



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

TUESDAY, 6 JUNE 2006  
9.15 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:	Richard Lussick, Presiding Julia Sebutinde Teresa Doherty
For Chambers:	Ms Carolyn Buff Ms Evelyn Campos Sanchez
For the Registry:	Mr Geoff Walker
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	Ms Prudence Acirokop (intern)
For the accused Alex Tamba Brima:	Mr Kojo Graham Ms Glenna Thompson Ms Rebecca Cohen (intern)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels Mr Mohamed Pa-Momo Fofanah Ms Louisa Songwe (legal assistant)
For the accused Santigie Borbor Kanau:	Mr Geert-Jan Alexander Knoop Mr Ajibola E Manly-Spain Ms Anne-Marie Verwiel (legal assistant)

1 [AFRC06JUN06A - CR]  
2 Tuesday, 6 June 2006  
3 [The accused present]  
4 [Open session]  
09:19:50 5 [Upon resuming at 9.15 a.m.]  
6 WITNESS: ACCUSED ALEX TAMBA BRIMA [Continued]  
7 [The witness answered through interpreter]  
8 PRESIDING JUDGE: Good morning. Mr Brima, I am going to  
9 remind you that yesterday you took an oath to tell the truth. I  
09:20:27 10 remind you now that you are still on that oath. Do you  
11 understand that?  
12 THE ACCUSED BRIMA: Yes, My Lord.  
13 PRESIDING JUDGE: Thank you. Yes, Mr Graham.  
14 EXAMINED BY MR GRAHAM: [Continued]  
09:21:02 15 Q. Good morning, Mr Brima.  
16 A. Good morning.  
17 MR GRAHAM: Your Honours, I'm going to pick up from where I  
18 finished yesterday. With your permission, I would respectfully  
19 request that Exhibit D13 be given back to the witness.  
09:21:25 20 PRESIDING JUDGE: Will the Court Attendant please hand that  
21 exhibit back to the witness.  
22 MR GRAHAM:  
23 Q. Mr Brima, I'm going to ask you a question and you don't  
24 need to disclose the contents of the paper that you have in front  
09:23:17 25 of you. I need a clarification from you. If you look at the  
26 third name on the list and then you also cast your eye to look at  
27 the SLA -- the army numbers that you've written for the four  
28 names, if you look at the third name you realise the SLA number  
29 is completely different in terms of the numbering format from the

1 other three. Is there any explanation for the difference in that  
2 format?

3 A. Yes. The reason why this number is different, they made  
4 some restructuring in the army 2000, 2001, 2002. So all soldiers  
09:24:53 5 who were trained in 2001, 2002, under the British short term  
6 training team, they had a common name which was assigned to  
7 them "/00." So with this restructuring, they did not have any  
8 identification which would say SLA. They just put their numbers.  
9 For example, if they called their number they put "/00." So if  
09:25:41 10 that number is to be seen by any senior officer in the army, he  
11 would know that this personnel was either trained in 2000, 2001,  
12 or 2002. This is the reason why this very number doesn't have an  
13 SLA in front.

14 MR GRAHAM: Excuse me, Your Honours, I think we can't hear  
09:26:00 15 the translation component of the --

16 PRESIDING JUDGE: I can't hear you, Mr Graham. I'm sorry,  
17 you were saying you can't hear the translation.

18 MR GRAHAM: It's better now. Yes, it's all right. I'm  
19 sorry for that interruption.

09:26:42 20 THE WITNESS: So this number indicates that the soldiers  
21 who have this number, they were the ones that were trained in  
22 2000, 2001, 2002. So they do not have any SLA indication on  
23 their numbers. It's just like an 1816, 1817. 1816, these were  
24 people that were trained far back unto '91, and in the late '91,  
09:27:21 25 1816 indication had finished in the army, so they started off  
26 with 1817. So it was the same thing that applied to this  
27 particular thing that I am talking about when I talked about  
28 2001, 2002, 2003. So this is the reason why there was no  
29 indication in front of it.

1 MR GRAHAM: Your Honour, I think the Court Attendant at  
2 this point can have the exhibit back under seal, with your  
3 permission.

4 PRESIDING JUDGE: Yes, the Court Attendant can take  
09:28:03 5 possession of that.

6 MR GRAHAM:

7 Q. Mr Brima, yesterday you told this Court you received  
8 military training at one time at Lungi. Who was your training  
9 commandant at Lungi?

09:28:51 10 A. The training commandant was Colonel JD Johnny, but he had  
11 retired for now.

12 Q. Was he the only one responsible for your training?

13 JUDGE SEBUTINDE: I'm sorry, could we have the spelling of  
14 that surname, please.

09:29:17 15 MR GRAHAM:

16 Q. Mr Brima, could you please spell the name of the training  
17 commandant for the Court?

18 A. JD Johnny. J-O-H-N-N-Y.

19 Q. I asked earlier whether Colonel Johnny was the only one who  
09:29:54 20 was responsible for your training.

21 A. No.

22 Q. Can you tell us any other military personnel who were  
23 involved in your training at Lungi?

24 A. Yes, we had the second in command who was late Major Ansu  
09:30:35 25 Saccoh.

26 Q. Could you please spell that for the convenience of the  
27 Court, Mr Brima?

28 A. Ansu, A-N-S-U; Saccoh, S-A-C-C-O-H. After that, we had the  
29 platoon commander, who was then Lieutenant Fonton Kanu. Fonton,

1 F-0-N-T-0-N; Kanu, K-A-N-U. After that, I had my training RSM,  
2 who was Warrant Officer Class 1, Mustapha.

3 Q. Could you spell Mustapha for the Court, please?

4 A. M-U-S-T-A-P-H-A. After that, I had my training  
09:32:33 5 sergeant-major, called W02, which means Warrant Officer class 2,  
6 Sesay. S-E-S-A-Y. After that I had my platoon sergeant, who was  
7 Sergeant Thoronka. Thoronka, T-H-0-R-0-N-K-A. Then after that,  
8 I had my battalion RSM. RSM means regimental sergeant-major. He  
9 was W01, Warrant Officer Class 1, Momodu Koroma. M-0-M-0-D-U,  
09:34:14 10 Momodu. Koroma, K-0-R-0-M-A. These were the officers that I had  
11 that had been taking care of the training at Lungi Garrison.

