



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

THURSDAY, 21 SEPTEMBER 2006  
9.17 A.M  
TRIAL

TRIAL CHAMBER II

Before the Judges:

Ri chard Lussi ck, Presi di ng  
Teresa Doherty  
Julia Sebutinde

For Chambers:

Ms Carolyn Buff

For the Registry:

Ms Advera Kamuzora

For the Prosecution:

Mr Karim Agha  
Mr Charles Hardaway  
Mr Michael Brazao (Case Manager)

For the accused Alex Tamba  
Brima:

Ms Glenna Thompson  
Mr Ibrahim Foday Mansaray (legal assistant)

For the accused Brima Bazy  
Kamara:

Mr Mohamed Pa-Momo Fofanah

For the accused Santigie Borbor  
Kanau:

Mr Geert-Jan Alexander Knoops  
Mr Silas Chekera

1 [AFRC21SEP06A - CR]  
2 Thursday, 21 September 2006  
3 [The accused present]  
4 [The witness entered Court]  
09:12:43 5 [Open session]  
6 [Upon commencing at 9.17 a.m.]

7 PRESIDING JUDGE: Good morning, Mr Witness. Before your  
8 questioning --

9 THE WITNESS: Good morning, sir.

09:17:45 10 PRESIDING JUDGE: -- before your questioning continues, I  
11 will remind you that you are still on your oath to tell the  
12 truth; is that clear?

13 THE WITNESS: It's clear, sir.

14 PRESIDING JUDGE: Yes, Mr Knoops.

09:18:03 15 MR KNOOPS: Thank you, Your Honour. Good morning.

16 WITNESS: DAB-095 [Continued]

17 EXAMINED BY MR KNOOPS:

18 Q. Good morning, Mr Witness.

19 A. Good morning, sir.

09:18:29 20 Q. Mr Witness, we stopped yesterday with your  
21 examination-in-chief when you left Colonel Eddie Town. Before  
22 continuing, I would like to ask you: Do you know whether  
23 something happened with the people you saw in prison in Colonel  
24 Eddie Town when you left Colonel Eddie Town?

09:18:56 25 A. Yes.

26 Q. Could you please tell the Court?

27 A. Yes.

28 Q. Please do.

29 A. Well, before ever we left Colonel Eddie Town, we divided

1 into four groups. Then the prisoners, we and they were in the  
2 headquarters, so we did not leave Colonel Eddie Town quickly.  
3 The first group moved, the second group moved, the third group in  
4 which we were with the prisoners in the headquarters, we were the  
09:19:36 5 ones that moved, the third -- in the third group. We had to  
6 cross one river. From the river, we started going up to  
7 Mamusai a.

8 Q. Mr Witness, did you see those people you qualified as  
9 prisoners yourself, at that moment?

09:20:02 10 MR AGHA: I'd object to that question, Your Honour. It's a  
11 leading question.

12 PRESIDING JUDGE: It is leading, Mr Knoops.

13 MR KNOOPS:

14 Q. Mr Witness, do you know whether something happened with the  
09:20:16 15 prisoners?

16 A. Yes, they were under control, while we were moving.

17 Q. Could you please explain what you mean with "under  
18 control"?

19 A. Yes. There were securities ahead and at the back. So they  
09:20:48 20 were at the middle, so were walking.

21 Q. Were you able to see this yourself?

22 A. Yes. Because I was in the headquarters team, I saw them,  
23 and all of us were moving on the same road, because we have been  
24 following a footpath. At times, we would meet a highway, and  
09:21:09 25 we'd jump over it and go into the footpath, so I only saw them

26 JUDGE SEBUTINDE: Mr Knoops, I thought I heard the  
27 interpreters say "there were securities ahead and at the back, so  
28 we were between them." Is that what the witness said?

29 MR KNOOPS: That's my understanding, Your Honour.

1 JUDGE SEBUTINDE: So it means the whole group was in  
2 between these securities.

3 MR KNOOPS: I would like to clarify that, Your Honour.  
4 Thank you.

09:21:38 5 Q. Mr Witness, would you please clarify what you mean with  
6 securities were ahead and at the back of the group?

7 A. Yes. It was the security that was securing the prisoners,  
8 that was what I meant. They were surrounded, so that no one  
9 could escape, because we were walking on the footpath, in the  
10 bush.

09:22:09

11 Q. Do you know exactly what the position of the prisoners was  
12 within that headquarter group?

13 MR AGHA: I'd object to that question on the basis of, what  
14 does that mean? What was the position? I mean, they're  
15 prisoners.

09:22:32

16 PRESIDING JUDGE: All right. Well, look, if the witness  
17 doesn't understand the question, he can say so, can't he?

18 MR KNOOPS:

19 Q. I mean, witness, the physical position of the prisoners  
20 within the headquarter group.

09:22:49

21 A. They were under arrest. They were under security. The  
22 task force personnel who had been taking care of them, they were  
23 the ones who had been taking care of them so that nothing could  
24 go wrong with them, so that they could not escape.

09:23:12

25 Q. Mr Witness, can you recall how many people were involved in  
26 this security?

27 A. Yes. I can recall some of them

28 Q. Can you also recall their names?

29 A. I can recall some of their names.

1 Q. Could you please mention these names, Mr Witness?

2 A. Yes.

3 Q. Please do.

09:24:06

4 A. We had one Tamba Brima and we had one Santigie Kanu. Then  
5 we had one Ibrahim Bazzy. Then we had one Abdul Sesay. Well,  
6 the others, I can cannot recall -- recall their names.

7 Q. Mr Witness, just to clarify, the names you just mentioned,  
8 are these names of the security?

9 A. No, they were the prisoners.

09:24:33

10 Q. Because I asked you whether you recall names of security  
11 people?

12 A. Well, the security, I can remember one or two of them, but  
13 I cannot recall all the others.

14 Q. Mr Witness, can you describe what happened after the groups  
15 left Eddie Town?

09:24:59

16 A. Yes. When the group had left Eddie Town, we went straight  
17 to Mamusai a, which was the Lunsar-Freetown Highway. There we  
18 went straight. There, we had to spend the night. From there, we  
19 continued to move.

09:25:24

20 Q. Please pause, Mr Witness.

21 MR KNOOPS: Your Honours, Mamusai a is M-A-M-U-S-A-I-A.

22 PRESIDING JUDGE: Thank you, Mr Knoops. We actually had  
23 that yesterday.

24 MR KNOOPS: You're right, Your Honour. Thank you.

09:25:44

25 Q. Mr Witness, can you recall how long you stayed in Mamusai a  
26 Town?

27 A. Mamusai a, the night that we arrived there, we slept and the  
28 other day we left.

29 Q. Did something happen at Mamusai a Town?

1 A. Mamusai a, nothing happened there.

2 Q. What happened after you left Mamusai a Town?

3 A. Well, we went by the highway, we went to Masiaka but did  
4 not reach at Masiaka. We passed, and we went and we joined the  
09:26:32 5 highway and we went to Waterloo.

6 Q. Mr Witness, can you recall the exact route you took to  
7 Waterloo?

8 MR AGHA: I object to that question. It's leading. He  
9 also said that he just went from Masiaka to Waterloo, and that's  
09:26:47 10 how he got there.

11 PRESIDING JUDGE: I'll allow the question. Go ahead,  
12 Mr Knoops.

13 MR KNOOPS: Thank you, Your Honour.

14 Q. Mr Witness, can you say anything about the exact route you  
09:27:01 15 took from Mamusai a onwards to Waterloo?

16 A. Yes. I can recall -- I recall the route that we used from  
17 Mamusai a on to Waterloo. We went through the hydro pool. That's  
18 where we passed to come to Waterloo.

19 Q. Mr Witness, during this travel to Waterloo, what happened,  
09:27:40 20 if anything, with the individuals you qualified as prisoners?

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

23 PRESIDING JUDGE: It is leading, Mr Knoops.

24 MR KNOOPS:

09:27:57 25 Q. Mr Witness, did you notice anything during the advance to  
26 Waterloo?

27 A. Well, I did not take notice of anything that happened on  
28 the way.

29 Q. What happened at Waterloo, Mr Witness?

1 A. Well, at Waterloo, we were always in the third team  
2 Waterloo were the first people who arrived there. It took some  
3 time when we had been hearing the firing. It was later that they  
4 came and called us and told us that Waterloo had been cleared.  
09:28:40 5 So we came to Waterloo, but we had to use the peninsula road to  
6 come up the hill. So they told us that we were to penetrate  
7 Benguema. But Benguema, again, there was pressure, so we had a  
8 cause that SAJ Musa had to take a few of us to go and join the  
9 men to clear the Benguema road. So we had had to leave the  
09:29:07 10 prisoners and the families at Waterloo.

11 Q. Mr Witness --

12 A. Whilst we had been advancing --

13 Q. -- Mr Witness, can you please pause, Mr Witness. You're  
14 going too fast. Please pause. Going back to Waterloo, can you  
09:29:23 15 recall how long you stayed in Waterloo?

16 A. Waterloo, we did not spend the night there. The night that  
17 we arrived there it was the same night that we went to Benguema.  
18 It was only the family and the prisoners that we left at  
19 Waterloo, but we that were taken from the headquarters to join  
09:29:44 20 the advance team, we did not spend a night at Waterloo.

21 Q. Mr Witness, did you see yourself that the families and  
22 these prisoners were left behind at Waterloo?

23 MR AGHA: It's a leading question, Your Honour, again.

24 MR KNOOPS: Your Honour, I'm just saying --

09:30:04 25 THE WITNESS: Yes.

