a while. You said they were taking you in two; correct?

A. Yes.

Q. So yourself and who was taken to the office?

A. Ibrahim Koroma.

Q. And when you went to the office, how many personnel from the Special Court did you meet with?

A. There were five.

Q. And was there any meeting with the people?
A. Yes.
Q. So please tell the Court what was the meeting about?
A. Well, when we went down there, both of us, we were put -- and the other people sat on the other chairs. So they started asking us, saying -- they said that they came from the Special Court, and that they had come so that the truth could prevail in this country so that we could have everlasting peace in this country. So they told us that, now, they were trying -- going in search of witness to prosecute those people who had been captured. And they said that -- they said to ask us how long had we stayed in prison, how many years have we done in prison, and I told them that I had spent three years. So they started becoming sympathetic with us and saying, "Oh, you people have stayed so long in this place," and that, "You are young men and it's good for you to come out and prosecute these people, and we will do something for you." What you want to learn, we'll do so, and we'll make you to travel to go overseas. And if you had a brother and a sister, then we'd put you together so that you could go overseas. So that is what they told us. That was again talked about in the meeting and, again, they told us that --
Q. Hold it there, Mr Witness. Please, you have to go a little slowly. Now, you said that, I mean, they told you all of this. Now, were you charged to Court during your three years before you met these people? Whilst you were at Pademba Road, were you charged to any Court?
A. No.
Q. Okay. So about whom were they enticing you to testify?
A. They told us that we were to testify against Bazzy,

Santigie Kanu and Tamba Brima.
Q. And did anything happen after they've told you this?
A. Yes.
Q. What happened?
A. We -- we looked at what they told us. We said -- well, what we knew, based on the time that we spent with these people.
Q. Mr Witness, hold it there. I mean, you are testifying to the Court. I know you told the Court that two of you were taken. I want you to tell the Court what you said or did. So what did you do after they have told you about the Special Court and the need for you to testify, and the fact that you will be taken out and taken overseas. Did you say or do anything?
A. Yes.
Q. What did you say or do?
A. I said I wouldn't be able to say anything. What I wanted, if they were pretty sure that what they were saying was true, let them just get us out of prison and, if it were a safe place, let them put us there. And what they wanted from us, we would come and say the truth. But they only say that they, the Court, would get us out of the prison. I was not in agreement with them. The other fellow was not in agreement with them. So we said that we didn't have anything to say. So they said we are to go up again and that they are going to call other people.
Q. And whilst you were in prison, do you know if any of the other inmates who were under safe custody, do you know if any of them were in agreement with these people about the need to testify against the three accused persons before this Court?
A. Yes.
Q. Who were the people who were in agreement with them about

their request to testify against the three accused?
A. Alabama was one, who was Alie Turay; Ayo Cole, who was called Six Finger, was another one; Ranger, who was Hindolo, he was another one. Then Alimamy Bobson Yapo Sesay was another one.
Q. And how did you know that?
A. At the time that we were in prison, Alimamy Yapo Sesay -- all of us had been running the affairs of the church -- and he was a deputy pastor. But I and he, when we were in prison, we were in two different cells. We were put very close to each other. He was like a neighbour. He -- anything that would happened, he would come and explain to me that [redacted], this was what happened, this was what happened.
Q. Hold it there, Mr Witness. Don't mention anything that has anything to do with you.
MR FOFANAH: At this stage, Your Honours, may I respectfully apply that that be redacted.
PRESIDING JUDGE: Yes. That name that the witness just mentioned will be redacted from the transcript.
MR FOFANAH: Grateful.
Q. So don't mention anything that has anything to do with you personally. You know what I mean by that. So I was just saying -- I mean, you were just explaining to the Court about how you came to know that Bobson Sesay, Alabama, and the others were willing to testify -- were willing to comply with the people from the Special Court in order to testify against the accused. So you explained as far as the point where you said that both of you, yourself and Bobson Sesay, were close and he explained these things to you. Do you know -- how did you come to the conclusion that Alabama was also in agreement with the people from the

Special Court?
A. After Alabama -- when we had left the place, just after Alabama came up, that very night, but it was like they were having some Muslim prayers. When it was the Muslim that will first of all pray at 6.00, just after they had completed, we would take up the Christian prayers. But during the time when Alabama was down, when the Muslims had been praying, Alabama was responsible for -- to give some lectures before they prayed for the 6.00 prayers. Alabama, during that time -- every morning he got up, he had made it a habit to talk -- during that time, when he was exhorting to the Muslims, he would skip off that preaching and he would always say that, you, the little boys, you did not drink, you did not smoke, you were civilians. When people came to ask you to go and say what you knew, you would not accept and would live in this gaol. And for some of us that had accepted, we'd see the difference between us and you people. So everybody became aware that Alabama had agreed, and there were certain things that happened in the prison which -- which was a challenge. There was some enmity that had gone between I and Alabama.
Q. Okay. Mr Witness. Now, do you know if any special treatment was given to Alabama, Bobson Sesay, Ayo Cole, and any other person, about their need to testify before this Court whilst all of you were in prison?
A. Yes.
Q. Please tell the Court about the special treatment, and be as precise as you can?
A. Based on what Alabama, Yapo, and Six Finger had accepted that we are going to testify, first of all, in prison, they would

1 come for them and they would take them out. They would come for
2 Alabama and they would take him out. At times, they would come
3 from Alimamy Sesay and the would take him out.
4 Q. Okay. Who would come for them and take them out?
5 A. When we were in, he would always tell us that it was the
6 people from the Special Court who would come for us at such and
7 such a time tomorrow.
8 Q. And did you see them being taken out of the prison?
9 A. Yes.
10 Q. And did they return, after they were taken out?
11 A. Yes.
12 Q. Did they tell you anything about why they were taken out
13 and then returned to the prison?
14 A. Yes.
15 Q. What did they tell you?
16 A. Bobson Sesay, because I and he were close, he said how he
17 was taken outside and they had asked him a lot of questions, and
18 that he had talked a lot about what happened, and how they even
19 took him to his house, and they saw his fiancee, with whom he
20 was, and they said all those privileges -- he was, like, trying
21 to convince me: Why should you not also agree so as to
22 prosecute, so that you could be taken out and see the members of
23 your family so that they would be given some small tips, so that
24 when you come from prison, you will be able to manage your life.
25 So, those sort of things.
26 Q. Did Alabama tell you any such thing as well?
27 A. Yes.
28 Q. What did he tell you?
29 A. Alabama said -- he said the same thing, but he continued

to -- he said that we were to go and prosecute. At least we'd be able to leave the prison and leave the other people there who had not accepted to prosecute. But Alabama continued to do this, but I was not too much interested in that. So he became angry with me all the time.

Q. And throughout your stay in prison, do you know if these names that you have mentioned, if the people continued to stay in prison after their encounters or contact with the people from the Special Court?

A. Yes, they continued to stay in prison, but they would come for them and they would go out.

Q. And were they released before you or were you released before them, from prison?

A. They released all us together, 16 of us.

Q. And, finally, Mr Witness, do you know if anybody by the name of Keforkeh was approached? Keforkeh and Terminator. Do you know whether they were approached by any person from the Special Court to testify against the three accused persons in this case?

A. Yes.

Q. How did you know that?

A. Terminator, he told me. He said, Alabama and the others gave their names, saying that they were also people who knew about what had happened during the time of the war. So, it would be good for them to be met and ask them to join. But Terminator, he told me that he and Alabama were not on the same radar screen. He said that Alabama was a person who had problems and he did not want to have anything to do with Alabama.

Q. What about Keforkeh?

A. Keforkeh, he also -- it was the same thing. Alabama met him and told him that he could come and prosecute in the case, that he will be taken from prison and that he would go outside and get freedom.

Q. And just one last question: Did these people you have mentioned Alimamy Bobson Sesay, Alabama, Six Finger, did they have any special diet after their encounter with the personnel from the Special Court, whilst in prison?

A. Yes.

Q. What kind of diet did they have, after their encounter with the personnel?

A. Initially, within the prison, the prison ordinance said that everybody should have bread and tea in the morning. Then you will have your daily meal and sleep. But since that time when Bobby, Alabama, and the other, Six Fingers, they said that they would come -- they would come for them and go outside. One, Alabama, each time they took him outside, Bobby, each time they took him outside, when they were coming inside, they would always come with a package. This package -- Bobby, when he came into the cell, he would open it, and I would be around. Because I was curious to know what was in there, I would come around. He would open the package, and I will see chicken. At one time, he came and came with lot of medicines. And, what I understood, when we stayed in prison -- see, nobody, whatsoever, even if you were a government individual who had committed a crime, if they took you to prison, even if you are ill, nobody had a right to come inside with medicines for you. You should not take food from outside and bring it into the prison, but all these things had been happening, just after these people had accepted to testify.

Q. All right. Thank you very much. Just one point on the chicken. How was it; what kind of chicken are you referring to?
A. I'm referring to a chicken that is sold in the common restaurant, and it was a whole piece.
Q. Thank you very much, Mr Witness. Your Honours, I have no further questions for the witness.
PRESIDING JUDGE: Thank you, Mr Fofanah.
MR FOFANAH: Just before I sit down, could the first accused be respectfully permitted to use the convenience?
PRESIDING JUDGE: Yes, Mr Brima can leave the Court. Mr Graham, did you have any questions?
MR GRAHAM: Yes, Your Honours, I do.
CROSS-EXAMINED BY MR GRAHAM:
Q. Good afternoon, Your Honours. Good afternoon, Mr Witness.
A. Yes, good afternoon.
Q. Mr Witness, during this time that you were in Pademba Road Prison, after the people from the Special Court had contacted some of you, later on, Alabama was boasting that, because of them -- I mean, because of them, that is those of them who had agreed to testify, he was boasting that because of them, all of you in safe custody were going to be released, isn't it?
A. Yes.
Q. And Bobby was also boasting at the time that, because of him, all of you in safe custody were going to be released, isn't it?
A. Yes.
Q. So were you surprised when all of you, in safe custody, were released, together with Bobby and Ayo Cole?
A. Yes.

