



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

THURSDAY, 19 MAY 2005
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Teresa Doherty, Presiding
Julia Sebutinde
Richard Lussick

For Chambers:

Mr Simon Meisenberg

For the Registry:

Ms Maureen Edmonds

For the Prosecution:

Ms Lesley Taylor
Ms Melissa Pack
Ms Maja Dimitrova (Case Manager)

For the Principal Defender:

NO APPEARANCE

For the accused Alex Tamba
Brima:

Ms Glenna Thompson

For the accused Brima Bazy
Kamara:

Mr Mohamed Pa-Momo Fofanah
Mr Ibrahim Mansaray

For the accused Santigie Borbor
Kanu:

Mr Geert-Jan Alexander Knoops

1 [TB190505A - EKD]

2 Thursday, 19 May 2005

3 [The accused not present]

4 [Open session]

09:18:23 5 [Upon resuming at 9.20 a.m.]

6 WITNESS: TF1-334 [Continued]

7 PRESIDING JUDGE: Good morning. Mr Witness, are you
8 feeling all right today?

9 THE WITNESS: I thank God for now.

09:24:39 10 PRESIDING JUDGE: If you don't you must tell us.

11 Ms Thompson, what about yourself?

12 MS THOMPSON: Your Honour, much the same as yesterday, but
13 I will carry on for now. If I get any worse I will let you know.

14 PRESIDING JUDGE: Thank you. Mr Witness, you remember that
09:24:53 15 you took the oath to promise to tell the truth and, as I told you
16 before, that promise is still binding on you today until the end
17 of your evidence.

18 THE WITNESS: Yes.

19 PRESIDING JUDGE: Do you understand?

09:25:05 20 THE WITNESS: Yes, My Lord.

21 PRESIDING JUDGE: Please proceed, Ms Pack.

22 MS PACK: Thank you, Your Honour.

23 EXAMINED BY MS PACK: [Continued]

24 Q. Good morning, witness.

09:25:15 25 A. Good morning, My Lord.

26 Q. Witness, you recall yesterday I was asking you questions
27 about radio communications in Kono?

28 A. Yes, My Lord.

29 Q. And you will recall that you said that there were

1 communications from the radio set with Superman in Dabundeh
2 Street. Do you recall that?

3 A. Yes, My Lord. Yes, My Lord.

4 Q. Witness, was there any other radio set in Kono that was
09:25:56 5 used other than the radio set in Dabundeh Street with Superman?

6 A. Well, the radio set which Superman used was the only set we
7 had. And we the SLAs, the radio set we had was just to monitor.
8 But we couldn't use it, but only to monitor.

9 Q. Why couldn't you, the SLA --

09:26:31 10 PRESIDING JUDGE: Ms Pack, I didn't get an interpretation.
11 I seem to be alone in not getting one. Mr Interpreter, would you
12 please repeat the answer for me.

13 THE INTERPRETER: Let the question get back to him.

14 PRESIDING JUDGE: I will take it from the transcript.
09:26:52 15 Ms Pack, please continue. If I don't hear the next one I will
16 intervene.

17 MS PACK: Thank you, Your Honour.

18 Q. Now, you said you, the SLAs, didn't use your radio set
19 except for monitoring. Why was that?

09:27:08 20 A. Well, Superman strictly warned the SLA that we should not
21 do any radio communications.

22 Q. How do you know that?

23 A. Well, there was a conflict at one time when there was a
24 confusion between the SLAs and the RUF concerning communications.

09:27:42 25 So this made Superman to bring it to the attention of the
26 operation commanders of the SLA and the commander of the SLA in
27 Kono, saying that they should not go -- they should not do any
28 communications rather than the communications that he had at
29 Dabundeh Street.

1 Q. How do you know that Superman said this?

2 A. He called on the commander of the SLA and the operation
3 commander, and I went with them to Dabundeh Street as he made
4 this warning after the confusion happened between the RUF and the
09:28:27 5 SLA concerning communications.

6 Q. Witness, you've talked about an operation commander and an
7 SLA commander. Could you identify who you mean by those two
8 individuals, using a pseudonym if necessary? The operation
9 commander, first?

09:28:50 10 A. I am referring to Bazy was the SLA commander and operation
11 commander was A, who was the operation commander for SLA.

12 Q. Witness, were there any operations that went on while you
13 were in Kono District?

14 A. We had an operation to repel the Kamajors from Sewafe.

09:29:35 15 Q. I am not going to ask you about any detail now, just simply
16 the broad question were there operations?

17 A. Yes, My Lord.

18 Q. Do you know who planned the operations?

19 A. Well, the RUF operation commander, who was Superman, and
09:30:01 20 the operation commander for the SLA and the commander who was
21 Bazy, they planned the operations in Kono.

22 Q. How do you know this, witness?

23 A. Well, whenever an operation was to take place, Superman
24 usually called the operation commanders A and the SLA commander,
09:30:25 25 who is Bazy. He called them to his residence and I usually went
26 with them. And before he could discuss these things -- he could
27 discuss these things before we went on any operations.

28 Q. Witness, yesterday you told the Chamber that Morris Kallon
29 came to Kono at one point. Do you recall when that was in

1 relation to when you finally left Kono -- how soon before you
2 left Kono that was?

3 A. Well, it was just after the Koi du Gei ya operations. When
4 we returned we met Morris Kallon at Koi du Town.

09:31:29 5 Q. Pause a moment. Koi du Gei ya, Your Honours, I spelt that
6 yesterday. K-O-I -D-U, Gei ya G-E-I -Y-A. When Morris Kallon came
7 to Kono do you know what position he held in the hierarchy in
8 Kono?

9 A. He came as an advisor to the troops in Kono.

09:32:20 10 Q. Whom was he advising amongst the troops in Kono?

11 A. He advised Superman, who was the RUF operation commander.

12 Q. Do you know where, in the hierarchy of the RUF, Morris
13 Kallon fit in in relation to Superman?

14 MR KNOOPS: I object against this question, because I
09:33:00 15 believe the witness never testified that he was a member of the
16 RUF. So this question calls for speculation. He is not in a
17 position to assess, I think, the hierarchy of the RUF now that he
18 only testified that he was a member of the SLA.

19 MS PACK: Your Honours, he hasn't said -- the witness did
09:33:20 20 not say that Morris Kallon was a member of the SLA and, indeed
21 yesterday or the day before, said specifically that Morris Kallon
22 was a member of the RUF.

23 PRESIDING JUDGE: I understand that is why Mr Knoops is
24 objecting. As I understand Mr Knoops' objection, this witness is
09:33:36 25 not a member of the RUF and if Morris Kallon is a member of the
26 RUF, how would this witness know where he fit in? That is what
27 you are saying?

28 MR KNOOPS: Yes, Your Honour, that's correct, that's my
29 objection.

1 PRESIDING JUDGE: And it is on that basis that he is
2 objecting; that it is not within the knowledge of this witness.

3 MS PACK: May I lay a foundation.

4 PRESIDING JUDGE: I think that would be the correct
09:34:01 5 procedure. Please do so.

6 MS PACK: I'm grateful.

7 Q. Witness, do you know anything about the hierarchy in the
8 RUF in Kono?

9 A. Yes, because when we were in Kono we had cordial
09:34:24 10 relationship, we work together.

11 JUDGE SEBUTINDE: Excuse me, was that "we worked together"
12 or "we walked together"?

13 THE WITNESS: [Translation interrupted]

14 JUDGE SEBUTINDE: No, I'm asking the interpreter. I'm
09:34:41 15 asking the interpreter is that "we walk together" or "we work
16 together"?

17 THE INTERPRETER: "We work together".

18 JUDGE SEBUTINDE: Doing work, not walking?

19 THE INTERPRETER: Not walking, but work, working. Doing
09:34:54 20 work.

21 MS PACK:

22 Q. When you say "we work together", what broadly do you mean
23 by, "We work together"?

24 A. That is, the RUF and the SLA, we were in Kono, we work
09:35:15 25 together.

26 Q. Now, witness, you said you had cordial relations with the
27 RUF in Kono. Do you know anything about the hierarchy amongst
28 the RUF in Kono?

29 A. Yes, while we were in Kono I knew.

1 Q. I think you already dealt with this yesterday but I'm going
2 to ask you again. Who was the most senior individual in the RUF
3 in Kono before Morris Kallon came?

4 A. It was Superman.

09:36:19 5 Q. After Morris Kallon came who was the most senior figure in
6 the RUF in Kono?

7 A. Morris Kallon.

8 Q. Who was immediately subordinate to him in the RUF?

9 A. Superman.

09:36:43 10 Q. Do you know who was superior in the RUF to Morris Kallon?

11 A. Yes.

12 Q. Who was superior to Morris Kallon in the RUF?

13 A. Issa Sesay.

09:37:18 14 Q. Do you know if Morris Kallon had a title -- a functional
15 title by which he was known in Kono?

16 A. Well, he was advisor. We called him Bilai Wai Karim.

17 Q. You've spelt that yesterday and perhaps if you would just
18 spell it again as best you can. I know you had difficulties --
19 on the first day you had difficulties spelling that, but perhaps
09:37:46 20 try again for their Honours. Bilai Wai Karim?

21 A. B-E-L-A-R W-I-A -- sorry, W-A-L K-A-R-I-M.

22 Q. Witness, yesterday you spoke about Bazzy and his position
23 in the command structure in Kono when he arrived. Did he remain
24 as overall commander of the SLAs in Kono throughout your time in
09:38:34 25 Kono?

26 A. Well, Bazzy continued to be commander until the arrival of
27 Gullit in Koidu Town.

28 Q. Do you remember when, in relation to your departure from
29 Koidu Town, Gullit arrived?

1 A. Well, it was close to May, mid-May. And that was the time
2 when there was confusion between the RUF and the SLA in Koidu.

3 Q. So what happened when Gullit --

4 MR FOFANAH: Excuse me, Your Honours. Again the witness
09:39:38 5 has mentioned a month and we don't know what year.

6 MS PACK:

7 Q. If you would identify the year, witness.

8 A. 1998.

9 Q. Witness, do you know what position Gullit had when he
09:40:00 10 arrived in Koidu Town close to the middle of May?

11 A. Well, yes, he came as advisor for both the SLA and the RUF.
12 And as he came, indeed, he took command from Bazzy.

13 Q. Took command of what from Bazzy?

14 A. I mean, he immediately became the SLA commander.

09:40:42 15 Q. Do you know where in the hierarchy in Kono he fell as an
16 advisor for the RUF and the SLA?