26 MR KNOOPS: -- I'm just asking how he --

27 PRESIDING JUDGE: He's just laying some groundwork. Go  
28 ahead, yes. He's already given the evidence he saw them, he just  
29 asked how he knows.

1 MR KNOOPS: How he comes to know this.

2 PRESIDING JUDGE: I'll allow the question.

3 MR AGHA: Thank you, Your Honour.

4 MR KNOOPS:

09:30:19 5 Q. Mr Witness, you just mentioned that the civilians and the  
6 prisoners were left behind at Waterloo; how do you know this?

7 A. Because we, that were in the headquarters, I, my own  
8 relatives, and my wife was also with me, so I had had to advise  
9 her that since I had been appointed that we had to go to the

09:30:43 10 front. So I said: "Don't leave this, where these people are,  
11 where security was. You should be by them, in case of anything."

12 Q. Mr Witness, can you describe what happened after you left  
13 Waterloo?

14 A. Yes. We went and attacked Benguema Barracks. We captured  
09:31:11 15 it.

16 Q. Can you please describe how this attack was performed?

17 A. Yes.

18 Q. Please do.

19 A. Well, when we had arrived at Waterloo with the families,  
09:31:30 20 with the headquarter, the first advance team, which was to go and  
21 capture Benguema, was not able, so the second team,  
22 reinforcement, they used another bypass road. That was what made  
23 them to pick few of us in the headquarters so that we could go  
24 and join and capture Benguema.

09:31:56 25 Q. Mr Witness, can you recall which periods in time this  
26 attack took place at Benguema?

27 A. I can remember it was late in December, but I can't  
28 remember the right date now.

29 Q. Mr Witness, can you recall the year?



1 A. Yes, I can recall the year; it was in 1998.

2 Q. Mr Witness, can you recall the names of people who were  
3 present during this attack at Benguema?

4 A. Yes.

09:32:44

5 Q. Would you please mention those names?

6 A. Yes.

7 Q. Please do. We were with Colonel Eddie and also with  
8 SAJ Musa. We were with Elba and Alabama and Jusu. Yes. The  
9 others, I cannot remember their names. Those were the close  
10 people I can remember.

09:33:14

11 MR KNOOPS: Your Honours, I think you have the names except  
12 of Jusu. Elba, I think, Your Honours have the name Elba as well,  
13 but Jusu is J-U-S-U, Jusu.

14 Q. Mr Witness, did you see Musa doing anything during this  
15 attack?

09:33:52

16 A. No. The only time he passed an order was after we had  
17 off-loaded the ammunition. Then he passed an order that the  
18 ammunition that we were unable to carry, we should not leave it  
19 behind, so that the ECOMOG would carry them away.

09:34:15

20 THE INTERPRETER: Your Honours, can the witness go slowly,  
21 and repeat the last bit of the testimony.

22 PRESIDING JUDGE: Your witness, Mr Knoops. Did you hear  
23 that?

24 MR KNOOPS: Thank you, Your Honour.

09:34:30

25 Q. Mr Witness, could you please slow down the pace of your  
26 testimony. Could you please repeat the last part of your answer?  
27 Thank you.

28 A. I said, after we had captured Benguema Barracks, SAJ Musa  
29 passed an order for us to remove all the ammunition from the

1 ammunition store. After doing that, there were some remaining  
2 bombs that we were unable to carry. So he passed an order to  
3 burn them so that the ECOMOGs would not use them against us, and  
4 so we put the building on fire.

09:35:13 5 Q. Mr Witness, what happened after that event?

6 A. Well, the building was on fire. Most of us were going by  
7 the Peninsula Hill. But, later on, SAJ Musa who -- all of us who  
8 were at the headquarter -- I could not see him and the others I  
9 have just called, so I came down back to the Benguema Barracks.

09:35:42 10 Q. Did anything happen after your arrival at the Benguema  
11 Barracks?

12 A. Yes.

13 Q. Could you please tell the Court what happened?

14 A. When we came to the Benguema Barracks, few of the people  
09:36:03 15 that I used to see, then I asked them, "Have you not seen SAJ and  
16 the security"? So they directed me to the house on fire, that he  
17 was there, and he had not yet left, so I went down there.

18 Q. Mr Witness, did you see anything at that moment?

19 A. Yes. When I went there, I was not so close to the building  
09:36:31 20 on fire because the building was on fire, but SAJ Musa was behind  
21 the house, trying to come from the back of the building towards  
22 us. So there was an explosion. I don't know whether it was a  
23 fragment or he had a ball hat. And we met him. He had fallen  
24 behind the house. He was unconscious, so we put him on a  
09:36:59 25 stretcher and we tried to take him where the men had gone; he  
26 died on the way.

27 Q. What happened after that, Mr Witness?

28 A. Well, we went up to the peninsula. We kept the body -- the  
29 corpse in the bush where the other soldiers were. The troop had

1 been divided. Some had gone over to Tumbu. We were using from  
2 Benguema to go up to the peninsula, so they sent some other --  
3 they sent reinforcements to inform those who used the route by  
4 the peninsula to tell them that SAJ Musa had died by a bomb  
09:37:47 5 explosion, so that we should -- so that we can come together, to  
6 come to Freetown, because he was the only man who knew the bypass  
7 to Freetown.

8 Q. Thank you, Mr Witness. Please pause. You mentioned that  
9 the troop was divided. Could you please specify what you mean by  
09:38:05 10 that?

11 A. Yes.

12 Q. Please do, Mr Witness.

13 A. Well, after we had captured Ben -- Benguema, after SAJ Musa  
14 had given the order to off-load, the -- the first people who  
09:38:26 15 off-loaded the store did not wait. They had a Land Rover and put  
16 the ammunition there. They drove and used the -- the peninsula  
17 road leading to Tumbu. It was early in the morning, at dawn. We  
18 used the footpath to go up to the peninsula. So that was why we  
19 were divided. But later on we sent some men to relay the message  
09:38:54 20 that SAJ Musa had died. So we used the route leading to  
21 Freetown.

22 Q. Thank you, Mr Witness. You also just mentioned the word  
23 "reinforcements." Could you please explain what you mean with  
24 the word "reinforcements"?

09:39:14 25 A. Well, reinforcements are just like -- as I said, the troops  
26 were divided into four. Reinforcement is always the second group  
27 they would call on to help. That is what we mean by  
28 reinforcement.

29 Q. Mr Witness, did anything happen with the four groups after

1 the death of SAJ Musa?

2 A. Yes. The one group, which was the headquarter group, where  
3 the prisoners were, we left them at Waterloo. From then, we had  
4 gone -- since we had gone to Benguema when that happened, we were  
09:40:02 5 unable to return, and we were unable to go with them again,  
6 because we were going through the peninsula.

7 Q. Mr Witness, do you know what happened with the other  
8 groups?

9 A. The other groups, I don't know what happened to them,  
09:40:23 10 because we were trying to come to Freetown with SAJ Musa, the  
11 corpse.

12 Q. Mr Witness, is there a reason why you don't know what  
13 happened with the other groups?

14 A. Yes.

09:40:43 15 Q. Would you please explain?

16 A. Because I know those of us who had gone before, if, if  
17 there was any other thing, they would -- they would send a  
18 message to us because we were heading for Freetown. We were  
19 planning to leave the families at Waterloo for their safety.

09:41:15 20 Q. Mr Witness, were you able to see or hear how the SLAs  
21 reacted to the death of Musa?

22 A. Everybody was sad after the death of SAJ Musa. We were  
23 just trying to find a way to bring the corpse to Freetown.

24 Q. Mr Witness, do you know whether anything happened with the  
09:41:44 25 plan Musa had to reinstate the army?

26 MR AGHA: I object to that question. It's leading.

27 MR KNOOPS: Your Honour, I think the witness already gave  
28 groundwork that there was a plan.

29 PRESIDING JUDGE: Yes. He's already testified he knew

1 there was a plan. You can ask what happened, if anything.

2 MR KNOOPS: Thank you, Your Honour.

3 Q. Mr Witness, do you know anything about the plan Mr Musa  
4 launched?

09:42:18 5 A. Well, the only plan I knew about was to fight, so that they  
6 can reinstate the national army.

7 PRESIDING JUDGE: You weren't asked that, Mr Witness.  
8 You've already stated that in your previous evidence. You were  
9 asked: "Do you know what happened to that plan"?

09:42:39 10 THE WITNESS: Well, the plan, we were trying to penetrate  
11 to come to Freetown because we thought that if we come to  
12 Freetown we would be reinstated. So when -- even after the death  
13 of SAJ Musa, we had the courage to come to Freetown.

14 MR KNOOPS:

09:43:01 15 Q. Mr Witness, did anything happen with your commander, FAT  
16 Sesay?

17 MR AGHA: That's leading, Your Honour.

18 PRESIDING JUDGE: Yeah. Please don't lead, Mr Knoops.

19 MR KNOOPS:

09:43:17 20 Q. Mr Witness, you testified yesterday about the people who  
21 were in charge of the four groups; is that correct?

22 A. Yes. Various commanders were in charge of those groups.

23 Q. Did you see them after the death of SAJ Musa?

24 PRESIDING JUDGE: Well, didn't he say he doesn't know what  
09:43:42 25 happened to the other groups?

26 THE WITNESS: The other groups that I said I knew nothing  
27 about was those that we left behind, the headquarter group. The  
28 advance, we moved -- the -- the reinforcements, we moved with a  
29 few personnel who we were in the -- who were in the -- in the

1 personnel that they took from Waterloo to join in Benguema. But  
2 those who were at Waterloo I -- I don't -- I -- I -- I didn't not  
3 know about them.