Q. Why were you surprised, Mr Witness?
A. Because we thought that they who had agreed, with all the privileges they had -- most of us were broken-hearted that those men, they will release them and we will continue to stay there, because that's what they were saying. So I was surprised when they released all of us, but I knew that, based on our release, it was Red Cross. They were making follow-up on a matter when we were released. That is what I understood.
Q. Thank you, Mr Witness. And, Mr Witness, during the time you were in Koidu Town, in Kono, you were aware that fighting forces belonging to the RUF were also present in Koidu Town at the time, weren't you?
A. Yes.
Q. And during the time that you were in Koidu Town, in Kono, did you -- you heard that the RUF fighting forces were terrorising and harassing innocent civilians in Koidu Town, isn't it?
A. Yes.
Q. And you also heard, didn't you, Mr Witness, that the -- sorry, Your Honours, let me rephrase. Did you get to know at the time who was in charge, the overall boss, of the RUF fighting forces in Koidu Town, at the time?
A. Yes.
Q. Please tell the Court, Mr Witness.
A. It was Superman.
Q. How do you know that, Mr Witness?
A. Because I was very close to the place he was, and all the instructions, he was, there were mustering parades. He was even forcing soldiers -- for us to go and take them and they will

bring them. And more soldiers -- I can recall one who was called Alhaji. He was even called later Alhaji Burst Throat, because he was fired at one time.

Q. Thank you, Mr Witness. Thank you. Just be precise. And apart from Superman --

JUDGE SEBUTINDE: Sorry, what was that word? Alhaji what?

MR GRAHAM: Alhaji -- I think he said Burst Throat.

Q. Could you please clarify for the convenience of the Court, the Alhaji you just mentioned, what did you say? You said he was Alhaji what? The other name, the additional name you mentioned, he was Alhaji what? Please clarify for the Court.

A. Alhaji Burst Throat.

Q. Okay. Can you spell that for the convenience of the Court, Mr Witness, Burst throat, as you just pronounced it?

A. It's simple in English. Burst, like a hole in the throat, because he was fired with a bullet.

Q. And apart from Superman, did you get -- sorry, Your Honours. Did you know who was second in command to Superman at the time in Kono?

A. I don't know.

Q. And you just told this Court that you used to live close to the place where Superman was. Did you know the name of the place where he was?

A. It was Uphill Station.

Q. Uphill Station, and that is in Koidu Town, isn't it?

A. Koidu Town, yes.

Q. And during the time that you were in Koidu Town, you saw fighting forces belonging to the RUF, committing unlawful killings of civilians, didn't you?

A. No, I never witnessed anything like that.
Q. But you heard, didn't you, that the RUF fighting forces in Koidu were killing innocent civilians, didn't you, Mr Witness?
A. Yes, I heard about that.
Q. How did you hear about that, Mr Witness? Please tell this Court.
A. Because, some RUFs, commanders, the junior commanders, they would go on food-finding. From the fleeing civilians who were running towards the Guinea border, from the Guinea border. So when they would come around, like most of them, some would say, "Oh, today we went on a food-finding. One civilian wanted to resist me, so I took his gold or his money," or, "I killed that civilian," but that wasn't rampant.
Q. Thank you, Mr Witness. And during this period that you were in Koidu Town, did you get to know about the nature of the relationship between the RUF and the SLA soldiers that were in Kono District, at the time?
A. Yes.
Q. Please tell this Court what you know about the nature of this relationship, Mr Witness.
A. The nature of the relationship existing between the RUFs and the SLAs in Kono wasn't cordial because, at one time, I could recall -- I can recall I was in Hill Station when the RUF, they went to burn. Superman gave order from Hill Station, said, gather some soldiers, and told them to go down where the soldiers were to go and burn -- burn all the vehicles belonging to the soldiers, and that wasn't any AFRC business. This, that was RUF business, and they should burn all the vehicles. The bluffing that they were doing in town, that wasn't the case. That was the

time he gave the order for them to join his muster parade under the RUF command.

Q. Okay. And these vehicles that you are talking about, to whom did these vehicles belong to? These vehicles that you said an order was given should be burnt, to whom did these vehicles belong to?

A. When I went to Kono, I used to see people driving vehicles. Well, I knew that most of the vehicles, they were vehicles from Makeni, that left people left behind Makeni, because people were going to Kabala.

Q. So these were vehicles belonging to civilians; is that it?

A. I don't know.

Q. Thank you, Mr Witness. And during this period that you were in Koidu Town, you also heard that the -- did you see any SLA soldiers being harassed and humiliated by RUF fighting forces?

A. Yes.

Q. How did you hear this, Mr Witness?

A. This is something when I was present at the time when Superman -- he had one of his soldier who was -- he was his CSO called Lieutenant James. He encountered two soldiers when a vehicle -- he told them that, soldiers, get down the car. They said boss man, Superman, had ordered that they should be burn all the vehicles. That was no -- they wanted to resist. They said they wouldn't come down the car, so they forced them down. The weapons they had, he took them and burned the car.

Q. And during the -- apart from this incident that you told this Court, you also heard from other sources about constant harassment and humiliation of SLA soldiers by the RUF fighting

forces, didn't you, Mr Witness?
A. I beg your pardon, please?
Q. My question was: Apart from the incident which you just told this Court about, the harassment of the two SLA soldiers, I'm saying my question is that you also heard from other sources that the SLA soldiers, in Koidu Town or Kono District at the time, were constantly harassed and humiliated by the RUF fighting forces, didn't you?
A. Yes.
Q. How did you hear this, Mr Witness? Please tell this Honourable Court.
A. I, myself, when I was in Hill Station, because where they were --
THE INTERPRETER: Your Honours, can the witness please take it again.
MR GRAHAM:
Q. Mr Witness, please -- sorry, I have to interrupt you, but the interpreters need to hear you clearly to be able to interpret your testimony to the Court. So please go over the last part of your testimony. My question to you was: How did you hear that SLAs in Kono were being constantly harassed and humiliated by the fighting forces of the RUF?
A. As I said initially, basically, I didn't -- well, I saw that myself. I didn't hear about it. When Superman would give orders, he would send trucks to where the soldiers were, and for them to be forced to join the muster parade. And, each morning, that was the routine; they would be taken and brought to join the muster parade. And it was from there Superman would arrange if they were to go to the war front, they would take them in the

truck, take them to the war front.
Q. Thank you. And during the time that you were in Koidu Town, did you see are hear any SLA -- sorry, did you see any SLA soldiers committing any acts of sexual violence against the civilians in the Koidu Town or Kono District, anywhere in Kono District?
A. No. No.
Q. Did you hear about that?
A. No.
Q. What about the RUF, during the time that you were there, did you see the RUF fighting forces committing any form of acts of sexual violence against civilians in Koidu Town, or anywhere in the Kono District, Mr Witness?
A. No. I never heard about that and I never witnessed it.
Q. Okay. Mr Witness, I'm going to take you to Karina. And do you know approximately how many civilians were -- before I go on, I'm right in saying that all the civilians were together in one place. You moved together as a group when the fighting forces were on the move, didn't you?
A. Yes.
Q. So the time you were also going to Karina, all the civilians, did you know what position, in terms of the movement, that the civilians were? Were they at the front, the middle or at the back, Mr Witness?
A. The civilians were always at the back, and some settled soldiers were behind them to protect them.
Q. So, at this time, do you recall approximately about how many civilians were part of this group towards the time that you were heading towards Karina?

A. No, No, I cannot remember.
Q. But it's fair for me to say, Mr Witness, that it is not unusual that normally after the fighting forces attacked any place, if they did at all, and they came back to camp, you normally would get to know what took place?
A. No.
Q. So is it your testimony before this Court that all the time that you were with the fighting forces, you never got any information about what they did, the attacks, if any, that they launched? You never heard anything at all, did you?
A. At times I could hear when -- if a soldier who is coming from the front, the fighting fronts, he will come to the headquarter and chat to his people. They would say one or two things. What I didn't hear, I wouldn't testify in this Court about.
Q. Okay. Thank you. And when you got to Mandaha, it is your testimony that you got to know that Karina had been attacked, isn't it?
A. Yes.
Q. Did you get any further information about the details of the attack on Karina, Mr Witness?
A. No.
Q. Thank you. And when you were heading towards Mandaha, the civilians were still at the rear of the movement, isn't it?
A. Yes.
Q. And did you actually go through the town or the village of Mandaha? Did the civilians, at the time you reached Mandaha, did you go through the village of Mandaha?
A. Yes.

Q. And at the time you got to the Mandaha village, as part of the civilians, did you see any houses on fire when you got to Mandaha?
A. No.
Q. Did you see any people who had been killed lying anywhere in the village at Mandaha?
A. No.
Q. Did you see any civilians at all, outside your civilian group, when you got to Mandaha; that is the inhabitants? Did you see any inhabitants of the Mandaha village at the time you arrived there?
A. No.
Q. So did you actually -- I initially asked you questions about your movement through the village, but did you actually settle in the village, the Mandaha village? Did you actually settle in there, in the village itself?
A. No.
Q. Where then did you settle in Mandaha, Mr Witness?
A. Mandaha Town, the village that is called Mandaha.
Q. So were you living in the houses and huts that you saw -- you met at Mandaha? Did you occupy them?
A. Yes.
Q. Thank you. And during this period that you were at Mandaha, on your movement from Karina to Mandaha, do you recall crossing a river from Karina to Mandaha?
A. I cannot recall.
Q. But at the time that you got to Mandaha, did you see the first accused, Tamba Brima, at Mandaha?
A. No.

Q. Did any of the fighting forces, or the people that you associated with, did any of them tell you that they had seen Tamba, that Tamba Brima was present with the fighting forces at Mandaha?
A. I never heard about that.
Q. And did you also hear that he had also led the attack on Karina Town?
A. No.
Q. Thank you. And during the time that you were at Mandaha, when you arrived at Mandaha, did you witness any training? Did you witness the civilians going through any form of military training?
A. No.
Q. Do you also recall going to a place called Mateboi, from Mandaha? Do you recall going to a place called Mateboi, Mr Witness?
A. No. From Mandaha, we went straight to Rosos.
Q. Thank you.
A. I cannot recall some villages' names.
Q. Thank you. Mr Witness, when you were at Mandaha -- sorry, when you were at Camp Rosos, you've told this Court how long you were there. During the period that you were there, there is evidence, testimony before this Court, that the first accused, Tamba Brima, was the overall commander of the fighting forces at Camp Rosos; is that true, Mr Witness?
A. No, it isn't true because I knew that Colonel King, FAT, they were the boss men.
Q. Thank you. And how did you know that Colonel King and FAT were the boss men at Camp Rosos, Mr Witness?

A. Earlier on I have said that they would do routine checks, so they would come from the various villages, where the fighting forces were, and they would come to the headquarters to seek the welfare of us, the civilians. So, when they came, soldiers would say these were our boss men, these were our boss men that would go with us.