12 Q. Thank you, Mr Brima. Yesterday you did also mention to  
13 this Honourable Court that you also received military training at  
14 the Benguema Training Centre. Could you, Mr Brima, tell the  
09:35:14 15 Court who your training commandant at Benguema?

16 A. My training commandant was retired Colonel EGO Caulker.  
17 Caulker, C-A-U-L-K-E-R, Caulker.

18 Q. Mr Brima, the information you just gave the Court about the  
19 composition of your training at Lungi, could you please tell this  
09:36:18 20 Court whether there were other members of your training team at  
21 Benguema.

22 A. Yes. I had my second in command who was called 2IC. He  
23 was retired Major Andrew Koroma. A-N-D-R-E-W, Andrew. Koroma,  
24 K-0-R-0-M-A. After that, I had my platoon commander, Lieutenant  
09:37:23 25 AS Kargbo. Kargbo, K-A-R-G-B-0, Kargbo. After that, I had the  
26 battalion RSM, who was RSM Jalloh. J-A-L-L-0-H, Jalloh. After  
27 that, I had my training sergeant-major, who was Sergeant Major  
28 Mansaray. M-A-N-S-A-R-A-Y, Mansaray. After that, I had my  
29 platoon sergeant who was Sergeant Faselie Koroma. Faselie,

1 F-A-S-E-L-I-E. Faselie. Koroma, K-O-R-O-M-A. After that, I had  
2 my section commanders. They were Corporal Sumu Conteh. Sumu,  
3 S-U-M-U; Conteh, C-O-N-T-E-H. Sumu Conteh. These were the  
4 various commanders in my team at Benguema.

09:40:10 5 Q. Mr Brima, can you tell this Court what your assigned  
6 military number was when you were enrolled into the Sierra  
7 Leonean Army?

8 A. My military number was SLA 18166243. By then, Private  
9 Tamba Brima.

09:40:49 10 Q. Mr Brima, are you still a member of the Sierra Leonean  
11 Army?

12 A. No, I have retired.

13 Q. What period in time did you retire from the Sierra Leonean  
14 Army, Mr Brima?

09:41:17 15 A. I retired from the Republic of Sierra Leone military force  
16 on 28th April 2001.

17 Q. Mr Brima, did you leave the Sierra Leonean Army  
18 voluntarily?

19 MR AGHA: Your Honours, that's a leading question. I would  
09:41:43 20 object to that.

21 MR GRAHAM:

22 Q. Mr Brima --

23 PRESIDING JUDGE: Yes, it is leading. You can rephrase  
24 that question, Mr Graham.

09:41:53 25 MR GRAHAM: I am rephrasing the question, Your Honour.

26 Q. Mr Brima, when you left the army, were you given any  
27 document by the army?

28 MR AGHA: That is again leading, Your Honour, I would  
29 submit.

1           PRESIDING JUDGE: Technically a lot of these questions are  
2 leading, but we have to get some evidence that's to the point out  
3 of the witness, Mr Agha, so I will allow the question. I quite  
4 agree with you, it is leading, but it's permitted by the Court.

09:42:34 5           MR GRAHAM: Your Honour, I could rephrase it.

6 Q. Mr Brima, you were given a discharge book.

7 A. Yes, they gave me my discharge book.

8 Q. Mr Brima, where is the discharge book that was given to you  
9 by the army?

09:43:03 10 A. I have my discharge book here with me.

11           MR GRAHAM: Your Honours, with your permission, if I could  
12 get Court Management to get the discharge book from the accused.

13           PRESIDING JUDGE: Yes.

14           MR AGHA: Your Honours, if I may at this point just make a  
09:44:08 15 general observation that the Prosecution has not seen a copy of  
16 this discharge book before. It was not mentioned on the exhibit  
17 list either. So just as a preliminary, we will most likely be  
18 objecting to its admission into evidence, if it is Mr Graham's  
19 proposal to tender it.

09:44:29 20           PRESIDING JUDGE: Thank you, Mr Agha. We will see what  
21 Mr Graham intends to make of the book. It will be shown to you,  
22 in any event. Yes, Mr Graham.

23           MR GRAHAM: Your Honours, we're going to pass over the  
24 discharge book to our friends on the other side so they can also  
09:44:50 25 have a look at it. I intend to ask the accused a few questions  
26 in respect of information contained in the discharge book.

27           PRESIDING JUDGE: I see. Could Mr Court Attendant please  
28 hand that book over to the Prosecution?

29           MR AGHA: Your Honour, initially, we would object to

1 questions being asked about the book when the book is in front of  
2 the witness, because, in effect, that would amount to leading the  
3 witness, as has been raised when documents would be placed before  
4 Prosecution witnesses in the past. The Prosecution would submit  
09:45:24 5 that questions may be asked without the document being in front  
6 of the witness.

7 PRESIDING JUDGE: He left the army in 2001, that's six  
8 years ago -- five years ago. How can he remember every item in a  
9 discharge book, unless he's shown the book?

09:45:46 10 MR AGHA: Well, he's had the book in his possession most of  
11 the time. I believe he's the person who handed it over,  
12 Your Honour.

