



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

WEDNESDAY, 04 OCTOBER 2006  
9.15 A.M  
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

**Mr Si mon Mei senberg**

For the Registry:

**Mr Thomas George**

For the Prosecution:

**Mr Karim Agha**  
**Mr Charles Hardaway**  
**Ms Maj a Di mi trova (Case Manager)**

For the accused Alex Tamba  
Brima:

**Mr Koj o Graham**

For the accused Brima Bazy  
Kamara:

**Mr Andrew William Kodwo Daniels**

For the accused Santigie Borbor  
Kanau:

**Mr Ajibola E Manly-Spain**  
**Mr Silas Cherkera**

1 [AFRC04OCT06A - MD]

2 Wednesday, 4 October 2006

3 [Open session]

4 [The accused present]

09:15:23 5 [The witness entered court]

6 [Upon commencing at 9.15 a.m.]

7 WITNESS: DBK-037 [Continued]

8 [The witness answered through interpreter]

09:16:42 9 PRESIDING JUDGE: Mr Witness, just to remind you before we  
10 start that you will recall yesterday taking an oath to tell the  
11 truth. I'm reminding you you are still bound by that oath; is  
12 that clear?

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: Well, welcome back, Mr Graham.

09:17:03 15 MR GRAHAM Thank you.

16 PRESIDING JUDGE: Go ahead, Mr Daniels.

17 EXAMINED BY MR DANIELS:

18 Q. Good morning, Mr Witness.

19 A. Good morning, Court.

09:17:14 20 Q. Yesterday, before we broke up, you were telling us about a  
21 new command structure that was set up in Benguema; do you  
22 remember?

23 A. I can remember.

24 Q. We shall continue from there.

09:17:34 25 A. Carry on.

26 Q. After the new command structure was set up in Benguema,  
27 that is after the death of SAJ Musa, did anything happen?

28 A. Yes.

29 Q. Please tell us what happened.

1 A. As I told the Court the last time, yesterday, the command  
2 was severely shaky because the entire troop had a setback about  
3 the information they heard about the death of SAJ Musa.

4 Q. And what happened after that?

09:18:30 5 A. After that, the second in command, who was by SAJ Musa was  
6 FAT, he called a muster parade and he called the entire troop to  
7 come together to achieve -- to achieve the goal of restoring the  
8 national army of Sierra Leone.

09:19:03 9 Q. Yes. You also told us that yesterday and I'm saying after  
10 that muster parade, what happened?

11 A. We had a new command structure. They appointed men who  
12 were officers to complete the mission because the operation was  
13 yet on course. They had to instruct the national army of Sierra  
14 Leone.

09:19:29 15 Q. After Benguema, did the troops go anywhere?

16 A. Yes.

17 Q. Where did they go to?

18 A. As a military operation, you can never forget the back.  
19 You always have to do a condom [as interpreted] and searching and  
09:19:54 20 then you embark on another operation.

21 Q. The question was: After Benguema, did the troops go  
22 anywhere?

23 A. Yes.

24 Q. Where did they go to?

09:20:10 25 A. We had a prisoner whom we captured. We interviewed him and  
26 he told us that they had a troop at Tombo, so we headed for  
27 Tombo.

28 Q. Which prisoner was this, that you captured?

29 A. The prisoner, which was Blessing, was a military police,

1 and the Nigerian-led ECOMOG force intervention troop.

2 Q. Was her name Blessing?

3 A. Yes. That was his name. And she was a lady.

4 Q. And did you go to Tombo?

09:21:07 5 A. Yes. I speaking here. I was on the operation.

6 Q. And how long did it take you to get to Tombo, from  
7 Benguema?

8 A. Well, we took a night patrol, which was a combat operation,  
9 which was a night combat, and we stormed in the particular area  
09:21:40 10 and we went for materials, which were necessary for the military  
11 operations. We had a GPMG there and other, et cetera, et cetera;  
12 ammunitions, which were BMG.

13 Q. For the benefit of us who do not have military background,  
14 what is the meaning of GPMG?

09:22:01 15 A. GPMG is a general purpose machine gun, which is one of the  
16 biggest weapon which can be handled to do an assault for a large  
17 troop. It has a by pot leg -- by pot log -- legs and a stand.

18 Q. And it was captured from who?

19 A. From the Nigerian-led ECOMOG force.

09:22:32 20 Q. Who was in charge of this particular operation?

21 A. The operation, the one in charge, was Rhino.

22 Q. From Tombo, did the troops go anywhere?

23 A. Yes. We decided to move direct to the city area and we  
24 took the movement to -- by around York area.

09:23:13 25 Q. Did you get to York?

26 A. Yes, we went to York.

27 Q. And who went to York?

28 A. This, one of the commanders called Junior Sheriff. He went  
29 on that operation.

1 Q. And when you got to York, did anything happen?

2 A. Yes.

3 Q. What happened?

4 A. We had a force that we met, an enemy. We encountered them  
09:24:00 5 there; we defeated them there. At the next village, we had  
6 casualties, during which we lost one of our --

7 THE INTERPRETER: Your Honours, could the witness go slowly  
8 so we can interpret better. Stopped at where he said they lost  
9 one of their members in the operation.

09:24:22 10 PRESIDING JUDGE: Yes. Mr Witness, the interpreter is  
11 complaining you are talking too quickly and he can't keep up with  
12 you. So can you go back and repeat what you said from the point  
13 you were talking about you lost one of your members in the  
14 operation.

09:24:43 15 THE WITNESS: Yes. We went to York and we encountered a  
16 force, and enemies which were the 4th sentry post. We defeated  
17 them and, from there, we went through the defence and we  
18 entered -- we entered the town of York and definitely on the way  
19 to capture York, we lost one of our brave, intelligent military  
09:25:12 20 soldier, who was called Laga, who died from the gunshot which was  
21 a lateral fire from a mortar.

22 MR DANIELS:

23 Q. Mr Witness, you just said that you encountered the enemy or  
24 you defeated the enemy. Which enemy did you defeat?

09:25:36 25 A. As I always tell the Court, this was the team that came,  
26 the intervention force, which was the Nigerian ECOMOG force that  
27 came to invade the Sierra Leone Army in Sierra Leone.

28 Q. So after you defeated the enemy in York, did the troop go  
29 anywhere?

1 A. Yes.

2 Q. Where did the troop go to?

3 A. Well, we decided to move directly from FAT, and Eddie told  
4 us that now, gentlemen, we are almost close to the city, so we  
09:26:29 5 need to move immediately and we moved to Popo.

6 Q. Where is Popo?

7 A. It's at the back of the military range, Benguema.

8 Q. While at Popo, did you personally do anything?

9 A. I did not do anything, but we experienced some attacks we  
09:27:07 10 encountered at that point, which was the Kamajors and the  
11 Nigerian-led ECOMOG force, which invaded us. They bombarded us  
12 with artillery, from different flanks, but we resisted that  
13 operation. We encountered immediately. We captured one of the  
14 men.

09:27:31 15 Q. Now the men, or the man that you captured, was he a Kamajor  
16 or was he from the ECOMOG force?

17 A. That man was a Kamajor.

18 Q. Did anything happen to him?

19 A. Well, we always -- we, as soldiers, we need -- each time we  
09:27:59 20 captured a person, we carried him to the military headquarter and  
21 they would take care of you.

22 Q. From Popo, did the troop go anywhere?

23 A. Yes.

24 Q. Where did the troop go to?

09:28:20 25 A. We went to Hastings.

26 Q. Carry on.

27 A. That particular operation was headed by -- by Junior Lion  
28 and Terminator, Pikin and Ashim. These were the men that led  
29 that particular operation for Hastings.

1 JUDGE SEBUTINDE: Mr Daniels, was that several names or was  
2 that the name of one individual?

3 MR DANIELS: They were several names.

4 JUDGE SEBUTINDE: That is several people.

09:29:02 5 MR DANIELS: Yes. He said it was headed by --

6 Q. Can you go over the names who headed that, the operation to  
7 Hastings?

8 A. Yes. I am here to tell the truth what is necessary to tell  
9 the Court and Junior Lion was the operational commander and, two,  
09:29:24 10 he had Pikin, and three, he had Machine -- Ashim

11 PRESIDING JUDGE: Didn't you mention Terminator before,  
12 Mr Witness?

13 THE WITNESS: I told the Court that the first name that I  
14 called -- I did not call Terminator. It's only now that I called  
09:29:57 15 Terminator. I called Pikin, Terminator and Ashim

16 MR DANIELS: Pikin, I think we have the spelling,  
17 P-I-K-I-N. Ashim, A-S-H-I-M

18 Q. And what happened at Hastings?

19 A. That day was a very terrible operation because it was  
09:30:25 20 military, military to military, by the man that led the  
21 particular operation, who was in charge of the particular troop  
22 at that time, was Major Tanko. He was in charge of that  
23 particular troop, so definitely, he assaulted us before -- before  
24 we assaulted. So went into serious confrontation which called --  
09:30:49 25 which called for two hours' battle and we overran them and went  
26 to Hastings airfield. We ran after them. We captured a large  
27 ammunition which called -- including artillery items.

28 Q. Which force did Major Tanko belong to?

29 A. Major Tanko was the commander-in-charge of the Nigerian-led

1 ECOMOG force in Hastings as the overall commander. Because we  
2 found the entire nominal road which comprised the strength of the  
3 number who were there.

4 Q. Do you know the strength of the number who were there?

09:31:33 5 A. The number was nearly one and a half company that was  
6 there.

7 Q. And from Hastings airfield, did the troop go anywhere?

8 A. Yes.

9 Q. Please tell us.

09:31:58 10 A. Well, we know that each time we are sent on an operation as  
11 a soldier, you have to return. And because we had a very  
12 successful -- so we returned to Popo and submitted the entire  
13 materials, and information we had about the Nigerians, we  
14 conveyed it. And FAT, this was the report that has come. We  
09:32:27 15 told them that Junior Lion has done a very good work. So Junior  
16 Lion submitted a report to the commander-in-charge.

17 Q. And after he submitted the reports, what happened?

18 A. Well, that particular report made -- I mean, encouraged the  
19 troop more and we remove immediately to the city.

09:33:03 20 Q. Did you move to the city?

21 A. Yes.

22 Q. Which routes did you take?

23 A. When I say soldier, we stomped back right to this point of  
24 Hastings and we attacked at all flanks and we came through by the  
09:33:26 25 main road. From Hastings airfield, we came to Jui Junction. We  
26 fought there for complete three hours, 30 minutes and we defeated  
27 and broke the defence there.

28 Q. At this time, at the time that you broke the defence at  
29 Jui, who was in command of the troops?



1 A. As I have told you, that I've told -- to tell the Court the  
2 truth, nothing but the truth. FAT was the overall commander for  
3 this movement for the city because soldiers only -- we, the boys  
4 said that as the honour, who was the commander -- the overall  
09:34:15 5 commander, had died, we were ready to take the operation, no  
6 matter the soul has rested, and we must try to restore the  
7 national army and FAT said he was on it.

8 Q. So can you describe how you came to the city?

9 A. Well, really, it was very terrible for us. It was not  
09:34:47 10 easy. As soldiers, we must encounter so many obstacles. We  
11 fought the main troop. We passed through the main Orugu bridge  
12 because we bulldozed them left and right, fighting, and we were  
13 able to capture the entire area. We climbed up to the point of  
14 Allen Town, which is up there.

09:35:18 15 Q. So you captured -- you fought through the Orugu bridge and  
16 you captured Allen Town. Did anything happen in Allen Town?

17 A. Yes.

18 Q. Please tell us.

19 A. Well, as I am here to tell the truth, at 305 -- we listened  
09:35:48 20 to the 305, at 1999. Could you believe we listened over the  
21 media to tell us that, as we were talking to them now, the Sierra  
22 Leone Army and the RUF have come and they were around the city.  
23 The government told them that it was a lie. Automatically, after  
24 305, a jet came and bombarded us, which comprised -- and during  
09:36:21 25 which we lost three of our soldiers. So that made us to become  
26 disgruntled because we never tried to infiltrate in the city at  
27 the time when --

28 THE INTERPRETER: Your Honours, could the witness go over  
29 the last bit of his statement, his testimony.

1           PRESIDING JUDGE: From where, Mr Interpreter?

2           THE INTERPRETER: After the bombardment, the jet came and  
3           bombarded from Allen Town.

4           PRESIDING JUDGE: All right. Once more, Mr Witness, you  
09:36:50 5           are speaking too fast for the interpreter. Can you finish your  
6           answer, beginning with after the jet bombarded.

7           THE WITNESS: After the death, the jet had bombarded.  
8           Definitely we took care of our casualties, the men who died. The  
9           medical team took care of them. From there, we buried them. We  
09:37:20 10          gave them their last burial ceremony according to the military,  
11          as we give to the soldiers in the military. We did that.

12          MR DANIELS:

13          Q. Mr Witness, I just want to take you back a bit. You  
14          mentioned 305 and 1999. What do you mean by 305?

09:37:40 15          A. 305, from the BBC broadcasting station, from Britain,  
16          because they interview the government and the government told  
17          them that was a lie, that the men were not around the city.

18          Q. Do you recall the name of the programme you listened to on  
19          the BBC?

09:38:02 20          A. Focus On Africa.

21          Q. And just for clarity, could you tell us exactly what you  
22          heard on Focus On Africa?

23          A. Well, I cannot recall. Because that day we were sad  
24          because we lost prominent somebody, whom we were not supposed to  
09:38:38 25          lose, but the lord had taken him at the time we needed him.

26          Q. But you also mentioned RUF a minute ago; what exactly did  
27          you say?

28          A. RUF, we had few of the RUF men with us.

29          Q. Mr Witness, you also said that the government gave an

1 interview on the BBC; do you know who was the government  
2 spokesman?