17 PRESIDING JUDGE: I don't quite understand the question,
18 Ms Pack. Did you say fell?

19 MS PACK: Yes.

09:41:18 20 THE WITNESS: Well, immediately he came the second man in
21 Koidu.

22 MS PACK:

23 Q. Who was he subordinate to?

24 A. Morris Kallon.

09:41:30 25 Q. Was he subordinate to anyone else other than Morris Kallon?

26 A. No. Well, he became an advisor, so he had no other boss.
27 Because Mosquito send him as an advisor.

28 Q. What was his relationship with Superman if any?

29 A. Well, the relationship was cordial. I also advised

1 Superman because of the confusion that was in Kono between the
2 SLA and the RUF.

3 Q. How do you know that Morris Kallon -- I do apologise, that
4 Gullit held the positions that you've identified in Kono at the
09:42:17 5 time you've identified?

6 A. Well, after Morris Kallon arrived in Kono and there was
7 confusion between the SLA as Morris Kallon shot two SLA brothers
8 in Kono. So this brought about some confusion between the two
9 sides as the RUF did not --

09:42:46 10 THE INTERPRETER: Please, slow down. Please go over the
11 last bit.

12 MS PACK:

13 Q. You said there was some confusion between the RUF and the
14 SLA. Just identify what that confusion was?

09:43:03 15 A. Morris Kallon -- Morris Kallon said that we, the SLAs in
16 Kono, should not muster, and he shot two of the SLA brothers in
17 Kono. And also --

18 JUDGE SEBUTINDE: Mr Interpreter, you said we the people --
19 the SLA in the Kono should not do what?

09:43:27 20 THE INTERPRETER: Muster. He used the word muster.

21 MS PACK: Muster is -- perhaps I could ask the witness to
22 explain what he means by muster.

23 Q. You use the word muster, M-U-S-T-E-R; what do you mean by
24 muster?

09:43:43 25 A. This is a military term that is to bring together the
26 various forces and address them. That is what we call mustered.

27 Q. How often does a muster generally occur in a military
28 context?

29 A. Well, this was a weekly address. Every week the two groups

1 were addressed.

2 Q. Now, go on. You were talking about Morris Kallon saying
3 something about the SLAs and that they should not muster?

4 A. And again he said the SLA should -- had no right to call
09:44:19 5 themselves SLA in Kono, and neither AFRC, because he only knew of
6 one faction and that is the RUF faction. So this brought
7 confusion between the RUF and the SLA.

8 Q. Witness, pause there. I was asking you how you knew that
9 Gullit held the positions he held in Kono. Would you explain
09:44:41 10 that, please, for the Chamber.

11 A. When Gullit came to Kono he went directly to the place
12 where we were, closer at that time they had moved from Masingbi
13 Road at Five-Five spot. And he called an immediate meeting
14 together with Bazzy.

09:45:08 15 Q. Pause a moment. Five-Five is what your Honours have heard
16 before. Now just before we get to the meeting you are about to
17 talk about I want to ask you about Five-Five spot. I don't want
18 to muddle you, but just to ask you how come you'd moved to
19 Five-Five spot?

09:45:41 20 A. The question again.

21 Q. How come you had moved to Five-Five spot?

22 A. Well, after the operation at Koidu Geiya and we returned
23 together, I returned with my operations commander back to Koidu.
24 And when I returned my operation commander, myself and other
09:46:11 25 soldiers, we met Masingbi Road was completely burnt down and
26 Bazzy monitored the burning of that place. So because the jets
27 had started raiding and they were bombarding their positions.
28 And so we should move directly to Five-Five spot.

29 Q. Pause, please. Now, you say that Bazzy was monitoring the

1 burnings at Masingbi Road. What do you mean by saying Bazy
2 monitored the burnings at Masingbi Road?

3 MS THOMPSON: Your Honour, before the witness answers the
4 last question, I hesitate to interrupt but we still do not have
09:47:04 5 an answer to my learned friend's original question, which was how
6 this witness knew what he said about the person called -- the
7 person he refers to as Gullit.

8 MS PACK: Your Honour, I am getting there. The witness
9 said two things when he spoke about -- when I asked him the
09:47:19 10 question, which was that there was a meeting when Gullit arrived
11 at Five-Five spot and I just wanted to make sure that
12 Your Honours had heard evidence about Five-Five spot and the move
13 to Five-Five spot. Then I will go back to the meeting and ask
14 the witness to expand upon his previous answer if I may.

09:47:36 15 PRESIDING JUDGE: Very well, proceed. We will keep our eye
16 out.

17 MS PACK:

18 Q. Witness, I'm not going to ask you about Masingbi Road
19 burning now. I am keen to get back to the meeting to which you
09:47:46 20 referred. I asked you the question how you knew that Gullit held
21 the positions you said he held in Kono and you refer to a meeting
22 held at Five-Five spot on his arrival in Koidu Town. What
23 happened at that meeting?

24 PRESIDING JUDGE: There are about three questions in there,
09:48:08 25 Ms Pack. Let's take them one at a time.

26 MS PACK:

27 Q. The question is what happened at the meeting at Five-Five
28 spot when Gullit arrived in town?

29 A. Well, when Gullit arrived in Kono and he drove directly to

1 Five-Five spot, he called Bazzy, he called the operations
2 commander with whom I was with, commander A, I was there also and
3 Leather Boot was there --

09:48:44 4 Q. Pause, please. Leather Boot, Your Honours have heard that
5 name before. Perhaps you could give the full name of Leather
6 Boot if you could recall it?

7 A. Idrissa Kamara.

8 Q. Again that is a name Your Honours have heard before. It is
9 I-D-R-I-S-S-A, Kamara K-A-M-A-R-A. Go on, witness; who else was
09:49:04 10 at this meeting that was called?

11 A. Adams was at the meeting.

12 Q. Adams, Your Honours have heard that name before. Who was
13 Adams, just explain very briefly?

14 A. He was one of the 17 men during the coup plot.

09:49:25 15 Q. Anyone else at the meeting that you recall witness?

16 A. Bi oh.

17 Q. Again a name, Your Honours, that I have spelt.

18 A. Colonel Ibrahim Bi oh Sesay.

19 Q. A name, Your Honours, I've spelt before. Anyone else?

09:49:47 20 A. Abdul Sesay, colonel also. Colonel Abdul Sesay, one of the
21 17 coup plotters.

22 Q. Again, I've spelt that, Your Honours. Anyone else at the
23 meeting?

24 A. Coachy Borno.

09:50:05 25 Q. I've spelt that before. Borno is B-O-R-N-O, Coachy.
26 Anyone else?

27 A. Yes, Colonel Momoh Derty. [Translation interrupted]

28 Q. Pause, please. Momoh Derty. Your Honours, I will spell
29 that from the spelling provided by the witness: M-O-M-O-H, Derty

1 D-O-R-T-Y. Just pausing with Momoh Derty, is this the first time
2 you came across this individual?

3 A. Well, this is one the 17 men whom I left out, who carried
4 out the coup in Freetown.

09:50:55 5 Q. What was he prior to the coup? What was he, a civilian or
6 what?

7 A. He was a member of the Sierra Leone Army and he was a
8 council member and a member of the Supreme Council.

9 Q. Did he have a rank in the Sierra Leone Army prior to the
09:51:14 10 AFRC period?

11 A. He was a corporal.

12 Q. Go on, witness; were there any other individuals who were
13 at this meeting who you recall?

14 A. I was there, Bazzy's CSO was there, and other soldiers who
09:51:46 15 were subordinate to the Operation Commander A.

16 Q. Who was Bazzy's CSO, chief security officer?

17 A. He was George Johnson, who was also called Junior Lion.

18 Q. I will spell that, Your Honour. It's George Johnson,
19 J-O-H-N-S-O-N, also called --

09:52:19 20 JUDGE SEBUTINDE: I am just wondering; you asked the
21 witness a question and he didn't answer it, did he?

22 MS PACK: Yes, he identified George Johnson also known as
23 Junior Lion. And George Johnson is J-O-H-N-S-O-N; and Junior
24 Lion, Junior, Lion as in the animal.

09:52:41 25 Q. Do you know what position this individual, George Johnson,
26 had held previously prior to your seeing him in Kono?

27 A. Well, he was the CSO to Bazzy even in Freetown.

28 Q. What had he been before the time in Freetown before the
29 AFRC period?

1 A. He was a soldier but he was in prison.

2 Q. Witness, what happened at the meeting to which you have
3 referred which was attended by these individuals you've
4 identified?

09:53:46 5 A. At this meeting Gullit informed me and the authorities who
6 were there that when he heard of this problem in Koidu he used
7 this as a strategy so that he could come from Mosquito in
8 Kailahun. He said Mosquito had beaten him in Kono and he's
9 declaring to us that even Johnny Paul is under threat in
09:54:29 10 Kailahun. So that was why he had decided to tell Mosquito that
11 he could control the SLAs, that he should be sent by Mosquito to
12 come and control the two parties. And that was why Mosquito had
13 sent him, so that he could be an advisor for both the SLAs and
14 the RUF.

09:54:56 15 Q. Pause, please.

16 PRESIDING JUDGE: Ms Pack, I missed one name. The person
17 who had beaten him.

18 MS PACK: Mosquito was the name and that is as in the
19 insect.

09:55:11 20 PRESIDING JUDGE: Thank you.

21 MS PACK:

22 Q. Apart from describing what had happened to him in
23 Kailahun -- and obviously that is a name you've heard before,
24 Your Honours, K-A-I-L-A-H-U-N. Apart from describing what had
09:55:30 25 happened to him in Kailahun did Gullit say anything else at this
26 meeting that you recall?

27 A. Yes, he said -- Gullit said that this was the time that the
28 SLAs should come together and if ECOMOG continues to penetrate
29 Koidu, that we should withdraw and join SAJ Musa in Koinadugu.