13 PRESIDING JUDGE: Have a look at the book, Mr Agha, and  
14 then we'll see what questions Mr Graham wants to ask. Mr Court  
09:48:39 15 Attendant, if you could hand that discharge book back to  
16 Mr Graham.

17 MR GRAHAM: With respect, Your Honours, at this point we  
18 would seek to have the discharge book tendered in evidence. The  
19 discharge book was not in the possession of the accused person  
09:49:24 20 until Saturday. Indeed, it was only given to him yesterday.

21 PRESIDING JUDGE: What is the basis of the tender, though,  
22 Mr Graham? For what reason are you tendering?

23 MR GRAHAM: Your Honour, I think it is relevant, one,  
24 because it establishes the identity of the accused person.  
09:49:46 25 Your Honours, I think that one of the issues at stake, one of the  
26 evidentiary issues we intend to establish, is the name of the  
27 accused is Tamba Brima and not Alex Tamba Brima.

28 Secondly, also, Your Honour, there is the issue of his  
29 rank. The indictment states that the rank of the accused was



1 staff sergeant. Your Honours, as per this charge, I think the  
2 issue of his rank would be set.

3 PRESIDING JUDGE: You mentioned just a few moments ago that  
4 the book came into the possession of the accused not long ago.

09:50:36 5 When was that?

6 MR GRAHAM: On Saturday, Your Honour.

7 JUDGE SEBUTINDE: Came into his possession from where?

8 MR GRAHAM: His family, Your Honour.

9 JUDGE SEBUTINDE: Are you saying that since he retired in  
09:51:01 10 2001 he hasn't had custody of this book?

11 MR GRAHAM: I believe he had it, but it was not with him in  
12 detention. But we made a request for the discharge book and I  
13 think he, in turn, asked his family to try to locate that. I  
14 think that is exactly what was done.

09:51:18 15 PRESIDING JUDGE: I think you should lead some sworn  
16 evidence on that, Mr Graham, as to how he came into possession of  
17 the book and when.

18 MR GRAHAM: Very well, Your Honour. If I could get Court  
19 Management to pass it over to the accused person, I would be  
09:51:38 20 grateful.

21 Q. You told this Court earlier on you were discharged from the  
22 Sierra Leonean Army at some point in time. Were you given a  
23 discharge book upon your retirement from the army?

24 A. Yes.

09:52:21 25 Q. The document that you have in front of you, Mr Brima, is  
26 that the discharge book that was given to you by the army upon  
27 your retirement?

28 A. Yes.

29 Q. Have you had it in your possession since?

1 A. Well, it was with me, but not all the time, because at the  
2 time that I was arrested, I had to leave the discharge book with  
3 my wife to go and collect my pension. So, my lawyers had been  
4 asking me for my discharge book, but I only took my discharge  
09:53:27 5 book as a passport, so I did not ever give them a discharge book.  
6 It was during these days that I sent -- I said my discharge book  
7 was to be brought.

8 MR GRAHAM: Your Honours --

9 Q. Mr Brima, when did you receive the discharge book that you  
09:53:57 10 have in front of you?

11 A. I received it on Sunday this week.

12 MR GRAHAM: Your Honours, at this point, subject to any  
13 objections from the Prosecution --

14 Q. Mr Brima, would you like the Court to have a look at your  
09:54:36 15 discharge book?

16 A. Yes.

17 PRESIDING JUDGE: You're going to ask for it to be  
18 tendered; is that right, Mr Graham?

19 MR GRAHAM: That's right.

09:54:52 20 PRESIDING JUDGE: We'll have a look at it first.

21 MR GRAHAM:

22 Q. Mr Brima, would you like to tender the discharge book in  
23 evidence before this Court?

24 A. Well, I would be willing to tender the discharge book, but  
09:55:18 25 I am asking the Court if the Court would photocopy it and give me  
26 back my discharge book, so as to give it to my wife so that she  
27 could be collecting my pension. Because for every three months,  
28 she is supposed to go and collect my pension.

29 MR GRAHAM: Your Honours, I would respectfully request if

1 Court Management could get the discharge book.

2 PRESIDING JUDGE: Mr Graham, if the document is tendered  
3 into evidence --

4 MR GRAHAM: I can't hear you.

09:56:01 5 PRESIDING JUDGE: You can't hear me. Can you hear me now?

6 MR GRAHAM: Yes, Your Honour.

7 PRESIDING JUDGE: If the document is tendered into  
8 evidence, obviously a copy will need to be tendered and not the  
9 original, because the wife will need that, won't she, for the  
10 pension. Do you have the facilities to prepare copies?

09:56:20

11 MR GRAHAM: Your Honour, we anticipated that request. We  
12 have a photocopy of the discharge book here which we intend to  
13 tender in evidence once it has been compared with the original  
14 and sufficiently satisfied ourselves that it is a fair and  
15 accurate copy of the original copy.

09:56:43

16 PRESIDING JUDGE: We haven't heard from the Prosecution  
17 yet, but the original and that photocopy should be given to the  
18 Prosecution for them to satisfy themselves that that is an  
19 accurate photocopy.

09:56:58

20 MR GRAHAM: Very well, Your Honour.

21 PRESIDING JUDGE: Mr Court Attendant, can you pick those  
22 documents up and return them to Mr Graham, please?

23 MR GRAHAM: Your Honours, at this point, subject to any  
24 arguments from the Prosecution, the Defence would like to tender  
25 the discharge book in evidence.

09:59:59

26 PRESIDING JUDGE: You're tendering the photocopy but  
27 producing the original.

28 MR GRAHAM: That is it, Your Honour.

29 PRESIDING JUDGE: Hand those up to the Bench, please. What

1 do you say to the tender, Mr Agha?