3 A. I could not recall that man, that man's name.

4 Q. And from there, what happened?

09:39:43 5 A. We held an immediate meeting. The commander called a  
6 meeting to all the commanders. We were all called together in  
7 the central position. He told us that -- after the meeting,  
8 after we had left the meeting, he told us that, gentlemen, we now  
9 see the city, but all the same, never mind our brothers have  
09:40:11 10 died. We should tell the nation that the army is still alive and  
11 we need to take this operation once and for all. So this was the  
12 matter.

13 Q. And from there, did the troop go anywhere?

14 A. Yes, because we planned the operation from the morning,  
09:40:38 15 until 5th January, we were there watching the people in Allen  
16 Town. At Foamex, we were watching the people; we were watching  
17 the Nigerians, how they were moving up and down. At the point  
18 Maxwell Khobe and Hinga Norman, who was Minister of Defence at  
19 that time, we had a radio set, which time they were passing the  
09:41:02 20 convoy. They came to Kossoh Town. They told them that the road  
21 was clear, that the men were not even around, so we really knew  
22 that the government had no interest over the people.

23 Q. And just for the sake of the record, at this time, who was  
24 in command of the troops?

09:41:29 25 A. The commander of that particular troop was FAT. He decided  
26 to take up this operation. He said that, gentlemen, this was our  
27 last goal so that people not deny. Let them don't play  
28 propaganda and let them know that the army was still alive. So  
29 we were to take that operation.

1 Q. So did you take the operation?

2 A. The operation started at half past 12 in the night.

3 Q. Please take us through the operation, starting from half  
4 past 12 in the night.

09:42:09 5 A. Well, anything a soldier was doing, it must start with the  
6 muster parade. We were mustered and we were dressed. They -- we  
7 were given ammunition and we were given all the necessary  
8 logistics that we were to have in our groups, so we decided to  
9 move down. We ran down. We reached the church and therein we  
09:42:45 10 were halted and we halted and said, "Who comes there"? And we  
11 said, "This is a friend." "What type of friend"? We said, "We  
12 are your friendly friend force. We are just from patrol," so  
13 they opened the door automatically, before they could realise  
14 that we had assaulted them. So, automatically, firing started  
09:43:06 15 and we came down on the Old Road.

16 Q. Where exactly is this church that you are talking about?  
17 Where was the church?

18 A. This church is at the Old Road, by -- by Calaba Town.

19 Q. And does the Old Road lead to anywhere?

09:43:35 20 A. This Old Road comes from -- from Old Road you come to  
21 brewery, and from brewery you come to Wellington markets, up to  
22 the city. I would not be able -- I would not like to call all  
23 for you now.

24 Q. And who was it that you spoke to? Who said that you should  
09:44:04 25 come in?

26 A. I don't understand what you mean.

27 Q. You said as you were coming you were stopped and then you  
28 had a fire exchange. Who was it that stopped you?

29 A. Okay. A soldier, who was from the Nigerian, who were the

1 sentry post; they halted us.

2 Q. And then did you eventually get to brewery and Wellington?

3 A. As I am saying, the troop that we were coming with, we had  
4 a single goal because God was on our side and we broke the  
09:44:54 5 Defence and we entered.

6 PRESIDING JUDGE: Mr Daniels, could you please ask your  
7 client to stop dramatising his evidence? We really don't want to  
8 hear his view on whether God was on his side or whether they had  
9 a terrible time, et cetera, et cetera. He has been doing it for  
09:45:16 10 a quite a long time now and it's not evidence at all.

11 MR DANIELS: I take the cue, Your Honour.

12 Q. Mr Witness, I will be grateful if you just answer the  
13 questions I ask you and you can keep your personal views to  
14 yourself, because we are only interested in the facts, because  
09:45:36 15 this is a Court of facts; do you understand?

16 A. Well, I am not really hurting the Court. I am saying the  
17 truth.

18 Q. Okay. But please answer the questions as I ask you. The  
19 question is: From Wellington, did anything happen?

09:45:54 20 A. From Wellington, we were on an operation.

21 Q. And where did you go to?

22 A. We started fighting from Wellington up to Upgun. Upgun to  
23 State House.

24 Q. You have told us who the commander was but, who was leading  
09:46:31 25 the assault into the city?

26 A. Well, the commander was in the rear. He gave us the task  
27 to give the act to 0-Five, who was the operational commander, who  
28 led the team to do the operation.

29 Q. And from Upgun you say you went to State House. What time

1 did you arrive at State House?

2 A. We reached the State House at 5.00.

3 Q. And when you got to State House, did anything happen?

4 JUDGE DOHERTY: Mr Daniels, was that 5.00 in the morning or  
09:47:19 5 5.00 in the evening?

6 MR DANIELS: I'll clarify.

7 Q. You said you arrived at State House at 5.00. Was this a.m.  
8 or p.m.? In the morning or in the evening?

9 A. 5.00 in the morning.

09:47:40 10 Q. Thank you. And when you got to State House, what happened?

11 A. Well, we had to interview some of the Nigerian soldiers  
12 that we'd captured. They told us that, well, we understood that  
13 soldiers were in town. Where are they? They said they locked  
14 them up in the Pademba Road, in the prison, on remand.

09:48:12 15 Q. Which soldiers are you referring to who were locked up at  
16 Pademba Road?

17 A. That, the Sierra Leone Army.

18 Q. Did your commander also arrive at State House?

19 A. Yes.

09:48:39 20 Q. And when your commander arrived at State House, did  
21 anything happen?

22 A. Well, he said, "Gentlemen, there's no time to waste. We  
23 should go straight to capture the prison and to remove all the  
24 soldiers that were at Pademba Road."

09:49:00 25 Q. Did a troop actually go to remove the soldiers from  
26 Pademba Road?

27 A. Yes.

28 Q. Did you yourself go on that operation?

29 A. Of course, sir, yes.

1 Q. Who led that particular operation to Pademba Road?

2 A. Well, Junior Lion was dispatched to take up that particular  
3 operation to open Pademba Road, together with Pikin.

4 Q. And what happened when you got to Pademba Road?

09:49:45 5 A. Well, we met people deployed there, but we overran them.  
6 We overcame them and we overran them.

7 Q. And when you overran them, did anything happen?

8 A. Yes. Because we opened the Pademba Road.

9 Q. And when you opened it, what happened?

09:50:15 10 JUDGE SEBUTINDE: Mr Daniels, for the record, this is  
11 Pademba Road Prison, not the road, but the prison.

12 MR DANIELS:

13 Q. When you got to the prison, did anything happen?

14 A. Well, we removed all the soldiers and took them to the  
09:50:37 15 rear.

16 Q. About how many soldiers were removed?

17 THE INTERPRETER: Your Honour -- the soldiers were many.

18 MR DANIELS:

19 Q. Can you give us an estimation of how many, 100, 500, 1,000?

09:51:06 20 Please tell us how many?

21 A. Well, the number was more than 3,000.

22 Q. And what happened to these 3,000 soldiers who were removed  
23 from Pademba Road Prison?

24 A. Well, the soldiers were taken to the State House, so they  
09:51:37 25 were all happy that day.

26 Q. And when you got to State House with the soldiers, how long  
27 did the soldiers stay at State House?

28 A. Soldiers, each time a soldier met with his colleague, he  
29 will be happy because he has become a free man, so I would not be

1 able to tell you, because we spent a long time there.

2 Q. And how long did the troops spend at State House?

3 A. We were there up to two weeks.

4 Q. Did anything happen in Freetown?

09:52:44 5 A. Yes.

6 Q. What happened?

7 A. One day, in January, the information minister, Julius  
8 Spencer -- people danced for peace. They came out. And over the  
9 media he told them, through the radio broadcasting station called  
09:53:10 10 98.1, he said anybody who came out was a rebel. So at the end of  
11 the day, the jets came, they ordered the jets that came and  
12 killed people in large number, along the Siaka Stevens Street and  
13 the Wellington Street area.

14 Q. Which people were killed along the Wellington Street area?

09:53:41 15 A. Poor civilians. Because they were clamouring for peace.

16 Q. About how many of them were killed?

17 A. I can't recall the number because a bomb was dropped on  
18 them. These people were put in the cart, and were taken for  
19 burial.

09:54:16 20 THE INTERPRETER: Correction. They were taken to the  
21 mortuary.

22 MR DANIELS:

23 Q. And apart from the killing of these civilians, did anything  
24 else happen in Freetown?

09:54:31 25 A. Well, as I am telling you, the Nigerian ECOMOG stood, they  
26 went into the offensive. They used the jet and bombarded from  
27 the sea and on land. So at the end of the day, they were at  
28 Wilberforce, they were bombarding from Wilberforce up, down to  
29 the stadium areas, UA building [phon]. So they caused a lot of



1 damage which made us to -- so to tell our commander that these  
2 people, if we look up to them, they will kill all the people  
3 because on our own side we are safe.

09:55:30 4 Q. When you say "They caused a lot of damage," what damage was  
5 caused?

6 A. These men were up Wilberforce and they would used 120mm  
7 bomb artillery.

8 Q. And I would like to know what kind of damage are you  
9 talking about that was caused as a result of the 120mm bomb?

09:56:00 10 PRESIDING JUDGE: Well, look, let's just get this straight.  
11 He said 120mm artillery, didn't he, and then before that he is  
12 talking about an ECOMOG jet, so which is it that caused the  
13 damage?

14 MR DANIELS: I will clarify.

09:56:19 15 THE WITNESS: Both sides. The both artillery. When I talk  
16 of the artillery, the jet is an artillery, the mortar is  
17 artillery. All of them are artillery. I am a soldier. I'm  
18 telling you something about a soldier.

19 Q. Mr Witness, where was the damage caused?

09:56:45 20 A. The damage was caused along, down by the Kingtom areas and  
21 the other happened along Campbell Street areas.

22 Q. Mr Witness, you said the troops stayed in Freetown for  
23 about two weeks. After these two weeks, did the troops go  
24 anywhere?

09:57:09 25 A. Yes.

26 Q. Where did they go?

27 A. When a soldier is pressurised, he has to withdraw.

28 Q. Please, where did you withdraw to?

29 A. We withdrew by the road we entered the city.

1 Q. To where exactly?

2 A. We withdraw back to Calaba Town.

3 Q. And for how long were you at Calaba Town?

4 A. We were there up to January 29 to 30.

09:58:01 5 Q. And at this time, who was in charge of the troops?

6 A. Still the overall commander was in charge, who was FAT.

7 Q. And from Calaba Town, did the troops go anywhere?

8 A. Yes.

9 Q. Where did they go to?

09:58:33 10 A. We withdrew to the military training base at Benguema  
11 barracks.

12 Q. Do you recall the exact date that you withdrew to Benguema  
13 barracks?

14 A. Finally, the 1st of February 1999.

09:59:01 15 Q. And for how long were the troops at Benguema Military  
16 Barracks?

17 A. Well, we were at Benguema for nearly a month. From there,  
18 we moved.

19 Q. Where did you move to?

09:59:27 20 A. When they attacked us, some troops came from Tombo, so we  
21 withdrew direct to Four Mile.

22 Q. Did you go to Four Mile yourself?

23 A. Yes.

24 Q. And at Four Mile, who was the commander of the troops?

09:59:52 25 A. Four Mile, FAT was the overall commander, but he was not at  
26 the point. He was not at the point section, but he left Junior  
27 Lion there as the commander to take care of that particular point  
28 section.

29 Q. And in the meantime, who was attacking the troops?

1 A. The Nigerian-led ECOMOG force and the Kamajors.

2 Q. And from -- Mr Witness, you just said that at Four Mile  
3 Junior Lion was in charge of the troops; how do you know that?

4 MR HARDAWAY: Objection, Your Honour. I believe it was  
10:01:19 5 asked and answered. He stated it was FAT who left Junior Lion in  
6 command.

7 MR DANIELS: I want to know how he knew that.

8 PRESIDING JUDGE: Yes, go on. No, I will overrule that  
9 objection. Go on. Ask the question.

10:01:35 10 MR DANIELS:

11 Q. How do you know that FAT left Junior Lion in command?

12 A. Anything that I'm telling the Court, I am a member of that  
13 particular operation to reinstall the national army of Sierra  
14 Leone. When FAT was addressing or called the muster parade, a  
10:02:03 15 soldier, anything that is being done will not be done -- it will  
16 be done openly. He would say, "You soldier, you are in command  
17 of this particular area." We were there when Junior Lion was  
18 appointed.

19 Q. So you were there. Thank you very much. From Four Mile,  
10:02:25 20 did the troops go anywhere?

21 A. The troop didn't go because we had to block them

22 Q. And what happened to you?

23 A. Nothing happened to me.

24 Q. And which troops did you block at Four Mile?

10:02:52 25 A. The soldiers, together with the commander, who was Junior  
26 Lion, we were there and we were at the point section while  
27 Commander FAT, was the overall commander, was at the rear.

28 Q. And how long --

29 PRESIDING JUDGE: Look, he still didn't answer the

1 question. Didn't you ask him which troops did he have to block?

2 MR DANIELS:

3 Q. Mr Witness, I'm going to repeat the question. The question  
4 was: Which troops were blocked at Four Mile?

10:03:30 5 A. This was the troop that had come from Freetown.

6 Q. Which faction did they belong to?

7 A. This was the Sierra Leone Army. This was the group.

8 Sierra Leone Army, who had come on the operation to Freetown,  
9 when they had attacked us and pressurised us, we withdrew, so it

10:04:07 10 was the same troop. They were informed -- they still moved up  
11 and we withdrew tactically because we needed to limit the  
12 casualty on our part, so it was the same group.

13 Q. And where did you withdraw to?

14 A. I told you that we came from Benguema. We came to Four  
10:04:40 15 Mile when the Nigerian-led ECOMOG were chasing us, so we were at  
16 Four Mile. That was our first combat camp and the headquarters  
17 was at the back.