Q. Thank you. My question is, and I stand to be guided by the Court whether I asked: Do you recall approximately how many civilians arrived together with the fighting forces at Camp Rosos, Mr Witness?

A. I cannot recall the right amount.

Q. Can you give an approximation, if it is within your ability to do so, Mr Witness?

A. No.

Q. And in the course of your march through Karina, Mandaha and then to Camp Rosos, did you have any children who were combatants, who were armed as part of the fighting forces in the children?

THE INTERPRETER: Your Honours, can learned counsel please repeat the question.

MR GRAHAM: Thank you, I will.

Q. Mr Witness, my question was: Did you have any child combatants with you -- sorry, let me rephrase. In the course of your march from Karina through Mandaha until you arrived at Camp Rosos, did you see any child combatants with the fighting forces?

JUDGE SEBUTINDE: Mr Graham, are you sure the witness knows what a child combatant is?

MR GRAHAM: Very well, Your Honours. I'm grateful.

Q. Mr Witness, did you see any children who were armed as part

of the fighting forces during the period I've just referred to?
A. No.
Q. And during the time you were at Camp Rosos were any muster parades held at Camp Rosos during the time that you were there, Mr Witness?
A. Yes.
Q. And how often, if you know, were these muster parades called at Camp Rosos, just briefly?
A. Well, it was just, the one that I was able to witness was one or twice, when Colonel FAT mustered the soldiers, and when he was talking to them.
Q. Thank you. And during the time that you were at Camp Rosos, Mr Witness, did you see any children, or teenagers being taken through -- being trained, being taken through any form of military training at Camp Rosos?
A. No.
Q. Did any of the fighting forces tell you, or did you hear that training of children, as that military training, was being given to children at Camp Rosos?
A. No.
Q. Apart from the children, the civilians, your group, did you yourself go through any form of military training when you were at Camp Rosos?
A. No.
Q. Did you see any of the civilians that you were with at Camp Rosos being taken through any form of military training on how to shoot and how to fight?
A. No.
Q. Did you hear about that kind of -- from anyone, whether

this kind of military training was being given to any of the civilians at Camp Rosos?
A. No.
Q. And during the time that you were in Camp Rosos, did you witness any rapes of any of the female civilians by any of the fighting forces that were present at Camp Rosos at the time?
A. No.
Q. Did any -- did the civilians, did you -- you used to converse and chat among yourselves, didn't you?
A. Yes.
Q. Did any of the female civilians -- did you hear that any of the female civilians, who were part of your group, did you hear any of them had been raped by the fighting forces during the time that you were at Camp Rosos?
A. No.
Q. Thank you, Mr Witness. And Mr Witness, I'm going to take you to Benguema. After the death of SAJ Musa, did you see the first accused, Tamba Brima, act or conduct himself as if he was the overall commander of the fighting forces, after the death of SAJ Musa?
A. No, I never saw.
Q. Did you hear, from any of the fighting forces at Benguema, that after the dealt of SAJ Musa, the first accused, Tamba Brima, had taken over overall command of the fighting forces?
A. No.
Q. Well, Mr Witness, there is evidence before this Court that, after the death of SAJ Musa, the first accused, Tamba Brima, took overall command of the fighting force; what would you say to that, Mr Witness?

A. I did not know about that. I knew that when SAJ Musa died, FAT and the others, who were the senior men -- because we had been hearing about their names, and they said they were the big men who came to Freetown; Junior Johnson, Colonel Sesay, and those set.

Q. Thank you. And, Mr Witness, there is also evidence before this Court that SAJ Musa, commander of the fighting forces at Benguema, was killed by the first accused, Tamba Brima. Did you hear anything of that sort whilst you were at Benguema?

A. No.

Q. Mr Witness, did you -- you got to Freetown, didn't you?

A. Yes.

Q. And whilst you were in Freetown, did you hear that about 3,000 to 4,000 detained SLA soldiers had been released from the Pademba Road Prison?

A. Yes.

Q. Did you also get to hear that after they were released they went on a senseless rampage of killing, looting, and burning in Freetown. Did you hear that?

A. Yes, but that was something like pockets of those incidents. Some soldiers, because they had been humiliated, they had burnt some soldiers -- soldiers' friends had been burnt. When they were released from prison, some went again to government and some were around -- that were around town. And I heard that some pockets of them were there who had been doing such things.

Q. From whom did you hear that, Mr Witness?

A. It was from one, one of my friends.

Q. And you also heard that the fighting forces, who I

described as the regular fighting forces that came to Freetown, tried to discipline these soldiers who had been released from Pademba Road Prison and who were doing bad things in the town; you heard that, didn't you?

A. Yes.

Q. And you also heard that, as a result of their conduct, some of them ended up being killed by the fighting forces, didn't you?

A. No, I did not hear that, that they killed them.

Q. Thank you, Mr Witness. And, Mr Witness, during the time that you were in Freetown, you also heard that some detained SLA soldiers were also released from the national stadium, didn't you, Mr Witness?

A. Yes, I heard about that.

Q. And you also heard that -- how did you hear that, Mr Witness?

A. It was from one SLA soldier I heard that, who went to release those people, and he was the one. He came to State House and said that he came from stadium. He said there are surrendered soldiers, our fellow soldiers, we have freed them.

PRESIDING JUDGE: Mr Graham, the next appropriate question we will take lunch.

MR GRAHAM: Thank you, Your Honour. I'm grateful.

Q. Did he tell you how many soldiers were released at the national stadium?

A. No.

Q. Well, I'm putting it to you that about 2,000 soldiers were released from the national stadium, Mr Witness?

A. I never knew about that.

MR GRAHAM: Your Honour [microphone not activated].

PRESIDING JUDGE: All right. We will take lunch now. Mr Witness, I'll remind you that you are not permitted to discuss your evidence, or this case, with any other person; is that clear?

THE WITNESS: Yes.

PRESIDING JUDGE: All right. We will adjourn now until 2.15. Just a moment, yes, Mr Fofanah.

MR FOFANAH: Respectfully, Your Honours, today is Friday and I was just respectfully asking the Court if we can come back at 2.30, like I had earlier indicated.

PRESIDING JUDGE: Yes, we did agree that, Mr Fofanah. We will resume Court at 2.30 today and we will make up the 15 minutes at the end of the sittings.

MR FOFANAH: Thank you very much, Your Honours.

[Luncheon recess taken at 12.45 p.m.]

[AFRC13OCT06B - MD]

[Upon resuming at 2.30 p.m.]

PRESIDING JUDGE: Go ahead, Mr Graham.

MR GRAHAM: Good afternoon, Your Honours.

PRESIDING JUDGE: Yes, Mr Knoops.

MR KNOOPS: Your Honours, before my learned friend, Mr Graham, would continue with his cross-examination, I raise on behalf of the first accused, sorry, the third accused, as to the schedule today and its potential impact for the Court session on Monday. And the reason I'm raising this point now, before my learned friend continues, is that it may result in making further arrangements with the witnesses TRC-01 and 03 and the necessity for me to leave the Court earlier to make those arrangements.

As the Court knows, the two TRC witnesses, 01 and 03, are

scheduled for Monday morning and Monday afternoon. It is to be foreseen that, I think, this witness could finish today and after that the third accused has only one individual witness. That is witness 117.

In the event witness 117 could not be finished today, and that's to be expected, then it's our suggestion from the side of the Defence for the third accused, that we continue Monday morning with 117. And after that TRC-01 and 03 could follow. If that's for the Prosecution not a problem. I have to go to those witnesses to confirm their presence on those other times as the preliminary scheduled. It's my expectation that both TRC witnesses could be finished on Monday because they will be relatively short as they will testify only on one specific issue and then the Defence could then continue Tuesday probably with the military expert.

So if the Court could, in the event the Prosecution agrees with this suggestion, could excuse me, that I leave the Court at 3.00 to make those further arrangements to make sure that these two TRC witnesses are available on the basis of this new schedule, I will be very grateful if the Court would allow me to leave the courtroom around that time. And after that, I could inform the Prosecution, later today, whether the TRC witnesses have approved this new schedule.

PRESIDING JUDGE: Thank you, Mr Knoops. Just before we hear from the Prosecution, I would just like to clarify the remaining witnesses. After this witness, you are suggesting that DBK-117 be called; is that correct?

MR KNOOPS: That's correct, Your Honour.

PRESIDING JUDGE: And it may or may not happen today but

what if this witness finishes today, would DBK-117 be available to start today?

MR KNOOPS: Correct. He is already waiting to give testimony.

PRESIDING JUDGE: All right. And then you propose that -- you think we might get through the remaining two TRC witnesses by Monday and start the experts on Tuesday?

MR KNOOPS: Yes, Your Honour. And I believe that, if it's correct, I think that we could finish then 117 just before the morning break, examination-in-chief and then of course the problem would arise that we may have to interpose the cross-examination of 117, and continue with first with the two TRC witnesses. The reason I'm raising that is the Court is well aware how much effort it took us to have those two individuals available at all, and we would be very -- we are very cautious not to lose those witnesses because, if we are going to change the schedule now, they might say we will not appear in Court and that is the reason why we are so keen to try to finish those TRC witnesses on Monday because they have scheduled already these appearances long before in their rather busy agendas so it might result in the fact that we might interpose the cross-examination by the Prosecution of 117 for the appearance of the two TRCs. That's the only potential disadvantage we might have meeting the schedule.

PRESIDING JUDGE: All right. We will deal with that when we come to it, Mr Knoops. But does the proposed schedule present any problems to the Prosecution?

MR AGHA: No, Your Honour. The Prosecution would be in agreement with the learned Defence and think it's an entirely

sensible way to proceed. And if the TRC witnesses are perhaps only available on Monday, it may even be that if we just finish this witness today, they could come Monday and interpose their final witness, but the Prosecution would try and accommodate so that can be managed.

PRESIDING JUDGE: Well, thank you, Mr Agha. There, you see, Mr Knoops, there won't be any problem at all. We will leave it to your arrangements as to whether the TRC witnesses need to be interposed or not. And certainly by all means, if you need to get away at 3.00, feel free to do so.

MR KNOOPS: Thank you, Your Honour. Very grateful.

PRESIDING JUDGE: Yes, Mr Graham.

MR GRAHAM: Thank you, Your Honours. Your Honours, as a sequel to my learned friend's request to leave the Court at 3.00 I would at this point also inform Your Honours that my client, the first accused, Mr Tamba Brima, would also kindly request of the Court that he would want to leave the Court at 3.00 to attend to some very personal and urgent matters relating to his health. That is his humble request. I was asked to put that across to Your Honours, that he leave at 3.