2 MR AGHA: Your Honours, the Prosecution objects to the  
3 tender of these documents. Firstly, they were not on the exhibit  
4 list, as a first point and, Your Honours, in your order when that  
10:00:31 5 exhibit list was filed said that exhibits would only be allowed  
6 with leave of the Court. Now, as we've heard from the witness  
7 himself, his lawyers had been asking for that discharge book from  
8 him for some time. They realised it was important to their case,  
9 so, for that reason, the Prosecution should have had advance

10:00:56 10 warning of this exhibit and it should have been placed on the  
11 list. It has been received by the Defence on Sunday. It is an  
12 important document, they say, for their case, but we've only seen  
13 it this morning, so we're not in a position to comment upon its  
14 authenticity, which we would like to do so. We note that it has  
10:01:22 15 some kind of signature of someone who purports to be a commanding  
16 officer. We don't know who that commanding officer is. We would  
17 seek that this document needs to be properly authenticated before  
18 we would actually agree or submit that it would be admitted.  
19 Perhaps a course may be for it to be marked for identification at  
10:01:50 20 this point.

21 PRESIDING JUDGE: Before we look at these documents, do you  
22 want to answer that objection, Mr Graham?

23 MR GRAHAM: Yes, Your Honour. We submit that we think the  
24 discharge book is relevant. It is relevant because, Your Honour,  
10:02:19 25 one of the key issues is the identity of the accused. Your  
26 Honour, I believe that this case also largely deals with identity  
27 of the accused. Indeed, this discharge book is relevant to that  
28 extent. Your Honours, I believe it will go a long way to guide  
29 the Court in determining issues relating to the identity of the

1 accused. Secondly, Your Honours, I don't think the admission of  
2 this document into evidence in any way will prejudice the  
3 Prosecution. Indeed, Your Honours, it will facilitate an  
4 expeditious hearing of this matter.

10:03:01 5 Further, Your Honours, I record very well, that during the  
6 Prosecution's case the discharge book for the third accused was  
7 tendered and admitted into evidence without any precondition.  
8 Your Honours, as per your ruling during a status conference, you  
9 made it clear that you make a determination on the issue of  
10:03:44 10 admission of exhibits on a case-by-case basis. We've tried to  
11 get the discharge book for some time now. We don't control the  
12 processes involved, but we have it now here before this Court. I  
13 believe Your Honours are in a better position to assess the  
14 weight to be attached to this document. Your Honours, we  
10:04:26 15 respectfully submit that the document should be allowed and it  
16 does not in any way prejudice the Prosecution. That is my  
17 submission on this matter.

18 PRESIDING JUDGE: Thank you, Mr Graham. I would like to  
19 look at these documents.

10:07:55 20 MR GRAHAM: Your Honours, I hate to interrupt, but the  
21 third accused would want to use the restroom.

22 [AFRC06JUN06B - SV]

23 PRESIDING JUDGE: We've taken note of the submissions by  
24 both the Prosecution and the Defence. The Defence has sought to  
10:20:44 25 tender a photocopy of a discharge book in the name of one Tamba  
26 Brima. That has been objected to by the Prosecution and we've  
27 taken note of the Prosecution objection.

28 We accept that the document is not on the Defence's list of  
29 documents. However, we consider that the document is relevant,

1 and under Rule 89(C) the Chamber can admit any relevant evidence.  
2 The question of what weight ought to be attached to the exhibit  
3 is a separate question which will be addressed at the appropriate  
4 time. We do not consider that the Prosecution would be  
10:21:57 5 prejudiced if we were to allow the tender and also allow the  
6 Prosecution to uplift the exhibit to copy it and also order the  
7 Defence to produce to the Prosecution the original if required.

8 Accordingly, having noted that the original document has  
9 been produced, we allow the tender of the photocopy of the  
10:22:33 10 discharge book serial number 05152, showing a regimental number  
11 SLA 18166243, bearing the name of Tamba Brima. It will be  
12 admitted into evidence as Exhibit D14. The original will be  
13 returned to the Defence subject to the Prosecution being able to  
14 uplift it for limited periods so long as such uplifting does not  
10:23:20 15 prevent the accused's wife from collecting the pension. Also,  
16 the Prosecution is given leave to uplift Exhibit D14 to photocopy  
17 it and return it to the custody of Court Management.

18 Mr Agha, I'm going to return the original to Mr Graham but,  
19 as I've said, the Defence must give you reasonable access to the  
10:23:52 20 original and if you have any difficulty in that regard, it's just  
21 a matter of applying to the Court for the appropriate order. You  
22 will also be able to uplift Exhibit D14 itself to copy it.

23 [Exhibit No. D14 was admitted]

24 MR GRAHAM: Your Honours, the third accused Mr Kanu would  
10:24:28 25 want to use the restroom, with your permission, please.

26 PRESIDING JUDGE: Yes, that's quite all right.

27 MR GRAHAM: Thank you.

28 Q. Mr Brima, the SLA number that you told this Court was  
29 assigned to you, when you enrolled in the Sierra Leone Army, did

1 you retire with that same number?

2 A. Yes.

3 Q. Was that number ever taken from you and given to another  
4 person at any point in time?

10:25:33 5 MR AGHA: Your Honour, these are all leading questions. I  
6 appreciate the need for evidence to be adduced.

7 PRESIDING JUDGE: Yes, that question is not allowed in that  
8 form, Mr Graham.

9 MR GRAHAM: Thank you, Your Honour.

10:25:47 10 Q. Mr Brima, are you aware during the period of your service  
11 in the SLA of military numbers being taken from one SLA and given  
12 to another?

13 MR AGHA: Your Honour, he should be giving evidence about  
14 what he knows, not what he is aware of. This would be  
10:26:12 15 speculation on the part of the witness.

16 PRESIDING JUDGE: I think you can rephrase it in a form  
17 that would not be objectionable, Mr Graham.

18 MR GRAHAM: Yes, Your Honour, thank you.

19 Q. Mr Brima, do you know, during the period of your service in  
10:26:32 20 the SLA, whether military numbers are transferrable?