18 Q. And for how long were you at Four Mile?

19 A. We were at Four Mile until they moved to take Corporal  
10:05:05 20 Foday Saybana Sankoh.

21 Q. Please explain what you mean you were at Four Mile until  
22 they moved to take Corporal Sankoh?

23 A. Yes. The United Nations sent a team to tell them that --

24 THE INTERPRETER: Please, Your Honour, can the witness go  
10:05:36 25 over that again.

26 MR DANIELS:

27 Q. Go slowly. Mr Witness, once again, can you go slowly so  
28 that your words can be interpreted for us?

29 A. We were at Four Mile. The United Nations sent a soldier

1 who came with a vehicle. He was an officer. He came. He was  
2 arrested. We disarmed him together with his CDF, who was there.  
3 We asked him what he had come to do there and he said he  
4 understood that we were there. So they said they needed  
10:06:22 5 negotiation from the international world. Then Junior Lion, as  
6 commander, said that, "I am not the overall commander. I am just  
7 the combat camp commander," but we had the commander who was in  
8 charge of the entire troop, who was FAT.

9 Q. Were you there when this was going on?

10:06:46 10 A. Yes.

11 Q. And after the negotiations, what happened?

12 A. What happened, the soldier and his officer, we left them  
13 and they returned. After they had returned, after a day or two,  
14 we saw a team from the UN, together with a religious man called  
10:07:20 15 Bishop Ganda [phon]. They went there with food, which comprised  
16 about 20 bags of rice, sugar, salt, palm oil, fish, et cetera, et  
17 cetera. So they had a meeting, but the meeting was a  
18 particular -- was a meeting for the Commander FAT. They sat and  
19 discussed.

10:07:51 20 Q. And after this meeting, and after the bringing of the food  
21 stuffs, did the troops move anywhere?

22 A. We never embarked on any operation because we were only  
23 listening to the commander in charge of the troops, who was FAT.

24 Q. And what about you, personally, did you go anywhere after  
10:08:16 25 Four Mile?

26 A. I didn't go anywhere. I was there up to the last day.

27 Q. When was the last day?

28 A. The day when, when the president, we got a message from the  
29 president's government saying that they -- they hadn't disbanded

1 the army. The army was still intact.

2 MR DANIELS: Your Honours, I have no further questions.

3 PRESIDING JUDGE: All right. Thank you. Any questions  
4 from the other Defence counsel?

10:09:23 5 MR GRAHAM Yes, Your Honours good morning, just a few  
6 questions for the witness.

7 CROSS-EXAMINED BY MR GRAHAM

8 Q. Good morning, Mr Witness.

9 A. Good morning, sir.

10:09:38 10 MR GRAHAM For the record, this is cross-examination,  
11 please, for the record.

12 Q. Mr Witness, you told this Court about a muster parade in  
13 Masiaka which was addressed by Johnny Paul Koroma, isn't it?

14 A. Yes, I did that.

10:10:02 15 Q. And during this muster parade, did you hear Johnny Paul  
16 Koroma order Operation Pay Yourself?

17 A. That is a wrong statement.

18 Q. Mr Witness, my question was -- please listen to the  
19 question and give me an answer, "yes" or "no." My question was:

10:10:26 20 During the muster parade in Masiaka that you told this Court  
21 about, did you hear Johnny Paul Koroma declare Operation Pay  
22 Yourself?

23 A. No.

24 Q. But did anyone at -- did any of the troops at Masiaka, did  
10:10:50 25 any of them tell you that they had heard Johnny Paul Koroma  
26 declare Operation Pay Yourself at Masiaka, Mr Witness?

27 A. No.

28 Q. Thank you, Mr Witness. Mr Witness, do you know one Alimamy  
29 Bobson Sesay, also known as Bobby?

1 A. I know him. He's called Yapo.

2 MR GRAHAM Your Honours, Yapo, I believe, is spelt  
3 Y-A-P-O.

4 Q. How do you know him, Mr Witness?

10:11:31 5 A. He is a friend to me. He was operating under one of the  
6 commanders, who was -- he was 2 IC under him. He was Keforkeh.

7 Q. Mr Witness, did you see Alimamy Bobson Sesay at Masiaka?

8 A. Bobson Sesay, I don't understand that name.

9 Q. Yapo -- I asked you earlier on Alimamy Bobson Sesay. You  
10:12:22 10 also told this Court he was known as Yapo and I'm saying did you  
11 see Yapo --

12 PRESIDING JUDGE: I'm sorry to interrupt, Mr Graham, but I  
13 think something needs clarifying here. If he doesn't know who  
14 Bobson Sesay is, then when you asked him about Alimamy Bobson  
10:12:41 15 Sesay and he said he is known as Yapo, well, he doesn't know who  
16 Bobson Sesay is, so he is talking about somebody called Alimamy,  
17 known as Yapo. It may not be Bobson Sesay.

18 MR GRAHAM Thank you I will clarify.

19 Q. Mr Witness I asked you earlier on in this Court whether you  
10:13:00 20 know one Alimamy Bobson Sesay, also known as Bobby. Do you know  
21 Alimamy Sesay also known as Bobby?

22 A. Yes, because the name, I first gave to you, Yapo, that is  
23 his house name. His nickname is Bobby.

24 Q. And is Bobby, whom you called Yapo, do you also know him as  
10:13:21 25 Alimamy Bobson Sesay; is he the same person?

26 A. I don't know that name.

27 Q. Okay. Thank you. Mr Witness, do you know one Alabama?

28 A. Yes.

29 Q. How do you know Alabama?

1 A. Alabama, I knew him as the chief security to SAJ Musa,  
2 late. May his soul rest in perfect peace.

3 Q. And, Mr Witness, and Alabama, do you know him by any other  
4 name? Apart from Alabama, do you know him by any other name?

10:14:17 5 A. I know him as Alabama.

6 Q. And did you see Alabama at Masiaka, Mr Witness?

7 A. Yes.

8 Q. And do you -- did you see him with anyone when you saw him  
9 at Masiaka?

10:14:37 10 A. Yes.

11 Q. Who did you see him with, Mr Witness?

12 A. He was with SAJ Musa.

13 Q. And, Mr Witness, how did you know -- you just told this  
14 court he was chief security officer, how did you know that he was  
15 chief security officer, that is Alabama?

10:15:54

16 A. Alabama, there wouldn't be anywhere SAJ Musa would go  
17 without moving with Alabama, because he was his personal  
18 security.

19 Q. Thank you, Mr Witness. And, Mr Witness, did you see Junior  
20 Lion at Masiaka?

10:15:54

21 A. Yes.

22 Q. And, Mr Witness, you also told this Court about Kurubonla,  
23 and I'm asking you, during the time that you were at Kurubonla,  
24 did you ever see Tamba Brima, the first accused in this matter,  
25 at Kurubonla?

10:16:08

26 A. No.

27 JUDGE SEBUTINDE: Mr Graham, this issue arose yesterday.  
28 We do not have any question on the record which shows that this  
29 witness knows personally any of the indictees.



1 MR GRAHAM Very well, Your Honour.

2 JUDGE SEBUTINDE: Are we to assume because they are all  
3 soldiers he thereby knew them? I don't think so.

4 MR GRAHAM Yes, Your Honour. That is why I referred to  
10:16:20 5 the first accused.

6 MR HARDAWAY: Excuse me, Your Honour, but I have in my  
7 notes that there is a record of the witness stating that he does  
8 know the first accused. So --

9 JUDGE SEBUTINDE: In that case then --

10:16:41 10 MR GRAHAM I am grateful for the assistance of my learned  
11 friend.

12 Q. And, Mr Witness, I asked you whether you ever saw Tamba  
13 Brima, the first accused in this matter at Kurubonla. Did you  
14 see him?

10:16:59 15 A. No.

16 Q. Mr Witness, I will take you briefly to Colonel Eddie Town.  
17 Which location was the last place you saw Tamba Brima, after you  
18 left Colonel Eddie Town, Mr Witness?

19 A. I saw him last at Colonel Eddie Town. He was a hostage.

10:17:31 20 Q. Thank you. And, Mr Witness, coming to Benguema, did you  
21 see Tamba Brima, the first accused in this matter, at Benguema?

22 A. No, sir.

23 Q. And, Mr Witness, Alabama, do you, did you see Alabama at  
24 Benguema?

10:17:51 25 A. Alabama was at Benguema.

26 Q. And, Mr Witness, do you know whether Alabama received any  
27 appointment at Benguema?

28 A. Alabama was with SAJ Musa. He was a personal security to  
29 SAJ Musa.

1 Q. My question was -- let me rephrase. Do you know whether,  
2 during the time you were at Benguema, Alabama received any  
3 promotion or appointment at Benguema?

4 A. No, sir.

10:18:39

5 Q. And, Mr Witness, my last few questions. During the --

6 JUDGE SEBUTINDE: Mr Graham, is that no, he doesn't know or  
7 no, he didn't receive an appointment?

8 MR GRAHAM

10:18:52

9 Q. Mr Witness, can you clarify for Court, what do you mean by  
10 "no" in response to the question asked whether Alabama received  
11 an appointment or promotion at Benguema?

12 A. Alabama was an ordinary soldier. He didn't have any  
13 appointment or position.

10:19:20

14 Q. Thank you. And, Mr Witness, during the time you were in  
15 the jungle coming to Freetown, did you ever hear that Tamba  
16 Brima, the first accused in this matter, had attained the rank of  
17 Brigadier-General?

18 A. No, sir.

10:19:44

19 Q. And during the time that you were in Colonel Eddie Town,  
20 did you hear that Tamba Brima, the first accused in this matter,  
21 had granted promotions to anyone in Eddie Town?

22 A. No, sir.

10:20:13

23 Q. And did you hear that he had given any appointments to any  
24 of the fighting forces when you got in Benguema? Did you hear  
25 that Tamba Brima had made any appointments or promotions to any  
26 of the fighting forces at Benguema?

27 A. No, sir.

28 Q. But did any of the fighting forces that you were with, did  
29 anyone of them tell you that they had heard that Tamba Brima had

1 made any promotions or appointments to any of the fighting forces  
2 at Benguema, Mr Witness?

3 A. No, sir.

10:20:55 4 Q. And, Mr Witness, thank you. And, Mr Witness, during the  
5 period that you were at Eddie Town, did you ever hear that Tamba  
6 Brima, the first accused in this matter, had caused the arrest of  
7 any individuals on the grounds that they were witches; did you  
8 ever hear that?

9 A. No, sir.

10:21:17 10 Q. But did any of the fighting forces that you were with at  
11 the time, did anyone of them tell you that they had heard that  
12 Tamba Brima had ordered the arrest of any individuals, because  
13 they were witches?

14 A. No, sir.

10:21:34 15 Q. Thank you, Mr Witness. And, Mr Witness, during the time  
16 that you said you saw Tamba Brima at Colonel Eddie Town, do you  
17 know whether he was ever in a position to make any promotions or  
18 appointments?

19 A. The man was a prisoner. He didn't have any hands in our  
10:22:05 20 operation.

21 Q. Thank you, Mr Witness.

22 MR GRAHAM Thank you, Your Honours, I don't have any  
23 further questions for this witness. I'm grateful for the time.

24 PRESIDING JUDGE: Thank you, Mr Graham Mr Manly-Spain,  
10:22:17 25 any cross-examination?

26 MR MANLY-SPAIN: Yes, Your Honour.

27 CROSS-EXAMINED BY MR MANLY-SPAIN:

28 Q. Mr Witness, good morning.

29 A. Good morning, sir.

1 Q. Mr Witness, do you know Santigie Kanu, the third accused in  
2 this matter?

3 A. I know him as a soldier.

4 Q. Thank you, Mr Witness. Mr Witness, when did you first know  
10:22:46 5 him?

6 A. Well, we had worked under the NPRC government under captain  
7 Strasser as bodyguards.

8 Q. Thank you, Mr Witness. Mr Witness, you have described your  
9 movement from -- the retreat from Freetown, after the overthrow  
10:23:16 10 of the AFRC until your return to Freetown, under the leadership  
11 of SAJ Musa and FAT Sesay. Did you at any time, Mr Witness,  
12 during that movement, see Santigie Kanu?

13 A. I think I have never seen him in any movements, because I  
14 never saw him.

10:23:49 15 Q. Thank you, Mr Witness. Mr Witness, I want you to remember  
16 your movement from Colonel Eddie Town to Freetown. Do you  
17 remember how long it took you to come to Freetown?

18 A. Well, it took us one-and-a-half weeks.

19 Q. Thank you, Mr Witness. Mr Witness, on your arrival in  
10:24:23 20 Freetown, you said you went to the State House.

21 A. Yes, sir.

22 Q. At the State House -- before I ask that question, do you  
23 know anyone called Gibril Massaquoi?

24 A. Gibril Massaquoi, I know him very well.

10:24:50 25 Q. Do you know what he was at that time?

26 A. We released that man from the prison remand.

27 Q. Thank you, do you know whether he belonged to any of the  
28 fighting forces in Sierra Leone at that time?

29 A. Well, when we released him, he was under us. He will

1 take -- any order or any appointment that would be given to him  
2 will be from Colonel FAT Sesay.

3 Q. Thank you. Do you know whether -- do you know before then,  
4 before you removed him from the prison whether he belonged to any  
10:25:41 5 force, fighting force in Sierra Leone?

6 A. Yes.

7 Q. Which force was that?

8 A. The RUF.

9 Q. Thank you. Do you know whether after he had been removed  
10:25:59 10 from prison by you, whether he went on any operation in Freetown?

11 A. Well, FAT Sesay gave him an operation to be with the  
12 platoon.

13 Q. And where was this platoon in Freetown?

14 A. Well, it was along the Nigerian embassy area, American  
10:26:34 15 embassy area.

16 Q. What do you mean by it was along -- what did he do there?

17 A. Well, they assigned him to deploy in that particular area,  
18 because during that time the fight had intensified, so he was  
19 given the platoon.