4 MR KNOOPS:

09:44:15

5 Q. Mr Witness, could you please say what happened after you  
6 left with the corpse of SAJ Musa.

7 MR AGHA: Your Honour, I object to that question. He said  
8 they moved towards Freetown in order to reinstate; they still had  
9 the courage.

09:44:36

10 PRESIDING JUDGE: Yes. I'll uphold that objection. Also,  
11 Mr Knoops, just to ward off further objections, your question was  
12 again leading. By saying, "Do you know what happened," you're  
13 putting to the witness that something must have happened and tell  
14 us about it. Instead of saying, "Did anything happen," you say,  
15 "do you know what happened," so it's just a matter of him telling  
16 it, the events. So I would point that leading aspect of your  
17 question out to you, so that you might be able to temper your --  
18 your future questions to avoid further objections.

09:45:00

19 MR KNOOPS: Thank you, Your Honour.

09:45:18

20 MR AGHA: Your Honour, I would say, I am trying to keep the  
21 number of objections to the minimum, but there are certain key  
22 areas of evidence where I feel obliged to object.

23 PRESIDING JUDGE: Mr Agha, I appreciate that, and you're  
24 perfectly entitled to object to a leading question.

09:45:47

25 MR KNOOPS:

26 Q. Mr Witness, did anything happen after the events you've  
27 just described?

28 A. Yes, something happened after, before we came to Freetown.

29 Q. Could you please tell the Court what you mean by that?

1 A. Yes.

2 Q. Please do.

3 A. Well, after the death of SAJ Musa, the other authorities,  
4 they planned that they -- they would -- should bring the -- take  
09:46:21 5 the corpse to Freetown. So the corpse -- we tried to go to a  
6 village through the -- through the peninsula, a place called  
7 York, but the ECOMOG could not give us way, so we came back. And  
8 so -- and -- and so they said, before the -- the body would rot,  
9 they -- they should bury him in the peninsula, under a mango -- a  
09:46:49 10 mango tree. From then -- then we left and came to Freetown. We  
11 passed through the peninsula and -- and approached Hastings  
12 airfield.

13 Q. Mr Witness, can you recall when you arrived in Freetown?

14 MR AGHA: Objection, again, Your Honour. Shouldn't it be:  
09:47:12 15 If he arrived in Freetown.

16 PRESIDING JUDGE: I don't recall him stating he actually  
17 got there, Mr Knoops.

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

19 PRESIDING JUDGE: I don't recall him saying he actually  
09:47:25 20 reached Freetown.

21 MR KNOOPS:

22 Q. Mr Witness, did you ever reach Freetown?

23 A. Yes. I came to Freetown. But on the way, when we were  
24 coming to Freetown, my foot broke, when we were coming. So I was  
09:47:40 25 on a stretcher until the time that we came to Freetown.

26 Q. Can you recall the time periods?

27 A. Well, my foot broke December 24, 1998; in the  
28 morning, December 25th.

29 PRESIDING JUDGE: What does that mean, 24 December 1998, in

1 the morning December 25th? Did he break his foot on both days,  
2 or -- or just one?

3 MR KNOOPS:

4 Q. Mr Witness --

09:48:23 5 A. It was -- it was on one day, which was December 24th, and  
6 the following day was the -- December 25th, and that was the time  
7 that we started moving to come to Freetown.

8 Q. What happened -- did anything happen afterwards,  
9 Mr Witness?

09:48:42 10 A. When my foot had broken, we came by Hastings. We -- there  
11 was an attack at Hastings. They -- they cleared there and we  
12 went further. By then I was in a stretcher. I didn't know what  
13 had been happening ahead.

14 Q. Mr Witness, who do you know -- who do you mean with "we"?

09:49:12 15 A. We, the soldiers, who were moving to come to Freetown,  
16 because we were many. That is why I said "we."

17 Q. Could you make an estimation on how many soldiers?

18 A. No, I did not know the amount. I cannot estimate.

19 Q. Mr Witness, can you tell the Court anything about what  
09:49:46 20 caused the breaking of your foot?

21 A. Yes. It -- it -- it was because we were moving at night.  
22 It was on a high place, and I -- I slipped and fell and my foot  
23 broke.

24 Q. Did anything happen afterwards, Mr Witness?

09:50:10 25 MR AGHA: I object -- I object to that question. After he  
26 said he broke his foot, the next day they advanced to Freetown.

27 PRESIDING JUDGE: Do -- do you want to go over that  
28 evidence again, Mr Knoops? You should really move on. We don't  
29 need to hear it again.



1 MR KNOOPS:

2 Q. Mr Witness, can you recall how long you were in Freetown?

3 MR AGHA: Objection, Your Honour. I don't think, I  
4 believe, he's reached Freetown yet.

09:50:44 5 MR KNOOPS: I think he just testified that he actually  
6 arrived in Freetown.

7 PRESIDING JUDGE: I think he did say he arrived in  
8 Freetown, but before that he broke his foot, so he arrived on a  
9 stretcher.

09:50:56 10 MR KNOOPS: Yes.

11 PRESIDING JUDGE: Ask your question again, Mr Knoops.

12 MR KNOOPS:

13 Q. Mr Witness, can you recall how long you were in Freetown  
14 when you arrived there on a stretcher?

09:51:16 15 A. It was -- I spent ten days in Freetown, when I was on a  
16 stretcher.

17 Q. Can you recall which parts of Freetown you did go to, or  
18 you were present?

19 MR AGHA: I object to that question. It's leading,  
09:51:36 20 Your Honour. It's indicative that he was going to other parts of  
21 Freetown.

22 PRESIDING JUDGE: That's leading. It's not allowed,  
23 Mr Knoops.

24 MR KNOOPS:

09:51:49 25 Q. Mr Witness, what did you do in those days in Freetown?

26 A. Well, during the time when I was in Freetown, my foot had  
27 already broken. Then I was in my companion's care.

28 Q. Mr Witness, did anything happen after those days you stayed  
29 in Freetown?

1 A. Well, I was in Freetown for some days. They had to decide  
2 to take us, the wounded, to Makeni.

3 Q. What do you mean with "they," the word "they"?

4 A. Well, what I meant by that, the wounded soldiers. They  
09:52:54 5 were the ones -- they decided that all of us should be taken to  
6 Makeni for treatment. So they had to take us to Makeni.

7 Q. How many of you were, when you speak about "us" being taken  
8 to Makeni?

9 A. Well, at that time, we were three that we were taken.

09:53:25 10 Q. Can you recall who told you to go to Makeni?

11 MR AGHA: Objection, Your Honour. I don't think he's  
12 mentioned that. He just said he was taken to Makeni. It wasn't  
13 a question of being told by anyone.

14 PRESIDING JUDGE: He said they had to decide to take them  
09:53:43 15 to Makeni. Somebody must have decided. Yes, I'll allow that  
16 question, Mr Knoops.

17 MR KNOOPS: Thank you, Your Honour.

18 Q. Mr Witness, can you recall who told you to go to Makeni?

19 A. Well, I cannot recall, because we had a medical man, he was  
09:54:01 20 the one that took us to Makeni. I cannot recall his name.

21 Q. Thank you. Mr Witness, did anything happen in Makeni when  
22 you arrived?

23 A. Makeni, when I arrived there, they cured my foot, and I was  
24 there up to the time that the ceasefire was declared. The RUF,  
09:54:28 25 there was in-fight within the RUF. Finally, so, we had to leave  
26 the place. During the time they had signed the ceasefire and we  
27 came and surrendered at Port Loko.

28 Q. Mr Witness, you just say that there was in-fight. Could  
29 you please tell the Court what you mean with that?

1 A. Yes. When the peace had been made, they said that we, the  
2 soldiers, had been reinstated, that we had not been disbanded and  
3 that we could come to Freetown at any time. The RUF said no, we  
4 were all classified under the People's Army, so we should not  
09:55:11 5 come. So, we did not agree, so, because of that, there was an  
6 in-fight. So we had had to leave Makeni to come, and we  
7 surrendered at Port Loko.

8 Q. Mr Witness, can you recall the time when you were in  
9 Makeni.

09:55:31 10 A. No, I have forgotten. I cannot recall any more.

11 Q. Can you recall how long you were in Makeni?

12 A. I cannot recall the time; how long I stayed there.

13 Q. Mr Witness, did you see this in-fight yourself?

14 A. Yes.

09:55:58 15 Q. Could you please tell the Court what you saw?

16 A. Yes. Because when we were at Makeni, like I, myself, I was  
17 with the civilians who had been curing me. I heard a firing from  
18 the park, and few of my friends, who knew that I was there, where  
19 I was being cured, they said, well, the RUF have started to kill  
09:56:25 20 the soldiers. See, I beg, let's leave this place and go away.

21 So they told me and all of us left the place and came to Port  
22 Loko.

23 Q. Mr Witness, did you see yourself that soldiers were killed  
24 by RUF?

09:56:43 25 A. Yes. They killed one soldier, who was called Ajago. Here,  
26 we saw his corpse.

27 MR KNOOPS: Your Honours, the spelling of Ajago is  
28 A-G-A-G-U [sic].

29 JUDGE SEBUTINDE: Is that G or J?

1 MR KNOOPS: G. A-G-A-J-U -- J [sic]. A-J-A-G-U [sic].

2 A-J-E-G-U [sic]. Aj ago.

3 Q. Mr Witness, can you recall how long these in-fights took  
4 place?

09:58:03 5 A. Well, during the time that we were there, the very day that  
6 the in-fight took place, that was the time that we left. We did  
7 not know whether some people were left there, or they did not  
8 leave there, but few of us left, and we came to Port Loko.