21 A. That does not exist in the army.

22 MR GRAHAM: Your Honours, I didn't hear the response. I  
23 seem to be having a problem with my system. Your Honours, with  
24 your permission, I didn't hear his answer to the last question,  
10:27:26 25 please.

26 PRESIDING JUDGE: I think his answer was no, that was not  
27 transferrable in the army.

28 MR GRAHAM:

29 Q. Mr Brima, you earlier mentioned to this Court that you had

1 a brother, Komba, who is deceased. Can you tell this Court what  
2 he did when he was alive?

3 A. He himself was a soldier.

4 Q. Do you know when he was enlisted in the Sierra Leone Army?

10:28:20 5 A. He was enlisted on 5 June 1991.

6 Q. Do you know the military number that was assigned to him by  
7 the SLA?

8 A. Yes, his military number was SLA 18166893.

9 Q. Do you know what his rank was at the time of his death?

10:29:12 10 A. He was a staff sergeant.

11 Q. Was he known by any other name?

12 MR AGHA: That's a leading question, Your Honour. The  
13 Prosecution would object.

14 PRESIDING JUDGE: I'll allow the question, Mr Agha.

10:29:34 15 MR GRAHAM:

16 Q. Mr Brima, please answer.

17 A. Yes. They used to call him Gullit. That was his own  
18 alias.

19 Q. Mr Brima, could you please spell Gullit for the Court?

10:29:53 20 A. G-U-L-L-I-T.

21 Q. Mr Brima, do you know when Komba Tamba died -- Komba Brima,  
22 sorry, Your Honours.

23 A. Komba died on May 8, 2000.

24 Q. Do you know how he died?

10:30:46 25 A. Yes. Komba, he was shot at and he died. At the time when  
26 the problem happened in Foday Sankoh's house at Spur Road, when  
27 the civil society called upon the army, the retired chief of army  
28 staff, at the time Major General Tom Carew, he called upon the  
29 soldiers, we, the SLA. I that was sitting here, I joined. He



1 said we were to put Corporal Sankoh under arrest.

2 During that incident my brother Komba, they were the ones  
3 that led the team that were supposed to put Sankoh under arrest.  
4 It was the time that RUF Gibril Massaquoi had to fire at my  
10:32:01 5 brother. When he fired at him, at that time he, the Gibril, and  
6 Superman, they were on their way to escape to the jungle. So  
7 when he fired at Komba, when he was escaping from the house,  
8 Komba was injured. The other soldiers that were around, they  
9 also had been struggling to catch the other RUF.

10:32:34 10 At the time I reached on the ground, when I discovered  
11 Komba, he was leaning against the fence. There was no vehicle  
12 around. Komba had to tell me that, he said, "My brother, it was  
13 Gibril Massaquoi that fired at me." So we were on that  
14 discussion, I went in search of a vehicle to go and take Komba to  
10:33:04 15 the hospital. Before I came, Komba had died. And I was able to  
16 confirm that it was Gibril that fired at him for some SLAs that  
17 were in Makeni. Because when Gibril escaped from Freetown, after  
18 that May 2000 incident, when he went to Makeni, they arrested  
19 some SLA soldiers who were in Makeni. Later, when those soldiers  
10:33:41 20 were released, some of those soldiers had to explain to me that,  
21 they confirmed to me, they said that it was Gibril who said that  
22 he was the one that fired at your brother, Komba. And he, the  
23 Gibril, knew Komba and Komba himself knew him. So that was how  
24 Komba died.

10:34:13 25 Q. Mr Brima, do you recall there was one Gibril Massaquoi who  
26 testified before this Court some time in 2005?

27 A. Yes.

28 Q. Mr Brima, is it the same Gibril Massaquoi who testified  
29 before this Court that you are referring to in this account of

1 the death of Komba Brima?

2 A. Yes.

3 Q. You are very sure about that?

4 A. Yes.

10:35:04 5 MR GRAHAM: Your Honours, I am about to move into another  
6 area of questioning. I'm wondering whether this is an  
7 appropriate time for us to take our short break.

8 PRESIDING JUDGE: We'll move into the other area. Normally  
9 we'll try to target 10.45 for our morning break. That's a  
10 flexible time.

11 MR GRAHAM: Okay. Thank you.

12 Q. Mr Brima, after the completion of your military training  
13 were you sent on any deployments?

14 A. Yes. After my military training I was posted to navy.

10:35:55 15 That was the Sierra Leone Navy.

16 Q. Where was your posting? Where was this deployment? Where  
17 were you deployed to? Where?

18 A. The navy deployed me at Bonthe Island, which was in Bonthe  
19 District in the Southern Province in Sierra Leone.

10:36:33 20 Q. Can you please spell Bonthe for the convenience of the  
21 Court?

22 A. B-O-N-T-H-E, Bonthe.

23 Q. Mr Brima, what was the nature of the duties that you  
24 performed during this deployment with the navy?

10:37:13 25 A. Well, when I was at the navy, I was performing a duty as a  
26 post guard base to defend the coast that is very close to the sea  
27 when we were fighting against the RUF.

28 Q. How did you carry out your duties? How? In protecting the  
29 coast against the RUF, how did you carry out your duties and

1 functions?

2 A. Well, I was carrying out my duties through my immediate  
3 commander that I was having on the ground, because I did not  
4 deploy on one side in Bonthe. We were supporting the infantry  
10:38:19 5 forces that were fighting on the land, so I deployed at Bendu  
6 Cha, B-E-N-D-U C-H-A. And, from there, I deployed at Maniya --

7 Q. I have a few questions in relation to your deployment at  
8 Bonthe. Were you armed during these operations in Bonthe?