10:26:56 20 Q. Thank you. And do you know whether Gibril Massaquoi fought  
21 against the ECOMOG in Freetown?

22 A. Yes. Because if you are given a task you should carry out  
23 the operation.

24 Q. Thank you, Mr Witness. Mr Witness, you mentioned the BBC  
10:27:21 25 Radio and the programme called Focus On Africa; is that not so?

26 A. Yes.

27 Q. When you arrived in Freetown, did you hear Gibril Massaquoi  
28 giving an interview over the radio on Focus On Africa?

29 A. Well, at that time I was at the battlefield. So I was not

1 conversant with the radio.

2 Q. Thank you. May I ask you again: Did you hear FAT Sesay  
3 give an interview to the BBC on Focus On Africa?

4 A. Yes, it was, it was a commander who called BBC.

10:28:10 5 Q. And who was that commander who called BBC?

6 A. FAT Sesay.

7 Q. Thank you, Mr Witness. Mr Witness, my learned colleague  
8 asked you about Bobby. Whom you said was Yapo?

9 A. Yes. I don't know the question.

10:28:37 10 Q. Do you know whether this person was a soldier?

11 A. Bobby was a soldier.

12 Q. And do you know whether he was an other ranks or an  
13 officer?

14 A. In the Sierra Leone Army, he was an other rank.

10:29:07 15 MR MANLY- SPAIN: May it please Your Honour, the first  
16 accused is asking for leave to use the bathroom

17 PRESIDING JUDGE: Yes, Mr Brima can leave the Court.

18 MR MANLY- SPAIN:

19 Q. Mr Witness, during your movement to Freetown, from  
10:29:20 20 Kurubonla, did you see Bobby?

21 A. Bobby was a personal friend to me. I know him very well.  
22 We were all on the operation.

23 Q. And did you go on any personal operation with Bobby?

24 A. Yes.

10:29:47 25 Q. How many did you go on with him?

26 A. We went on operation, together with Bobby, from Samba. We  
27 went on operation with Bobby at Mange Bureh. I could not name  
28 because we came together to Freetown.

29 Q. Did you go on any operation with Bobby to Karina?

1 A. No.

2 Q. Do you know whether he went on any operation to Karina?

3 A. Well, as I have told the Court before, before any troops  
4 could move, they would call a muster parade and they would assign  
10:30:43 5 the men that would be going to that operation. He was assigned  
6 and he belonged to the team but he was a junior man. He went on  
7 that operation at Karina.

8 Q. Thank you, Mr Witness. Mr Witness, you told this Court  
9 that there were bombardments from Wilberforce and you said that  
10:31:07 10 there were damages to Kingtom and Campbell Street?

11 A. Yes.

12 Q. What were these damages?

13 A. Well, the damage from where people lived, these were  
14 houses.

10:31:32 15 Q. Thank you, Mr Witness. Mr Witness, did you, whilst you  
16 were in Freetown, go on any operation with Bobby to Kingtom where  
17 houses were burnt and people were killed?

18 A. No soldier burnt a house.

19 Q. That wasn't part of the question. Did you go on operation  
10:32:02 20 with him to Kingtom?

21 A. I was not with Bobby on that operation.

22 Q. Thank you, Mr Witness. Do you know whether there was any  
23 operation ordered for your troops to go and attack Kingtom?

24 A. Well, I was at State House when a team was formed to go to  
10:32:33 25 Kingtom

26 Q. What did you go there for? What did they go there for?

27 A. Well we had information that the Nigerian-led ECOMOG force  
28 were at Kingtom. They were crossing from Lungi to the Kingtom  
29 area.

1 Q. And you said a team was sent. What was it sent to do  
2 there?

3 A. Purely and solely to search for Nigerian soldiers.

4 Q. Did that operation take place?

10:33:12 5 A. Well, I didn't go on that operation, so, they dispatched  
6 the men and went on the operation.

7 Q. Thank you, Mr Witness. Mr Witness, did you later on hear  
8 that, during this operation, houses were burnt in Kingtom and  
9 people were killed? Houses were burnt in Kingtom by your troops?

10:33:47 10 A. They did not burn any house there.

11 Q. And did you later on learn that your troops killed people  
12 in Kingtom during this operation?

13 A. We don't kill civilians because we always went for military  
14 targets each time a soldier was sent out.

10:34:11 15 Q. Mr Witness, somewhere in evidence, you mentioned that you  
16 had families with you.

17 A. Yes.

18 Q. On your movement to Freetown, what happened to the  
19 families?

10:34:36 20 A. My mother, a Nigerian soldier hit her and killed her. They  
21 didn't do anything. They left her on the street.

22 Q. Where did that happen?

23 A. Along the Kissy Road.

24 Q. Okay. Mr Witness let me put the question again. I do not  
10:35:09 25 think you understand. I mean your troops, the troops you were  
26 with from Eddie Town; did your troops have their family members  
27 with them?

28 A. Some of them.

29 Q. And can you recall how many of these family members were



1 with you at Eddie Town?

2 A. Well, that was, I did not check on that to know who  
3 belonged to who, who belonged to the group. We were soldiers  
4 because we saw our brothers and their sisters, their brothers,  
10:35:59 5 some of them, their aunts.

6 Q. Thank you. Can you tell whether these people, these aunts,  
7 sisters, brothers, mothers, whether they were few or many?

8 A. There were many. There were many.

9 Q. Yes. When you were moving to Freetown, where were these  
10:36:30 10 people, civilians?

11 A. The civilians were at the back, rear, at the headquarter.  
12 The headquarter took care of them

13 Q. Mr Witness, was there any time when you put the civilians  
14 in front of you when you were going on any attack?

10:36:53 15 A. No, sir.

16 Q. I want to ask you specifically after Jui Junction. Did  
17 your troops put the civilians ahead of the -- let me go back  
18 again. You said that the troops that were attacking were led by  
19 who?

10:37:33 20 A. I did not get your question. I did not get --

21 Q. One of the groups, of your members, came ahead. They led  
22 the attack into Freetown.

23 A. I told the Court that we had a muster in the night. We  
24 were all -- we were all put into lines and this was the troop,  
10:38:13 25 the entire troop ran down to come to Freetown. We did not come  
26 in groups. We all came together, once and for all. We didn't  
27 come in bits.

28 Q. Thank you. When you were coming in that way, where were  
29 the civilians?

1 A. The civilians -- each time we moved, the civilians were at  
2 the rear; about three or four miles away from us.

3 Q. Specifically, when you were coming into Freetown, did you  
4 put the civilians ahead of you from Hastings coming into  
10:38:55 5 Freetown? Did you put them ahead of you when you were going to  
6 attack ECOMOG?

7 A. It never happened.

8 Q. Did you mix the civilians amongst the troops when you were  
9 going to attack?

10:39:20 10 A. We never mixed civilians with armed soldiers because it was  
11 a purely military operation.

12 Q. Thank you, Mr Witness. Mr Witness, on coming into  
13 Freetown, did you see civilians using matches to light up houses  
14 in the Calaba Town and Wellington area?

10:39:58 15 A. Well, after we had assaulted, what happened in the back, I  
16 would not tell.

17 Q. Thank you. Did you hear whether the civilians who were  
18 with you were given matches to light houses; did you hear about  
19 that, to burn houses?

10:40:30 20 A. We did not give any task to anybody to do anything, to  
21 civilians. We, the soldiers, did everything.

22 Q. Thank you, Mr Witness. Mr Witness, you said that whilst  
23 you were coming to Freetown, some RUF were with you?

24 A. Yes.

10:40:54 25 Q. Can you remember how many?

26 A. Well, before leaving, when SAJ Musa came, he came with some  
27 of them, about a company.

28 Q. Thank you. Do you know whether there was any RUF officer  
29 with them?

1 A. Yes.

2 Q. And who was that?

3 A. CO Nyaa, a signaller, radio operator.

10:41:33 4 Q. Please, I want you to just clarify. How many people are  
5 there in a company?

6 A. A company comprised three platoon in the military.

7 Q. I want to know the numbers. I'm lost.

8 A. The number, for any platoon -- it goes from a section to a  
9 platoon. Any platoon comprised 30 men, or 32, so definitely it  
10:42:03 10 could be 100 or 90.

11 Q. Thank you very much. Mr Witness, you said you also went to  
12 the prison at Pademba Road?

13 A. Yes.

14 Q. Was that on 6 January 1999?

10:42:40 15 A. Yes.

16 Q. Do you know whether, apart from the soldiers, other people  
17 were removed from the prison?

18 A. Yes.

19 Q. Do you know one Tina Musa?

10:43:03 20 A. Yes.

21 Q. Do you know who she was?

22 A. Tina Musa was SAJ Musa's -- late SAJ Musa's wife.

23 Q. And do you know whether she was one of the people removed  
24 from Pademba Road Prison on that day?

10:43:25 25 A. Yes.

26 Q. Mr Witness, on your retreat from Freetown, did you and the  
27 troops that were with you at any time stop at Kissy, in an area  
28 known as Kres yard?

29 A. That was just a tactical withdrawal, to find them a way.

1 Q. Yes. Did you stop there?

2 A. We stopped there just for a day.

3 Q. Did you see Santigie Kanu, the third accused, in that  
4 location?

10:44:20 5 A. No.

6 Q. Whilst you were there, did you -- was there any attack on  
7 your troops by ECOMOG jets?

8 A. Yes.

9 Q. And did anything happen after that attack?

10:58:24 10 A. Yes, something happened.

11 Q. What happened?

12 A. Soldiers and civilians were killed.

13 Q. And do you know the number of people who were killed after  
14 this attack?

10:58:24 15 A. I would not be able to recall the number, but soldiers and  
16 civilians were killed because it was an artillery.

17 Q. Thank you. Do you know whether it was a few or there were  
18 many people killed?

19 A. A mortar landed.

10:58:24 20 Q. Please just answer the question. Don't explain. Just  
21 whether there were a few or many?

22 A. There were --

23 THE INTERPRETER: Your Honours, the witness has just used  
24 the word "sufficient." I don't know what he means, sufficient.

10:58:25 25 PRESIDING JUDGE: Go ahead.

26 MR MANLY-SPAIN:

27 Q. Were there few or many?

28 A. [No interpretation].

29 Q. [Microphone not activated]

1           PRESIDING JUDGE: What was the answer, Mr Interpreter? We  
2 didn't hear the answer.

3           THE INTERPRETER: The number was over 12.

4           THE WITNESS: [No interpretation] which answer you ask for?

10:58:25 5           MR MANLY- SPAIN:

6           Q. No, never mind. Mr Witness, when you came to Freetown, on  
7 January 6th, where were the family members?

8           A. The families were at the rear.

9           Q. Did they also go to State House?

10:58:25 10          A. No. No, sir.

11          Q. Yes. Where -- did you stop anywhere, in Freetown?

12          A. They were placed somewhere where they were.

13          Q. Where was that?

14          A. All of them were in the area of PWD.

10:58:25 15          Q. Where is PWD?

16          A. Along Blackhall Road, to Ferry Junction area.

17          Q. Is that in Kissy?

18          A. It's in Kissy, Old Road.

19          Q. Thank you, Mr Witness. Mr Witness, on your retreat now  
10:58:25 20 from Kissy, you said you went to Calaba Town and then to  
21 Benguema -- Allen Town, Benguema; am I right?

22          A. Correct.

23          Q. On your retreat from Freetown, where were the families?

24          A. Families, we moved with them all. We went back during the  
10:58:26 25 withdrawal.

26          Q. Please just describe for me how you moved with them. You  
27 said originally, when you were coming to Freetown, you said the  
28 families were in the rear. They never mixed with you; is that  
29 not so?

1 A. Yes.

2 Q. Now, you say when you are going back, you moved with them  
3 all. I want you to explain that to me.

4 A. Automatically, when we were attacked at Kres yard, we  
10:58:26 5 withdrew down to Shell company. We informed everybody.  
6 Everybody was informed at the level of the fighting team. The  
7 fighting team was ahead and the civilians were at the rear, and  
8 they were giving -- they were placed at the rear, at the back,  
9 and that we were now moving back. They were at the rear until we  
10:58:27 10 withdrew and the fighting team was leading us as we went back.

11 Q. Thank you, Mr Witness. Mr Witness, did you, when you were  
12 going back, did you meet with any opposition or resistance  
13 from -- by ECOMOG troops?

14 A. Yes.

10:58:27 15 MR MANLY-SPAIN: May it please Your Honour, I have a few  
16 more questions. I don't know whether we can take the break.

17 PRESIDING JUDGE: We will take the break now. We'll resume  
18 at 5 past 11. Mr Witness, that warning I gave you yesterday,  
19 I'll remind you: Don't talk about this case or the evidence with  
10:58:27 20 anybody.

21 [Break taken at 10.50 a.m.]

22 [AFRC04OCT06B - MD]

23 [Upon resuming at 11.10 a.m.]

24 MR MANLY-SPAIN:

11:10:06 25 Q. Good morning, Mr Witness.

26 A. Good morning, sir.

27 Q. Mr Witness, whilst you were in Freetown with your troops  
28 under the command of FAT Sesay, do you know whether your troops  
29 attempted to go to Wilberforce Army Barracks?

1 A. Yes.

2 JUDGE SEBUTINDE: Mr Manly-Spain, we have not heard this  
3 witness call this man FAT Sesay, for the record.

4 MR MANLY-SPAIN: Sorry. Thank you.

11:10:44 5 Q. Mr Witness, I will go back. Do you know the surname of  
6 FAT?

7 A. FAT Sesay. He was the commander to me. I have known him  
8 for quite a long time.

9 Q. Thank you. Do you know his actual military rank?

11:11:08 10 A. His military rank was lieutenant when -- during the  
11 intervention.

12 Q. Thank you, Mr Witness. Mr Witness, whilst he was in  
13 command at State House, do you know whether any attack was  
14 planned on Wilberforce Army Barracks?

11:11:33 15 A. Yes.