1 Q. Did he say anything else apart from talking about the
2 withdrawal of the SLAs from Kono?

3 A. He only informed us that even the diamonds that he had had
4 been taken away from him by Mosquito. So that the SLAs should
09:56:32 5 withdraw to Tombodu and from there we should come to Koinadugu.

6 Q. Witness, I'm going to ask you a little more about the
7 command structure in Kono. Witness, you've identified with
8 pseudonym A, the operation commander for the SLAs in Kono. Who
9 was the operation commander subordinate to?

09:57:25 10 A. He was under the supervision of the chief in command of the
11 SLA, who was Bazzy.

12 Q. Did the operations commander have a deputy?

13 A. Yes. The deputy operation commander was Colonel Kallay,
14 who was one of the council members. He was one of the Supreme
09:58:01 15 Council members of the AFRC; Foday Kallay.

16 Q. Pause, please. I've spelt that before, Your Honours.
17 F-O-D-A-Y, Kallay K-A-L-L-A-Y. Would you remind their Honours,
18 please, of the alias by which this person was known?

19 A. Command One.

09:58:28 20 Q. Did this individual have a rank in Kono?

21 A. He was also a colonel.

22 Q. Had he been a colonel before?

23 A. No, this happened before we went into the jungle. Johnny
24 Paul had said all the honourables should become colonels. So
09:58:54 25 that was why all the honourables immediately became colonels, and
26 that is what we called them, before they could promote
27 themselves.

28 Q. You say before you went into the jungle. When about would
29 that have been in terms of time?

1 A. This happened in Masiaka.

2 Q. Who was Foday Kallay subordinate to?

3 A. He was subordinate to the operation commander, Commander A.

4 Q. Were there battalions in Kono?

09:59:52 5 A. Well, yes, we had various SLA battalions which were
6 assigned to various villages in Kono.

7 Q. How do you know that there were battalions assigned to
8 various villages in Kono?

9 A. I and the operation commander, Commander A, did go on
10:00:26 10 patrols to the various areas where those commanders were based.

11 Q. How did you know that Foday Kallay was the deputy operation
12 commander?

13 A. This was an appointment that was given to him by Bazzy.

14 Q. How did you know about this appointment?

10:00:53 15 A. He was close with the operation commander. He deputised
16 him.

17 Q. You said there were battalions based at various areas. I'm
18 going to ask you about battalion commanders. Perhaps, first, if
19 you would identify the locations to which battalions were
10:01:30 20 deployed in Kono. Take it slowly and then I will be in a
21 position to spell them.

22 A. We had Njaiama Sewafe -- sorry, Jagbwema Fiama, Jagbwema
23 Fiama.

24 Q. Pause after the names, please. Jagbwema Fiama Your Honours
10:01:48 25 have had already. It's J-A-G-B-W-E-M-A, Fiama F-I-A-M-A. Just go
26 through the locations. Jagbwema Fiama and where else?

27 A. Tombodu.

28 Q. Your Honours, I've spelt that. Tombodu, T-O-M-B-O-D-U.
29 Where else?

1 A. Bumpe.

2 Q. B-U-M-P-E. Where else?

3 A. Sewafe and Yengema.

4 Q. Sewafe is S-E-W-A-F-E and Yengema is Y-E-N-G-E-M-A. You've
10:02:50 5 spoken earlier about a location -- Woama was a location you spoke
6 about Johnny Paul Koroma being based near there. Was there a
7 deployment at Woama?

8 A. Lieutenant Bakarr was the SLA commander at Woama.

9 Q. Pause there, please. Bakarr is B-A-K-A-R-R. Witness, I'm
10:03:19 10 going to take you through all of those locations. Jagbwema
11 Fiama, who was deployed --

12 JUDGE SEBUTINDE: Sorry, counsel, please excuse me.

13 Lieutenant Bakarr was the SLA commander at where?

14 MS PACK: Woama, W-O-A-M-A.

10:03:42 15 Q. I'm going to go back to the beginning of that list of
16 locations, witness, and ask you who was deployed at each.
17 Witness, please take a glass of water if that would --

18 A. It's very cold. I'm okay. It's very cold.

19 PRESIDING JUDGE: Madam Court Attendant, we've had this
10:04:05 20 problem of the cold before. Is there a possibility of getting
21 something?

22 MS PACK: I'm grateful, Your Honour.

23 Q. Witness, Jagbwema Fiama, who was deployed to Jagbwema
24 Fiama?

10:04:24 25 A. It was Captain Junior, who was the CS0 to Kallay.

26 Q. Pause, please. Junior, J-U-N-I-O-R, CS0 meaning chief
27 security officer to Kallay. What was the full name of Kallay,
28 just remind us, please?

29 A. Colonel Foday Kallay, alias Command One.

1 Q. Do you know how many men were operating under Junior --
2 Captain Junior at Jagbwema Fiama?

3 A. He had some SLAs and RUF under his command.

4 Q. Do you know how many - approximately - men he had under his
10:05:32 5 command, SLAs and RUF?

6 A. As time went on they added the number of men in the
7 battalion, so the number was not stable. Sometimes they would
8 withdraw some just in case there is an attack in some other
9 places and sometimes they would add. So some battalions would
10:05:57 10 have 55. It depends on how large battalion is.

11 Q. So did Captain Junior -- he was a battalion commander in
12 Jagbwema Fiama?

13 A. Yes.

14 Q. And broadly do you know what was the range in terms of men
10:06:37 15 forming part of a battalion while you were in Kono?

16 A. Well, some battalions had 80, some had 90, some even had
17 hundred.

18 Q. I'm going to ask you about the battalion at Tombodu. Who
19 was in command --

10:07:03 20 MR KNOOPS: Your Honour, if I may. I think at this point
21 we should object, because I think the line of questioning calls
22 for answers of the witness which are tantamount to speculations.
23 It is not clear if the witness is just guessing about numbers and
24 figures of the respective battalions. So I think either
10:07:25 25 foundation should be made whether this stems from direct
26 knowledge of the witness or he is just merely guessing and
27 speculating on the numbers before we go further with the whole
28 list of alleged battalions.

29 Thank you.

1 PRESIDING JUDGE: Thank you, Mr Knoops.

2 MS PACK: Your Honour, I did -- I apologise.

3 PRESIDING JUDGE: [Microphone not activated] you are
4 replying which you are entitled to do.

10:07:51 5 MS PACK: Your Honour, I did ask the witness and he did
6 explain that he went on patrols to the areas where the battalions
7 were based with the operation commander. So in my submission I
8 have laid a foundation for this line of questioning. I can ask
9 the witness specifically how he knew the numbers in each of the
10:08:08 10 battalions and I will ask him that for the sake of clarity.

11 JUDGE SEBUTINDE: But the witness did not say he went on
12 patrol to all the brigades; that's not his evidence. He left it
13 generally vague.

14 MS PACK: I will then deal with each one in turn, just to
10:08:25 15 ensure that each one is dealt with specifically.

16 Q. Now, witness, you've identified -- I'm not asking you to
17 move on yet to Tombodu.

18 MS PACK: Perhaps there is something else that the witness
19 can be given to make him warmer because I don't think the present
10:08:47 20 jacket is going to fit him. There has been a blanket provided in
21 the past for witnesses which might be more convenient in the
22 circumstances.

23 PRESIDING JUDGE: Mr Witness, are you feeling all right
24 other than the cold?

10:09:08 25 THE WITNESS: Yes, Your Honour, I am feeling my chest, but
26 I'll try.

27 PRESIDING JUDGE: If you are not able you must tell us.

28 THE WITNESS: Let's carry on.

29 PRESIDING JUDGE: Perhaps while we're waiting, Ms Pack, you

1 indicated you were going to ask a question. We'll have that
2 question and make sure there is something brought for the
3 witness.

4 MS PACK: Thank you, Your Honour.

10:09:43 5 Q. Witness, I was going to go back to Jagbwema Fiama and ask
6 you how you know that Captain Junior was based there with a
7 battalion?

8 A. As I was with Operation Commander A, we would move, myself
9 and operation commander, together with the other soldiers who
10:10:08 10 were under his command, we would move to the various battalions
11 that I have spoken about where the SLAs were.

12 Q. Did you go specifically to Jagbwema Fiama with your
13 operation commander?

14 A. Well, the commander who was present at the time, I went
10:10:36 15 with him to go and capture Jagbwema Fiama. That is Captain
16 Junior. I went with him to go and capture Jagbwema Fiama.

17 Q. I will ask you about that operation a little later if I
18 may, Your Honours, come back to that. How do you know about
19 battalion numbers? How do you know that the battalion under
10:11:09 20 Captain Junior at Jagbwema Fiama could have been in a range from
21 80 to 100? How do you know that?

22 A. Well, the various battalions, as I was with the operation
23 commander, we had a number. As we moved along, myself and
24 operation commander and the soldier subordinate to him, he would
10:11:36 25 always check for the strength of every battalion to know the
26 number of men in the battalion.

27 Q. One last question on Jagbwema Fiama and Captain Junior.
28 Who was Captain Junior subordinate to?

29 A. Captain Junior was subordinate to the operation commander.

1 Q. How do you know that?

2 A. Well, the operation commander was in charge of dispatching
3 commanders to their various battalions. So they reported
4 directly to the operation commander.

10:12:46 5 Q. Witness, I'm going to ask you about Tombodu. Who was the
6 battalion commander in Tombodu?

7 A. It was Captain Mohamed Savage.

8 Q. I'm going to spell that. Mohamed M-O-H-A-M-E-D, Savage
9 S-A-V-A-G-E. Did Mohamed Savage have an alias that you're aware
10 of?

10:13:22 10
11 A. Well, his first name was Changabulanga and later he changed
12 that name to Mr Die.

13 Q. If I could just spell those as provided by the witness.
14 Changabulanga is C-H-A-N-G-A-B-U-L-A-N-G-A and Mr Die as in

10:13:47 15 D-I-E. Do you know what Changabulanga means?

16 A. I didn't clearly know the language but we interpreted it
17 as -- or he himself interpreted it as the man who was good at
18 using cutlass.

19 Q. Now, you have identified this individual as a captain. Was
10:14:29 20 this the first time you had come across him here in Kono?

21 A. I wouldn't want to disclose this.

22 Q. Just if you would disclose broadly had you seen him before
23 Kono?

24 A. Yes.

10:14:54 25 Q. And do you know what he did before you all got to Kono?