9 Q. Mr Witness, can you recall the names of soldiers who were  
09:58:26 10 at that time in Makeni?

11 A. I can't recall their names, because -- because I was ill by  
12 then. I cannot recall their names.

13 Q. Can you recall the names of the individuals of the RUF in  
14 Makeni?

09:59:01 15 A. Yes, I can recall some of them.

16 Q. Could you please mention those names?

17 A. Yes.

18 Q. Please do.

19 A. We had Superman; then we had Gibril Massaquoi; then we had  
09:59:28 20 Titus; then we had Rambo.

21 MR KNOOPS: I believe, Your Honours, you have these names.  
22 Thank you.

23 Q. Mr Witness, can you recall how many RUF people were in  
24 Makeni, to the best of your knowledge?

10:00:00 25 A. There were many. They were the ones that had been taking  
26 care of Makeni; there were so many.

27 Q. Mr Witness, you earlier mentioned that the individuals you  
28 qualified as prisoners were left behind at a certain moment. Did  
29 you see them back after they were left behind in Waterloo?

1 A. No, I did not see them again.

2 Q. Did you see your commander, FAT Sesay, in Makeni?

3 MR AGHA: It's a leading question, Your Honour, and I'd  
4 object to that question.

10:00:58 5 PRESIDING JUDGE: It's leading, Mr Knoops.

6 MR KNOOPS:

7 Q. Mr Witness, after you left Makeni, what happened, if  
8 anything?

9 A. When I left Makeni, I cannot recall anything that happened  
10:01:20 10 there, because I was not there by then.

11 Q. Mr Witness, I, in concluding my examination-in-chief, would  
12 like to ask you about two topics which cover, actually, your  
13 whole testimony. First of all, I would like to go back shortly  
14 to your stay in Kurubonla in 1998. Did you, at that time, come  
10:02:08 15 to know what happened with the person you qualified as JP, John  
16 Patrick --

17 MR AGHA: I object to that. It's leading, Your Honour.

18 PRESIDING JUDGE: Look, I'll allow it. He's mentioned John  
19 Patrick on many occasions, and he's mentioned him in relation to  
10:02:28 20 that place, so I'll allow the question. Do you want to repeat  
21 it?

22 MR KNOOPS: Thank you, Your Honour.

23 Q. Mr Witness, do you know whether something happened with the  
24 person you qualified as JP, John Patrick, while you were in  
10:02:50 25 Kurubonla in 1998 in Kono District?

26 A. Well, I had information from --

27 THE INTERPRETER: Your Honours, would the witness go over  
28 that name?

29 PRESIDING JUDGE: Mr Knoops, the interpreter has asked the

1 witness to repeat his answer, go over the name he mentioned.

2 MR KNOOPS:

3 Q. Mr Witness, could you repeat the name of that person  
4 slowly, please, for the interpreter.

10:03:28 5 A. Yes. I heard one information, when I was at Kurubonla,  
6 from one signaller, who was called American. They said that JP  
7 had been arrested in Kailahun, and that he was in prison, and  
8 that it was the RUF that arrested him.

9 MR KNOOPS: Your Honours, American is A-M-E-R-I-C-A-N.  
10:04:08 10 American.

11 JUDGE SEBUTINDE: Sorry, what was the place where JP was  
12 arrested from, or detained?

13 THE WITNESS: In Kailahun, because that was where they took  
14 him.

10:04:39 15 MR KNOOPS:

16 Q. Mr Witness, what do you mean with a signaller?

17 A. He is the one who deals with the radio set that transmits  
18 information from one place to another.

19 Q. Do you know where this signaller was?

10:05:06 20 A. It was in Kurubonla, in the headquarters where SAJ Musa  
21 was.

22 Q. And what exactly did the signaller do?

23 MR AGHA: Your Honour, I'd object to that question. I  
24 think the signaller operates a radio in the headquarters.

10:05:29 25 PRESIDING JUDGE: I don't even understand what you're  
26 asking for, Mr Knoops. I won't allow that question.

27 MR KNOOPS:

28 Q. Mr Witness, the person you identified as American, did you  
29 actually see him doing something in Kurubonla?

1 A. No. The only work I make, the function I make and carried  
2 was to sit on the -- sit and operate the radio communication set.

3 Q. Mr Witness, did you see that radio set yourself?

4 A. Yes.

10:06:20 5 Q. Could you please explain to the Court how this radio set  
6 looks like?

7 A. Yes. It's a flat thing like this thing in front of me. It  
8 has antennas, and it has a place where you tune it, like a radio.  
9 And it has another place like a dashboard where the numbers

10:06:54 10 appear on. It has a mic that we use, like the land phone, you  
11 use it on your ears. And you have another one that is connected  
12 that you use your fingers and you press on it.

13 Q. Mr Witness, at the time you were in Kono, and you testified  
14 about it yesterday, you mentioned the word People Army; can you  
10:07:50 15 recall mentioning that name?

16 A. Yes, People's Army. I remember when I mentioned that. We  
17 were -- we were all in Kono. We were the People's Army. We were  
18 even hiding so that the RUF would not know we were discussing  
19 about this, the soldiers. From the start, we used to call it the  
10:08:14 20 People's Army.

21 PRESIDING JUDGE: Mr Witness, you were only asked if you  
22 recall mentioning it. That's all you were asked.

23 MR KNOOPS:

24 Q. Mr Witness, could you please tell the Court whether you  
10:08:38 25 know how this People's Army was formed?

26 A. Well, I cannot tell, because at the time when I was in  
27 Rotifunk, after the government -- the government has changed over  
28 and they brought me to Freetown, the government soldiers -- the  
29 SLAs were all the same. I don't know when they formed that. It

1 was when I came to Freetown that I met them calling themselves  
2 the soldiers, the RUF. That was how we came -- that was the name  
3 we used to call ourselves.

4 Q. Mr Witness, do you know who were part of the People's Army.

10:09:36 5 MR AGHA: I object to that question. I believe it has been  
6 answered earlier, yesterday, in the evidence.

7 MR KNOOPS: I'll move on.

8 Q. Mr Witness, you testified yesterday that you were in  
9 Kurubonla. Can you recall that you were in other villages than

10:09:54 10 Kurubonla within the Koinadugu District?

11 A. I only lived in Kurubonla when I was in the Koinadugu  
12 District. I don't know the other town. It's only Kurubonla that  
13 I had lived.

14 Q. Mr Witness, my last few questions concern your journey in  
10:10:21 15 1998 to Freetown. Mr Witness, were you able to eat during this  
16 journey?

17 MR AGHA: Leading question, Your Honour. I'd object to  
18 that.

19 PRESIDING JUDGE: I'll allow it. Go ahead, Mr Knoops.

10:10:43 20 MR KNOOPS:

21 Q. Mr Witness, were you able to eat during this journey?

22 A. Yes, I -- I was eating. I walked with food, at times.

23 Q. What kind of food?

24 A. Sometimes it was banana or bush yams. Those were -- I used  
10:11:09 25 to travel with them.

26 MR AGHA: Your Honour, how is that relevant to --

27 PRESIDING JUDGE: I presume you're going to link this up  
28 with something, because we're not really interested in his diet,  
29 Mr Knoops.



1 MR KNOOPS: I'm aware about that, Your Honour, but I'm  
2 asking the witness some details which are relevant, especially in  
3 view of the military expert's report.

4 PRESIDING JUDGE: All right. If you say it's relevant, you  
10:11:34 5 can go ahead.

6 MR KNOOPS: The military expert report goes into all the  
7 aspects of irregular or regular force, and this is one of the  
8 elements of the characteristics, so that's the reason I'm  
9 asking --

10:11:55 10 PRESIDING JUDGE: Well, I've said go ahead.

11 MR KNOOPS: Thank you.

12 Q. Mr Witness, how did you get this food you mentioned?

13 A. We would take it from the bush, because most of the routes  
14 we used were bush -- were in the bush. So we pick it up in the  
10:12:20 15 bush and take it along.

16 Q. Thank you. During this period you were, in 1998, in these  
17 various places -- were you in possession of a gun?

18 MR AGHA: Leading question again, Your Honour.

19 PRESIDING JUDGE: He's in the army, so I'll allow the  
10:12:43 20 question. Go ahead.

21 MR KNOOPS: Frankly, Your Honour, there is no way, I think,  
22 to ask the witness about the weaponry directly than asking  
23 whether he was in possession of a gun. It is yes or no. I don't  
24 think why this could be leading.

10:13:00 25 PRESIDING JUDGE: I've allowed the question, Mr Knoops.

26 MR KNOOPS: Thank you.

27 Q. Mr Witness, during this period in 1998, up to your arrival  
28 in Freetown, were you in the possession of a gun?

29 A. No.

1 Q. Mr Witness, you testified yesterday that at the beginning  
2 of your military career you received a salary; did you continue  
3 to receive that salary in 1998?

4 A. No, we were not -- I was not having salary at that time.

10:13:48 5 Q. Mr Witness, you testified yesterday about the absence of  
6 instruction on the laws of war, during the beginning of your  
7 military career. Were any such laws given to you by Musa or FAT  
8 Sesay, or any of the other SLA commanders, in 1998?

9 MR AGHA: I object to that. It's leading, Your Honour.

10:14:16 10 PRESIDING JUDGE: It's leading. And hasn't -- hasn't he  
11 answered that, Mr Knoops?

12 MR KNOOPS: Your Honour, he testified yesterday about the  
13 training he received.

14 PRESIDING JUDGE: He said he never ever received any  
10:14:28 15 training on those aspects, didn't he? So I --

16 MR KNOOPS: Okay.

17 PRESIDING JUDGE: Is there some point you would want to get  
18 him to repeat that or --

19 MR KNOOPS: I'm specifically asking whether, during the  
10:14:40 20 period of 1998, when he was outside Freetown, and within the  
21 group of the SLA officers and soldiers, were there any specific  
22 laws were distributed by the commanders.