PRESIDING JUDGE: You will still be here to protect his interests?

MR GRAHAM: That is so, Your Honours. I will be here.

PRESIDING JUDGE: No, look, that will be in order, Mr Graham, if your client wants to leave at 3.00.

MR GRAHAM: I'm grateful, Your Honours.

Q. Mr Witness, good afternoon. How are you doing?

A. I'm fine.

Q. I'm going to have a few questions for you. I mean, just as

a follow-up from where we left off before the short recess. Mr Witness, during the time that you were with the fighting forces, all the way up to Freetown, did you ever hear people using the word "bush wife"?

A. No.

Q. Have you heard the word "rebel wife" before, Mr Witness?

A. No.

Q. During the time that you were with the fighting forces did any of the female civilians, at any point in time, inform you that they had been forcibly taken away from where they were, and brought to -- sorry, Your Honours, let me rephrase the question. My question is that during the time that you were with the fighting forces, did you hear of any forced marriages between any female civilians and any of the fighting forces?

A. No.

Q. Mr Witness, when you came with the fighting forces to Freetown, were you at the State House?

A. Yes.

Q. During the time that you were at the State House did you know who was in charge? Who was the overall commander of the fighting forces at the State House, Mr Witness?

A. Yes.

Q. Please tell this Honourable Court who was in charge of the State House?

A. It was Colonel FAT.

Q. And, Mr Witness, please tell this Court how did you know that?

A. During my stay at State House, Colonel FAT was usually at the place, in order to organise soldiers, to put them in the

truck, to send them to the various areas where the ECOMOGs used to attack.

Q. Thank you. And apart from Colonel FAT, did you know whether he had a second in command at the time the fighting forces were at the State House, Mr Witness?

A. It was Colonel Eddie.

Q. Mr Witness, please tell this Court, how did you know that it was Colonel Eddie who was the second in command at the State House?

A. I can tell that Colonel Eddie was close to him, as second in command, because whenever he would pass an order for something to be done, to take soldiers to the front, to take up responsibilities, it was Colonel Eddie he would pass it on to. Then he would tell the junior soldiers.

Q. Thank you. And apart from Colonel FAT, and Colonel Eddie, do you know of any other commanders who were at the State House at the time?

A. Yes.

Q. Please tell this Court, Mr Witness.

A. I can recall Junior Lion was at State House; Colonel Gunboot; Colonel Foday Bah; Colonel Marah; Changa Bulunga, and many more.

Q. And Colonel Foday Bah, do you know him by any other name, Mr Witness?

A. Foday Bah Marah; they used to call him Bulldoze.

Q. Thank you, Your Honours. Bulldoze, we've had that before. And, Mr Witness, did you hear, during the time that you were at the State House, that the headquarters of the Criminal Investigations Department, which is the CID, had been set on

fire? Did you see that whilst you were at State House?
A. No.
Q. But did you hear that the CID head office had been set on fire during that time? Did you hear that, Mr Witness?
A. I didn't hear about that. What I heard is what I am saying in this Court.
Q. Thank you. But you heard that the Pademba Road Prison was broken into, didn't you, Mr Witness?
A. Yes.
Q. Did you get to know at any point in time those who were responsible for the break-in into the Pademba Road Prison, Mr Witness?
A. No.
Q. Okay. Mr Witness, I'm going to take you back to just one or two questions then I will be done with you. I'm going to take you back to Colonel Eddie Town. During the time that the fighting forces were at Colonel Eddie Town, did you observe them having any communication equipment, like a radio set, you know, the ones that normally military personnel use in communication; did you see anything like that whilst you were at Colonel Eddie Town?
A. No. I've never seen a communication set.
Q. And during the time that you were with the fighting forces, on your way to Karina, through Mandaha and up to the point that you got to Camp Rosos --
JUDGE SEBUTINDE: Sorry, Mr Graham, I have to interrupt. Madam Interpreter, did the witness say I have never seen a communication set or I never saw a communication set? What did the witness say?

THE INTERPRETER: Your Honour, my colleague has just corrected me. I never saw. Sorry, Your Honour.

MR GRAHAM: I'm grateful, Your Honours.

Q. Mr Witness, my question was: From the -- during the period that you were together with the fighting forces, as they marched through Karina, Mandaha up to the point they got to Camp Rosos, did you see or observe them carrying, or using any communication equipment?

A. No.

Q. And did you, Mr Witness, at the time that you got to Benguema, after the death of SAJ Musa, did you hear that the first accused, Tamba Brima, was seen wearing the military uniforms of SAJ Musa, soon after his death? Did you hear that?

A. No, I never heard that. And I do not know of it.

MR GRAHAM: Thank you, Mr Witness. Your Honours, at this point I don't have any further questions for the witness. I'm grateful for the time.

PRESIDING JUDGE: Thank you, Mr Graham. Yes, Mr Hardaway.

MR HARDAWAY: Thank you, Your Honour.

CROSS-EXAMINED BY MR HARDAWAY:

Q. Mr Witness, good afternoon, sir.

A. Yes, good afternoon.

Q. I have some questions for you, sir. I want you to listen to them carefully, answer them truthfully. A lot of times they can be answered "yes," "no," or "I don't know." Do you understand, sir?

A. Yes.

Q. If I want an explanation from you, sir, I will ask you for one; is that all right? Are we agreed?

A. Yes.
Q. Now, Mr Witness, are you able to read and write, sir?
A. Yes.
Q. And you would agree with me that you were in Freetown during the AFRC coup of the Kabbah government; correct?
A. Yes.
Q. And during the time of the AFRC government, you were able to listen to radio and read newspapers; correct?
A. No, I never used to listen to the newspaper at all times but sometimes I would listen to the news.
JUDGE DOHERTY: Madam Interpreter, did you say "I never listened to the newspapers"?
THE INTERPRETER: "Read the newspaper".
JUDGE DOHERTY: Thank you.
MR HARDAWAY:
Q. So just so I'm clear, Mr Witness, during the time of the entire AFRC government you never read any newspapers?
A. No.
Q. Mr Witness, did you ever hear the names of those responsible for the overthrow of the Kabbah government?
A. No.
Q. Did you ever hear the term "honourables"?
A. Yes.
Q. Honourables were the ones that overthrew the SLPP government, weren't they?
A. I do not know of that.
Q. How did you hear the term "honourables"?
A. Well, for instance, for NPRC, when the soldiers who came from the provinces and took over power, they appointed some

1 people who worked under that regime, and they were referred to as
2 honourables. That was the very first time I came across the word
3 "honourable" in the government and during the AFRC regime I only
4 knew people who were being referred to as honourables.
5 Q. Mr Witness, did you come to know the name of any
6 honourables?
7 A. No.
8 Q. Mr Witness, I put it to you that the men called honourables
9 were those people who were responsible for overthrowing the
10 Kabbah government; do you agree or disagree?
11 A. I don't know.
12 Q. I put it to you, sir, that the first accused, Alex Tamba
13 Brima, also known as Gullit, was on honourable; what is your
14 response?
15 A. I never knew about that.
16 Q. I put it to you, Mr Witness, that the second accused,
17 Ibrahim Bazzy Kamara, was also an honourable; what is your
18 response?
19 A. I don't know about that.
20 Q. I put it to you, Mr Witness, that the third accused,
21 Santigie Borbor Kanu, also known as Five-Five, was an honourable;
22 what is your response?
23 A. I never knew about that.
24 Q. I put it to you, Mr Witness, that the three people I've
25 named, Alex Tamba Brima, aka Gullit, Ibrahim Bazzy Kamara and
26 Santigie Borbor Kanu, also known as Five-Five, were part of those
27 responsible for the overthrow of the SLPP government; what is
28 your response?
29 A. I do not know about that but just like I've mentioned, at

some point in time I used to listen to the radio. I heard an announcement over the radio when a Corporal Gborie --

Q. Mr Witness, I did not ask you about Corporal Gborie. Again, listen to my question. If I want an explanation I'll ask you for one. All right?

A. Yes.

Q. Now, Mr Witness, you said your father was in the military; correct?

A. Yes.

Q. And that he worked for the NPRC government; is that correct?

A. Yes.

Q. Now, was your father still in the military at the time of the AFRC coup?

A. Yes.

Q. And you also said that your stepfather worked for Salpost; is that correct?

A. Yes.

Q. What did he do for Salpost?

A. He was a director.

Q. And do you know what his duties were?

A. No.

Q. Now during the AFRC government, sir, while you were still in Freetown, you heard about the leadership structure of the AFRC government over radio, didn't you?

A. I only knew that Johnny Paul was heading the AFRC regime.

Q. Did you ever hear the term "Supreme Council"?

A. No.

Q. I put it to you, sir, that there was a Supreme Council of

the AFRC government, and that they made all of the major decisions with Johnny Paul Koroma; do you agree or disagree?
A. I never knew about that, except when I heard you saying that.
Q. Did you ever hear the name Zagalo before -- about the Freetown invasion -- about the AFRC coup, Mr Witness?
A. I've never known him.
Q. Now, during the AFRC government, Mr Witness, there were ECOMOG attacks on Freetown, weren't there?
A. Yes.
Q. And you stated that you had left Freetown because of fear of ECOMOG and civilian reprisals against you and your family; is that correct?
A. Yes.
Q. Now, again, what did your father do, during the AFRC government?
A. He was a regular soldier. He used to go to Cockerill. He used to go to work in Cockerill.
Q. And you say it is because -- you say you left Freetown because of the position of your stepfather; correct?
A. Yes, that's one part of it.
Q. Now, Mr Witness, during the AFRC regime, there was a militia group organised of friends and family of the AFRC to help fight off ECOMOG, wasn't there?
A. Yes.
Q. And you were part of this militia group, weren't you?
A. No.
Q. I put it to you, sir, that the reason you left Freetown was because you were part of the militia group that was protecting

the AFRC from ECOMOG; do you agree or disagree?
A. I disagree.
Q. Now, you said you went to Guinea; correct?
A. Yes.
Q. And where did you go specifically in Guinea?
A. At the embassy.
Q. What embassy?
A. The Sierra Leone Embassy.
Q. Where?
A. I -- I can't tell the exact town but they used to call it Enville. I can't recall but it was the Sierra Leone Embassy in Guinea.
Q. Now, you had also testified that President Kabbah, from Guinea, made an address to the people of Sierra Leone, didn't you?
A. Yes.
Q. And in that address he said that those -- that people should come to Guinea and that if you stayed in Sierra Leone you were a rebel; isn't that also correct?
A. Yes.
Q. So if you made it to Guinea, and obviously you are saying that you weren't a rebel, why did those other people harass you, then, and your family?
A. When I went to Guinea, what I used to see in Guinea, there were people who were set as watchdogs, who would point out people rampantly that they were junta collaborators. Anyone who was affiliated, for example, I was the child of a soldier, if they see you in Guinea they would say: This is the child of a soldier, or this is the brother of a soldier, we know him. This

person had a niece or nephew who was a soldier. They would say we were all collaborators so they used to point fingers at us.