16 Q. At the time, do you know who occupied the barracks?

17 A. I knew who, the people that were there.

18 Q. Who occupied the barracks?

19 A. The Nigerian-led ECOMOG force, headed by General Maxwell  
11:12:06 20 Khobe.

21 Q. Do you know whether this attack was ever embarked upon?

22 A. We were moved on that particular operation. I myself was  
23 there, the witness speaking to you now.

24 Q. And did -- do you know who led that operation?

11:12:30 25 A. The operation, we had Junior Lion, Tito, Junior Sheriff and  
26 other officers.

27 Q. When you went on this operation, do you know what happened?

28 A. Yes.

29 Q. Please tell the Court what happened.

1 A. Well, when we moved, we took flank by the Hill Cot Road;  
2 Hill Cot Road to Regent; Regent to along this area to climb by  
3 Wilberforce, by the barracks. But we moved up to the barracks  
4 area and what did we see? We saw the Nigerian-led ECOMOG force,  
11:13:36 5 the tanks and the troops they had and the commander, who was  
6 General Maxwell Khobe. He lined up his men and the civilians,  
7 who were our own people, the families of soldiers. They lay them  
8 on the ground. That gave us a cause to send a signal message to  
9 the State House that this operation -- we shall call off this  
11:14:04 10 operation because to take up this type of operation, the men have  
11 taken our people as hostages and there is no way, if we don't --  
12 if we attempt, they will die. So that is the reason why we  
13 withdrew.

14 Q. Thank you, Mr Witness. Mr Witness, you are familiar with  
11:14:25 15 the military barracks at Wilberforce, are you?

16 A. I am a Wilberforce boy, I talking to you here.

17 Q. At the time of the operation, apart from ECOMOG forces at  
18 Wilberforce, do you know whether there were any other people  
19 living at the barracks?

11:14:51 20 A. Our relatives were in the barracks and, at the end of the  
21 day, the Nigerian-led ECOMOG force was there by the signal area,  
22 which is OK Beach [phon].

23 Q. Okay. Mr Witness, I want you to clarify what you mean by  
24 "our people"?

11:15:18 25 A. The people, our relatives; we, the soldiers, with our  
26 fathers, our mothers, brothers, sisters, cousins, aunts, et  
27 cetera, et cetera. All children as well, they were at the pitch.

28 Q. Were they the people you saw put on the ground by the  
29 ECOMOG forces?



1 A. All the people who were in the barracks, because I speaking  
2 to you here, the witness, I know the terrain very, very well.  
3 The entire barracks' people were all assembled and brought, and  
4 we met the man talking, and that if these people shall attempt to  
11:16:08 5 launch any operation, you will suffer the consequences. So this  
6 message, we've heard it. I, as a soldier hearing this, we are  
7 fighting for the people, we are not fighting for anybody. So we  
8 decided to withdraw and we told the commander at the back.

9 Q. Thank you. Who do you refer to as the man telling the  
11:16:27 10 people?

11 A. General Maxwell Khobe, who was the overall commander who  
12 was addressing the troops and telling the people that we have  
13 understood that your children are almost coming near to us, and  
14 they have entered the State House and they have left the State  
11:16:48 15 House, and they have broken into the prison. So if any firing  
16 occur around this area, it will say it publicly, say, well, you  
17 that are here will suffer; who will die, will die.

18 Q. Thank you very much, Mr Witness. Mr Witness, I want you to  
19 go back to your retreat from Freetown, okay? You said to my  
11:17:18 20 learned friend that after the negotiation of Four Mile you did  
21 not go on any other operation; is that so? Am I right?

22 A. Yes, sir.

23 Q. But what I want to ask you now is: After -- first of all,  
24 how long did you stay at Four Mile?

11:17:41 25 A. Four Mile, we were there for nearly a month.

26 Q. Thank you. After that month, at Four Mile, did you go  
27 anywhere?

28 A. Yes.

29 Q. Where did you go to?

1 A. We withdrew and went as far as the area around Okra Hill.

2 Q. Thank you. Mr Witness, with whom did you go to the area  
3 around Okra Hill?

4 A. Well, FAT Sesay moved with us and asked us to withdraw  
11:18:42 5 because that route was the route we used to come in. So we  
6 withdrew and went around the jungle.

7 Q. Thank you. Apart from FAT Sesay, was there any other  
8 commander with you?

9 A. Yes.

11:19:02 10 Q. Can you name him or them?

11 A. There was Junior Lion, Junior Sheriff, yes. I could recall  
12 these brothers.

13 Q. Yes. Do you know one Kallay?

14 A. Foday Kallay, I know him as a soldier.

11:19:33 15 Q. Was he with you during this withdrawal to the area around  
16 Okra Hill?

17 A. Foday Kallay was not in the Freetown team. He was not  
18 there.

19 Q. Thank you. Mr Witness, please let us go back a little, or  
11:19:57 20 quite a bit to your time in the Northern Jungle. You have told  
21 this Court about the group that you were with under the command  
22 of SAJ Musa.

23 A. Yes, I was with a group.

24 Q. Thank you. Do you know whether there were any other groups  
11:20:27 25 of SLA soldiers operating, apart from SAJ Musa, in that area or  
26 any other area in the provinces?

27 A. Yes, I knew other groups.

28 Q. Did you or can you remember where these groups were  
29 operating?

1 A. Yes. We had a group headed by Brigadier Mani. We had  
2 another group which was headed by --

3 Q. Slowly. Slowly. Listen to the interpretation, please.

4 Yes, Brigadier Mani.

11:21:12 5 A. We had another group which was Akim. We had another group  
6 which was this officer, Jegbuay Musa.

7 MR MANLY-SPAIN: Jegbuay, I think, can be J-E-G-B-U-A-Y.

8 Q. Mr Witness, the group -- first of all, who was  
9 Colonel Mani?

11:21:54 10 PRESIDING JUDGE: He said brigadier.

11 MR MANLY-SPAIN: Oh, I'm sorry.

12 Q. Brigadier Mani. Who was Brigadier Mani?

13 A. That was our father. Brigadier Mani, he was trained in the  
14 Sierra Leone Army as a cadet officer. He was working at the  
11:22:15 15 defence headquarter until this time of this -- the time of the  
16 war in Freetown. We withdrew together with him and went with  
17 him. So I know him very well.

18 Q. Thank you. Mr Witness, do you know which area he was  
19 situated or operating?

11:22:39 20 A. He was at the back. SAJ Musa dispatched him to come.  
21 Because soldiers moved together, according to plan. He cannot  
22 move because he want to move. Each -- anything he wanted to do  
23 was according to plan. He was at the rear, controlling the  
24 Kabala area, while SAJ Musa --

11:23:08 25 Q. Thank you, Mr Witness. Mr Witness, the other person you  
26 mentioned was Akim. Who was -- do you know his full name?

27 A. I don't know Akim's full name but I know him. I have  
28 operated under him as an officer, myself and other ranks. I know  
29 him and that is the name I know for him. He was called Akim.

1 Q. Sorry. Was he a military officer in the Sierra Leone Army  
2 at the time?

3 A. Yes, sir.

4 Q. And can you tell what area he was operating in?

11:23:53 5 A. Akim, he was operating under Kono, Tongo.

6 Q. Thank you very much. Mr Witness, the other name you called  
7 was Jegbuay Musa; who was he?

8 A. Jegbuay Musa, he covered Makeni, Makeni jungle area, around  
9 Bumbuna.

11:24:38 10 Q. Was he a soldier?

11 A. He was an officer in the Sierra Leone Army.

12 Q. Do you remember what his rank was?

13 A. Yes.

14 Q. What was his rank?

11:24:53 15 A. He was a lieutenant in the Sierra Leone Army.

16 Q. During your time in the Northern Jungle before you came to  
17 Freetown, Mr Witness, did you come across the name of one Savage?

18 A. That name, I've never known that name. I don't know of any  
19 man called Savage.

11:25:21 20 Q. Or did you come across anyone called Staff Alhaji, a  
21 soldier?

22 A. I did not come across that name.

23 Q. Although you have said you have not come across them, but I  
24 want to ask you whether they were part of your group under SAJ  
11:25:44 25 Musa?

26 A. All the two men you've called, none belonged to the group  
27 to come on this particular operation to Freetown.

28 Q. Thank you very much. Mr Witness, you said that you  
29 retreated to the jungle around Okra Hills. Did you stay there

1 for any period of time?

2 A. We stayed there.

3 Q. Thank you. Can you remember how long you stayed there?

4 A. Well, we were there until a cease-fire was signed and the  
11:26:45 5 peace.

6 Q. Thank you, Mr Witness. Mr Witness, you have told this  
7 Court that you know Santigie Borbor Kanu. Do you know him also  
8 as Five-Five?

9 A. I don't have that number. I've never come across that  
11:27:04 10 soldier number.

11 Q. Okay. Thank you. But you know Santigie Borbor Kanu very  
12 well?

13 A. Yes.

14 Q. Thank you. Mr Witness, during this period, from the  
11:27:19 15 retreat from Freetown, the first time after the intervention, and  
16 your coming back to Freetown and you retreat again from Freetown,  
17 did you hear that Santigie Borbor Kanu was in command of any SLA  
18 troops?

19 A. That man was not part and parcel of our operation.

11:27:46 20 Q. Apart from the operation I'm talking about; did you hear at  
21 any time that he was commanding troops of SLA soldiers?

22 A. He had no commandship, command of any troops.

23 Q. Did you hear, Mr Witness, that at one time the first  
24 accused appointed him third in command of the troops who were to  
11:28:21 25 attack Freetown?

26 A. The second accused?

27 Q. No, no, no. I'm asking you whether the first accused, that  
28 is, Tamba Brima. Did you hear that Tamba Brima appointed the  
29 third accused, Santigie Kanu, to be his third in command at any

1 time during your movement to Freetown?

2 A. Tamba Brima was a prisoner of war. How could Tamba Brima  
3 partake in the military operation to come to install the Sierra  
4 Leone Army when he was not part of the team? He had no hands in  
11:29:05 5 that operation.

6 Q. Okay. Mr Witness, please, I know the question, although it  
7 may sound stupid, it is our job to put it, okay? Please be  
8 patient with us. Sometimes we have to ask questions that are  
9 obvious, okay? The answers are obvious, okay? Please just be  
11:29:26 10 patient. What I want to know: Did you hear that, at any time,  
11 Tamba Brima appointed Santigie Kanu to be his third in command of  
12 the troops that left Eddie town to come to Freetown?

13 A. I've told the Court that Tamba Brima was a prisoner. He  
14 had no hands in SAJ Musa's command. SAJ Musa took up the command  
11:29:58 15 structure.

16 Q. Mr Witness, I asked you a while ago about Tina Musa.

17 A. Yes.

18 Q. On January 6th, after the Pademba Road Prison was opened  
19 and prisoners were removed, did you see her?

11:30:31 20 A. Yes.

21 Q. Where did you see her?

22 A. He took SAJ Musa's wife, together with his children, five  
23 years and four years of age, and took them to the State House.

24 Q. Was that from Pademba Road Prison?

11:30:53 25 A. Yes.

26 Q. Do you know where this lady, Tina Musa, and the two  
27 children went, from State House?

28 A. Yes.

29 Q. Can you please tell this Court where they went to?

1 A. Late SAJ Musa's wife was with us when we withdrew, up to  
2 Benguema.

3 Q. After that, did you see her again?

4 A. Yes.

11:31:38 5 Q. Where did you see her?

6 A. She was with us at Four Mile.

7 Q. And after that?

8 A. She took a special -- FAT told her that if you wanted to  
9 go, where do you want to go. Then she said she was going to

11:32:05 10 Makeni. So he gave her a vehicle to take her to Makeni, together  
11 with her two children.

12 Q. Thank you very much, Mr Witness. Mr Witness, you mentioned  
13 that when you were coming to Freetown, there were a few RUFs and  
14 you said there were about 90; is that not so?

11:32:27 15 A. Yes.

16 PRESIDING JUDGE: Ninety to 100, I think he said.

17 MR MANLY- SPAIN: Much obliged, sir.

18 Q. Mr Witness, whilst you were coming to Freetown, did your  
19 troops have communication sets?

11:32:40 20 A. Yes.

21 Q. And where -- how many, do you know, that were with you --  
22 you had?

23 A. We had very qualified signal operator.

24 Q. Well, how many sets --

11:33:00 25 THE INTERPRETER: Your Honours, could the witness give me  
26 the number again?

27 THE WITNESS: We had about five communication signal sets,  
28 which was operating for each company.

29 MR MANLY- SPAIN:

1 Q. So just help me distribute them. Was there one with the  
2 headquarters' group?

3 A. One was with the HQ.

4 Q. And was there one with the troops at the rear?

11:33:29 5 A. We had one with -- for the women that were under  
6 protection.

7 Q. And where were the other three?

8 A. The three operated: The fighting team, the second, the  
9 second fighting team, and the third.

11:33:55 10 Q. Thank you, Mr Witness. Mr Witness, do you know whether at  
11 that time SAJ Musa was communicating with Mosquito in Kailahun or  
12 anywhere?

13 A. I, the witness speaking to you, I was always in the front  
14 of the operation, so I was not really familiar with what was  
11:34:23 15 happening at the back.

16 Q. Did anybody tell you that SAJ Musa was communicating with  
17 Mosquito?

18 A. SAJ Musa and Mosquito, they never communicated because they  
19 lacked communication.

11:34:45 20 Q. Please explain to you us what you mean by they lacked  
21 communication.

22 JUDGE SEBUTINDE: Mr Manly-Spain, your question was whether  
23 he heard.

24 MR MANLY-SPAIN: Yes.

11:34:58 25 JUDGE SEBUTINDE: Whether anyone told him

26 MR MANLY-SPAIN: Yes.

27 JUDGE SEBUTINDE: Why doesn't he answer that directly?

28 MR MANLY-SPAIN: Okay.

29 JUDGE SEBUTINDE: Rather than telling us his opinions.



1 MR MANLY- SPAIN:

2 Q. Please listen to the question again and say "yes" or "no,"  
3 if you can. Did anybody tell you that SAJ Musa was communicating  
4 with Mosquito?