26 A. He was a member of the Sierra Leone Army.

27 Q. Do you know what rank he held in the Sierra Leone Army?

28 A. Yes, he was a corporal.

29 Q. Do you know how many men he had working under him at

1 Tombodu?

2 A. Well, Mohamed Savage had about 80 men in Tombodu.

3 Q. Do you know which groups those men came from?

4 A. He had both the SLAs and the RUF, but the SLA were more
10:15:55 5 than the RUF.

6 Q. Do you know who his deputy was?

7 A. Yes.

8 Q. Who was his deputy?

9 A. Staff Alhaji .

10:16:12 10 Q. I'm going to spell that, Your Honours. Alhaji -- Staff and
11 then Alhaji, A-L-H-A-J-I. Staff Alhaji; without being too
12 specific, had you seen him before you got to Kono?

13 A. Yes, he is a man I know in the Sierra Leone Army.

14 Q. What rank did he hold in the Sierra Leone Army?

10:16:51 15 A. He was a staff sergeant, but later Savage recommended him
16 to be promoted to the rank of lieutenant.

17 Q. Do you know if he was subsequently promoted to the rank of
18 lieutenant?

19 A. Yes, yes.

10:17:12 20 Q. What was he?

21 A. Lieutenant.

22 Q. Witness, do you know who Mohamed Savage was subordinate to?

23 A. Well, Mohamed Savage was subordinate to the SLA, the
24 operation commander.

10:17:51 25 Q. Did he report to anyone else apart from the operation
26 commander SLA?

27 A. Well, yes.

28 Q. Who?

29 A. When the promotions were out for all the officers who were

1 in the battalion, automatically Mohamed Savage came with the rank
2 of captain. Because what was there was just lieutenants, and
3 this caused doubt in the eyes of the Operations Commander A. And
4 he was questioned and he said Superman had recommended him for
10:18:43 5 captain.

6 Q. I asked you the question did Savage, as far as you know,
7 report to anyone else apart from the SLA Operation Commander A?

8 A. He reported to Superman.

9 Q. Now, witness, how did you know about Mohamed Savage, his
10:19:23 10 deputy in Tombodu, the men under him and who he reported to or
11 was subordinate to? How do you know all that?

12 A. Most times I, the operation commander and some other senior
13 commanders would pay visits to that area. And the operation
14 commander would go around to look how the ground was, the
10:20:01 15 strength of the men and the morale of the men. So I always went
16 with him in Tombodu.

17 Q. Witness, I am going to ask you about a further location you
18 identified, Bumpe. Who was in command of the battalion at Bumpe?

19 A. It was Lieutenant Kallay, the younger brother of Colonel
10:20:40 20 Kallay.

21 Q. And Kallay was spelt before, K-A-L-L-A-Y. Again, is this
22 someone who you met for the first time in Kono?

23 A. No.

24 Q. Where had you seen him before?

10:21:09 25 A. He was a member of the Sierra Leone Army and I knew him.

26 Q. Do you know approximately how many men were under him at
27 Bumpe?

28 A. Well, he had about 70 men under his command.

29 Q. Do you know which groups the men under his command were

1 in -- were from?

2 A. He had mostly the SLAs. He had RUFs in this group, but the
3 SLAs outnumbered the RUF.

4 Q. Do you know who Lieutenant Kallay was subordinate to?

10:22:16 5 A. Yes, the Operations Commander A.

6 Q. Witness, how do you know what you have just told us about
7 Foday -- I apologise, Lieutenant Kallay and the men who were
8 under him at Bumpe?

9 A. Well, since I was with the operations commander myself, the
10:22:55 10 operation commander and the soldiers under his command went on
11 patrol to Bumpe and he assigned Lieutenant Kallay at that
12 position.

13 Q. You identified a further location, Sewafe. Who was in
14 command of the battalion at Sewafe?

10:23:30 15 A. Lieutenant Mosquito.

16 Q. Is that the same Mosquito you have been talking about who
17 was based in Kailahun from the RUF?

18 A. No, this was the SLA Mosquito.

19 Q. Did this Mosquito have a rank?

10:23:56 20 A. He was a lieutenant.

21 Q. Had you seen this Lieutenant Mosquito before you arrived in
22 Kono?

23 A. Yes.

24 Q. Do you know what he did before he arrived in Kono?

10:24:18 25 A. Well, he was a member of the Sierra Leone Army.

26 Q. Do you know how many men operated under Lieutenant Mosquito
27 at Sewafe?

28 A. Well, he had about 70 men under his command.

29 Q. Do you know from which groups those men came?

1 A. He had the SLA dominating and he had some RUFs under his
2 command.

3 Q. Do you know who he was subordinate to?

4 A. Yes, the Operation Commander A.

10:25:13 5 Q. How do you know all this about Lieutenant Mosquito and his
6 position in Sewafe and the men under him?

7 A. Well, the operations commander with whom I was, he assigned
8 them to that area and myself and other soldiers under the
9 operations commander went to supervise and patrol in that area.

10:25:42 10 Q. You have mentioned another location, Yengema. Do you know
11 who was in command of the battalion at Yengema?

12 A. Yes.

13 Q. Who was in command of the battalion at Yengema?

14 A. Lieutenant Tito.

10:26:08 15 Q. Tito, T-I-T-0. Had you come across Lieutenant Tito before
16 you were all in Kono?

17 A. Yes.

18 Q. Where was he from?

19 A. Well, Lieutenant Tito was in prison and those were the
10:26:30 20 people they freed during the May 25 coup.

21 Q. Do you know prior to being in prison where he had come
22 from?

23 A. Well, he was a member of the Sierra Leone Army.

24 Q. Do you know how many men were under his command in Yengema?

10:26:59 25 A. He had 60 manpower under his command.

26 Q. Which groups were they from?

27 A. Well, he had SLAs, who were the dominant group, and he also
28 had some RUF members in his command.

29 Q. Do you know who he was subordinate to?

1 A. The operations commander.

2 Q. How do you know what you've told the Chamber about
3 Lieutenant Tito in Yengema and the men under him?

4 A. Well, when myself, the operations commander and the other
10:27:48 5 soldiers under his command went on patrol, we went to supervise
6 the battalion there and he assigned him to that area.

7 Q. You also mentioned another location Woama, W-O-A-M-A, and
8 you said in fact that it was Lieutenant Bakarr, B-A-K-A-R-R, who
9 was based there. Do you know what he was prior to your being in

10:28:33 10 Kono?

11 A. He was a member of the Sierra Leone Army.

12 Q. Do you know how many men he had under him in Woama?

13 A. Yes, he had about 60 manpower under his command.

14 Q. And do you know which groups they came from?

10:29:00 15 A. Well, mostly the SLAs were dominant group and then he also
16 had some RUFs under his command.

17 Q. Do you know who he was subordinate to?

18 A. The operations commander, SLA operation commander.

19 Q. Is Lieutenant Bakarr the full name of this individual?

10:29:27 20 A. Abu Bakarr, that is how they call him. Abu Bakarr Kamara.

21 Q. Abu Bakarr Kamara. Can I just spell that again,
22 Your Honours. Abu A-B-U, Bakarr B-A-K-A-R-R, Kamara K-A-M-A-R-A.

23 Witness, you have identified the SLA battalion commanders
24 deployed to the various locations around Kono. Where was the

10:30:17 25 headquarters for the SLAs in Kono?

26 A. Masingbi Road.

27 Q. And who was based at the headquarters in Masingbi Road?

28 A. We had the chief in command of the SLAs, who was Colonel
29 Ibrahim Bazzy Kamara.

1 Q. Who else?

2 A. There was the Operations Commander A.

3 Q. Who else?

4 A. Lieutenant Johnson.

10:31:02 5 Q. You have already identified that individual, Lieutenant
6 Junior Johnson, J-O-H-N-S-O-N. Anyone else?

7 A. Well, the other names -- I want to withhold the other names
8 for now.

9 Q. Were there any other commanders whose names you recall who
10:31:24 10 were based in Masingbi Road? And please don't name anyone who
11 you consider might lead to your identity being revealed. I will
12 ask you to write any names, if necessary, on paper.

13 A. Lieutenant Junior Sheriff.

14 Q. Lieutenant Junior Sheriff. Again, a name you have heard,
10:31:50 15 Your Honour. Junior Sheriff is S-H-E-R-I-F-F, Junior. I
16 realise, Your Honours, I didn't clarify something in the previous
17 name. You said Junior Johnson. Just identify who you mean by
18 Junior Johnson.

19 A. George Johnson, Junior Lion.

10:32:10 20 [TB190505B 10.30 a.m. - SV]

21 Q. Now back to Junior Sheriff, Lieutenant. Do you know what
22 he had been before you were all in Kono?

23 A. Yes. He was a member of the Sierra Leone Army.

24 Q. Now are there any other commanders that you would be able
10:32:47 25 to identify without revealing your identity who were based at
26 headquarters in Masingbi Road?

27 A. The others, I would not like to call them now.

28 Q. Were there military supervisors in the SLA -- amongst the
29 SLAs in Kono?

1 A. Yes, we had military supervisors.

2 Q. Are you able to identify them?

3 A. Yes.

4 Q. Please start identifying the names, take them one at a time
10:33:41 5 so I can spell them for their Honours.

6 A. There was Colonel Idri ss Kamara alias Leather Boot.

7 MS PACK: That's a name Your Honours have heard.

8 THE WITNESS: Colonel Abdul Sesay.

9 MS PACK: Another name Your Honours have had spelt.

10:34:14 10 Q. Anyone else?

11 A. Colonel Adam.

12 Q. Would you repeat Adam, whether it was Adams or Adam?

13 A. Adams. Colonel Adams.

14 MS PACK: That's a name Your Honours have heard again.

10:34:31 15 Q. Anyone else?

16 A. Colonel Momoh Derty.

17 MS PACK: And that's a name that you've heard today, Your
18 Honours. M-O-M-O-H D-O-R-T-Y.

19 Q. Anyone else?

10:34:45 20 A. Colonel Ibrahim Bi oh Sesay.

21 Q. Anyone else?

22 A. Well, these were the military supervisors that I knew.

23 Q. Do you know who the military supervisors were subordinate
24 to?

10:35:05 25 A. Well, yes. They reported to the operations commander who
26 in turn would report to the chief in command.