Q. Now, correct me if I am wrong, Mr Witness, but when you went to Guinea you went with friends of yours; is that correct?

A. Yes.

Q. Did your stepfather go with you?

A. No.

Q. Where did your stepfather go?

A. When we pulled out from Freetown, he, himself, came along the Tombo Road, the peninsular, towards Tombo.

Q. When did you last see your stepfather, while you were on your way to Guinea?

A. From Freetown.

Q. So your evidence is you pull out of Freetown with your father, with your stepfather, and you last see him on the peninsular while you and your friends go to Guinea to escape ECOMOG; is that correct?

A. I did not say it was I and my stepfather who pulled out initially. I only knew that he left town and used that route. I pulled out with a couple of friends and the fleeing soldiers.

Q. So you did not leave with your stepfather; "yes" or "no"?

A. No, both of us didn't go together.

Q. Now, where was your father while you were pulling out and while your stepfather was pulling out? Where was he?

A. He was at the military barracks.

Q. And he never left Freetown, did he?

A. No.

Q. And you testified that in Guinea people were pointing at you saying that you were the child of a soldier; is that correct?

A. Yes.
Q. Who pointed you out?
A. I have names I will mention, if the Court permits me to do so.
Q. Let's have the names. Who pointed you out and said you're the child of a soldier?
A. One, Abu Kaikai.
Q. Who else?
A. And another boy, we used to attend Prince of Wales, all of us were attending Prince of Wales together. His name was Sahid.
Q. What was his last name?
A. I don't know his last name.
Q. Who else?
A. I cannot recall all, but specifically the one I can recall, was Abu Kaikai.
Q. Now, were any of these people who pointed you out, were any of their family members soldiers?
A. No.
Q. Did you see anybody else who's there, who were also family of soldiers?
A. No.
Q. After Guinea, you ultimately end up in Kono District; is that correct?
A. Yes.
Q. And you had gone there, you were at Hill Station Koidu Town; correct?
A. Yes.
Q. And there were both SLA and RUF there as well, weren't there?

A. What I knew, where I found myself, no sooner I went to Kono, it was Hill Station, and it was the RUF that were in that area.
Q. There were SLAs in that area as well; "yes" or "no"?
A. No.
Q. Let me take you back to Freetown during the AFRC government for a minute. You said you listened to the radio; right?
A. Yes.
Q. And did you hear broadcasts of the AFRC and the RUF working together in Kono District?
A. No.
Q. I put it to you, sir, that the AFRC and RUF were working together, in Kono District, during the AFRC government; what is your response?
A. I don't have anything to say because I don't know about that.
Q. Now, when you were in Kono, you had stated that houses had been burnt when you arrived. That was in Koidu Town, wasn't it?
A. Yes.
Q. I put it to you, sir, that those houses were burnt by a mixed force of RUF and SLA soldiers; what is your response?
A. I only knew where I was, I was with RUF there, and most of the houses they were burning, it was the RUF that were burning those houses.
Q. So they were burning houses when you arrived; is that what you are saying?
A. There were houses that the RUF had burnt down at Hill Station. It was not when I arrived that they burnt them down. They had already burnt houses down and on one occasion that I

saw --
Q. I'm not asking about on one occasion that you saw --
A. -- RUF were burning the houses.
Q. When you arrived there were houses that were already burnt to the ground; "yes" or "no"?
A. Yes.
Q. Did you say it was RUF that burnt those houses; "yes" or "no"?
A. Yes.
Q. How can you say it was RUF that burnt those houses, sir, when you weren't there to see it?
A. Because I heard it being said. They said before ECOMOG could remove us from here we burn all the houses here.
Q. Who said it?
A. Most of the RUF junior, junior fighters, who were carrying arms.
Q. How many RUF junior fighters were there?
A. I'm unable to know their number.
Q. I put it to you, sir, that the houses were burnt by a mixed force of RUF and SLA soldiers and that you are lying; what is your response?
A. What I know is what I'm testifying in this Court and I believe that I was there, and I was a witness. So if you are putting to me that I'm lying I just do not understand whether you were there. I don't know. But what I knew is what I'm testifying in Court, that it was the RUF that I saw burning houses there.
Q. Now, Mr Witness, you said that Superman was the overall commander in Kono District; is that correct?

A. Yes.
Q. You also testified that you did not know who the second in command was, did you?
A. Yes.
Q. I put it to you, sir, that Ibrahim Bazzy Kamara, the second accused, was the second in command to Superman in Kono District; what is your response?
A. I know nothing about that.
Q. Did you ever see the first accused, Alex Tamba Brima, when you were in Kono?
A. No.
Q. I put it to you, sir, that you saw Alex Tamba Brima in Kono when you were there and that you served as his personal security; what is your response?
A. That never happened. I was a pure civilian.
Q. We will get to your civilian status in a moment, sir. Now, you had stated that the relationship between the RUF and the SLA was not cordial; is that correct?
A. Yes.
Q. But even though it wasn't cordial, they were still working together on operations, weren't they?
A. I do not know anything about that.
Q. I put it to you, sir, that the atrocities which my learned friend put to you in cross-examination, in Kono District, were committed by a combined force of the RUF and the SLA; what is your response?
A. Well, soldiers were there, and Superman was the one that was bringing -- asking for talk to --
THE INTERPRETER: Your Honour, could the witness take

the -- repeat his answer.

PRESIDING JUDGE: Mr Witness, you were speaking too fast for the interpreter. You will need to repeat your answer, please.

THE WITNESS: I said I only knew that soldiers who were there, the SLAs, Superman was sending trucks to collect those SLAs, brought them to a muster parade and dispatched them to the front line.

MR HARDAWAY:

Q. Thank you, Mr Witness. I want to move on, now, Mr Witness. You said that you had gone to Mansofinia; is that correct?

A. Yes.

Q. And among the people there who you saw were Junior Lion, King, FAT and Tito; is that correct?

A. Yes.

Q. And it's your testimony that it was FAT who was one of the heads of the movement; is that correct?

A. Yes.

Q. And the others who you mentioned Tito, King, Junior Lion, they were also heads of the movement?

A. Yes.

Q. Now, you stated that you did not see the third accused, Santigie Borbor Kanu, aka Five-Five, at Mansofinia; is that correct?

A. Yes.

Q. I put it to you, sir, that Santigie Borbor Kanu, aka Five-Five, was at Mansofinia; do you agree or disagree?

A. I do not know about that.

Q. Now, when you left Mansofinia, one of the places you went

to was Karina; is that correct?
A. Yes.
Q. And the whole troop went to Karina; is that correct?
A. Yes.
Q. Who was the leader of the troop, as you went from Mansofinia to Karina?
A. Colonel FAT.
Q. I put it to you, sir, that it was the first accused, Alex Tamba Brima, also known as Gullit, who was in command of the troop from Mansofinia to Karina; what is your response?
A. I never knew about that. I only knew that Colonel FAT was the leader of the group. He was backed by Junior Lion and Colonel Eddie.
Q. Now, going on to Karina, you have testified that it was Junior Lion that ordered the attack on Karina; is that correct?
A. Colonel Eddie led the troops to Karina, but the operation commander during that time was Junior Lion, who said that Karina is the place where Kabbah's people live. That town should be attacked and it should be burnt down.
Q. And it was attacked; correct?
A. Yes.
Q. Now you would agree with me that Junior Lion would not order an attack without the approval of his superior officer; would you agree with me on that? "Yes" or "no"?
A. Yes.
Q. I put it to you, sir, that it was the first accused, Alex Tamba Brima, who gave the approval for the attack on Karina and not FAT; what is your response?
A. I'm testifying to this Court that it was Colonel FAT who

was the head.
Q. I put it to you, sir, that you are lying; what is your response?
A. I'm putting it before this Court that everything that I'm saying here it is the truth and nothing the truth.
Q. We'll move on, Mr Witness. From there, from Karina, you went to Mandaha; is that correct?
A. Yes.
Q. And there was an attack on Mandaha, wasn't there?
A. I beg your pardon?
Q. The troops that you were with launched an attack on Mandaha, didn't they?
A. No.
Q. I put it to you, sir, that the troops you were with did, in fact, launch an attack on Mandaha; what is your response?
A. During -- when we left Karina to come to Mandaha no fighting took place. We came to Mandaha. The town was empty.
Q. Now, you said you spent a week at Mandaha; is that correct?
A. Yes.
Q. And you left Mandaha because of a bomb attack; correct?
A. It was not when the bomb fell there that made us to leave Mandaha, it was when the ECOMOG and the Kamajors attacked the town I left Mandaha.
Q. Now, you also testified that in your group there were soldiers and RUF, weren't there?
A. Yes.
Q. Now, how long did it take for you to get from Mandaha to Rosos?
A. I never went to Rosel. I don't know what you many by

Rosel.
Q. I said Rosos, sir.
A. I think you said Rosel.
Q. Then I'll clarify. How long did it take for you to get from Mandaha to Rosos?
A. I cannot remember the time.
Q. Was it a day and night? Did the sun come and come down again or was the sun up? Can you give me a time-frame that way?
A. Yes, I left Mandaha in the evening.
Q. And was it still evening when you got to Rosos?
A. We arrived at Rosos at night.
Q. Was it the same night or was it the next night?
A. No.
Q. No, what?
A. It was not the same night.
Q. So it was evening, then it was daylight and then it was evening again and that second evening you arrived at Rosos; correct?
A. I think it took about three days. I will say it took three days before we arrived at Rosos.
Q. Okay. Now you said you stayed there for about three to four months? You stayed at Rosos for about three to four months, didn't you, sir?
A. Yes.
Q. And who was in command of the troop at Rosos?
A. Colonel FAT.
Q. I put it to you, sir, that it was Alex Tamba Brima, the first accused, who was in command of the troop at Rosos; do you agree or disagree?