23 PRESIDING JUDGE: All right. He's on the record as saying  
24 he received no treatment but you -- you now want to ascertain --  
10:14:59 25 I beg your pardon. He -- he's on the record as saying he  
26 received no teaching at all in those aspects, but you -- the  
27 point of your question now is did he receive subsequent --

28 MR KNOOPS: Yes, I think there is a foundation that there  
29 was no instruction on this issue, so I don't think -- in all

1 fairness, I don't think it's leading when I ask this witness --

2 PRESIDING JUDGE: No, the foundation is there, Mr Knoops.

3 You can ask that question.

4 MR KNOOPS: Thank you, Your Honour.

10:15:25 5 Q. Mr Witness, you testified yesterday, specifically, whether  
6 you received training on the laws of war during the start of your  
7 military career. I'm specifically asking you, when you left  
8 Freetown in 1998, and onwards, were you given any laws by your  
9 commanders, by either Mr Musa or FAT Sesay?

10:15:56 10 A. No, no law was given.

11 MR KNOOPS: Thank you, your Honour. That concludes my  
12 examination.

13 PRESIDING JUDGE: Thank you, Mr Knoops. Is there -- is  
14 there anything in-chief from other counsel?

10:16:11 15 MS THOMPSON: No, Your Honour. I think my learned friend  
16 has some questions.

17 MR FOFANAH: Yes, Your Honours.

18 EXAMINED BY MR FOFANAH:

19 Q. Mr Witness, good morning.

10:16:21 20 A. Good morning, sir.

21 Q. Yes, I will be asking you --

22 A. Good morning, sir.

23 Q. -- I'll be asking you further questions on behalf of the  
24 second accused, Mr Ibrahim Bazzy Kamara. Please listen  
10:16:34 25 carefully, and then you can give your answers as slowly as you  
26 can, so that it can be interpreted. Now, did you know or hear  
27 about Mr Ibrahim Bazzy Kamara as being one of the coup plotters  
28 of the May 1997 coup?

29 MR AGHA: I'd object, Your Honour. That is an absolute

1 leading question, and he's not charged with that in the  
2 indictment.

3 PRESIDING JUDGE: What -- what do you say to that,  
4 Mr Fofanah?

10:17:02 5 MR FOFANAH: Your Honours, the -- the indictment contains a  
6 history of events, and then it indicates that the second accused,  
7 like the other accused persons, were one of the -- was one of the  
8 coup plotters, and I'm basically taking it from that. It has  
9 always been the Prosecution's case, theory, to ask questions  
10:17:21 10 about whether the accused persons were coup plotters.

11 MR AGHA: It is, Your Honour, but during any  
12 evidence-in-chief, and I believe my learned friend is giving  
13 evidence-in-chief, leading is not allowed.

14 PRESIDING JUDGE: It -- it's allowed if it goes to giving  
10:17:38 15 this -- if it goes to the indictment. Go ahead, Mr Fofanah, ask  
16 your question.

17 MR FOFANAH: Thank you, Your Honour.

18 Q. So did you know or hear about Ibrahim Bazy Kamara as being  
19 one of the coup plotters of the May 1997 coup in Sierra Leone?

10:17:54 20 A. No, I've never heard about that.

21 Q. Now, to the best of your knowledge, did you also know as to  
22 whether Ibrahim Bazy Kamara served in the government that was  
23 formed after the overthrow of President Kabbah, in May 1997?

24 A. No, I've never known about that. I've never come across  
10:18:27 25 those stories.

26 Q. Now, do you know if Ibrahim Bazy Kamara was a serving SLA  
27 at the time you met him?

28 MR AGHA: I object, your Honour. When did he meet? In  
29 which period in time is he talking about? And it is not in

1 dispute that he is a serving SLA.

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

3 MR FOFANAHAH: As to -- as to meeting him, I think the  
4 witness, today, indicated that -- well, I think I'll have to  
10:19:00 5 clarify that, that one Ibrahim Bazy was among the prisoners who  
6 were being taken from Eddie Town to Mamusaia. But I will clarify  
7 what he meant by Ibrahim Bazy before I ask the question, just to  
8 see if they are one and the same, Ibrahim Bazy and Ibrahim Bazy  
9 Kamara.

10:19:26 10 [The Trial Chamber conferred]

11 JUDGE SEBUTINDE: Mr Fofanah, I -- the witness has stated  
12 that he met Ibrahim Bazy Kamara once, and that was at Eddie Town  
13 when they were detainees, I think; right?

14 MR FOFANAHAH: If that is what the record shows, I mean, I  
10:20:30 15 have no quarrel with that.

16 JUDGE SEBUTINDE: That was the first time that they met,  
17 according to this witness. He'd never seen him before. Now, the  
18 question -- we don't understand the question when you say: When  
19 you met Ibrahim Bazy, was he a serving officer? Are you saying  
10:20:48 20 at the time that he met him, when Ibrahim was in detention; is  
21 that the question?

22 MR FOFANAHAH: I'll rephrase the question, Your Honours.  
23 I'll rephrase the question.

24 Q. Now, when you knew -- when you met Ibrahim Bazy Kamara at  
10:21:10 25 Eddie Town, did you know at that time if he was a serving  
26 soldier?

27 MR AGHA: Objection, Your Honour. It's leading. There is  
28 another way in which that question can be put.

29 PRESIDING JUDGE: Yeah, there is too. That is leading,

1 Mr Fofanah.

2 MR FOFANAH:

3 Q. Did you know anything about Ibrahim Bazzy Kamara when you  
4 met him at Colonel Eddie Town?

10:21:33 5 MR AGHA: I object to that question. He said that he'd  
6 never met them before. Certainly he mentioned Ibrahim Bazzy --

7 PRESIDING JUDGE: But he met -- he met him in -- didn't he  
8 say he'd meet -- met them there?

9 MR AGHA: Yes, met them there.

10:21:43 10 PRESIDING JUDGE: Well, that's all he's asking. Well,  
11 that's all he's asking; when he met them there. I'll allow the  
12 question. Go on.

13 MR FOFANAH:

14 Q. Did you know anything about Ibrahim Bazzy Kamara when you  
15 met him at Colonel Eddie Town?

16 A. Yes.

17 Q. What did you know about him?

18 A. Well, he was one of the men that I spoke about, that one of  
19 my friends, Alie, who told me that they had captured soldiers who  
10:22:13 20 had wanted to go and surrender. So that was the time that I came  
21 to know that Ibrahim Bazzy was a soldier who had wanted to run  
22 away to go and surrender and who were captured and -- and locked  
23 up.

24 Q. Now, Mr Witness, before I go further, since you are a  
10:22:29 25 common witness, do you also know if Mr Tamba Brima was one of the  
26 coup plotters of the May 1997 coup?

27 A. No, I've never heard about him. I've never heard -- I've  
28 never seen him before, and it was only the time that I met him,  
29 when they said that he was one of the soldiers that did not want

1 to fight, and a reason for which he was captured.

2 Q. Do you also know if Tamba Brima served in the government  
3 that overthrew President Kabbah, in May 1997?

4 A. No, I have never come across that, and I've never heard  
10:23:16 5 that.

6 Q. Since you were told that Mr Ibrahim Bazzy Kamara was one of  
7 the soldiers who was trying to escape and was captured, did you  
8 know his rank at the time of his capture?

9 A. Well, the only thing that I knew was that he was in the  
10:23:32 10 other ranks and, even within the other ranks, I did not know his  
11 rank.

12 Q. Did you also know the rank of Mr Tamba Brima at that time?

13 A. No, I did not know their ranks.

14 Q. Did you know --

10:23:50 15 A. They were amongst the other ranks -- the other rank  
16 soldiers.

17 Q. Did you know the rank of Santigie Borbor Kanu at the time  
18 of his capture?

19 A. No, I did not know his rank.

10:24:08 20 Q. You referred to a certain JP Koroma and you said the JP  
21 stands for John Patrick. How do you know that the JP in JP  
22 Koroma stands for John Patrick?

23 A. Well, that was the name that most of my colleagues used to  
24 hear him being called, so that is why I called him by that name.

10:24:34 25 Q. Let's come to Masiaka. When you came to Masiaka with the  
26 troops, after the ECOMOG intervention, did you see Ibrahim Bazzy  
27 Kamara at Masiaka?

28 A. No --

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

1 THE WITNESS: No, I had never seen him

2 PRESIDING JUDGE: I didn't hear what you said.

3 MR AGHA: I think these are leading questions, about  
4 whether he personally saw someone. I don't think that there's  
10:25:04 5 allegations in the indictment about personally seeing people at  
6 certain places. It concerns the charges in the indictment.

7 PRESIDING JUDGE: Yeah, it is. What do you say,  
8 Mr Fofanah?

9 MR FOFANAH: Yes. Respectfully, I mean knowledge,  
10:25:15 10 knowledge is what I'm -- I'm seeking: Did you see or did you not  
11 see? And --

12 PRESIDING JUDGE: But you're suggesting that it must have  
13 been at Masiaka; isn't that leading?

14 MR FOFANAH: Well, first of all, Your Honours, a lot has  
10:25:28 15 been led by the Prosecution about Masiaka, and events occurring  
16 at Masiaka and a number of allegations, very serious ones, were  
17 also leveled at the second accused within that crime -- that  
18 crime base, that crime area. So I'm basically trying to  
19 establish if this witness haven't made mention of Masiaka as one  
10:25:51 20 of the places that they went through after the withdrawal. I  
21 mean, he saw or he did not see the second accused. That's all  
22 I'm trying to establish.