11:35:22 5 A. I never heard that.

6 Q. After the separation of SAJ Musa and Superman, do you know  
7 whether there was any communication between them?

8 A. There was no communication between SAJ Musa and Superman.

9 Q. Do you know -- do you know whether there was any  
11:35:52 10 communication, when you were moving to Freetown, between SAJ Musa  
11 and any RUF commander?

12 A. Go over the question, please.

13 Q. I've asked you about SAJ Musa and Mosquito and SAJ Musa and  
14 Superman. Now it's about any other RUF commander. Do you know  
11:36:18 15 whether SAJ Musa was communicating with any other RUF commander?

16 A. All the RUF -- the only RUF commander with whom he had  
17 communication was the one with whom he was in the operation in  
18 coming to Freetown, who was CO Nyaa and CO Alfred.

19 Q. Thank you. I want to ask you now, with regard to those two  
11:36:48 20 RUF commanders you have spoken about, were they senior to SAJ  
21 Musa in the movement?

22 A. The men were subject under SAJ Musa's command.

23 Q. Does that mean it was SAJ Musa who was giving them orders?

24 A. Yes.

11:37:21 25 Q. Thank you very much. Mr Witness, when did you last see  
26 0-Five?

27 A. 0-Five, I last saw him when he was escorting SAJ Musa's  
28 wife Tina.

29 Q. Since that time, have you seen him up to the present?

1 A. I saw him again at the training centre at Benguema. At  
2 2000.

3 Q. When?

4 A. In 2000.

11:38:21 5 Q. Am I right to say you also went for the training?

6 A. I was in the BSA training of the British IMATT training.

7 Q. Thank you. Mr Witness, what about Colonel Eddie; when did  
8 you last see him?

9 A. Colonel Eddie, we lost him. May his soul rest in perfect  
11:38:53 10 peace. In -- at brewery, he was shot in his head and he died.

11 Q. Do you know who shot him?

12 A. Yes.

13 Q. Who shot him?

14 A. We encountered, during our withdrawal, around Natco  
11:39:20 15 factory, to brewery -- there, the Nigerian-led ECOMOG forces, who  
16 were at brewery compound, when they saw us coming, they opened  
17 fire on us, and he was in the front. So the bullet pierced him  
18 on the head and he dropped.

19 Q. Mr Witness, thank you. Mr Witness, when you say brewery do  
11:39:43 20 you mean the Sierra Leone Brewery at Wellington?

21 A. Yes.

22 Q. And when you say Natco factory, what do you mean? Is that  
23 the biscuit factory at Wellington?

24 A. Yes.

11:39:58 25 Q. Thank you. Mr Witness, when did you last see Junior  
26 Sheriff?

27 A. Junior Sheriff, I last saw him at Four Mile.

28 Q. Do you know where he is now?

29 A. Well, I wouldn't know where he is now, because I don't

1 know.

2 Q. Thank you. When did you last see Junior Lion?

3 A. Junior Lion, we operated until the last day, up to the day  
4 when they called the national military to come back. That was  
11:41:01 5 the time we all came together, came out together.

6 Q. Thank you, Mr Witness. Where did you operate with him till  
7 the last day?

8 A. The last day --

9 Q. Where, where? Where did you operate?

11:41:19 10 A. The area, we were at -- around Okra Hill.

11 Q. Did the place have a name?

12 A. Rogberi.

13 MR MANLY-SPAIN: We have had that spelling before, Your  
14 Honours.

11:41:47 15 Q. Do you know whether Rogberi had another name?

16 A. Well, the name -- the name given by Junior Lion, it was  
17 known as the West Side. They -- they founded a base. They gave  
18 the name West Side.

19 Q. How long were you there with Junior Lion?

11:42:15 20 A. I told the Court that I was there with Junior Lion up to  
21 the day they called for the cease-fire until the Lome Peace  
22 Accord was signed in Togo.

23 Q. Thank you, Mr Witness. During the period you were there  
24 with him, do you know who the commander of that place was?

11:42:37 25 A. Junior Lion was subject under FAT.

26 Q. So am I right to say that FAT was there?

27 A. Yes.

28 Q. Thank you, Mr Witness. Mr Witness, what about, have you  
29 heard of somebody called Tito?

1 A. Yes, may his soul rest in perfect peace.

2 Q. Do you know his name, his right -- is that his name or  
3 nickname?

4 A. He was called Sallay.

11:43:27 5 Q. Do you know his surname?

6 A. I'm not familiar with his surname.

7 Q. Okay. Was he at West Side?

8 A. Yes.

9 Q. And do you know whether anything happened to him there?

11:43:54 10 A. Yes.

11 Q. What happened to him?

12 A. Well, at that time, on the very sad day for the entire  
13 troop when the brother, late man, was shot on his leg. I  
14 speaking to you here, I was at the scene. Anyway, it's very

11:44:24 15 stressful on me.

16 Q. Who shot him?

17 A. One soldier.

18 Q. Mr Witness, whilst you were there, at West Side, did you  
19 have any communication with Sierra Leone government -- with the  
11:44:55 20 Sierra Leone government?

21 A. We and the Sierra Leone government, we did not talk  
22 directly. We had a link between the Sierra Leone government and  
23 us.

24 Q. What was the link?

11:45:24 25 A. The link came from the United Nations.

26 Q. And, as a result of that link, that talking, did anything  
27 happen?

28 A. Yes, something happened.

29 Q. Thank you. What happened?

1 A. That day, one Mr Colonel Jamil, a Nepalese observer, a  
2 military observer, came to the camp and told us that, gentlemen,  
3 this time we have -- we understand that you are here and you've  
4 allowed me to come to you several times. Then we said, "Yes."  
11:46:14 5 We said, "Mr Jamil, what is your problem"? Then he said, "I have  
6 come to issue you these papers." Then they said we should go to  
7 the NCDDR. Then we said we were not civilians. We want to go  
8 and tell the people that we were soldiers, we will want to go  
9 back as soldiers. So the man went back, took the message and so  
11:46:42 10 we would want you to come with Francis Okelo, the UN  
11 Secretary-General representing the UN ambassador here. He went  
12 and delivered the message. The message went down. So, from  
13 there, when he went -- we had children. We have 300 children to  
14 give them. We were child combatants. He said, "Yes, we would  
11:47:11 15 want you to come with journalists and other NGOs; come so that we  
16 will hand over these children to you." So they came. When they  
17 came, the team, they came with Bishop Biguzzi and the UN  
18 spokeswoman, Noviki [phon], and the Nigerian force, about a  
19 platoon, headed by Major Tanko. At that point, FAT was at the  
11:47:51 20 rear, at the base, and asked Junior Lion to come over to conduct,  
21 to take part in the meeting. But, at the meeting, we arrested  
22 the entire men who came for that discussion. When, to put our  
23 case across to the international world, to see to our demand that  
24 our soldiers, in the jungle, we don't want any fight again. We  
11:48:20 25 wanted peace. So, at the end of the day, we arrested the people,  
26 brought them to our base. And the Nigerians, one platoon under  
27 arrest; their major, who was Tanko; and their intelligent  
28 officer, I don't know his name, all of them were there. And,  
29 later, we released the major, the intelligent, we released

1 Noviki, the spokeswoman of the UN, and we left Bishop Biguzzi to  
2 go and -- to carry the message that we, the soldiers, want to  
3 come out.

4 Q. Thank you. Mr Witness, you have referred to the Lome Peace  
11:49:06 5 Accord a number of times; is that not so?

6 A. I did not get you clear, sir.

7 Q. In the course of your evidence and during the time I was  
8 asking you, earlier when I was asking you questions, you referred  
9 to the Lome peace agreement?

11:49:25 10 A. Yes.

11 Q. Do you know, Mr Witness, whether anybody in your group  
12 attended the talks that led to the agreement?

13 A. The agreement during the peace accord, we had no  
14 representation as the army.

11:49:54 15 Q. Do you know whether that was an agreement signed between  
16 the government of Sierra Leone and the RUF?

17 A. Well, we got it from the media that the peace accord has  
18 been signed between Lance-Corporal Saybana Sankoh and his  
19 excellency Dr Ahmad Tejan Kabbah of Sierra Leone.

11:50:24 20 Q. Thank you, Mr Witness. Mr Witness, just to round up now, I  
21 want to ask you some -- a few questions. During the time you  
22 were at West Side, was the second accused the commander of West  
23 Side, that is, Ibrahim Kamara?

24 A. I am telling the Court that it was Mr FAT Sesay, who was in  
11:51:01 25 control up to the time when we were called.

26 Q. Thank you. Mr Witness, you mentioned something about 300  
27 child combatants.

28 A. Yes.

29 Q. Did you have 300 child combatants at West Side?

1 A. Yes, with prisoners of war.

2 Q. No, I want you to answer the question. 300 children as  
3 combatants at the West Side?

4 A. The 300 include some abductees, from Freetown.

11:51:49 5 Q. Were you present when these abductions took place?

6 A. Well, different people are captured. I was not everywhere,  
7 because I was not place -- I did not ask anybody how many people  
8 the person captured. All I know, that I was an intelligent man.

9 I was on the intelligence side and at the end of the day I had to  
11:52:19 10 submit a report.

11 Q. Thank you. When these abductions were taking place, on  
12 your retreat from Freetown, who was in command of your troops?

13 A. When we were withdrawing from Freetown?

14 Q. [Microphone not activated]

11:52:40 15 A. FAT Sesay was the commander.

16 Q. I will ask you, it will sound stupid again, but was it the  
17 first accused who was your commander - just "yes" or "no" - at  
18 the time you were retreating?

19 A. Not at all.

11:52:59 20 Q. Was it the second accused?

21 A. Not at all.

22 Q. Was it the third accused?

23 A. Not at all.

24 Q. Thank you, Mr Witness.

11:53:22 25 PRESIDING JUDGE: Sorry, I didn't realise you were still  
26 speaking, go ahead.

27 MR MANLY- SPAIN: I can wait for you, Your Honour.

28 PRESIDING JUDGE: No, no, go ahead, please.

29 MR MANLY- SPAIN: Thank you.

1 Q. Were these children released?

2 A. We released them.

3 Q. And do you know whether any of the three accused took part  
4 in the release of these children?

11:53:50 5 A. They were not part and parcel of the war operation. They  
6 were not there.

7 Q. Okay. Mr Witness, when you say that you were there until  
8 the Lome Peace Agreement was signed, that is, you were at West  
9 Side until that time, do you mean you were there until some time  
10 in July 1999?

11:54:20

11 A. Yes.

12 Q. After that, Mr Witness, did you take part in any other  
13 operation with the members of your group?

14 A. I did not take part because I had been shot by then.

11:54:47

15 Q. And where did you go to after that?

16 A. I was under medical treatment at that time.

17 Q. Okay. Mr Witness, these child combatants, do you know  
18 whether they were trained to fight?

19 A. They had nothing to do with our operation, so we had no  
20 military information to give to them.

11:55:15

21 Q. Do you mean they were not trained to fight?

22 A. We did not train them to fight.

23 Q. During these operations, your operation from Kurubonla to  
24 Freetown, do you know of any training camp organised by SAJ Musa,  
25 or your troops, for civilians?

11:55:39

26 A. As you asked this question, I was the first batch that was  
27 dispatched from Rosos -- from Kurubonla, to Rosos, so I don't  
28 know what was happening at my back after I had left.

29 Q. Did you hear of any such training camp?



1 A. Did not hear anything about a training camp.

2 Q. You were at Rosos you say. You were the first group that  
3 went to Rosos. Were you there until the rest of the troops met  
4 you? Until the rest of the troops arrived?

11:56:33 5 A. The second troop that came did not meet us at Rosos.

6 Q. While you were at Rosos, was there a training camp for  
7 civilians at Rosos?

8 A. We had no training camp for civilians.

9 Q. Thank you, Mr Witness.

11:57:09 10 MR MANLY-SPAIN: That is all for the witness.

11 PRESIDING JUDGE: Thank you, Mr Manly-Spain. Yes,  
12 Mr Hardaway.

13 CROSS- EXAMINED BY MR HARDAWAY:

14 MR HARDAWAY: Thank you, Your Honours.

11:57:35 15 Q. Mr Witness, good afternoon, sir. Good morning, still.

16 Good morning, sir.

17 A. Good morning, My Lord.

18 Q. I have some questions for you today, sir, and I just want  
19 you to listen carefully and then answer them as concisely and as  
11:57:53 20 truthfully as possible; okay?

21 A. Okay.

22 Q. Now, a lot of times the answer can be a straightforward  
23 "yes, " "no, " or "I don't know. " Do you understand?

24 A. I've heard.

11:58:14 25 Q. And if it requires an explanation, I will ask you for the  
26 explanation. All right? No need to volunteer. All right?

27 A. Yes.

28 Q. Thank you, sir. I want to take you back to the beginning  
29 of your evidence, sir, about your military training. You stated

1 that you received four months of military training in 1991; is  
2 that correct?

3 A. Correct.

4 Q. And you also stated that you received no training on the  
11:58:53 5 laws of war; do you remember that?

6 A. Yes.

7 Q. Now, you were never taught during your training to kill  
8 unarmed civilians, were you?

9 A. Yes.

11:59:22 10 Q. Yes, you agree with me that you were not taught to kill  
11 unarmed civilians; is that correct, sir?

12 A. I was -- I was taught that I shouldn't kill unarmed  
13 civilians.

14 Q. You were never taught to rape women, were you?

11:59:46 15 A. They taught me that.