A. I disagree with that because I knew that FAT was the commander.
Q. Thank you, Mr Witness. I didn't ask you for an explanation. I put it to you, sir, that you are lying in this Court; what is your response to that?
A. I believe that everything that I'm testifying to this Court is the truth and nothing but the truth.
Q. Now, who was the second in command at Rosos?
A. Colonel Eddie.
Q. I put it to you, sir, that it was the second accused, Ibrahim Bazzy Kamara, who was second in command at Rosos; do you agree or disagree?
A. I disagree.
Q. Again, Mr Witness, I put it to you that you are lying; what is your response?
A. I'm still continuing to say that everything I'm saying to this Court is the truth and nothing but the truth, because I have already taken an oath from the Bible.
Q. Now, during the time you were at Rosos, did you ever hear the term "Operation Clear the Area"?
A. No.
Q. Did you ever hear the term jah-jah?
A. No.
Q. I put it to you, sir, Operation Clear the Area was an order given by the first accused, Alex Tamba Brima, to clear the area surrounding Camp Rosos of the civilian population; what is your response?
A. I've never known about that.
Q. Now, you also testified that you did not see the third

accused, Santigie Borbor Kanu, alias Five-Five, there, did you?
A. No.
Q. I put it to you that the third accused, Santigie Borbor Kanu, aka Five-Five, was there as the third in command; do you agree or disagree?
A. I disagree and I never knew about it.
Q. I put it to you, Mr Witness, that you are lying; what is your response?
A. I will continue to say that everything that I'm saying in this Court is the truth and nothing but the truth.
Q. Now, Mr Witness, from Rosos you moved to Colonel Eddie Town; is that correct?
A. Yes.
Q. And you stated that the headquarters was actually based inside Eddie Town, inside the village; is that correct?
A. Yes.
Q. And that the other soldiers were in the area surrounding the villages, wasn't it?
A. Yes.
Q. This was because the soldiers in the outside area were serving defensive positions for the headquarters inside Eddie Town, weren't they?
A. I don't know about that.
Q. Now, at the time you arrived at Eddie Town, at Eddie Town, who was in command of the troops?
A. Colonel FAT.
Q. I put it to you that at Colonel Eddie Town it was the first accused, Alex Tamba Brima, who was in command of the troops; do you agree or disagree?

A. I disagree.
Q. I put it to you, sir, that you are lying; what is your response?
A. I'm telling the Court that I am not lying. Everything that I'm testifying here is the truth.
Q. Who was the second in command at Colonel Eddie Town?
A. Colonel Eddie.
Q. I put it to you that it was the second accused, Ibrahim Bazzy Kamara, who was second in command at Colonel Eddie Town; do you agree or disagree?
A. I disagree.
Q. Again, Mr Witness, I state that you are lying; what is your response?
A. I'm putting it to the Court that I am not lying and I've come here to speak the truth.
Q. Who was the third in command at Colonel Eddie Town?
A. I do not know of any third in command.
Q. I put it to you, sir, that it was the third accused, Santigie Borbor Kanu, alias Five-Five, who was third in command upon the arrival at Eddie town; do you agree or disagree?
A. I disagree, except when I hear you talk about it now.
Q. I put it to you, Mr Witness, that you are lying; what is your response?
A. I have no need to lie to this Court. I am only speaking the truth because I've come here to talk the truth.
Q. Now, you were at Eddie Town when SAJ Musa arrived; correct?
A. Yes.
Q. And when SAJ Musa arrived at Eddie Town he assumed overall command, didn't he?

A. Yes, that was what I heard.
Q. Who was SAJ Musa's second in command at Colonel Eddie Town?
A. It was the previous commander he met there, when he took over from FAT.
Q. I put it to you that it is the first accused, who was second in command to SAJ Musa at Colonel Eddie Town when he arrived; do you agree or disagree?
A. I disagree and I never knew about that.
Q. I put it to you, Mr Witness, that you are being untruthful yet again; what is your response?
A. I will continue to tell you that I have no need to lie and all what I am saying is the truth. I have come to say here in this Court.
Q. Who was third in command to SAJ Musa at Colonel Eddie Town?
A. It was Colonel Eddie because SAJ Musa was the commander, FAT was the second in command, then, Colonel Eddie was the third in command.
Q. I put it to you that it was the second accused, Ibrahim Bazzy Kamara, who was second in -- who was third in command to SAJ Musa at Eddie Town; do you agree or disagree?
A. I disagree. Except when I hear you talk about it now.
Q. Mr Witness, again, you are lying, aren't you?
A. I am not lying.
Q. Now, you had mentioned that some of the commanders, at Eddie Town, were Junior Johnson, Tito, and O-Five; is that correct? Under SAJ Musa?
A. Yes.
Q. Now, after you left Eddie Town, you then made your way into Freetown; is that correct?

A. Yes.
Q. And you fought several battles along the way into Freetown, didn't you? The troops did?
A. No. I never took part in gun battle.
Q. Listen to the question. The troops took part in gun battles on the way from Eddie Town into Freetown; "yes" or "no"?
A. Yes.
Q. And you were with these troops voluntarily, weren't you?
A. Yes.
Q. Then why didn't you fight?
A. Because I was a civilian and I never knew how to fight and nobody would force me to do that.
Q. You didn't even ask "Hey, I want to help protect the troops. Show me how to shoot a gun." You never asked that?
A. It's not possible because I have no military tactics. I was a civilian and I had planned to continue my life when I come to town to pursue my education; that was all.
Q. So as a result of that you stayed behind with the women and children; correct?
A. Yes. As a civilian.
Q. You were a coward, weren't you?
A. Yes.
Q. Now I want to -- with the Court's indulgence for one moment, please. I thank the Court for their indulgence. On the way to Freetown you were at Benguema; correct?
A. Yes.
Q. And after the death of SAJ Musa at Benguema, who took command of the troops?
A. Colonel FAT.

Q. I put it to you, sir, that it was the first accused, Alex Tamba Brima, aka Gullit, who took command of the troops after the death of SAJ Musa at Benguema; do you agree or disagree?
A. I disagree.
Q. I put it to you, sir, that you are lying; what is your response?
A. Definitely, I'm putting it to you and the Court that I have not come here to lie but to say the truth.
Q. Who was second in command after the death of SAJ Musa?
A. Colonel Eddie.
Q. I put it to you, sir, that it was the second accused, Ibrahim Bazzy Kamara, who was second in command of the troop after the death of SAJ Musa; do you agree or disagree?
A. I disagree.
Q. I put it to you, Mr Witness, that once again you are lying; what is your response?
A. I have no need to lie at this Court. I've come here to speak the truth and nothing but the truth.
Q. Who was third in command after the death of SAJ Musa at Benguema?
A. I never knew about any third in command.
Q. I put it to you that it was the third accused, Santigie Borbor Kanu, alias Five-Five, who was third in command of the troop after the death of SAJ Musa; do you agree or disagree?
A. I disagree with that because I never knew.
Q. Mr Witness, again I accuse you of lying in your evidence; what is your response?
A. I will continue to tell you and put it to the Court, that all what I'm saying is the truth and nothing but the truth.

Q. Now, Mr Witness, you ultimately get into Freetown, don't you?
A. Yes.
Q. And you spent time at State House, didn't you?
A. Yes.
Q. Who were the commanders at State House?
A. Colonel FAT was one of them; Colonel Foday Bah Marah was another one; Junior Lion was a commander; Tito was another commander that I saw there; Colonel Sesay was there.
Q. I put it to you, Mr Witness, that those commanders that you mentioned were not at State House, they were field commanders directing battles out in the city of Freetown. Do you agree or disagree?
A. I disagree.
Q. Mr Witness, what were you doing in State House as a civilian, if this was a military operation?
A. Just when we came to Freetown, State House was not -- military operation was not going on at State House. The group when we first came we, the civilians, we were at State House before ECOMOG started attacking at Hill Cot Road. When they pushed us back they told us that they gave all the civilian soldiers to take us away to the rear.
Q. Now, Mr Witness, prior to your evidence here today, you gave a statement to people from the Special Court for the Defence, didn't you?
A. Yes.
Q. And you were complete? The evidence that you are testifying to today is what you told the people who took your statement, didn't they?

A. Yes.
Q. And as you are able to read and write you were able to read it to make sure it was full and complete; is that correct?
A. I did not get you clearly.
Q. I will clarify. After you gave them your statement, did they allow you to read over your statement to make sure that it was complete as to the evidence you are giving here today?
A. What people?
Q. The people who took your statement?
A. Yes.
Q. We, on the Prosecution, are given a summary of the statement you gave to the Defence and there is no mention in the summary, at all, of you going to State House or operations at State House.
MR MANLY-SPAIN: Objection, Your Honour.
PRESIDING JUDGE: Yes.
MR MANLY-SPAIN: This witness has never said he went to an operation at State House. He said he went to State House. That's all.
PRESIDING JUDGE: Yes. What do you say to that, Mr Hardaway?
MR HARDAWAY: I will clarify, Your Honour. I will remove the word "operation".
Q. Nowhere in the summary does it state that you were at State House, sir. I put it to you that you never were at State House and that it is not in your statement; what is your response?
A. I'm putting it to the Court that I was at State House.
Q. I put it to you that you are lying; you were never at State House. What is your response?

A. I will tell you that I was at State House and I am not lying. I can tell you about a remarkable incident that happened at State House to show you that I was at State House.
Q. Mr Witness, who was the overall commander at State House?
A. Colonel FAT.
Q. I put it to you that it was the first accused, Alex Tamba Brima, aka Gullit, who was the overall commander at State House. Do you agree or disagree?
A. I disagree.
Q. I put it to you, Mr Witness, that you are lying; what is your response?
A. I have no need to lie to this Court. All what I'm saying, I'm putting it to you and the Court that it is the truth and nothing but the truth.
Q. Mr Witness, since you state you were at State House, Woyoh was part of the Freetown invasion, wasn't he?
A. I don't know him.
MR HARDAWAY: The Court's indulgence for one moment, please.
[Counsel conferred]
MR HARDAWAY: I thank the Court.
Q. I put it to you, Mr Witness, that you are lying. You know full well that Woyoh was part of the Freetown invasion; what is your response?
A. I'm not lying and I never knew. It's what I know, that's what I'm talking about in this Court.
Q. Who was the second in command at Freetown, at State House?
A. It was Colonel Eddie.
Q. I put it to you that it was the second accused, Ibrahim

Bazzy Kamara, who was second in command at State House; do you agree or?
A. I disagree. Except when you are talking about it now. It's new to me.
Q. I put it to you, Mr Witness, that you are lying; what is your response?
A. I am not lying but I'm saying the truth and nothing but the truth to this Court.
Q. The third accused, Santigie Borbor Kanu, alias Five-Five, was one of the senior commanders in the Freetown invasion, wasn't he?
A. No, I don't know about that.
Q. I put it to you, Mr Witness, that you are lying and you know full well Santigie Borbor Kanu, alias Five-Five, was one of the commanders in the Freetown invasion; what is your response?
A. I'm putting it to you and the Court that I'm not lying and I wasn't aware of that. All what I'm saying is the truth and nothing but the truth.
Q. I want to move on to some of the answers you gave to my learned friend on the other side, learned counsel for the first accused. You had stated that you had heard about the break out of SLA soldiers from Pademba Road Prison; is that correct?
A. Yes.
Q. And you also heard about the freeing of soldiers from the national stadium; is that also correct?
A. Yes.
Q. Did you tell this to the people who took your statement?
A. I cannot recall.
Q. I put it to you, Mr Witness, that you never put it in your

statement and that you are lying?