23 MR AGHA: With respect, Your Honour, that doesn't entitle  
24 him to lead.

10:26:04 25 PRESIDING JUDGE: Well, look, if it gives the -- if it  
26 gives an accused a chance to deny a specific allegation in an  
27 indictment, then I think you're entitled to ask the question,  
28 Mr Fofanah.

29 MR FOFANAH: Respectfully, I'm grateful.



1 Q. So, did you see or did you not see Ibrahim Bazy Kamara at  
2 Masiaka, after the ECOMOG intervention into Freetown?

3 A. I have never seen him and I did not see him at Masiaka.

4 Q. Did you see or did you not see Tamba Brima at Masiaka,  
10:26:41 5 after the ECOMOG intervention into Freetown?

6 A. I did not see him. Then, I did not even come across him at  
7 Masiaka.

8 Q. Did you see or did you not see Santigie Borbor Kanu at  
9 Masiaka, after the ECOMOG intervention into Freetown?

10:27:06 10 A. I did not see him at all and I did not come across him.

11 Q. Now, from Masiaka, you said you went to Makeni; do you  
12 recall that?

13 A. Yes.

14 Q. At Makeni, did you see or did you not see the first, second  
10:27:21 15 and third accused, namely, Tamba Brima, Ibrahim Bazy Kamara and  
16 Santigie Borbor Kanu?

17 MR AGHA: Your Honour, again I'd object to these questions  
18 on the basis, I'd ask my friend to say how they are linked to the  
19 indictment and the charges set out in the indictment.

10:27:41 20 PRESIDING JUDGE: You're saying they are not?

21 MR AGHA: I'm saying that the indictment covers certain  
22 periods of time where certain crimes were committed and that is  
23 different from what evidence the Prosecution may have led.

24 PRESIDING JUDGE: I note your objection. Go ahead; I'll  
10:27:58 25 allow the question.

26 MR FOFANAH: Grateful, Your Honour.

27 Q. Did you see Ibrahim Bazy Kamara at Makeni after your  
28 pull-out from Masiaka?

29 A. I did not see him there.

1 Q. Did you see Tamba Brima after your pull-out from Masiaka --  
2 at Makeni?

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

4 Q. Did you see Santigie Borbor Kanu in Makeni, after your  
10:28:24 5 pull-out from Masiaka?

6 A. No, I never saw him there.

7 Q. Now, let's come to Kono. You have told the Court a lot  
8 about Kono, during your stay there. Now, do you know who was the  
9 overall commander in Koidu, after Johnny Paul Koroma's pull-out  
10:28:48 10 to Kailahun?

11 A. Yes. I knew the commander who was there.

12 Q. I'm sorry. I'm very sorry, after John Patrick Koroma's  
13 pull-out from Kailahun. I'm very sorry about that. Do you know  
14 who was the overall commander in Koidu, Kono District, after  
10:29:12 15 John Patrick Koroma's pull-out to Kailahun?

16 A. Yes, I knew the commander, who was the overall.

17 Q. Who was the overall commander?

18 A. It was Denis Mingo, who was called Superman.

19 Q. I also recall you say yesterday that Denis Mingo, alias  
10:29:40 20 Superman, gave orders to his men to burn houses in Koidu. What  
21 do you mean by his men?

22 A. Well, the people to whom he gave orders to go and do that,  
23 because all of us were under his command.

24 Q. So, your reference to people, did that include SLAs and RUF  
10:30:11 25 rebels?

26 MR AGHA: Objection, Your Honour. Leading the witness.

27 PRESIDING JUDGE: Yes, that is leading, Mr Fofanah.

28 MR FOFANAH:

29 Q. So, what do you mean by the people who were under his

1 command?

2 A. Well, the RUF. They gave those others more to the RUF,  
3 because we escaped from --

4 THE INTERPRETER: Your Honours, I did not get the last bit  
10:30:38 5 of the witness's testimony. Would he please be instructed to  
6 repeat.

7 MR FOFANAH: I'll move on. I'm satisfied with the answer.

8 JUDGE DOHERTY: We didn't hear it.

9 JUDGE SEBUTINDE: We didn't have the answer interpreted.  
10:30:49 10 That's the point, the interpreter is saying he didn't hear it.

11 MR FOFANAH: I'm very sorry about that, Your Honours. I  
12 thought the interpreter explained some portion. I'll ask the  
13 question again. I'm extremely sorry about that.

14 Q. Now, Mr Witness, the question was: What do you mean by his  
10:31:04 15 men, when you said Denis Mingo gave orders to his men to burn  
16 houses in Koidu.

17 PRESIDING JUDGE: Well, he's already answered all of us  
18 under his command. Didn't you ask what he meant by that?

19 MR FOFANAH: Yes.

10:31:20 20 Q. The second question was: You said the people under his  
21 command. The question was, again: What do you mean by the  
22 people under his command?

23 A. Well, the RUF because we, the SLAs, most of us had been  
24 trying to escape from them to go away. It was -- he had been  
10:31:39 25 given more command to the RUF, because they were with him,  
26 because they were his immediate people whom he commanded to do  
27 anything that he wanted them to.

28 Q. Now, Mr Witness, whilst in Koidu Town, did you see or  
29 observe any mining going on in Koidu?

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

2 PRESIDING JUDGE: Look, that goes to the indictment,

3 Mr Agha. I'll allow it.

4 MR FOFANAH: It is referable to count 13 of the indictment.

10:32:17 5 Q. Did you see or observe any mining going on in Koidu, during  
6 that time?

7 A. Well, during the time that I was there, I did not see any  
8 mining going on.

9 Q. Okay. Did you see or observe any looting going on in Koidu  
10:32:36 10 during your stay there?

11 A. Yes. The RUF, there was one time when I saw them broke the  
12 bank. They took money and they went with this money to  
13 Superman's house, and the money was in rice bags. And, from  
14 there, they went to Kailahun. There, I came to know about it.

10:33:00 15 Q. Did you see the RUF themselves break into the bank?

16 A. Yes, the time that they had been breaking, that particular  
17 street, there was nobody that was allowed in order to pass in  
18 that street. They were the ones who were securing, and whilst  
19 the others were there, you know, securing the bank.

10:33:24 20 Q. What street are you referring to?

21 A. It was Office Road, to go to Konomanyi Park. It was just  
22 opposite the park. On the right, there the bank is.

23 Q. Did you see or observe, during your stay in Koidu Town,  
24 after the withdrawal from Freetown, did you see or observe  
10:33:47 25 children being used as soldiers?

26 A. No.

27 Q. During your stay there, did you see or observe any act of  
28 sexual violence?

29 A. No, I did not see that.

1 Q. Did you see or observe any killings in Koidu Town, during  
2 your stay there?

3 A. No, I did not see.

4 Q. Now, Mr Witness, at the time you were pulling out of

10:34:39 5 Koidu -- I mean, at the time you were pulling out, did you see or  
6 hear about Ibrahim Bazzy Kamara as being one of the commanders in  
7 Koidu?

8 A. No. I never heard about that and I never saw that in  
9 Koidu.

10:34:56 10 Q. Did you see or hear about any Ibrahim Bazzy Kamara ordering  
11 the burning of houses in Koidu Town?

12 A. No. I've never seen it and I've never heard about it.

13 Q. Did you also see or hear about any Ibrahim Bazzy Kamara  
14 ordering soldiers to loot in Koidu Town?

10:35:21 15 A. No, I'd never seen that and I never heard about it.

16 Q. Did you see or hear about any Ibrahim Bazzy Kamara ordering  
17 soldiers or rebels to mine for diamonds in Koidu Town?

18 A. No. I never saw that and I never heard about it, when I  
19 was there.

10:35:51 20 Q. Now, you told the Court about Kurubonla. Do you know what  
21 district Kurubonla is in Sierra Leone?

22 A. Yes.

23 Q. What district is Kurubonla?

24 A. Kurubonla is in the Koinadugu District.

10:36:10 25 Q. Thank you. Now, during your stay at Kurubonla, did you see  
26 or hear about Ibrahim Bazzy Kamara being in Kurubonla?

27 A. No. I never heard about that and I never saw him there.

28 Q. Did you see or hear about Tamba Brima as being one of the  
29 soldiers who were at Kurubonla, during your stay there?

1 A. No. I never saw him there and I never heard about it.

2 Q. Did you see or hear about Santigie Borbor Kanu as being one  
3 of the soldiers who were at Kurubonla?

4 A. No, I never heard about that.

10:37:11 5 MR FOFANAHA: May I seek an indulgence for a few seconds.

6 Q. Mr Witness, you've told the Court that Ibrahim Bazzay Kamara  
7 was one of the prisoners whom you met at Colonel Eddie Town. Did  
8 you have the opportunity of talking with him at Colonel Eddie  
9 Town?

10:37:39 10 A. Well, I did not have the opportunity to talk to him  
11 individually, but I went and saw them

12 Q. Now, after the death of SAJ Musa, do you know if the  
13 soldiers who remained after his death had any central command?

14 MR AGHA: It's a leading question, Your Honour. I'd object  
10:38:15 15 to that.

16 PRESIDING JUDGE: Go ahead, Mr Fofanah. I'll overrule the  
17 objection.

18 MR FOFANAHA:

19 Q. Do you know if the soldiers who survived the death of SAJ  
10:38:25 20 Musa had any central command, before their march on Freetown?