9 MR AGHA: Your Honours, again that's a leading question. I  
10:39:05 10 would object to that.

11 MR GRAHAM: I'll rephrase, Your Honour.

12 Q. Mr Brima, how did you protect yourself during these  
13 operations?

14 A. Well, the way I was protecting myself, from the day I  
10:39:35 15 enrolled into the army, when they gave me a number in the army,  
16 they gave me a rifle with four magazines. So that rifle and the  
17 four magazines were the ones that I used to protect myself as a  
18 soldier.

19 Q. During the course of your operations during your first  
10:40:00 20 deployment, did you have any form of contact with the RUF?

21 A. No.

22 Q. Mr Brima, how long did you serve with your naval deployment  
23 at Bonthe? How long?

24 A. I served at the naval deployment at Bonthe from September  
10:40:32 25 1991 to April 1992.

26 Q. Mr Brima, what was your next deployment, your second  
27 deployment, after -- what was your second deployment?

28 MR AGHA: Your Honour, I'd object to that question. It's  
29 not known whether it was second deployment or third or fourth.

1 MR GRAHAM: Sorry.

2 Q. When was your next deployment after Bonthe?

3 A. My next deployment after Bonthe, I deployed with  
4 Captain Strasser.

10:41:22 5 Q. Who --

6 A. Who was the chairman for the NPRC government.

7 Q. When was this? When, can you tell this Court?

8 A. This was in April 1992.

9 Q. What were your duties when you were deployed with  
10:41:52 10 Captain Strasser?

11 MR AGHA: Again, Your Honour, I'd object to that question.

12 PRESIDING JUDGE: What's the basis of that objection?

13 MR AGHA: The basis of the objection is the question should  
14 be did he have any duties rather than what were the duties.

10:42:09 15 PRESIDING JUDGE: That's going to the extreme. He wouldn't  
16 be posted there with no duties. No, I'll allow the question.

17 MR GRAHAM: Thank you, Your Honours.

18 Q. Mr Brima, before I proceed I will ask you to explain what  
19 you mean by the NPRC?

10:42:33 20 A. National Provisional Ruling Council.

21 Q. Mr Brima, what was the NPRC?

22 A. NPRC was the military government in 1992.

23 Q. Were you assigned any specific duties when you were  
24 deployed to the NPRC?

10:43:26 25 A. At the NPRC I was a personal security to the chairman,  
26 Captain Strasser. Then I was assigned -- then I was also  
27 assigned as personal bodyguard.

28 Q. During this period who did you report to? Who was your  
29 superior? Who did you report to?

1 A. I was reporting to retired Captain Patrick Amara, who was  
2 the chief security officer.

3 JUDGE SEBUTINDE: Could you please spell the surname at  
4 least.

10:44:43 5 MR GRAHAM: Yes.

6 Q. Mr Brima, could you please spell the last name for the  
7 Court, please?

8 A. Amara, A-M-A-R-A. Then also I was reporting to  
9 Captain Abdul S Kargbo.

10:45:16 10 Q. Could you please spell that for the convenience of the  
11 Court?

12 A. Abdul, A-B-D-U-L, S, Kargbo, K-A-R-G-B-O. Again I was  
13 reporting to Captain Late Abu Tarawallie who was the ADC to  
14 Captain Strasser. Abu, A-B-U, Tarawallie, T-A-R-A-W-A-L-L-I-E,  
10:46:19 15 Tarawallie.

16 Q. Mr Brima, in your duty as personal bodyguard what did you  
17 do?

18 A. When I was a personal bodyguard I was securing the head of  
19 state and his family.

10:46:58 20 Q. What do you mean by securing the head of state and his  
21 family?

22 A. Well, by that, I meant that anywhere the head of state  
23 went, who was Captain Strasser, I went there to man security to  
24 deploy. And if I was not on duty that very day with the head of  
10:47:38 25 state, I would remain at home to protect his wife and his family.

26 Q. Mr Brima, during this deployment as personal bodyguard to  
27 Captain Strasser, did you conduct your duties in uniform,  
28 military uniform?

29 MR AGHA: Your Honour, that is a leading question.

1 MR GRAHAM: Your Honours, I'll rephrase.

2 PRESIDING JUDGE: Yes, that's leading.

3 MR GRAHAM:

10:48:34

4 Q. Mr Brima, what was the normal attire that you normally had  
5 on during the period when you were personal bodyguard to  
6 Captain Strasser?

7 A. I used to wear military uniform and I also wore civilian  
8 clothes.

10:48:55

9 Q. Did you make the decision yourself as to when to wear  
10 military uniform or civilian clothes?

11 A. No. All that was decided by the chief military officer.

12 Q. How long were you deployed with Captain Strasser, the  
13 chairman of the NPRC? How long?

14 A. Well, I was with Captain Strasser until he was overthrown.

10:49:47

15 Q. And when -- what period was this?

16 A. That was in January 1996.

17 PRESIDING JUDGE: Whenever's a convenient time, Mr Graham.

18 MR GRAHAM: Your Honours, I think now is the propitious  
19 time to take our early morning break.

10:50:18

20 PRESIDING JUDGE: Thank you. We're going to take a  
21 15-minute break. We'll reconvene court at five past 11.00.

22 Mr Brima, you're going to get tired of me saying this, but  
23 during the breaks you're not permitted to talk about the case or  
24 the evidence; is that clear?

10:50:47

25 THE ACCUSED BRIMA: Yes, My Lord.

26 PRESIDING JUDGE: Thank you. We'll adjourn the Court

27 [Break taken at 10.45 a.m.]

28 [Upon resuming at 11.07 a.m.]