27 Q. Was there a political advisor for the SLAs in Kono?

28 MR KNOOPS: Your Honour, I object. I think this -- the
29 same. We allowed the Prosecutor to ask questions about military

1 supervisors that could -- that's on the edge of, I think, the
2 personal knowledge of the witness. But the qualification of a
3 political supervisor calls for a qualification which is not
4 within the personal competence, I think, of a lay witness.

10:36:04 5 Perhaps that either the witness could give -- could be asked what
6 he means -- what he understands of a political supervisor. If
7 not I would object because this is clearly not a qualification
8 within the personal knowledge of this witness. He's not here as
9 a political expert, he is here as a lay witness and as a former
10:36:32 10 member of the army, but he cannot comment on the structure of
11 political advisors within or without the structure he described.

12 And it's leading because the Prosecutor did not ask any --
13 give any foundation for either the existence of a political
14 advisor nor about the whereabouts of a political advisor, what's
10:37:09 15 to understand from that.

16 PRESIDING JUDGE: I agree, Ms Pack. There was no
17 foundation and it is a leading question and there has been
18 insufficient foundation to ask this line of questioning.

19 MS PACK: Your Honours, I'll come back to that a little
10:37:23 20 later, if I may.

21 Q. Witness, do you know anything about the commanders who were
22 from the RUF in Kono apart from the ones you've identified,
23 Morris Kallon and Superman?

24 A. Yes.

10:37:43 25 Q. How do you know about the presence of RUF commanders in
26 Kono?

27 A. Well, there had been a cordial relationship between us.
28 They came on patrol to our own areas whilst my operation
29 commander and myself, together with the soldiers subordinate to

1 him -- we also went to their own part, their own side. And we
2 had joint cooperation. If there was any operation there was
3 usually joint cooperation and it was clearly visible that we knew
4 the command structure.

10:38:26 5 MR KNOOPS: Your Honour, if I may object. This is, I
6 think, the third time that the witness is mentioning the words
7 cordial relationships and went on patrol and from these incidents
8 he apparently deduces the existence of command structure with the
9 RUF or the existence of other commanders. I think this still,
10:38:52 10 with the current answers of this witness as it stands, calls for
11 speculation. The witness has not given us any foundation for his
12 conclusion that he has direct knowledge of a command structure
13 within the RUF other than an inference made on the elements I
14 just described. So I object against the answering of the
10:39:21 15 witness. It clearly doesn't fall within his knowledge. He's
16 speculating.

17 JUDGE SEBUTINDE: Actually I noticed, Ms Pack, you asked
18 the witness a question that related to his knowledge of the
19 presence of RUF commanders in Kono. However, his answer now
10:39:41 20 relates not only to the presence but also to the hierarchy, the
21 command hierarchy. So I think the objection is a valid one in
22 that regard, but please do give us your response.

23 MS PACK: Well, I was going to take it in stages and ask
24 about hierarchy having asked the witness about knowledge of their
10:40:03 25 presence. I'll just ask the witness to clarify what he means by
26 knowledge from the cordial relationship between the RUF and the
27 SLAs and the other matters he's talked about, the patrols and so
28 forth. Perhaps I'll just ask him to just elaborate a little
29 further and clarify what he's saying.

1 PRESIDING JUDGE: Before you do, Ms Pack, can I remind the
2 witness what was said yesterday. You should answer the question
3 asked.

4 MS PACK:

10:40:35 5 Q. Witness, just dealing with the question of presence of RUF
6 commanders other than Superman and Kallon in Kono, how do you
7 know about the presence of other RUF commanders in Kono? I'll
8 deal with that question --

9 MR KNOOPS: It's a leading question, Your Honour.

10:40:58 10 PRESIDING JUDGE: It is leading. It is leading. It
11 assumes certain things.

12 MS PACK: My apologies, Your Honour. I thought the witness
13 had suggested the presence by his previous answer but I'll try
14 again.

10:41:12 15 Q. Witness, do you know anything about the presence of any
16 other RUF commander in Kono apart from Superman and Kallon who
17 you've identified?

18 A. Yes. Formerly I have named Kumba Gudama. He was one of
19 the RUF commanders that I knew. And later other RUF commanders
10:41:37 20 came into Koidu.

21 Q. Pause please.

22 A. For both the SLA --

23 MS PACK: I'm just going to spell, please, Kumba Gudama.
24 It's a spelling that has again been provided by the witness. I
10:41:50 25 provided it for the Chamber yesterday. It is spelt by the
26 witness K-U-M-B-A G-U-D-A-M-A.

27 Q. Now just dealing specifically with this individual, how do
28 you know about the presence of this individual Kumba Gudama in
29 Kono at this time?

1 A. Kumba Gudama with the SLA operation commander, we both
2 moved together to capture Koidu. We moved together with Rambo of
3 the RUF to capture Koidu.

4 MS PACK: One moment. Rambo of the RUF, again you'll
10:42:39 5 recall that from yesterday, Your Honours, on the attack on Koidu
6 Town. That was Rambo, R-A-M-B-O.

7 Q. I'm just going to ask you to deal with those two in turn.
8 Do you know anything about where Kumba Gudama was deployed in
9 Kono?

10:43:08 10 A. Yes.

11 Q. How do you know that?

12 A. Well, in Koidu my operation commander and myself and the
13 other soldiers, we patrolled various villages wherever there was
14 the presence of SLAs.

10:43:33 15 MS THOMPSON: Your Honour, can I just seek to clarify
16 something because I'm getting an interpretation of "corporation
17 commander" which is a word we haven't heard before.

18 MS PACK: Operation.

19 PRESIDING JUDGE: I heard operation commander. You heard?

10:43:45 20 MS THOMPSON: Corporation commander.

21 PRESIDING JUDGE: I heard operation. Mr Interpreter, what
22 word did --

23 THE INTERPRETER: It was operations commander.

24 MS PACK:

10:43:57 25 Q. Do you know where Kumba Gudama was deployed to?

26 A. Yes.

27 Q. Where was Kumba Gudama --

28 A. At Yomadu.

29 MS PACK: I'm going to spell that, Your Honours.

1 Y-O-M-A-D-U on the map.

2 Q. Was he deployed anywhere else apart from Yomadu?

3 A. He covered Kayi ma.

4 MS PACK: That's spelt K-A-Y-I -M-A.

10:44:49 5 Q. Do you know what position Kumba Gudama held in the RUF?

6 A. Well, he was controlling the areas that I have just named.

7 He was the commander for the areas.

8 Q. Do you know who he was subordinate to?

9 A. Yes. He was subordinate to Superman.

10:45:20 10 Q. How do you know this?

11 A. He reported directly to Superman and most times when I, my
12 operations commander, went to Superman, when Superman briefed him
13 when we were on patrol there he would brief us about Kumba
14 Gudama. We met him there and when we went on patrol he reported
10:45:53 15 to him because he was an RUF. So he was reporting to Superman.

16 Q. Just so I understand, did you say Superman would brief you
17 about Kumba Gudama?

18 A. Yes. He used to tell us about Kumba Gudama and myself and
19 my operations commander, we went and patrolled to where Kumba
10:46:16 20 Gudama was because he was a close friend to the operations
21 commander.

22 Q. Now the other individual you identified was Rambo from the
23 RUF. Perhaps before I leave Kumba Gudama, do you know if he had
24 a rank that he was known by?

10:46:42 25 A. Colonel Rambo.

26 Q. I'm sorry, I've confused you because I failed to ask this
27 question of Kumba Gudama. Do you know if Kumba Gudama had a
28 rank?

29 A. Yes.

1 Q. And what was that rank?

2 A. He was lieutenant colonel.

3 Q. Now moving on, as I said before, to Rambo. Do you know if
4 Rambo had a rank?

10:47:09 5 A. Yes. He was a lieutenant colonel.

6 Q. Do you know if he was deployed to any specific location in
7 Kono?

8 A. Yes. He was in charge of Gandorhun.

9 MS PACK: Gandorhun has been spelt before,

10:47:39 10 G-A-N-D-O-R-H-U-N.

11 Q. Witness, do you know who Rambo was subordinate to?

12 A. Superman.

13 Q. Witness, was there a title by which Rambo, apart from
14 lieutenant colonel, was known?

10:48:19 15 A. Well, Rambo, he was in charge of Gandorhun and later, as
16 Superman became director of operations for both the SLA and RUF,
17 Rambo became the acting operations commander for the RUF.

18 Q. How do you know what you've just told the Chamber about
19 Rambo?

10:48:52 20 A. Rambo, just as I said earlier, it was myself, operations
21 commander, Kumba Gudama -- Kumba Gudama -- we entered Koi du.

22 Then he directed directly to Superman since he was an RUF. And
23 we, myself, my operations commander and other soldiers who went
24 to visit him -- we had nothing to discuss about combat but we

10:49:17 25 went there only on friendship. But we always met him to
26 Superman.

27 Q. Now I'm just going to go back to Yomadu first of all and
28 Kayima. Do you know how many men were operating --

29 PRESIDING JUDGE: Could you pause, Ms Pack. I'm just

1 noticing the time and it would appear you are onto a new line of
2 questioning. So this may be an appropriate time to take the mid
3 morning break to allow the witness a break. Five past 11.00,
4 counsel and others. Madam Court Attendant, please adjourn court
10:50:25 5 to five past 11.00.

6 [Break taken at 10.47 a.m.]

7 [Upon resuming at 11.07 a.m.]

8 PRESIDING JUDGE: Ms Pack, please proceed. I presume Mr
9 Fofanah's colleague has gone to find him.

11:10:38 10 MS THOMPSON: Yes, Your Honour. He had to make an urgent
11 call during the break.

12 MS PACK:

13 Q. Witness, before the break I was asking you about Lieutenant
14 Colonel Kumba Gudama based at Kayima and Yomadu. Do you know how
11:11:04 15 many men were operating under Lieutenant Kumba Gudama at these
16 locations?

17 A. No, I cannot give the number.

18 Q. Do you know which groups the men operating under Kumba
19 Gudama came from?

11:11:32 20 A. He had RUF and he also had some SLA, but the RUF
21 outnumbered the SLA.