21 A. Yes.

22 Q. Who was in charge of the central command, if you know?

23 A. It was Colonel Eddie.

24 Q. Was Colonel -- who was Colonel Eddie?

10:38:54 25 PRESIDING JUDGE: I think that's been asked and answered,  
26 Mr Fofanah.

27 MR FOFANAHA: I'm grateful. I'll move on. Thank you.

28 Q. Now, you've spoken a lot about the RUF and soldiers. To  
29 the best of your knowledge, was there a common plan or

1 relationship between the RUF and the soldiers you have referred  
2 to, to come to Freetown and reinstate the army?

3 A. No.

4 MR FOFANAH: Your Honours, I have no further questions for  
10:39:41 5 the witness. Thank you very much.

6 PRESIDING JUDGE: Thank you, Mr Fofanah. Mr Agha?

7 MR AGHA: Sorry, Your Honour. At this stage, the  
8 Prosecution again would regrettably request this Court for an  
9 adjournment. The reason being that the identifying data was  
10:40:15 10 disclosed on 8th September, and that was incomplete in that it  
11 also did not have the nickname of the particular soldier, which  
12 was not provided until 15th September. As Your Honours are  
13 aware, the nicknames are very important in identifying the  
14 witness and are, indeed, a part of the order of identifying data.  
10:40:36 15 So, bearing in mind, also, that the Prosecution didn't know this  
16 witness was coming until yesterday, we would humbly request an  
17 adjournment until Thursday, 28th September. So that's next  
18 Thursday, Your Honour.

19 PRESIDING JUDGE: Yes. I think I know already the Defence  
10:40:55 20 attitude to that application, from what Mr Knoops said. Is there  
21 any objection?

22 MS THOMPSON: No, Your Honour, there's not.

23 [The Trial Chamber conferred]

24 PRESIDING JUDGE: That application is granted, Mr Agha.

10:41:53 25 MR AGHA: Thank you, Your Honour.

26 PRESIDING JUDGE: Mr Witness.

27 THE WITNESS: Yes, sir.

28 PRESIDING JUDGE: We're going to continue your evidence  
29 next Thursday, that's 28th September. You will need to be back

1 in Court then, Thursday next week, 28 September; is that clear?

2 THE WITNESS: It's clear, sir.

3 PRESIDING JUDGE: All right. Thank you. Mr Witness, by  
4 now, you would be familiar with our caution to you, but while  
10:43:01 5 you're in the course of giving evidence, you're not permitted to  
6 discuss the case or the evidence with any other person. I will  
7 just remind you of that.

8 MS THOMPSON: Your Honour, I rise to basically put the  
9 Court in the picture of what's happening. This morning, I sent  
10:43:22 10 an email that DAB-005 would be the next witness. He was going to  
11 be taken by me, and my learned friend Mr Fofanah was with him  
12 until 11.00 last night. Since we have been in Court, we have  
13 been told his child is ill and he may be required to give some  
14 blood transfusion. I think that's the message, so he's not in a  
10:43:47 15 right frame of mind to come to Court.

16 There is another witness who, I thought -- another  
17 insider -- we could take, DAB-003. I sent a message for him to  
18 be ready, so that he could then come on in place of 005. I've  
19 now been told that he's developed diarrhoea. What I'm going to  
10:44:11 20 ask the Court, Your Honour, because I want to go down to the  
21 witness house myself now and find out exactly what the position  
22 is, as to when he -- I don't know whether he's seen the doctor,  
23 or what the prognosis is.

24 As of yesterday, we had three insiders who were more or  
10:44:30 25 less trial ready, yesterday afternoon. At about 7.30, Mr Fofanah  
26 and I had a conversation and we decided that one of them had to  
27 be dropped. So we had these two who could take us through the  
28 week and the beginning of next week. It is these two, DAB-005  
29 and DAB-003, who are these two, and that's the problem now. I



1 just need, perhaps, half an hour, 45 minutes, an hour, to go down  
2 to the witness house, speak to DAB-003 -- I don't know whether  
3 he's seen the doctor -- and find out what's happening, and then  
4 inform the Court.

10:45:14 5 PRESIDING JUDGE: You mean, apart from these two witnesses,  
6 there are no other witnesses available to give evidence?

7 MS THOMPSON: None that have been prepared to come to  
8 Court, Your Honour. Those that are left are longish witnesses,  
9 insider witnesses. They will need some time to prepare.

10:45:38 10 MR FOFANAH: Just to add to that, Your Honours, the  
11 witnesses that my learned colleague has referred to are actually  
12 individual witnesses. They can only be led by their team. That  
13 is the other point.

14 PRESIDING JUDGE: Thank you, Mr Fofanah. You mean to say  
10:45:57 15 there are no common witnesses left to call?

16 MR FOFANAH: The three who were to come are still not here.  
17 I was there yester night, up to about midnight. They were still  
18 not in. They said they were to travel from the provinces, but  
19 they are not in.

10:46:12 20 PRESIDING JUDGE: I see. They're the ones Mr Knoops  
21 mentioned they had been provided with travelling expenses, but  
22 simply hadn't arrived?

23 MR FOFANAH: Yes, Your Honour.

24 PRESIDING JUDGE: All right. There might come a stage  
10:46:23 25 where you'll have to make a decision about whether they're  
26 available or not.

27 MR FOFANAH: Certainly, Your Honour. We are grateful.

28 MR AGHA: Your Honour, might I make a brief submission,  
29 just by way of clarification. Of course, if any necessary

1 adjournment is required because of these unfortunate  
2 developments, the Prosecution wouldn't object because of the  
3 circumstances. But with regard to the common witnesses, after  
4 the various motions that were filed yesterday, the Prosecution  
10:46:49 5 understands that there might be as much as 10 or 11 common  
6 witnesses still. So, if we could seek some clarification on  
7 that, because if those have also been dropped, so we just have  
8 these two and the other three, then we can move to individual.  
9 Because another -- I think something that, perhaps, we should  
10:47:09 10 address is: Should individual witnesses be coming before common  
11 witnesses if there are 10 or 11 common yet to come.

12 PRESIDING JUDGE: What does the Defence say?

13 MS THOMPSON: The answer to that is, Your Honour, they're  
14 not presently in the witness house. As we speak, someone is in  
10:47:24 15 the provinces getting them to come down to Freetown. So they're  
16 not presently in Freetown. If they were, we would have called  
17 them

18 PRESIDING JUDGE: That's the rest of the common witnesses  
19 you're talking about?

10:47:35 20 MS THOMPSON: Yes, Your Honour.

21 [Trial Chamber conferred]

22 PRESIDING JUDGE: All right, Ms Thompson, we're going to  
23 give you until 11.30. Do your best with those witnesses.

24 MS THOMPSON: I'm grateful, Your Honour. Thank you.

10:48:26 25 PRESIDING JUDGE: When you return, if the witnesses are not  
26 forthcoming, we would like you to tell us what the Defence plan  
27 is.

28 MS THOMPSON: Yes, Your Honour. I will, certainly.

29 PRESIDING JUDGE: Thank you. I note the witness has his

1 microphone turned off at the moment. Once again, witness, you  
2 are to come back to Court Thursday of next week, and not to  
3 discuss the evidence in the meantime. We're now going to adjourn  
4 the Court until 11.30.

10:49:37 5 [Witness stood down]

6 [Break taken at 10.49 a.m.]

7 [AFRC21SEP06B - MD]

8 [Upon resuming at 11.35 a.m.]

9 PRESIDING JUDGE: Yes, Mr Knoops.

11:36:16 10 MR KNOOPS: Thank you, Your Honour.

11 Ms Thompson requested me to inform the Court that she is  
12 still at the witness house, inquiring whether the witness she has  
13 planned is able to come to Court. In light of those  
14 instructions, I would seek the indulgence of the Court to ask for  
11:36:41 15 an adjournment until the lunch break, until we have clarification  
16 from my learned friends. And may I take the opportunity, Your  
17 Honour, to inform the Court that -- about the status quo of the  
18 common witnesses.

19 Actually, Your Honour, there are now nine common witnesses  
11:37:08 20 left, and they are being brought here with two missions. These  
21 nine common witnesses are located in various districts, such as  
22 Kono, Port Loko, Bombali. I can mention the DAB numbers for Your  
23 Honours if you wish; that's DAB-043; it's DAB-010; DAB-137; 139;  
24 141; 097; 148; 147 and 102.

11:38:09 25 It may be so, Your Honour, that the Defence will limit even  
26 this number of nine and reduce it to a smaller list upon arrival  
27 of these nine witnesses. These nine persons are exclusive to two  
28 persons, which Ms Thompson mentioned, which are currently in the  
29 witness house -- I believe she mentioned 003 and 005, what I

1 recall of her submissions this morning.

2 So it might be a suggestion, Your Honour, that, in light of  
3 these developments, to convene this afternoon a short status  
4 conference in which the Defence can suggest a new schedule for  
11:39:23 5 next week, and it might be so but I, of course, cannot speak on  
6 behalf of my two colleagues, that the individual case of Mr Brima  
7 could perhaps start on Monday or Tuesday.

8 That's my suggestion but, again, I cannot speak on behalf  
9 of my colleagues, but it's a solution which we could discuss  
11:39:53 10 during the conference when my colleagues are present after  
11 returning from the witness house.

12 Now, Your Honours must have noticed that there are also  
13 certain TRC witnesses on the common witness list, and these were  
14 actually suggested by myself. I've conducted the contacts with  
11:40:12 15 several of the authorities here and had a meeting yesterday with  
16 one of these officers and this afternoon with the second one.