16 Q. They taught you to rape women or they taught you not to  
17 rape women?

18 A. They never taught me to rape a woman.

19 Q. And they never taught you, as a soldier, to burn down  
12:00:12 20 houses, did they?

21 A. They taught me.

22 Q. They taught you not to burn down houses; is that correct?

23 A. Correct.

24 Q. They also taught you not to abduct civilians, didn't they?

12:00:42 25 A. Correct.

26 Q. And you were taught, in your military training, not to do  
27 these things because they were wrong; isn't that right?

28 A. Yes.

29 Q. Thank you, Mr Witness. Now, you had stated in your

1 evidence that you were attached to Captain Paul Thomas; is that  
2 correct?

3 A. Yes.

4 Q. How soon after the coup were you attached to Captain Paul  
12:01:28 5 Thomas?

6 A. Well, three days ahead, when we were lined up at  
7 Wilberforce, then they dispatched me and I was deployed to him,  
8 to be his bodyguard.

9 Q. What was Captain Paul Thomas's job, sir?

12:02:00 10 A. The role of Captain Paul Thomas, he later became the second  
11 spokesman of the AFRC.

12 Q. But before that, what was his job, sir?

13 A. He was working at the military defence headquarters.

14 Q. Now, Mr Witness, you had answered to one of the questions  
12:02:37 15 of my learned friends, that you did not know all of the names of  
16 the people who overthrew the SLPP government; do you remember  
17 that?

18 A. I told him that I knew some, but I didn't know some.

19 Q. Okay. Now, among the names that you said you knew were  
12:03:04 20 Adams, Zagalo and Gborie. You remember saying that yesterday;  
21 right?

22 A. Yes.

23 Q. And you also said that these people were sportsmen, weren't  
24 they?

12:03:17 25 A. Yes.

26 Q. These people, they played football, didn't they?

27 A. I don't know what particular sporting event they were  
28 doing, but they were sportsmen.

29 Q. Have you ever seen these men before, sir? Have you ever

1 seen them engaging in sports?

2 A. The only man I knew as a sportsman that was playing  
3 football was Zagalo.

4 Q. Thank you, Mr Witness. Now, during your time in Freetown,  
12:04:05 5 with Captain Paul Thomas, had you ever heard of the term  
6 "honourables"?

7 A. Well, I wasn't too familiar with that name.

8 Q. Had you ever heard it before, sir?

9 A. As I told you, I was not familiar with those names, because  
12:04:35 10 I didn't have any time to move around the city.

11 Q. I put it to you, sir, that honourables were the people who  
12 overthrew the Kabbah government; what is your response, please?

13 PRESIDING JUDGE: Well, I think that was a question,  
14 Mr Hardaway, that had been objected to before and it's probably a  
12:04:59 15 confusion of time because were they honourables when they  
16 overthrew the Kabbah government or --

17 MR HARDAWAY: I can clarify, Your Honour. I can clarify.

18 Q. After the Kabbah government was overthrown, during the AFRC  
19 government, are you with me so far, sir?

12:05:19 20 A. I am listening carefully.

21 Q. Okay. During the AFRC government, did you ever hear the  
22 term "honourables"?

23 A. Well, I used to hear those names, but I didn't know the  
24 people themselves.

12:05:44 25 Q. I put it to you, sir, that the people in the AFRC  
26 government named honourables, were those people who overthrew the  
27 Kabbah government. What is your response?

28 A. Well, I was with my commander, Paul Thomas, so I didn't  
29 have -- I didn't have any dealings with those men.

1 Q. Alex Tamba Brima, the first accused, was an honourable,  
2 wasn't he?

3 A. I've never met him since the AFRC takeover.

4 Q. I'm not asking if you met him, sir. Please listen  
12:06:35 5 carefully. I am putting it to you that Alex Tamba Brima, the  
6 first accused, was an honourable and thus responsible for the  
7 overthrow of the Kabbah government; what is your response?

8 MR MANLY- SPAIN: Two questions, Your Honour.

9 THE WITNESS: I didn't hear about that, sir.

12:06:59 10 PRESIDING JUDGE: Well, he didn't hear about it. Is he  
11 answering both questions or one of them?

12 MR HARDAWAY: I'll break it up, Your Honour.

13 Q. I put it to you, witness, that Alex Tamba Brima, the first  
14 accused, was an honourable; what is your response?

12:07:17 15 A. Well, if he was on honourable it was not to my own  
16 knowledge.

17 Q. I put it to you that Alex Tamba Brima was one of those  
18 responsible for the overthrow of the Kabbah government; what is  
19 your response?

12:07:40 20 A. The men I knew as an honourable were men like Adams and  
21 Zagalo and Gborie. These were the men whose names I was familiar  
22 with.

23 Q. I put it to you, sir, that Ibrahim Bazzy Kamara, the second  
24 caused, was an honourable; what is your response?

12:08:01 25 A. Well, I cannot tell.

26 Q. I put it to you, sir, that Ibrahim Bazzy Kamara was one of  
27 those responsible for the overthrow of the Kabbah government;  
28 what is your response?

29 A. No, no, no, no.

1 Q. I put it to you, Mr Witness, that Santigie Borbor Kanu,  
2 also known as Five-Five, was an honourable; what is your  
3 response?

4 A. I'm not familiar with that particular name.

12:08:48 5 Q. I put it to you, Mr Witness, that Santigie Borbor Kanu,  
6 also known as Five-Five, was one of those responsible for the  
7 overthrow of the Kabbah government; what is your response?

8 A. Well, he wasn't there because I didn't hear his name.

9 Q. Thank you, Mr Witness. I want to move on now to Masiaka.  
12:09:14 10 You had stated in Masiaka that Johnny Paul Koroma said that there  
11 was no more AFRC; is that correct?

12 A. Correct, sir.

13 Q. And he also -- according to your evidence, he also said  
14 that the troops should not go to the east and the south because  
12:09:35 15 they were not safe; is that also correct?

16 A. Correct, sir.

17 Q. I put it to you, Mr Witness, that Johnny Paul Koroma, in  
18 his address to the troops, stated that they should make a  
19 defensive stronghold in Kono; what is your response?

12:09:54 20 A. Johnny Paul didn't make that statement.

21 Q. I also put it to you, sir, that during that address Johnny  
22 Paul Koroma mentioned Operation Pay Yourself; what is your  
23 response?

24 A. He didn't say that because I was there.

12:10:20 25 Q. I also put it to you, Mr Witness, that when he made these  
26 statements, he was not in Masiaka, but that he was in Makeni;  
27 what is your response?

28 A. I want to tell the lawyer that he wasn't there where this  
29 man was making the speech. He is lying.

1 MR MANLY-SPAIN: May it please, Your Honour, I don't know.  
2 We have a little bit of a problem. I believe my learned friend  
3 prefaced his questions: Were you at Masiaka, and whilst you were  
4 there, Johnny Paul made such a statement. I don't know whether  
12:10:57 5 these are different -- these are different things being put to  
6 the witness, that he didn't make them at Masiaka, but at Makeni.  
7 I think counsel should clarify.

8 MR HARDAWAY: I will clarify.

9 PRESIDING JUDGE: Yes.

12:11:13 10 MR HARDAWAY:

11 Q. Mr Witness, I put it to you -- let me go back. I put it to  
12 you, Mr Witness, that Johnny Paul Koroma made -- gave a statement  
13 to the troops that they should make a defensive stronghold in  
14 Kono, and that if you say otherwise, you are lying; what is your  
12:11:35 15 response?

16 A. I want to tell the lawyer that Johnny Paul Koroma didn't  
17 make -- didn't make such a statement to the entire army that was  
18 lined up. He only gave a briefing that all Sierra Leonean  
19 soldiers should know that the soldiers were finally dislodged.  
12:12:14 20 So, for their own safety, they should take the northern area, but  
21 the east, the west and the south were not safe for any soldier.

22 Q. I put it to you, Mr Witness, that Johnny Paul Koroma did  
23 mention Operation Pay Yourself and, if you say otherwise, you are  
24 lying. What is --

12:12:31 25 PRESIDING JUDGE: Well, Mr Hardaway, I don't think that is  
26 fair to call him a liar in anticipation of his answer.  
27 Perhaps --

28 MR HARDAWAY: He had already testified earlier, Your  
29 Honour, that Johnny Paul Koroma never said Operation Pay

1 Yourself. So I'm just putting the case to him that way.

2 PRESIDING JUDGE: You can put it to him, and once you have  
3 his answer, you can then make some comments on his credibility or  
4 otherwise.

12:12:54 5 MR HARDAWAY: I will backtrack, Your Honour.

6 PRESIDING JUDGE: But to ask him if he says otherwise, he's  
7 a liar, is anticipating his answer.

8 MR HARDAWAY: Very well, Your Honour.

9 Q. I put it to you, Mr Witness, that Johnny Paul Koroma  
10 declared Operation Pay Yourself; what is your response?

11 MR DANIELS: Where? Perhaps he could be specific.

12 MR HARDAWAY: In Makeni.

13 Q. I put it to you that Johnny Paul Koroma declared Operation  
14 Pay Yourself in Makeni; what is your response?

12:13:26 15 A. I just want to tell the lawyer and this Court that Major  
16 Johnny Paul Koroma made a speech only from Freetown withdrawing  
17 to Masiaka. After Masiaka, he never spoke to any soldier any  
18 more.

19 Q. I put it to you, Mr Witness, that you are lying; what is  
12:13:49 20 your response?

21 A. I just want to tell the Court that the lawyer was not at  
22 the scene and I, who is talking to him, as a witness, I was at  
23 the muster parade that morning, so I don't want to embarrass him,  
24 so he should just keep cool.

12:14:14 25 Q. I am fine, Mr Witness. Thank you.

26 PRESIDING JUDGE: Just a minute, Mr Hardaway. Mr Witness,  
27 counsel here is simply doing his duty, and your duty is to answer  
28 his questions. You don't have to hand out any cautions to him on  
29 any matter. Just answer his questions. Go ahead, Mr Hardaway.



1 MR DANIELS: Your Honours, I think perhaps the witness is  
2 feeling offended by the constant reference to him being a liar, a  
3 liar, a liar. Maybe, for this particular witness, you could tell  
4 him he is not being truthful. Maybe he takes exception to that  
5 particular word.

12:14:56

6 MR HARDAWAY: I appreciate my learned friend's advice, Your  
7 Honour, but this is my cross-examination and to use whatever  
8 language deemed appropriate, as long as it does not offend the  
9 sensibilities of the Court. I have used that term throughout  
10 most of my cross-examinations here and, if he is offended, then,  
11 while that is regrettable, and I don't mean to cause him  
12 distress, I am doing my job and putting my case to him.

12:15:08

13 PRESIDING JUDGE: Yes, go ahead, Mr Hardaway.

14 MR HARDAWAY: Thank you, Your Honours.

12:15:25

15 Q. I will move on, Mr Witness. You had stated that it was in  
16 Mongo Village that SAJ Musa told the troops that President Kabbah  
17 had disbanded the army; is that correct?

18 A. Correct, sir.

19 Q. He also said at that meeting that the army should be  
20 reinstated at all costs, didn't he?

12:15:49

21 A. Correct, sir.

22 Q. And it was at this point that SAJ Musa set up his military  
23 structure; is that correct?

24 A. Correct, sir.

12:16:13

25 Q. I put it to you, sir, that it was at Colonel Eddie Town  
26 where SAJ Musa made these comments and not Mongo Village; what is  
27 your response?

28 A. SAJ Musa had been dispatched. He organised the force in  
29 order to look for a base in the northern area.

1 Q. Mr Witness, what was the military structure that was set up  
2 by SAJ Musa?

3 MR DANIELS: Where? Could you be specific, please?

4 MR HARDAWAY:

12:16:57 5 Q. You stated that it was in Mongo Village, sir, where SAJ  
6 Musa made these comments and where he set up the military;  
7 correct?

8 A. The military structure heading for Freetown.

9 Q. No, I'm not saying that he went to Freetown, sir. You said  
12:17:20 10 that SAJ Musa, at Mongo Village, said the army should be  
11 reinstated at all costs; correct?

12 A. Please repeat the question.

13 Q. It is your evidence, sir, that, at Mongo Village, SAJ Musa  
14 said that the army has been disbanded; is that correct?

12:17:44 15 A. Yes.

16 Q. And you also said that, at Mongo Village, SAJ Musa said  
17 that the army should be reinstated at all costs; correct?

18 A. Correct, sir.

19 Q. And is it your evidence that it was at Mongo Village that  
12:18:07 20 SAJ then set up his military structure; is that correct?

21 A. Correct.

22 Q. It is that military structure I want you to describe, sir.  
23 Please describe that military structure that SAJ Musa set up.

24 A. He summoned the senior officers, who were Sierra Leone Army  
12:18:44 25 officers, including FAT. He called Eddie. He called Mr Paul  
26 Thomas. I can remember these people.

27 Q. Now, what did SAJ Musa do after he called these people,  
28 sir?

29 A. He called them and he called the entire troop. Later, he

1 lined us up and said, "Gentlemen, now, as the broadcasting  
2 station has announced from 99.9, now the national army has been  
3 disbanded by the President."

12:19:42 4 Q. Mr Witness, Mr Witness. Remember what I'd asked you at the  
5 beginning: Just please answer the question. The question is,  
6 and perhaps it's my mistake, and I'll clarify that: After he had  
7 the meeting with the other officers, what did he do as it related  
8 to the military structure?

12:20:15 9 A. Well, we lined up. He divided us according to platoon,  
10 making up a company.

11 Q. So how many companies were there?

12 A. We had four companies.

13 Q. So you would say you had -- I will scratch that. And each  
14 company had a commander?

12:20:37 15 A. Yes.

16 Q. And how many platoons were there?

17 A. Each company comprised three platoons.

18 Q. MR HARDAWAY: With the Court's indulgence for one moment,  
19 please.

12:21:02 20 [Counsel conferred].

21 MR HARDAWAY: I thank the Court. Could you repeat your  
22 answer again, Mr Witness, I'm sorry, I didn't catch that.

23 A. Three platoons.

24 Q. In each company?

12:21:24 25 A. Yes.