29 PRESIDING JUDGE: Yes, Mr Graham.

1 MR GRAHAM: Thank you, Your Honour.

2 Q. Mr Brima, you told this Court earlier on that your  
3 deployment with Captain Strasser of the NPRC ended in January  
4 1996. Mr Brima, can you tell this Court where Captain Strasser's  
11:11:12 5 office was located?

6 A. Captain Strasser's office was at State House.

7 Q. Do you know where the State House is located?

8 A. Yes.

9 Q. Where is the State House located?

11:11:47 10 A. The State House is located at the central one in Freetown,  
11 very close to the big cotton tree and the Paramount Hotel  
12 building, which is now the defence headquarters building.

13 Q. Mr Brima, do you know what the State House is used for?

14 A. Well, the State House is meant for any president or head of  
11:12:46 15 state, that is his office.

16 Q. Mr Brima, can you describe the State House to this Court?

17 A. Yes.

18 Q. Please do.

19 A. The State House has -- it is a four-storey building  
11:13:36 20 including the basement. Then at the basement you have the  
21 kitchen. During the time that Captain Strasser was working  
22 there, his office was located at -- was on the fourth floor.  
23 Then to go right up to the second floor, third and fourth floor,  
24 one has to use steps. But there is also an airlift.

11:14:27 25 MR GRAHAM: Your Honours, I thought the witness said lift,  
26 not airlift.

27 THE INTERPRETER: Correction, interpreter, it should be  
28 "lift."

29 THE WITNESS: Then it has a garden at the back of State

1 House which is on top of the car park and the car park is at the  
2 back of the State House, which is located towards the new  
3 Salone -- the new Bank of Salone building, and the State House  
4 has three gates which led in and out. Then there is one small  
11:15:30 5 entrance to go to the quarters. That entrance is towards task  
6 force building.

7 JUDGE SEBUTINDE: Mr Interpreter, did you say tax force or  
8 task force?

9 THE INTERPRETER: Task force. Task force.

11:16:13 10 THE WITNESS: And that garden that is in the State House,  
11 it is used as helipad. And the main gate entrance then, which is  
12 towards State Avenue Road, the gate has two lions, two statues of  
13 lions at the entrance, and there is a police post that is meant  
14 for visitors. And there is a fuel station in the State House.

11:17:34 15 MR GRAHAM:

16 Q. Mr Brima, can you see the garden you referred to from the  
17 basement in the State House?

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

19 PRESIDING JUDGE: Yes, that question is not allowed,  
11:17:50 20 Mr Graham.

21 MR GRAHAM: Your Honour, with great respect, I think the  
22 witness has referred already to the basement in the State House  
23 in his prior testimony.

24 PRESIDING JUDGE: Yes. Where's the evidence that he was  
11:18:07 25 ever in the basement?

26 MR GRAHAM:

27 Q. Mr Brima, how come you are so knowledgeable about the State  
28 House?

29 A. I am able to know about the State House when I was deployed



1 with Captain Strasser. I have told this Court that I was a  
2 personal security earlier. Then later I became a personal  
3 bodyguard. So during the time that I was a personal bodyguard,  
4 most of my duties were performed at State House. So this is how  
11:19:30 5 I came to know about State House.

6 Q. Mr Brima, where were you working out of in the State House  
7 during this period?

8 A. Well, as I have just said, as personal security it was  
9 outside the building but inside the compound. For example, let's  
11:20:20 10 say I work outside the Special Court, like how I'm seeing the  
11 soldiers being deployed outside if you are coming in. But when I  
12 was a personal bodyguard, I was working like how that gentleman  
13 who is sitting there is doing.

14 Q. Which gentleman are you referring to?

11:20:47 15 A. I am referring to that gentleman who is sitting before me.

16 PRESIDING JUDGE: Which person is he indicating? We can't  
17 see from here.

18 MR GRAHAM:

19 Q. If you could point to which individual you are referring to  
11:21:14 20 for the convenience of the Court, please.

21 A. The gentleman who is sitting over there with the black  
22 coat.

23 MR GRAHAM: Your Honours, for the record, I think Mr Brima  
24 is referring to personal security. If we could get him to stand,  
11:21:35 25 it probably would assist the Court.

26 PRESIDING JUDGE: He's referring to court security, is he?

27 MR GRAHAM: Yes.

28 PRESIDING JUDGE: Yes. Can that gentleman please stand up.  
29 We can't see you from the Bench.

1           Witness, is that the man you are referring to?

2           THE WITNESS: Yes, My Lord.

3           PRESIDING JUDGE: All right. Thank you. The record will  
4 show that the witness is referring to court security.

11:22:17 5           MR GRAHAM: Thank you.

6           Q. Mr Brima, in your earlier testimony you mentioned the  
7 personal bodyguard and personal security. Can you tell this  
8 Court whether there is any difference between the personal  
9 bodyguard and the personal security?

11:22:36 10          A. Well, the difference is that the personal bodyguard, he  
11 wears plain clothes and he works purely in the building with the  
12 head of state. The personal security, he works out of the  
13 building, but it's within the compound and he wears military  
14 uniform. So that is the difference between the two people.

11:23:22 15          Q. Mr Brima, as personal bodyguard to then Captain Strasser,  
16 do you recall how many times you visited the State House during  
17 that period?

18          A. Well, that was my normal place of work. I cannot remember  
19 the time.

11:23:50 20          Q. Thank you. Mr Brima, in your earlier testimony you  
21 mentioned that the State House and the basement with a kitchen.  
22 Did you ever go there during the period that you were serving  
23 Captain Strasser?

24           MR AGHA: I object to that question. It's a leading  
11:24:12 25 question, Your Honour.

26           PRESIDING JUDGE: I'll allow that, Mr Agha. If I don't  
27 allow some of these questions, he's going to have to go through  
28 every room in the State House before he reaches the kitchen.