17 I already informed my learned friend, Mr Agha, that with  
18 respect to TRC witness 01, he is currently with the president  
19 abroad, and he is willing to appear in Court on 10 October. In  
11:40:48 20 addition to that, with respect to TRC witness 03, who I meet this  
21 afternoon at 3.00, it's my intention to schedule that TRC witness  
22 also in that same week of 10 October. That would mean that it  
23 would be my suggestion to have those two witnesses being heard in  
24 that week, and I have decided that instead of the six TRC  
11:41:22 25 witnesses, which I suggested on the common list, only three will  
26 be left, namely, TRC-01, TRC-03 and TRC-04.

27 Now, with respect to TRC-04, that officer is currently in  
28 Nigeria. He is potentially willing to come to Court earlier  
29 because his assignment is till December in Nigeria but, on the

1 other hand, I could suggest him to be a backup witness in case  
2 TRC-03 would, for some reason, not be willing, or able to appear  
3 in Court.

4 So, with respect to the TRC witnesses, I -- it's my  
11:42:19 5 suggestion that we try to schedule them in the week of the 10th  
6 of October, in connection with some of the experts. And I could  
7 make a schedule for Your Honours with the Prosecution for that  
8 week, to bring in the military experts, the expert from Sweden,  
9 on arranged marriages, and the child soldiers expert.

11:42:46 10 That is the information I have now, Your Honours, and as  
11 far as I look at the situation now, I would say that if the  
12 missions which are now currently conducted in the various  
13 districts, that don't show up with the witnesses which are now  
14 left on the common list, the nine, that we, as Defence, we make a  
11:43:13 15 decision this week and perhaps this afternoon, whether or not we  
16 will stick to those nine witnesses on that list, in order to  
17 continue with the individual witness lists, probably next week.

18 Of course, we will be interposed probably with the  
19 cross-examination of two of the witnesses of this week. In the  
11:43:39 20 meantime, I've -- see that my colleagues entered the room -- I  
21 hope that this clarifies the current position of the Defence, as  
22 far as the common witness list concerns.

23 I apologise that I have no more information at this moment  
24 for Your Honours, but it's my suggestion that -- is that, unless  
11:44:03 25 Ms Thompson has different information, that we ask the Court to  
26 give the Defence an opportunity to make a decision on the  
27 remaining witnesses, these nine; the two which are currently in  
28 the witness house, one of which is apparently ill and the other  
29 one has to give a blood transfusion for one of his family

1 members. And the Prosecution and the Defence, ie, myself, we  
2 come up with a schedule for the October month with respect to the  
3 expert witnesses and the TRC witnesses. I think that could be an  
4 effective way of proceeding with the witnesses, both common and  
11:44:50 5 some of them may be individually called as well.

6 PRESIDING JUDGE: Well, we thank you for that information,  
7 Mr Knoops. We find it very constructive.

8 MR KNOOPS: Thank you.

9 PRESIDING JUDGE: But, subject to what Ms Thompson may have  
11:45:09 10 to say, and what the Prosecution may have to say, I understand  
11 that your application -- your application for an adjournment  
12 until after lunch still stands, and that the second prong of that  
13 application is that after lunch we have -- we have a status  
14 conference before proceeding with any more witnesses?

11:45:28 15 MR KNOOPS: That's indeed my suggestion, Your Honour. Of  
16 course that's predicated on the information which may come from  
17 Ms Thompson or from Mr Fofanah, I'm not aware of.

18 PRESIDING JUDGE: Thank you, Mr Knoops. Ms Thompson.

19 MS THOMPSON: Your Honour, I -- I -- first of all, thank  
11:45:49 20 you for the opportunity for the adjourned time which we spent  
21 down at the witness house. I went there myself and I have spoken  
22 to the two gentlemen concerned. One of them is actually going --  
23 one of the lads, DAB-005, is leaving this afternoon to go to his  
24 home town. That is where this child is and the message he said  
11:46:12 25 came, I think very early this morning, in the early hours of this  
26 morning, but certainly after he and Mr Fofanah had had the  
27 conference last night. He is there and he is going back.

28 I don't envisage that he will be back any time in the next  
29 week. It's in the provinces and I don't know what the nature of

1 the ailment is.

2 The second one, I actually saw in his bed because he was  
3 unable to come down to the interview room to speak to us. I know  
4 he has been given medication. He showed me the medication, he  
11:46:51 5 had taken them, but he doesn't feel able to come to Court. He  
6 says that, apart from the diarrhoea, there are, although he  
7 hasn't yet but he does feel nauseated but he hasn't actually  
8 thrown up yet but at the moment he says he is unwell.

9 There are three other witnesses there, who are now on the  
11:47:13 10 dropped witness list and therefore cannot be used. So that's the  
11 situation.

12 I wasn't here for much of Mr Knoops' submission, and I do  
13 apologise for coming in late. I think I did send a message to  
14 say that we were about ten to 15 minutes late.

11:47:33 15 PRESIDING JUDGE: Yes, we did get that message,  
16 Ms Thompson.

17 MS THOMPSON: I'm grateful, Your Honour. The situation is  
18 that I need some time, and I think together with my colleagues to  
19 look at this whole witness list again. Part of this problem, I  
11:47:48 20 think, apart from this -- he who didn't show up -- is because  
21 there has been a major curtailment of the number of witnesses.

22 There has been a lot of chopping going on in the last week.  
23 Therefore, gaps have arisen which, although one envisaged, but  
24 one didn't envisage that it would actually happen so quickly. We  
11:48:04 25 thought that with the gaps it means the case will finish earlier.  
26 We didn't have, for instance, the sort of stats saying that the  
27 problem is now. It wasn't meant to be a problem. But if we have  
28 some time, so that we look at the witness list, and see if we can  
29 bring people up but these are just the -- as far as the ones that

1 the witness house are concerned. I hope, Your Honour, that  
2 clarifies the situation.

3 PRESIDING JUDGE: That's been very helpful. Thank you,  
4 Ms Thompson. Mr Fofanah, I don't know whether you wanted to add  
11:48:34 5 anything to that?

6 MR FOFANAH: I have nothing to add. I mean, both of us, we  
7 are in it together.

8 PRESIDING JUDGE: Thank you. Did the Prosecution wish to  
9 say anything?

11:48:45 10 MR AGHA: Only that it is obviously regrettable that there  
11 are no witnesses available, so we will obviously be in the hands  
12 of the Court as to how it chooses to proceed, though the  
13 suggestion of Mr Knoops, of perhaps having a small status  
14 conference on the witnesses may be a useful one, or, if not a  
11:49:07 15 status conference, just perhaps, some time given to the Defence  
16 to actually reorganise or rejig and find out where they are,  
17 vis-a-vis the witnesses, who is dropped, who is not dropped and  
18 what the order is, so that perhaps tomorrow the trial can or the  
19 day after proceed thereafter in a sort of more, shall we say,  
11:49:28 20 continuous fashion. That's all, Your Honour.

21 PRESIDING JUDGE: Thank you, Mr Agha. Mr Knoops --

22 MR KNOOPS: Your Honour.

23 PRESIDING JUDGE: -- following on what you've said, we will  
24 go along with granting an adjournment until the afternoon and  
11:50:23 25 then we will have a status conference but, in view of the content  
26 of what you said, we are just wondering whether you are going to  
27 need more time than the normal lunch break, or do you think that  
28 is going to be satisfactory? We were thinking perhaps an extra  
29 hour or --



1 MR KNOOPS: That will be helpful, Your Honour, because we  
2 will have to get in touch with the people of the WWS who are in  
3 the provinces, to find out whether they were able to detect those  
4 nine and, if not, we have to make a firm decision, as Defence,  
11:50:57 5 whether we continue with those nine or not. And that may need  
6 probably a little bit more time, then. So if the Court has not a  
7 problem, we could perhaps -- well, for me personally, I have to  
8 be at 3.00 with TRC-03, so I then -- I have to excuse myself and  
9 ask my colleagues to replace me but it would be handy, I think,  
11:51:26 10 to be present as well during the status conference.

11 PRESIDING JUDGE: Well, we could, unless it's inconvenient  
12 to the Prosecution, we could say make it 3.30, if that gives you  
13 enough time with the other witness.

14 MR KNOOPS: Yes.

11:51:42 15 PRESIDING JUDGE: Because you will be organising a new  
16 witness list and we've just anticipated that will take some time.

17 MR KNOOPS: Yes, that would be helpful, Your Honour. We  
18 shared the suggestion and my colleagues have -- yes, we would  
19 very much encourage that as an option.

11:52:03 20 PRESIDING JUDGE: 3.30?

21 MR KNOOPS: Thank you, Your Honour.

22 PRESIDING JUDGE: We thought then that at 3.30 we will hold  
23 a status conference. That will take us through the rest of the  
24 day and tomorrow morning we commence with the cross-examination  
11:52:17 25 of DBK-111, and we will then proceed to hear the witnesses after  
26 that, in accordance with your revised witness list.

27 MR KNOOPS: Thank you, Your Honour. That's very helpful.

28 PRESIDING JUDGE: Does that suit you, Mr Agha?

29 MR AGHA: Indeed, Your Honour. It's very suitable to the

1 Prosecution. Thank you.

2 PRESIDING JUDGE: All right. We will adjourn the Court  
3 then until 3.30 this afternoon for a status conference.

4 [Whereupon the hearing adjourned at  
5 11.52 a.m. to be followed by status conference  
6 at 3.30 p.m. 21 September 2006]

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**WITNESSES FOR THE DEFENCE:**

<b>WITNESS: DAB-095</b>	<b>2</b>
<b>EXAMINED BY MR KNOOPS</b>	<b>2</b>
<b>EXAMINED BY MR FOFANAH</b>	<b>27</b>