MR MANLY-SPAIN: May it please, Your Honours. Your Honour, this came out in cross-examination. I wonder if my learned friend can rightly put to the witness that he was lying when this was elicited in cross-examination?

PRESIDING JUDGE: Yes, what do you say to that, Mr Hardaway?

MR HARDAWAY: It came out, Your Honour. He focused a lot on that. It seemed that he really knew of it and I'm just testing to see if he put it in his statement. If he didn't, then he didn't. It's a simple "yes" or "no".

PRESIDING JUDGE: Well, I think he said he doesn't remember but if it came out in cross-examination, it's not necessarily something that would be in his statement, so I don't think you are entitled to call him a liar when he says he doesn't remember anyway.

MR HARDAWAY: Very well, Your Honour.

Q. So let me get this straight, Mr Witness. Well, first off, in your statement, did you tell the people who took your statement that FAT was in charge at Rosos, Colonel Eddie Town and the Freetown invasion?

A. Yes.

Q. And you remembered that; right?

A. Yes.

Q. But you don't remember telling the people who took your statement of thousands of SLA soldiers rampaging through Freetown; is that correct?

A. I cannot recall that. What I'm able to remember is what I'm saying to this Court. What I knew, I will say it. What I

did not know I have nothing to say about that.

Q. But you would agree with me, sir, that thousands of SLA soldiers rampaging and committing all sorts of crime in Freetown, that's a pretty big deal, isn't it?

MR MANLY-SPAIN: Objection again. I believe the witness said a small group, or words to the effect. Not thousands of soldiers rampaging in Freetown. He said it was a small batch.

PRESIDING JUDGE: Yes, I think that's right, Mr Hardaway. He said some went back to the SLA.

MR HARDAWAY: But in reference to my learned friend, counsel for the first accused, he said, and the answer was, I need to pull the record out, that I believe -- on a rampage -- that he used the word "rampage" in Freetown.

MR MANLY-SPAIN: He said a small group. Not thousands rampaging.

MR HARDAWAY: He mentioned that there were 3,000 to 4,000 soldiers out of Freetown and that there was a rampage.

MR MANLY-SPAIN: He said a small group of them.

MR GRAHAM: Your Honours, I believe, to clarify, it was the way I framed my question. I put it to the witness that it was about 3,000 or 4,000 of them and he answered but he never really before this Court opened his mouth and mentioned 3,000 or 4,000. I put it to you.

JUDGE SEBUTINDE: No, no, no. He said, in fact he contradicted your numbers and said he heard that a small pocket or pockets of those released are the ones that went on rampage. He didn't say 3,000 went on rampage.

MR MANLY-SPAIN: Thank you, Your Honour. That was what I -- remember what I [indiscernible].

MR HARDAWAY: I will move on, Your Honour.
Q. Now, Mr Witness, while you were in Freetown, did you see any houses being burnt?
A. No.
Q. Did you see anybody die?
A. Yes.
Q. Who died?
A. At State House, I saw people who died there, the Nigerian soldiers, and some Nigerian civilians that Junior Lion shot at. It was by that drive part. They held some, captured some people and put them in State House. Junior Lion was in a vehicle. He had a gun he hung on the window of the car. He told the driver to drive by the -- up the State House. While coming he shot at those people. I was able to see corpses at the State House. That, I can testify about that.
Q. But did you see Junior Lion do the shooting, or did you hear about it?
A. Yes, I was there.
Q. That's not the answer to my question. Did you see it or did you hear about it?
A. I saw him with my own two eyes.
Q. And the only people who were killed in the driveby were the Nigerians and the people who were captured; that is your evidence?
A. The Nigerian soldiers that they captured, and some Nigerians who were civilians, they also captured.
Q. So the answer to my question is "yes". The only people who died in a driveby shooting were the Nigerians; is that correct? Inside State House.

A. Yes.

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

[Counsel conferred]

MR HARDAWAY: Again I thank the Court.

Q. As you retreated from Freetown, Mr Witness, did you see any burnings?

A. No.

Q. Did you see people die?

A. No.

Q. You saw nobody amputated?

A. I never saw a person hand being amputated in my presence.

Q. So it could have happened, you just didn't see it; is that correct?

A. I do not know.

Q. Now, Mr Witness, you have given extensive evidence on cross-examination about the time you were in prison; do you remember that evidence?

A. Yes.

Q. Did you tell the people who took your statement about everything that took place while you were in prison?

A. Yes.

Q. It is not in your summary, sir. I put it to you that you never told the people who took your statement about your time in prison and that you are lying; what is your response?

A. I explained about that and I'm not lying.

Q. Let me backtrack a little bit then. And again maybe I didn't get the answer clear. You stated that there you saw -- did you see any crimes being committed in Freetown during the

retreat?

MR MANLY-SPAIN: May it please Your Honour. I think that question is vague; committed by who?

MR HARDAWAY: I will rephrase.

MR MANLY-SPAIN: Thank you.

MR HARDAWAY:

Q. Did you see any crimes being committed by the troops, or the people with the troops, as they withdrew from Freetown?

A. No.

Q. I put it to you, Mr Witness, that you are lying, that there were crimes committed by the withdrawing soldiers and civilians coming out of Freetown and that you did see it; what is your response?

A. I am not lying. I am speaking the truth. I did not see and if I did not see, I will not say that I see.

Q. But sometimes you don't remember either; is that correct?

A. What I saw, I can testify about that.

Q. Going back to prison, Mr Witness. You had said you had talked to people from the Special Court concerning about giving evidence, didn't you?

A. Yes.

Q. What were the names of those people from the Special Court you talked to?

A. They did not show us names, but they told us that they came from Special Court. That was the Prosecution team, in order for us to help them, and to explain what had happened.

Q. Were these people white men from the Special Court as you are testifying to?

A. Yes. They were white -- two white men and other CIDs.

Q. What were the names of the CIDs?
A. I do not know their names.
Q. They never showed you any identification?
A. They just told us that they were CIDs but were working under the Special Court.
Q. Now, you had mentioned in your evidence that Ranger was one of the people who took the Special Court up on their offer to testify; is that correct?
A. Yes.
Q. And Ranger was released with you when you were set free from Pademba Road, weren't you? Wasn't he?
A. It did not happen like that.
Q. Why? What happened with Ranger?
A. Ranger was sick in the -- inside the prison and he died, and nobody knew about the death, the cause of his death.
Q. Now, Mr Witness, if Ranger had taken up the offer from the Special Court, why didn't the Special Court try to help him if he was sick?
MR MANLY-SPAIN: Objection. I don't think that is a question for this witness.
MR HARDAWAY: Either he knows or he doesn't, Your Honour.
MR MANLY-SPAIN: But the question was not whether he knew anything, he said why didn't the Special Court help him. He can't answer for the Special Court.
PRESIDING JUDGE: Well, what do you say to that, Mr Hardaway?
MR HARDAWAY: I'm saying, Your Honours, he has given a lot of evidence to so many things that have been done allegedly by the Special Court to elicit testimony, and here, if this is

somebody who took them up on their offer to help them, one would logically think that they would do everything in their power to help somebody who was going to testify for them. I'm just putting it to him. If he doesn't know he doesn't know.

PRESIDING JUDGE: Well, I think you ought to put it in a different way, Mr Hardaway. The way you are putting it now is to the effect that it's within this witness's knowledge to answer that question.

MR HARDAWAY: I will rephrase the question, Your Honour.

Q. Mr Witness, did the Special Court move Ranger to a hospital to help with his treatment?

A. Yes. I could -- I can remember one time they came and took him along.

Q. And what hospital did he go to?

A. I do not know the hospital but Alimamy Bobson said, he told me that when they used to take them out, if they were sick they would take them to one of the hospitals.

Q. Mr Witness, I did not ask you anything about Alimamy Bobson Sesay. If I want an explanation I will ask you for it. Okay. All right?

A. I'm okay with that.

Q. Now, you testified that you were all released at the same time from prison; correct? Correct?

A. I and who?

Q. You and the 16 others, the ones in safe custody, you were all released together, weren't you?

A. Yes.

Q. Now, could you please go over again why you said you were surprised that you were all released at the same time?

A. Yes.
Q. Please go through that again?
A. Because, Alabama, Bobson, Six Fingers, who is Ayo Cole, they had agreed to come and talk in Court. They used to make flimsy remarks that you, we are going to leave you here, especially Alabama. Alabama, he used to say that they -- he will leave us there. At one time Bobby, he was saying that, "Ah, don't worry, we will find ways for you to leave this place."
Q. I put it to you, Mr Witness, that you were all released together due to the Red Cross and not because some people decided to testify for the Special Court; what is your response?
A. Well, I believe that it was based on that, that they released us.
Q. That being what, Mr Witness?
A. Because I used to see the Red Cross people coming inside and asked us how long we stayed and they said they were making a follow-up on our case.
Q. Now, Mr Witness, after you were released from prison, where did you go immediately after you were released; immediately after?
A. I went -- I went to Wilkinson Road.
Q. What's at Wilkinson Road?
A. [Redacted]
Q. I put it to you, sir, that immediately after your release from Pademba Road Prison that you went to CID headquarters in order to register; what is your response?
A. You told me that when I was released? Well, when I was in prison, when they released me to the CID, they had not yet released me, so that was why I told you that when they released

me, when I knew that I was a free man, nobody had to do me anything whatever. That was what I told that I went to my house at [redacted] but I can testify that when I left prison, when they collected us from prison, they took us to CID where we made short statement and they call up on our parents to sign on our behalf, to show that they released us on condition. From there I went to the house.