22 Q. Do you remember the names of any of the SLAs, in particular
23 who were operating under Kumba Gudama?

24 A. Colonel Hector Bob Lahai.

11:12:07 25 MS PACK: That's a name Your Honours have heard before. I
26 will just repeat the last bit of it which is Lahai, L-A-H-A-I.

27 Q. I interrupted you, you were about to name someone else?

28 A. He was the senior most SLA commander who worked with Kumba
29 Gudama.

1 Q. Witness, the other individual Lieutenant Colonel Rambo, do
2 you know how many men operated under him at Gandorhun?

3 A. I can't tell the number

4 Q. Do you know which groups those men came from?

11:12:57 5 A. He had the RUF and few SLAs.

6 Q. Now, Witness, you've identified Rambo and you've identified
7 Kumba Gudama. Do you know the names of any other RUF commanders
8 present in Kono at the time you were there?

9 A. We had Colonel Isaac.

11:13:26 10 MS PACK: I'll just spell it. Isaac, I-S-A-A-C.

11 Q. Witness, have you got a full name for this individual?

12 A. Colonel Isaac Mongor.

13 MS PACK: And the spelling provided for Mongor by the
14 witness is M-O-N-G-O-R.

11:13:56 15 Q. Do you know what position Colonel Isaac Mongor occupied in
16 the RUF in Kono?

17 A. He was the artillery commander.

18 Q. How do you know this?

19 A. Well, whenever there is an operation even in our area which
11:14:22 20 we covered, myself and the operation commander and the other
21 commanders, he was the one who always brought the artillery and
22 he was in charge of the twin barrel. It was under his direct
23 command.

24 Q. Was there another artillery commander in Kono whilst you
11:14:53 25 were based there?

26 A. Well, we only had the SLA artillery commander.

27 Q. Who was that?

28 A. Lieutenant Lagah.

29 MS PACK: Let me just spell that, L-A-G-A-H.

1 Q. Do you know where Lieutenant Lagah had come from prior to
2 being in Kono?

3 A. He was a member of the Sierra Leone Army.

4 Q. Do you know whom he reported to?

11:15:40 5 A. Yes. He was under the -- he was working under the command
6 of the SLA operation commander, Commander A.

7 Q. How do you know about Lieutenant Lagah and who he reported
8 to?

9 A. Well, Lieutenant Lagah was part of us. I mean -- when I
11:16:08 10 say "us" I mean part of the brigade. The operation commander
11 provided accommodation for him and he was very close to the
12 operation commander. Wherever there was an operation the
13 operation commander would call him up and move with him.

14 Q. What do you mean by the brigade?

11:16:34 15 A. I'm referring to the entire SLA troops which had the
16 brigade and they were responsible for the administration of the
17 troops.

18 Q. Do you know who was in the brigade?

19 A. Yes. The SLA brigade, yes.

11:17:04 20 Q. Name who was in the SLA brigade, please?

21 A. There was Colonel Ibrahim Bazzy Kamara and he was the head.

22 Q. Pause there. Did he remain as the head of the brigade for
23 all your time in Kono?

24 A. He continued in that position until the arrival of Gullit.

11:17:43 25 Q. Can you name any other members of the brigade while you
26 were in Kono?

27 A. There was the Operation Commander A and the military
28 supervisors and the deputy operation commander. These were all
29 members of the brigade.

1 Q. You identified the military supervisors earlier, Witness.
2 How do you know that the military supervisors were part of the
3 brigade?

4 A. Well, whenever they wanted to go out they would hold
11:18:33 5 discussions together with the operations commander, the commander
6 who led the brigade, and I myself would be there when they held
7 these discussions before they went on those patrols for them to
8 go and supervise the various battalions. This was an appointment
9 given by Bazzy to these people.

11:19:00 10 Q. I think you used the word "brigade commander". Just to
11 clarify, who do you mean by the brigade commander?

12 A. Bazzy was the head of the brigade so he was the brigade
13 commander of the SLAs when he was in Kono.

14 Q. Witness, before I asked you about the brigade, the SLA
11:19:34 15 brigade, and Lieutenant Lagah the SLA artillery commander I was
16 asking you about Colonel Isaac Mongor. Do you know who Isaac
17 Mongor was subordinate to?

18 A. Yes. Superman.

19 Q. How do you know this?

11:19:59 20 A. Well, in fact in any operation, even when Superman summoned
21 Bazzy and the operation commander was assigned to him, we would
22 go together and when we'd go we would meet Isaac and it was
23 Superman who chaired the meeting and he would give the order that
24 Isaac should go to a particular point to meet these men. So he
11:20:25 25 received direct orders from Superman.

26 Q. Do you know about the presence of any other RUF commanders
27 in Kono whilst you were there?

28 A. There was Colonel David Vandy.

29 MS PACK: Pause there. It's a name Your Honours have heard

1 before, David Vandy, V-A-N-D-Y.

2 Q. Do you know what Colonel David Vandy did in Kono?

3 A. He was the mission commander for the RUF.

4 Q. How do you know he was the mission commander for the RUF?

11:21:27 5 A. Well, if there was any operation he would come and make
6 sure that he appoints the commander who would go and he would
7 also ensure that the mission is given to him that would head and
8 sometimes he would supervise the mission.

9 Q. Do you know who he was subordinate to?

11:21:59 10 A. Yes. Superman.

11 Q. How do you know that?

12 A. Well, just as I had said before, in any operation when
13 Super calls Bazzy, the Operation Commander A, I will go with them
14 to Super's place and we would see him giving instructions to
11:22:26 15 them.

16 Q. Perhaps you would explain to the Chamber, do you know what
17 is meant by the words "a mission commander"?

18 A. Well, any operation that is about to take place, it had a
19 mission commander who would supervise that operation.

11:22:56 20 Q. Is there a difference between a mission commander and an
21 operation commander?

22 A. Yes.

23 Q. Would you explain, please, what the difference between an
24 operation commander and a mission commander is?

11:23:24 25 [By order of the Court this portion of the evidence, page
26 39 line 25 to 27, has been extracted, and filed under seal]

27

28 JUDGE SEBUTINDE: Sorry, counsel, I'm not quite clear.

29 Could he repeat that last that he gave? It's a bit of a tongue

1 twister in my head.

2 MS PACK: Yes, Your Honour.

3 Q. Witness, would you just repeat the last answer. The
4 question was what was the difference between an operation
11:24:09 5 commander and a mission commander?

6 [By order of the Court this portion of the evidence, page
7 40 line 6 to 8, has been extracted, and filed under seal]

8

9 Q. And does the operation commander do anything in relation to
11:24:36 10 a mission?

11 MR KNOOPS: Your Honour, we object. I think we are now
12 entering an area which is outside the personal knowledge of the
13 witness. These are clearly questions which should be addressed
14 to an expert witness and not to a lay witness. Therefore I
11:24:56 15 object because the question calls for conclusions and opinions
16 which are clearly outside the competence of -- the status of the
17 witness as presented by the Prosecution. He is not introduced as
18 an expert military witness, he is introduced as a lay witness and
19 there is no foundation laid that this witness has specialised
11:25:19 20 knowledge on these areas such as differences between mission
21 commanders, operational commanders, interrelationships between
22 these alleged two different forms of command. Therefore I think
23 every question in this regard should be excluded because either
24 the Prosecutor should have called this witness as lay witness or
11:25:44 25 as an expert witness. But now the Prosecutor has clearly chosen
26 to introduce this witness as a factual witness. These questions
27 are clearly outside the expertise of this witness. Thank you.

28 JUDGE LUSSICK: Yes, Ms Pack. I think that question called
29 for an opinion and in my view it's not admissible in that form.

1 MS PACK: I'll ask as a matter of fact what the witness saw
2 the operations commander doing as distinct from a mission
3 commander because, Your Honour, in my submission, he is very well
4 able to answer that question. He was a soldier --

11:26:30 5 JUDGE LUSSICK: Well, this has to come from him, not you.

6 MS PACK: Yes. If I may ask that question --

7 JUDGE LUSSICK: So if you ask the appropriate questions
8 we'll take it from there.

9 MS PACK: I'm very grateful, Your Honour.

11:26:39 10 Q. Did you observe what an operations commander -- what the
11 operation commander, the SLA operation commander that you've been
12 talking about, what he would do in relation to operations?

13 MR FOFANAH: I object on the grounds that we are not very
14 clear, firstly, as to what that question is leading to. The
11:26:56 15 witness was clearly talking about the RUF. That is one.

16 Secondly, my objection is based on the grounds of finality.
17 The witness has clearly told this Court that the operations
18 commander appoints the mission commander and the mission
19 commander in turn appoints those who are to go on a mission. I
11:27:18 20 think that question was finally answered and any attempt by the
21 Prosecutor will be to reopen that. That is my objection.

22 MR KNOOPS: Your Honour, if I may address the Trial Chamber
23 with a brief support of the objection of my learned colleague on
24 the side of this bench. The witness has just given us two
11:27:43 25 descriptions of what he understands to be an operational
26 commander and a mission commander. We have no foundation that
27 these descriptions given by this witness are his own personal
28 definitions, his own personal perception of these two
29 phenomena, or that these are stemming from any form of military

1 doctrine. Now, elaborating therefore on these two definitions or
2 these two descriptions given by this witness can only be done if
3 a further foundation is laid as to how this witness comes to this
4 description.

11:28:27 5 Therefore I think the next question is also not permissible
6 because it presumes that the descriptions given by this witness
7 pertaining to these two phenomenons are definitions coming from
8 his own personal knowledge, or perhaps it's pertaining to hearsay
9 evidence or information he got. So we have no foundation yet as
11:28:55 10 to how this witness comes to these descriptions of what he
11 understands to be an operational commander or a mission
12 commander.

13 Therefore I repeat my objection also of yesterday. I think
14 the Prosecution is indirectly, every time, trying to get this
11:29:12 15 witness into the field of that of a military expert which he
16 clearly is not.

17 JUDGE SEBUTINDE: Mr Knoops, are you suggesting that the
18 answer which the witness gave which says the operational
19 difference between a mission commander and an operation commander
11:29:34 20 et cetera, that that answer should be stricken off the record or
21 what are you suggesting?