26 Q. And each platoon had their own commander as well, didn't  
27 they?

28 A. Yes.

29 Q. Now, other than the four companies, who was the overall

1 commander?

2 A. SAJ Musa.

3 Q. And who were the senior officers under SAJ Musa?

4 A. He had FAT and --

12:22:04 5 Q. What was that FAT's position?

6 A. He didn't have a specific position yet.

7 Q. And other than FAT, who else?

8 A. Paul Thomas.

9 Q. And what was his position in this military structure?

12:22:22 10 A. Paul Thomas was the second in command to SAJ Musa.

11 Q. And who was immediately below Paul Thomas?

12 A. FAT Sesay.

13 Q. And what was his position?

14 A. He didn't -- he didn't have any appointment by then.

12:22:56 15 Q. Who was below FAT?

16 A. It was Eddie, the late man.

17 Q. And what was his position?

18 A. He hadn't any appointment then.

19 Q. Now FAT and Eddie, did they get an appointment later on?

12:23:23 20 A. They got appointment later.

21 Q. How soon after this military structure that you testified

22 to did FAT and Eddie receive specific appointments?

23 A. It took just up to two days.

24 Q. And after those two days what was Eddie's appointment?

12:24:02 25 A. He called up saying that he needed to dispatch a team

26 That was when he gave them this appointment.

27 Q. Thank you, Mr Witness. Now, you also stated in your

28 evidence that it was in Kurubonla that SAJ Musa sent out troops

29 to find the base at Rosos; is that correct?

1 A. Correct, sir.

2 Q. I put it to you, sir, that the troop that found Rosos did  
3 not come from Kurubonla but from Mansofinia; what is your  
4 response, please?

12:24:53 5 A. It's not correct, sir.

6 MR HARDAWAY: If I may have the Court's indulgence for just  
7 one more moment, please.

8 [Counsel conferred]

9 MR HARDAWAY: Again I thank the Court.

12:25:41 10 Q. Now, it is your evidence, sir, that it was FAT that led the  
11 troops to Rosos Town, to find Rosos; is that correct?

12 A. That is correct, sir.

13 Q. I put it to you, sir, that it was the first accused Alex  
14 Tamba Brima who led the troop to find Rosos; what is your  
15 response?

12:26:08

16 A. That is not correct, sir.

17 Q. I put it to you, sir, that you are lying; what is your  
18 response to that?

19 A. Well, I do have come here for the truth, to say the truth  
20 in this Court.

12:26:26

21 Q. Now, you stated that FAT was the overall commander in  
22 Rosos; is that correct?

23 A. Yes. FAT was the overall commander.

24 Q. I put it to you, sir, that it was the first accused, Alex  
25 Tamba Brima, who was the overall commander in Rosos; what is your  
26 response?

12:26:48

27 A. Well, at that time, when we came, we didn't have any member  
28 of AFRC. We only had military structured men.

29 Q. You said you had no men of the AFRC, so, Alex Tamba Brima

1 was an AFRC man, wasn't he?

2 A. I told the lawyer that the time we were dispatched, when we  
3 came to Camp Rosos, we didn't have any member of the AFRC at Camp  
4 Rosos.

12:27:42 5 Q. Mr Witness, listen to my question, please. Alex Tamba  
6 Brima, the first accused, was an AFRC man, wasn't he?

7 A. If he wasn't an AFRC man that is what I want to know, the  
8 question.

9 Q. I'm asking you, I'm asking you, Alex Tamba Brima was an  
12:28:09 10 AFRC man, wasn't he? "Yes," "no" or "I don't know"?

11 A. Well, I don't know whether he was part of that particular  
12 council.

13 Q. I didn't ask you about council -- now, which council are  
14 you referring to, sir, when you say council?

12:28:30 15 A. I'm talking about the AFRC.

16 Q. Do you mean the Supreme Council?

17 A. I don't know.

18 MR MANLY-SPAIN: Objection. Objection. The answer is  
19 clear; Armed Forces Revolutionary Council. He said I'm talking  
12:28:47 20 about that council.

21 PRESIDING JUDGE: All right. Well, why can't the witness  
22 answer that?

23 MR HARDAWAY: And it's cross-examination. It's not a  
24 common witness, Your Honour.

12:28:55 25 MR MANLY-SPAIN: No, that's not the point. The point is  
26 the witness gave a clear answer.

27 PRESIDING JUDGE: All right. I've overruled that  
28 objection. Go ahead, Mr Hardaway.

29 MR HARDAWAY: Thank you.

1 Q. You mean the Supreme Council, don't you, sir, the Supreme  
2 Council of the AFRC?

3 A. Well, I don't know.

12:29:33 4 Q. Did you later come to find out that Alex Tamba Brima, the  
5 first accused, was an AFRC man?

6 A. Well, I heard about it through a soldier.

7 Q. You heard that he was a member of the Supreme Council of  
8 the AFRC, didn't you?

9 A. No.

12:30:00 10 Q. What did you hear about him being an AFRC man, sir?

11 A. Well, the soldier was passing by and he said [redacted], "I  
12 understand that that man, Tamba Brima, is a member of AFRC."  
13 That's it.

14 Q. You didn't ask him what he did in the AFRC?

12:30:33 15 A. I didn't ask him because it was not my business.

16 Q. I put it to you, sir, that Tamba Brima, Alex Tamba Brima,  
17 the first accused, was a member of the Supreme Council of the  
18 AFRC government; what is your response?

19 A. I have no idea, sir.

12:30:58 20 MR DANIELS: Your Honours, sorry to interrupt. I believe  
21 that the witness a moment ago mentioned a name which could  
22 disclose his identity when he said "a soldier". He mentioned his  
23 name. So if that could be redacted from the record.

24 MR HARDAWAY: I didn't hear one but --

12:31:16 25 JUDGE DOHERTY: I heard one.

26 MR HARDAWAY: Oh, that one, yes.

27 MR DANIELS: And --

28 MR HARDAWAY: No problem.

29 MR DANIELS: And, Mr Witness, I would like to caution you

1 that in future please do not mention any names which may disclose  
2 your identity.

3 PRESIDING JUDGE: All right. Mr Daniels, I must say I  
4 didn't hear the name but my colleagues did, and we will order  
12:31:48 5 that the name be redacted from the record, which I believe is a  
6 nickname. That should be stricken from the transcript.

7 MR DANIELS: I'm most grateful.

8 MR HARDAWAY:

9 Q. Now, I will put this to you again, sir, since we sort of  
12:32:09 10 got off track. I put it to you, sir, that it's the first  
11 accused, Alex Tamba Brima, who led -- who was in command of the  
12 troops in Rosos; what is your response?

13 A. He didn't lead that troop. He wasn't in that troop.

14 Q. I put it to you, sir, that you are lying; what is your  
12:32:37 15 response?

16 A. I've only come here to tell the Court the truth.

17 Q. Now, Mr Witness, from Rosos, you then ultimately went to  
18 Eddie Town, didn't you?

19 A. Yes.

12:32:57 20 Q. And it was at Eddie Town that you say that you arrested the  
21 second accused, Ibrahim Bazy Kamara; correct?

22 A. Yes.

23 Q. And then you had also stated that you did not know Ibrahim  
24 Bazy Kamara was an AFRC member; do you remember that?

12:33:18 25 A. Well, I can remember or I cannot remember.

26 Q. Do you remember just testifying yesterday, sir, that when  
27 you arrested Ibrahim Bazy Kamara, that you did not know him to  
28 be an AFRC member?

29 A. From the point we arrested him, that is how I came to know.



1 Q. So once you arrested him you knew he was an AFRC member; is  
2 that correct?

3 A. Before we went to arrest him, FAT told us that that man  
4 that he --

12:34:12 5 THE INTERPRETER: Your Honour, please can the witness go  
6 over it again.

7 PRESIDING JUDGE: Mr Witness, you will have to repeat your  
8 answer. The interpreter did not get everything that you said.

9 THE WITNESS: I said from FAT Sesay, he gave an order to  
12:34:38 10 arrest Ibrahim Bazy, so, from there, he told us that that man  
11 that they had spoken about is a member of the AFRC.

12 MR HARDAWAY:

13 Q. Did he tell you specifically what his role was? What  
14 Ibrahim Bazy Kamara's role was in the AFRC?

12:34:59 15 A. The commander didn't tell us anything. He only told us to  
16 go and arrest the man.

17 Q. I put it to you, sir, that Ibrahim Bazy Kamara was a  
18 member of the Supreme Council of the AFRC; what is your response?

19 A. I have no idea, sir.

12:35:23 20 Q. Thank you, Mr Witness. I want to move on now. You had  
21 testified that there was an incident involving Junior Lion  
22 shooting someone; do you remember that?

23 A. Yes, sir.

24 Q. And that you had stated that he had killed a soldier named  
12:35:46 25 Kordulay; is that also correct?

26 A. Yes, sir.

27 Q. You conducted the investigation about that incident, didn't  
28 you, sir?

29 A. I went to the area to get the facts, sir.

1 Q. Now, who told you to go to the area and get the facts?

2 A. It was FAT.

3 Q. Now, you would agree with me that you conducted -- that you  
4 went to get the facts and conducted this investigation because  
12:36:31 5 there was a violation of the rules, wasn't there?

6 A. That is what they sent me for, sir.

7 Q. SAJ Musa laid out all of the rules for all of the troops to  
8 follow, didn't he, when he set up the military structure?

9 A. The military has order.

12:37:08 10 Q. And part of that order are rules and regulations for all  
11 the troops to follow, isn't it?

12 A. Yes.

13 Q. And this investigation took place in Eddie Town; is that  
14 correct?

12:37:33 15 A. Correct, sir.

16 Q. Now, during this time, during your investigation, what was  
17 your rank?

18 A. I, Mr Witness, speaking to you, I was appointed as an  
19 officer.

12:37:52 20 Q. And what was your rank as an officer, sir?

21 A. I was a lieutenant.

22 Q. And who promoted you?

23 A. FAT Sesay.

24 Q. Now, before the coup that overthrew the government, what  
12:38:23 25 was your rank?

26 A. At that time, I was a private soldier.

27 Q. And I believe you testified earlier that your rank today is  
28 lance-corporal; is that correct?

29 A. I'm a lance-corporal in the army.

1 Q. Thank you, sir. Now, during this investigation, you would  
2 agree with me that Junior Lion was a very senior officer at Eddie  
3 Town, wasn't he?

4 A. Yes.

12:39:13 5 Q. And you would agree with me that he had a higher rank than  
6 you at Eddie Town, didn't he?

7 A. Yes.

8 Q. Now, as a result of your investigation, Junior Lion was  
9 locked up for a period of time, wasn't he?

12:39:34 10 A. He was under close arrest.

11 Q. And how long was he under close arrest, sir?

12 A. It took only three days. Then SAJ Musa arrived.

13 Q. Now, you had testified earlier that you know the first  
14 accused, Alex Tamba Brima; is that correct?

12:40:14 15 A. Yes.

16 Q. How do you know him?

17 A. I know him -- all of us went for major care checkup at the  
18 Benguema training centre barracks.

19 Q. And when was this, sir?

12:40:34 20 A. That was in 1991.

21 Q. And you had seen him numerous times after that checkup in  
22 Benguema; is that correct?

23 A. Well, I wasn't trained at Benguema. We were dispatched to  
24 Makeni, 2nd Battalion.

12:41:01 25 Q. What I'm asking sir, and perhaps I need to make myself more  
26 clear, after you saw Alex Tamba Brima, the first accused, in  
27 1991, you saw him at other times before the coup, didn't you?

28 A. Yes, at the barracks.

29 Q. And which barracks are those, sir?

1 A. Wilberforce Barracks.

2 Q. Alex Tamba Brima was a sportsman, wasn't he?

3 A. Not at all.

4 Q. He played football, didn't he?

12:41:46 5 A. Well, I cannot tell.

6 Q. He was -- Alex Tamba Brima was also known as Gullit, wasn't  
7 he?

8 A. Not at all.

9 Q. I put it to you, sir, that the first accused, Alex Tamba  
10 Brima, was a footballer; what is your response?

11 A. Well, I've never witnessed where he was playing football.

12 Q. Did you see or hear of other people who said they saw him  
13 play football?

14 A. No.

12:42:31 15 Q. I put it to you, sir, that you are lying; what is your  
16 response?

17 A. I've come here to tell the Court the truth.

18 Q. I put it to you, sir, that the first accused, Alex Tamba  
19 Brima, is also known as Gullit; what is your response?

12:42:49 20 A. I don't know that name at the training centre. When we  
21 went to the training centre, he was called Alex Tamba Brima and  
22 that's what's on his military card.

23 MR HARDAWAY: Your Honours, I notice the time. I'm getting  
24 ready to go into a new area. Perhaps this might be an  
12:43:12 25 appropriate time to stop.

26 PRESIDING JUDGE: Yes, I wouldn't start a new area,  
27 Mr Hardaway. Mr Witness, we are going to have a break until  
28 tomorrow morning now. So I will remind you not to discuss the  
29 evidence or the case at all with any other person. I think you

1 are familiar with that warning now. We are going to adjourn the  
2 Court now until 9.15 tomorrow morning.

3 [Whereupon the hearing adjourned at 12 45 p.m.,  
4 to be reconvened on Thursday, the 5th day of  
5 October 2006, at 9.15 a.m.]

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**WITNESSES FOR THE DEFENCE:**

<b>WITNESS: DBK-037</b>	<b>2</b>
<b>EXAMINED BY MR DANIELS</b>	<b>2</b>
<b>CROSS- EXAMINED BY MR GRAHAM</b>	<b>22</b>
<b>CROSS- EXAMINED BY MR MANLY- SPAIN</b>	<b>27</b>
<b>CROSS- EXAMINED BY MR HARDAWAY</b>	<b>57</b>