MR MANLY-SPAIN: Your Honour, I would pray that the mention of the road [redacted], be redacted as it might expose his identity.

PRESIDING JUDGE: Yes, wherever [redacted] is mentioned in that last answer of the witness, it should be redacted from the transcript.

MR HARDAWAY: Thank you, Your Honours.

Q. After you were released from prison, Mr Witness, were you required to do anything?

A. Yes.

Q. What were you required to do?

A. To sign, go and sign every day to the nearest police station, that I was close to.

Q. Did you ever have to go to CID, to check in?

A. No.

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

[Counsel conferred]

Q. Now, Mr Wilson, amongst some of the people in the prison were Rhino, Keforkeh and Gold Teeth; is that correct?

A. Rhino? Keforkeh? Gold Teeth?

Q. And Gold Teeth?

A. I never knew about Gold Teeth. The person I knew about during my stay was Keforkeh, Terminator, as they had earlier on asked me.

Q. All right. Now, you've spoken with them, you spoke with them inside the prison?

JUDGE SEBUTINDE: I'm sorry, did the witness say Keforkeh alias Terminator? Is that what he said?

MR HARDAWAY: That's not what I got, Your Honour, but I will clarify that again.

Q. Keforkeh and Terminator are two different people, aren't they?

A. Yes.

Q. And you spoke with them while they were in prison; while you were in prison together, didn't you?

A. Yes.

Q. You also spoke with them since you have been out of prison to get your story straight as to what you are testifying to today, didn't you?

A. No.

Q. You've also met with the first accused and talked wit him about the evidence you are giving here today, haven't you?

A. No.

MR HARDAWAY: Again, Your Honour's indulgence for one moment.

JUDGE DOHERTY: Mr Hardaway, I think there are actually two questions in that. Did you meet the first accused? Did you talk to him about evidence?

MR HARDAWAY: I will clean that up, Your Honour. Thank you.

Q. I put it to you, Mr Witness, that you met with the first accused prior to your evidence to get your story straight, didn't you?

A. No.

MR HARDAWAY: The Court's indulgence.

[Counsel conferred]

Q. Mr Witness, if you haven't talked to these people about your evidence, can you explain why all of you mention the story about the prison and FAT being in charge, yet it's nowhere in your summary?

MR MANLY-SPAIN: Objection to that question. This witness cannot be said to be aware of what the others have said. He cannot answer that question.

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

MR HARDAWAY: If he doesn't know, Your Honour, he doesn't know. It's as simple as that. If he says doesn't know I will move on.

MR FOFANAH: Just one moment. Respectfully, Your Honours, this is also an issue which had arisen before, when I tried to make reference to the previous testimony of a witness, I think the Court rule that I was not supposed to do that. So I think in all fairness to the witness it would be inappropriate for him to comment on the testimony of earlier witnesses when he has only come here to testify in his own behalf.

PRESIDING JUDGE: In your case, Mr Fofanah, you were forbidden to get the present witness to comment on the credibility of something another witness said. It was a totally different situation to this but, in any event, I uphold your objection, Mr Manly-Spain. I won't allow the question.

MR HARDAWAY: Very well, Your Honour. I'm almost through.
Q. Mr Witness, it's true that after the Pademba Road Prison was broken open in January 1999 you assisted one of the learned Defence counsel for the third accused, didn't you?
A. I didn't get that question clearly and who was the Defence counsel?
Q. I am putting it to you, sir, that is it true, I'm saying to you that it is true that after the break-out of Pademba Road Prison, during the Freetown invasion, you served as a personal assistant to one of the Defence counsel for the third accused, Santigie Borbor Kanu, isn't it?
A. That is not true.
Q. I put it to you, sir, that it is true, that you did serve as an assistant to one of the Defence counsel for the third accused, Santigie Borbor Kanu, alias Five-Five, after the break-out in Pademba Road Prison after the Freetown invasion?
A. That is not true. I only knew that at one time I was with Papa.
Q. Now, you stated, Mr Witness, that you never spoke with the first accused about your evidence today; is that correct?
A. Yes.
Q. I put it to you that you are lying when you say you've never discussed your case with the first accused Alex Tamba Brima; what is your response?
A. I am not lying and anything I'm testifying is the truth, and because you continuously accuse me that I am lying, that is upsetting me, because I haven't come here to lie. I have no different motive but to come and speak the truth so that lasting peace will prevail in this country.

Q. The motive you have for testifying today, sir, is because you feel you have an obligation to one of the Defence counsel for the third accused, Santigie Borbor Kanu, isn't it?
A. I owe no obligation to any of those people. I'm only obliged to get education and be a skilled person in order to push this country forward.
MR HARDAWAY: Mr Witness. I have no more questions for you. Your Honours, this concludes my cross-examination.
PRESIDING JUDGE: Right. Thank you, Mr Hardaway. Yes, Mr Manly-Spain.
MR MANLY-SPAIN: Just one question, Your Honour.
RE-EXAMINED BY MR MANLY-SPAIN:
Q. Mr Witness, you said you were, in evidence-in-chief you said you were in prison for about four years and, in cross-examination from my learned friend, you mentioned you made a statement to the CID when you were being released?
A. Yes.
Q. Whilst you were at the prison, during those four years, did you make any statement?
A. No.
MR MANLY-SPAIN: That is all.
PRESIDING JUDGE: Thank you.
QUESTIONED BY THE COURT:
JUDGE DOHERTY:
Q. Mr Witness, you have told the Court that you went to State House, in January '99, when the troops came into Freetown. Did any of the other civilians that were among the headquarters group go to State House at the same time?
A. Yes.

Q. And my second question is: You have told us you went into Alabama's cell at the Pademba Road Prison. Describe Alabama's cell to me?

A. I never said here that I went into Alabama's cell but I only knew that Alabama, I knew his cell and Alabama was the one that -- he was the muezzin. He called the prayers before the Muslim pray.

Q. Did he share that cell with any other person?

A. No. Alabama was alone in his cell but at one time he was able to incorporate this -- a man called Lamin Sidiki. But they departed at one time.

JUDGE DOHERTY: Thank you. Those are my questions.

JUDGE SEBUTINDE:

Q. Mr Witness, I have a couple of questions for you relating to the period you were in Pademba Road, the year 2000 and onwards and, in particular, when the Special Court staff came to interview you; do you remember that aspect?

A. Yes.

Q. Now, I think you mentioned in your evidence that they offered you your freedom if you agreed to testify; is that correct? They said they would secure your release and probably take you abroad if you agreed to testify; is that correct?

A. Yes.

Q. Why did you decline that offer?

A. Because I did not believe. I asked them, okay, now, you said let us come and testify. Let's come and say what we knew. You will release us from here. But at this stage they said how many years we spent in that place. We said three years. They expressed some sympathy over us. Then I asked one of the men who

was black, a black man --
Q. I asked you a very simple question: Why did you refuse the offer? Just answer that?
A. Okay.
Q. Why did you refuse the offer?
A. Because -- because I did not believe in that.
Q. In what?
A. In the talk that they said they would release us from the prison and they would take us to the overseas. If I have a brother, they will incorporate him for us to travel. I did not believe that statement. That was the reason.
Q. Okay. The other question is probably related. When they were inviting you to come and testify in the Special Court did they tell you what to come and say in the Special Court?
A. Who?
Q. The Court investigators who came to interview you at Pademba Road. When they were talking to you and inviting you to come and testify in the Special Court, right, did they tell you what to come and say in the Special Court?
A. Yes. The blacks, those who were with the whites, they remained. The black man, when I told him that I was unable to come and say here, he said: "You boy, you are senseless. You just come and say this, the bosses that had been held were the one who gave the order to commit crimes." That was what they said.
Q. Did this staff, these people who came to you, did they tell you to come and tell lies in Court?
A. They do not come plainly and ask us to come and lie. They said if they ask you just say these people that had been captured

were the ones who told -- ordered you to do bad.

JUDGE SEBUTINDE: Okay. Thank you. That will be all.

PRESIDING JUDGE: Well, is there anything arising with any counsel regarding those questions asked?

MR MANLY-SPAIN: No, Your Honour.

MR GRAHAM: I have one question.

FURTHER CROSS-EXAMINED BY MR GRAHAM:

Q. Mr Witness, you just told this Court that Alabama at one time shared his cell with one Lamin Sidiki. Do you know him by any other name, by that I mean Sidiki?

A. Yes.

Q. What other name do you know him by, Mr Witness?

A. Terminator.

MR GRAHAM: Thank you. I have no further questions for the witness, Your Honours.

MR HARDAWAY: Yes, Your Honour, just briefly.

FURTHER CROSS-EXAMINED BY MR HARDAWAY:

Q. I believe in answer to her Honour's question you refused the invitation of the Court to testify; is that correct?

A. Yes.

Q. So how did you come to be here today, to testify?

MR MANLY-SPAIN: Objection, Your Honour. Objection. The invitation then, Your Honour, was an invitation to come and testify on behalf of the Prosecution. He made that quite clear.

PRESIDING JUDGE: What do you say to that, Mr Hardaway?

MR HARDAWAY: Okay. If he refused the invitation to testify on behalf of the Prosecution, it naturally flows, how did he come here to testify for the Defence? It's a natural progression, arising out of the question.

MR MANLY-SPAIN: No, Your Honour, we dispute that. It doesn't arise from the question put by your Sister on your right. The questions were confined to the interview and why he refused to testify on that invitation.

PRESIDING JUDGE: Yes, I agree with Mr Manly-Spain. That's getting a bit far away from what was asked from the Bench, Mr Hardaway.

MR HARDAWAY: Very well, Your Honour. I have no further questions.

PRESIDING JUDGE: All right. Thank you. Mr Witness, thank you for coming to Court to give evidence. You will be able to leave now. Your testimony is over. Just sit there until the Bench rises and arrangements will be made to take you out of Court. Well, Mr Manly-Spain, just before we adjourn, there is this witness DBK-117 for Monday; is that right?

MR MANLY-SPAIN: Yes, Your Honour. But as my learned friend was saying, it might be the case that we will interpose the TRC witnesses, because they urgently would want to give evidence on Monday.

PRESIDING JUDGE: All right. I see.

MR MANLY-SPAIN: We will inform the Court before Monday what the position is. But that is the likely position, that we start off with the TRC witnesses.

PRESIDING JUDGE: I see. All right. Thank you. Right. We will adjourn until Monday morning, 9.15.

[The witness withdrew]

[Whereupon the hearing adjourned at 4.20 p.m., to be reconvened on Monday, the 16th day of October 2006, at 9.15 a.m.]

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