22 MR KNOOPS: Thank you for the question, Your Honour. Yes,
23 I believe that without further information given by this witness
24 as to how he comes to these descriptions these are just opinions
11:29:55 25 and conclusions of this witness and should not be accepted.
26 Again, he is not here as a military expert. He has not given the
27 Honourable Trial Chamber any guidance as to how he comes to these
28 descriptions. Therefore I repeat my objection of yesterday that
29 elaborating on these two distinctions and asking now about the

1 interrelationships between the two of them is merely asking the
2 witness to speculate and give his own opinion on specialised
3 areas which clearly fall outside the knowledge as lay witness
4 despite the fact that he was a former member of the army. That
11:30:43 5 does not take away that he is still not here as a military
6 expert. He has not given the Trial Chamber any guidance on how
7 he knows all these terms. Was he educated on them? Did he have
8 any military education on these terms? Therefore I think indeed
9 that answer should be stricken from the record and every question
11:31:09 10 in this regard should not be put before this witness in at least
11 this capacity as he's here for. Thank you.

12 PRESIDING JUDGE: Thank you, Mr Knoops. Your reply,
13 Ms Pack.

14 MS PACK: Your Honour, my first observation is again with
11:31:24 15 my learned friend. The objection made is very premature. I
16 hadn't finished asking the question. My question was to be:
17 What did you see the SLA commander that you were with do? Now,
18 this witness has gone through a number of individuals identifying
19 what, effectively, their job description was. He has effectively
11:31:44 20 said this individual was a doctor or an operations commander or a
21 mission commander or whatever. I am then, in my submission,
22 entitled to ask this witness as an operation commander what he
23 did he do? As a mission commander what did he do? The witness
24 will be answering that question from the basis of facts and
11:32:02 25 matters observed by him in Kono as a soldier under the command of
26 the individuals or in his relationship with these individuals at
27 the time then.

28 It's not a matter of expertise I'm asking this witness to
29 provide for the Court. It is simply a matter of fact which I'm

1 asking. I'm asking the witness to provide evidence as to facts
2 and matters observed by him to clarify, Your Honours, what he has
3 already given evidence on which hasn't been objected to by my
4 learned friend. Namely, what the titles and job descriptions of
11:32:34 5 these various individuals were. It makes sense, in my
6 submission, absolutely for the witness to then identify
7 operations commander, what did I see him do? I saw him do this.
8 It's nothing -- no more nor less than that is what I would be
9 asking this witness.

11:32:56 10 MR KNOOPS: Your Honour, if I may just briefly provide two
11 remarks. I think it's not just a matter of fact. The question
12 put to this witness as what he saw an operational commander or,
13 in his view, mission commander doing or not doing presumes that
14 there is an established definition given by this witness coming
11:33:23 15 from his own expertise and, again, I think that also presumes
16 that he is an expert which he is clearly not.

17 Secondly, now that it comes to a differentiation between
18 technical military terms such as operation commander, mission
19 commander -- we also heard the word political advisor, although
11:33:52 20 that question was not put longer before this witness. That is
21 different. This difference now is the Prosecutor enters a field
22 of differentiation between technical military terms stemming from
23 military doctrine. I think that is clearly out of bounds and is
24 clearly out of the competence of a lay witness despite the fact
11:34:15 25 that he has a military background, albeit not educated as an
26 officer. Therefore there is a clear distinction now with respect
27 to the questions which were put to this witness yesterday as to
28 his qualification of operational commanders. So therefore I
29 sustain my objection that questions which are put before this

1 witness on this particular field should not be admitted. Thank
2 you.

3 MR FOFANAHA: Excuse me, Your Honours. Just on a point of
4 law in reply to my learned colleague: Firstly, I indicated to
11:35:00 5 this Honourable Chamber that I was objecting on the grounds of
6 finality. Just to support what my learned colleague Professor
7 Knoops has indicated about expert witnesses, I would like to
8 refer Your Honours to Archbold's International Criminal Courts
9 (Practice, Procedure and Evidence) that was published in 2003.

11:35:22 10 At page 279 paragraph 9 subparagraph 68 under the rubric "Scope
11 of Expert Testimony". With your leave --

12 MS PACK: I'm not suggesting that this witness is an
13 expert, just before my learned friend makes any submissions
14 limiting the scope of expert evidence.

11:35:44 15 MR FOFANAHA: I didn't say that either. I was basically
16 supporting the averments made by my colleague. If this witness
17 is to testify about anything relating to military structure or
18 command structure then he has to come in as an expert witness.
19 I'm basically referring Your Honours to a little provision in the
11:36:05 20 said text about the issue of command structure and as to why that
21 should only come from expert witnesses. My reference is to page
22 279 at paragraph 9 subparagraph 68. Under the rubric "Scope of
23 Expert Testimony". With your leave it reads: "Expert witnesses
24 have testified in most cases before the ICTY and ICTR. The
11:36:34 25 nature of the offences charged often require experts in the
26 military, political and constitutional fields to assist the
27 Chamber on specialised subjects such as the command structures of
28 armed forces". I'll just leave it at that. Thank you.

29 [Trial Chamber deliberates]

1 PRESIDING JUDGE: This is the view of the Chamber. This
2 witness is not called as an expert. The Prosecution has failed
3 to lay the foundation as to how this witness can answer the
4 question on the difference between the operation commander and
11:42:07 5 mission commanders. Without that foundation of how it has come
6 to his knowledge the objection is upheld and the answer is struck
7 from the record. ^ DO WE DO THE STRIKING? ^ We do not agree on
8 the submission of finality and that part of the objection is not
9 upheld.

11:42:39 10 MS PACK: Thank you, Your Honour.

11 Q. Witness, did you observe the presence of any other RUF
12 commanders in Kono apart from those you've already identified.
13 Let me just remind you who you've identified already. You've
14 identified Rambo, Kumba Gudama, Isaac Mongor, David Vandy,
11:43:04 15 Superman and Morris Kallon. Is there any other RUF commander
16 whose presence you recall in Kono?

17 A. Yes.

18 Q. Name him?

19 A. Emmanuel Williams.

11:43:20 20 Q. Did he have a rank?

21 A. Yes. He was a lieutenant colonel.

22 Q. Did he have an alias that you recall?

23 A. Yes, he had an alias name.

24 Q. What was the alias?

11:43:38 25 A. I cannot recollect it now but later I will be able to
26 recollect it.

27 Q. Do you know what Lieutenant Colonel Emmanuel Williams did
28 in Kono?

29 MR FOFANAH: Objection. Foundation. The witness has not

1 told this Court as to whether Lieutenant Colonel Emmanuel
2 Williams did anything in Kono.

3 MS PACK:

4 Q. Do you know if Lieutenant Colonel Emmanuel Williams held
11:44:22 5 any position in Kono?

6 A. Yes.

7 Q. What was the position that Lieutenant Colonel Emmanuel
8 Williams held in Kono?

9 A. He was a commander at the Guinea Highway on the Jagbwema
11:44:51 10 Fiama leading to Guinea.

11 MS PACK: I've spelt that before, Your Honours.

12 J-A-G-B-W-E-M-A F-I-A-M-A.

13 THE WITNESS: And I have just recollected the name, the
14 alias. He was Rocky.

11:45:09 15 JUDGE SEBUTINDE: Mr Interpreter, please make an effort to
16 pronounce -- to interpret in English in the way that we can
17 understand. I find that you tend, I think, to shift into Krio
18 and I'm getting difficulty in deciphering your accent. Please
19 try and help us to try your level best to interpret in English so
11:45:35 20 that we non Krio speaking people can understand.

21 MS PACK: Can I just spell the alias. It's Rocky,
22 R-O-C-K-Y.

23 [TB190505c 11.45 p.m. - SGH]

24 Q. Now, you spoke about a meeting earlier that Gullit called
11:45:25 25 on his arrival in Kono. And one of the individuals you
26 identified as attending that meeting was Coachy Borno. Do you
27 know what position, if any, he held in Kono?

28 A. Yes. Before the arrival of Gullit, Bazy appointed him as
29 a political adviser.

1 Q. How do you know this?

2 A. Well, since myself and operations commander and Bazzy
3 joined us in Kono, they decided that AFRC should not be left out
4 and that they should have somebody who had vast idea in politics
11:46:11 5 who would be able to advise us in that area. So Coachy Borno was
6 given that appointment because he was an educated man.

7 Q. Witness, I realise I should have asked you this - and I
8 apologise to Your Honours for jumping back to Emmanuel Williams,
9 Rocky, again. But, witness, you said he was located or deployed
11:46:36 10 at Jagbwema Fiama. Do you know anything about any men who
11 operated under him there?

12 A. Yes, he had RUF and a few SLAs under his command.

13 Q. Do you know how many men he had deployed under him at
14 Jagbwema Fiama?

11:46:55 15 A. No.

16 Q. How do you know about the groups who operated under
17 Lieutenant Colonel Emmanuel Williams and indeed his position at
18 Jagbwema Fiama?

19 A. Well, that area in fact it was myself and Captain Junior
11:47:31 20 captured and the Jagbwema Fiama and after the capture, later
21 Superman sent Lieutenant Colonel Williams to go and head that
22 area.

23 Q. Now, is that the Captain Junior you referred to earlier who
24 was the commander battalion commander at Jagbwema Fiama?

11:47:50 25 A. Yes.

26 Q. So, were they both operating at Jagbwema Fiama, both him
27 and Emmanuel Williams?

28 A. Well, Commander Williams, as I said, he covered from the
29 route entry into Jagbwema Fiama whilst Captain Junior he was a

1 commander at Jagbwema Fiamama.

2 Q. Now, witness, I am going to ask you one final question
3 about Emmanuel Williams. Do you know who he was subordinate to?

4 A. Yes, sir, Superman.

11:48:57 5 Q. How do you know that?

6 A. Well, most of the time when myself, the operations
7 commander and the commander for the SLA, Buzzy, went to Superman
8 and whenever there was a planned operation, he would call all the
9 commanders and always Superman gave instructions to his own men.

11:49:27 10 If he had need to and if he had need for reinforcement in that
11 area and this showed that he was directly under his command.

12 Q. Witness, you have talked about the various ranks of
13 individuals you have identified as holding various positions in
14 Kono. Had the individuals - I am just talking about the SLAs for
11:49:52 15 the moment - have they always held these ranks? Have they held
16 these ranks before they were in Kono with you?

17 MR KNOOPS: Your Honour, I object. I think this calls for
18 speculation. First of all, the question is, I think, too broad
19 referring to all these individuals.

11:50:13 20 PRESIDING JUDGE: I was about to say that to the
21 Prosecution that it is far too wide. There are all these
22 individuals and it encompasses a lot of people.

23 MS PACK: I will just ask about some specifics then.

24 Q. I am going to ask you about Lieutenant Mosquito. Had he
11:50:36 25 held this rank before Kono - and Your Honours I have already
26 asked the witness whether he knew what these individual had done
27 before Kono, so I think I have laid the foundation for that. Had
28 he held the rank of Lieutenant before Kono?

29 A. The only people whom Johnny Paul approved of their ranks at

1 that time was the honourables. When myself and the operations
2 commander, the other soldiers under his command, reached Kono,
3 after we have captured Kono promotions came out for these
4 officers.

11:51:16 5 Q. Pause, pause there. Who made the promotions?

6 A. Well, Bazzy -- when Bazzy came, he approved of those
7 promotions.

8 Q. Identify, please, whom he promoted.

9 A. Bazzy, he promoted Lieutenant Lagah.

11:51:45 10 Q. You have identified him already. The spelling, Your
11 Honours, again is L-A-G-A-H. Who else?

12 A. Tito.

13 Q. He, you have already identified, also was a lieutenant.
14 Was he promoted to a lieutenant or was he promoted higher than
11:52:09 15 that?

16 A. Yes, he was promoted to a lieutenant.

17 Q. Sorry, lieutenant. Anyone else?

18 A. Savage.

19 Q. Was promoted from what to what?

11:52:23 20 A. From corporal. He was the other ranks. Corporal -- from
21 corporal to lieutenant.

22 Q. Anyone else you recall?

23 A. Lieutenant Kallay. From other ranks to lieutenant.

24 Q. From what ranks?

11:52:36 25 A. Other ranks.

26 Q. And that has been spelt already, Your Honours, it is
27 K-A-L-L-A-Y. Anyone else you recall?

28 A. Lieutenant Bakarr.

29 Q. And again that has been spelt, Your Honours, B-A-K-A-R-R.

1 Promoted from what to what?

2 A. From other ranks to lieutenant.

3 Q. Anyone else you recall?

4 A. Lieutenant Mosquito.

11:53:22 5 Q. And he was promoted from what to what?

6 A. From other ranks to lieutenant.

7 Q. Witness, I am going to ask you, please, to look at a map of
8 Kono District.

9 MS PACK: Your Honours, I have got copies that have been
11:53:43 10 passed up to your legal officer and I hope may find their way to
11 you. My learned friends were served with copies at least a
12 couple of weeks ago. I cannot remember the specific date. If I
13 could just pass the map of Kono District to the witness and
14 perhaps describe it as a UNAMSIL Geographic Information Section
11:54:06 15 map.

16 Q. Witness, take a few moments to familiarise yourself with
17 the map.

18 MS PACK: Your Honours, if I may ask again for the
19 assistance of Madam Court Attendant just to pass the witness a
11:54:46 20 highlighter pen so that he can mark some locations on the map.

21 Q. Witness, this is a map of Kono District, as you can see,
22 and I am going to ask you to identify first, if you would, Koidu
23 Town. And what I am going to ask you to do is encircle that
24 location on the map. Just take your time to find it. Have you
11:55:23 25 found Koidu Town, witness?

26 A. Yes.

27 MS PACK: And perhaps I can ask again for the assistance of
28 Madam Court Attendant because I would like the witness to
29 identify that location with an A or some sort of letter because

1 there will be a few locations that I will be asking him to
2 encircle.

3 JUDGE SEBUTINDE: I am just wondering, Ms Pack, if it would
4 not be better if we used numericals rather than letters, seeing
11:56:33 5 as we already have one, A, as a pseudonym.

6 MS PACK: Your Honour, thank you very much for that
7 observation. I will ask the witness to use numbers rather than
8 letters. Might I just pass a pen to Madam Court Attendant so
9 that the witness can do that?

11:56:53 10 Q. So, if you would just put a one next to Koidu Town. Just
11 mark one, put a circle around it. And then I am going to ask
12 you, witness, to mark another location which you have identified
13 which is Njaiama Sewafe. If you could find that, circle it with
14 the highlighter and then put a number two by it. Have you found
11:57:34 15 that, witness?

16 A. Yes.

17 Q. I am going ask you, please, to encircle with the
18 highlighter and mark three with the pen, Bumpe. And when you
19 have done that, would you mark, with a four, Yengema, and circle
11:58:11 20 it with the highlighter. When you have marked Yengema -- have
21 you managed to find Yengema, witness?

22 A. Yes.

23 Q. And marked it?

24 A. Yes.

11:58:38 25 Q. I would like you now, please, to find, if you can, Jagbwema
26 Fiama, the location you have referred to as Jagbwema Fiama.
27 Circle that with a highlighter and identify it as five.

28 A. I'm sorry, I have made a mistake. I think we have to go
29 over the numbers again. I have already marked Jagbwema Sewafe as

1 two. So could we change?

2 Q. I asked you Njai ama Sewafe as two.

3 A. Njai ama Sewafe.

4 Q. That is quite right.

11:59:14 5 A. Okay.

6 Q. Number three is Bumpe. Number four is Yengema, and number
7 five is Jagbwema Fiama.

8 A. Okay.

9 Q. You can just circle with the highlighter and then mark
11:59:29 10 number five as Jagbwema Fiama.

11 A. Okay.

12 Q. Thank you, witness. And then I would ask you to mark,
13 please, Gandorhun, encircle with a highlighter and just mark
14 Gandorhun as number six. Have you done that, witness?

11:59:56 15 A. Yes.

16 Q. Then I would ask you to identify Tankoro, which is where
17 you identified was near where Johnny Paul Koroma was based.

18 Tankoro, encircle that and mark that, please, seven. I would
19 also like you to mark Woama, encircle that and mark it as eight,

12:01:05 20 please. And when you have done that, I would like you to mark

21 Yomandu. Circle Yomadu and mark that as number nine. Just take
22 your time to find it. And if you would mark that nine, witness.

23 Witness, finally, I would like you -- in fact, witness, those are
24 all the location I would mark for the time being.

12:02:21 25 MS PACK: Your Honour, I would ask to tender the map of
26 Kono as marked by the witness as an exhibit. Perhaps my learned
27 friends would like to have a look first at how it has been marked
28 by the witness.

29 PRESIDING JUDGE: Madam Court Attendant, show it first to

1 counsel for the Prosecution and then counsel for the Defence. Mr
2 Witness, are you all right?

3 THE WITNESS: I have pains in my chest and my head.

4 PRESIDING JUDGE: [Microphone not activated]

12:03:15 5 THE WITNESS: Yes.

6 PRESIDING JUDGE: [Microphone not activated]

7 THE WITNESS: No.

8 PRESIDING JUDGE: We will deal with the tender of this
9 document and then I think it is only right and proper that we

12:05:35 10 give the witness a break. I have in mind taking an early lunch
11 break and adjourning, but we will first deal with this tender.

12 There is an application to tender this document. Have counsel
13 for the Defence all seen this document?

14 MS THOMPSON: Yes, Your Honour.

12:06:02 15 PRESIDING JUDGE: I note that it has been tendered without
16 objection. I think it is Exhibit P14; is that correct?

17 [Exhibit No. P44 was admitted]

18 PRESIDING JUDGE: Now, Mr Witness, you are clearly not
19 well, I am thinking we should adjourn now until 2.00 p.m. Can
12:06:25 20 you indicate to us whether that will be enough for you.

21 THE WITNESS: I will try.

22 PRESIDING JUDGE: We note that you are going to try and we
23 will, therefore, now adjourn until 2.00 p.m. and that will
24 include the lunch time adjournment as well as the break for the
12:06:51 25 witness. Madam Court Attendant, please adjourn court until 2.00
26 p.m. this afternoon.

27 [Luncheon recess taken at 12.06 p.m.]

28 [TB190505 - CR]

29 [Upon resuming at 2.30 p.m.]

1 PRESIDING JUDGE: Good afternoon counsel, I have been
2 advised by the victims support unit that the witness is still
3 undergoing some medical tests and treatment and that the witness
4 does not feel personally physically able to continue with his
14:34:44 5 evidence this afternoon. In the circumstances, I think it would
6 be unfair and improper, both to him and to counsel, if he was
7 obliged to continue. In the circumstances, we will adjourn to
8 tomorrow morning to allow the tests and treatment to continue.
9 We will reconvene at 9.15 a.m.. I'm sure by that time whatever
14:35:10 10 information is available will be conveyed to -- in fact, I will
11 ask that it is conveyed both to Prosecution and Defence so that
12 both the Prosecution and Defence are able to ready themselves for
13 whatever is proceeding tomorrow. Sorry, Ms Taylor, I should have
14 asked you if there was something you wanted to say before I
14:35:31 15 started.

16 MS TAYLOR: Not at all, Your Honour. Obviously we are
17 waiting on further information at the moment. If this is going
18 to be an ongoing situation, the Prosecution will endeavour to
19 find out which of the next witnesses might be available to stand
14:35:43 20 in so that there is not a waste of court time if this witness is
21 unavailable, and that information will be communicated to my
22 learned friends this afternoon and to your legal officer.

23 PRESIDING JUDGE: Thank you very much. I know it may not
24 be relevant, but I do recall one of the witnesses on the list,
14:36:00 25 004, was on the same list of witnesses that might be called.

26 MS TAYLOR: Yes, that witness has had to leave Freetown for
27 personal reasons. There were a number of other witnesses. I
28 have had communication with my learned friends about these
29 matters; that will be sorted out this afternoon.

1 PRESIDING JUDGE: That will be between the two of you. I
2 will not interfere with that. In the circumstances, we will
3 adjourn until tomorrow morning at 9.15 a.m.

4 [Whereupon the Court adjourned at 2.35 p.m.
5 to be reconvened on Friday, the 20th of May
6 2005, at 9.15 a.m.]

14:36:26

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EXHIBITS:

Exhibit No. P44 54

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-334 2

EXAMINED BY MS PACK 2