29           MR GRAHAM: I'm grateful, Your Honour.

1 Q. Mr Brima, my question was: Did you go there? Did you ever  
2 go there?

3 A. Ask the question again. I do not understand.

4 Q. You mentioned earlier that the basement at the State House  
11:24:57 5 had a kitchen, and I'm asking did you ever go there to that  
6 kitchen?

7 A. Yes, I had gone to the kitchen.

8 Q. Can you tell this Court how you get into the kitchen?

9 A. Yes. Well, as personal bodyguard, at lunchtime they  
11:25:30 10 deployed one bodyguard who would come and collect food from the  
11 kitchen to take it up for the personal bodyguard team. This was  
12 a normal routine which used to go on. So I used to be fortunate  
13 from time to time to go and collect food from the kitchen. So  
14 this was how I came to know about the kitchen. As personal  
11:26:06 15 security again, they used to provide food for us. So at times I  
16 was fortunate to be one of the individuals that would go and  
17 collect the food. So these were the two ways that I was able to  
18 know the kitchen and I was able to go into it.

19 Q. Mr Brima, can you please tell this Court how often or how  
11:26:34 20 many times you would typically go into that kitchen in the course  
21 of a week during the period of your work?

22 A. Well, I cannot tell the number of times that I went there,  
23 but at any time that I was on duty, when it was my own time to go  
24 and collect the ration for the next soldiers, it was I that would  
11:27:08 25 go there.

26 Q. Mr Brima, can you please describe the layout of the kitchen  
27 to this Honourable Court?

28 A. Well, the kitchen, it has two windows which were towards  
29 facing Paramount Hotel and State Avenue Road towards Pademba

1 Road. Then it has two doors, one leading from the conference  
2 room and the other one leading out to the fuel station. But when  
3 you come from the door that leads to the fuel station, you have a  
4 corridor there. The corridor was made of bricks, so you would  
11:28:37 5 not be able to see the basement of the State House. The only  
6 areas that you can see were those two areas that I talked about.  
7 But you would not be in the kitchen and see the Bank of Sierra  
8 Leone. You will not be in the kitchen and see Victoria Park.  
9 You will not be in the kitchen and see the American Embassy  
11:29:16 10 building.

11 Q. Mr Brima, can you tell this Court whether from the  
12 basement, the kitchen in the basement, you could see the compound  
13 of the State House from the windows in the kitchen?

14 A. The only area that you can see, these are the ones that I  
11:29:54 15 have talked to you about, the entrance, that's the frontage of  
16 State House.

17 Q. Mr Brima, after serving Captain Strasser to January '96,  
18 were you deployed elsewhere?

19 A. Yes.

11:30:22 20 Q. Where were you deployed?

21 A. I deployed at the AHQ with the then army chief of staff,  
22 Colonel KS Mondeh. But I was attached to the PRO unit.

23 Q. Mr Brima, could you please explain to the Court firstly  
24 what you mean by HQ -- AHQ, sorry?

11:31:06 25 A. AHQ means army headquarter.

26 Q. Could you also, for the convenience of the Court, spell the  
27 name of the military officer you just mentioned?

28 A. Yes. Komba, K-O-M-B-A, S, Mondeh, M-O-N-D-E-H.

29 Q. What duties did you perform during this deployment you made

1 reference to?

2 A. During this deployment I was -- I used to attend the  
3 Freetown Technical Institute, so I was on study leave. But I  
4 would only come either to come and collect my benefits from the  
11:32:34 5 army, then I reported to my attached wing which was the PRO unit.  
6 But if they called any general muster parade which the army chief  
7 of staff, or the defence chief of staff, or the under-secretary  
8 defence minister, or the defence minister, or the  
9 commander-in-chief of the armed forces, if he wanted to address  
11:33:08 10 the military personnel, he would send a circular round, that  
11 message, that's what I mean. Then I can report.

12 Q. Mr Brima, can you tell the Court the nature of the benefits  
13 that you were collecting at this period of your deployment that  
14 you just referred to?

11:33:44 15 A. By that I meant my salary with my FBA which was called by  
16 the army Family Bush Allowance. That is to say, if you are at  
17 the front. If you are in Freetown, they called it Family Basic  
18 Allowance.

19 [AFRC06JUN06C-RK]

11:34:16 20 Q. Mr Brima how often did you collect benefits?

21 A. These benefits were benefits that I used to collect every  
22 month.

23 Q. Mr Brima, you just referred to the PRO unit. Could you  
24 please tell the Court what the PRO stands for?

11:34:55 25 A. It was the public relations office unit in the army.

26 Q. What did the PRO unit do?

27 A. The PRO unit used to try to bring a link between the army  
28 and the civilian populace. Because during that time the civilian  
29 populace was already losing confidence in the army, and it was a

1 newly established unit.

2 Q. Mr Brima, do you have any educational background in public  
3 relations?

11:36:18

4 A. Well, the army, the army chose some of us that were doing  
5 some courses. We were assigned to that unit. Then the army  
6 would train you to what they want you to be. So I was fortunate  
7 under the army chief of staff, who was Colonel Mondeh. He get me  
8 attached to that unit.

11:37:02

9 Q. Mr Brima, did you undertake any tasks or assignments for  
10 the PRO unit?

11 MR AGHA: That's leading, Your Honour. I would object to  
12 that question.

13 MR GRAHAM: I will rephrase.

11:37:11

14 Q. What did you do during your period of assignment with the  
15 PRO unit?

16 A. When I was assigned to the PRO unit, the PRO unit, we  
17 negotiated. We used to organise football matches or volleyball  
18 matches with the civilian populace or with the prisons department  
19 or the police force or students from different colleges and  
20 institutions.

11:37:55

21 Q. Mr Brima did you at any point in time take part --

22 MR AGHA: That's a leading question again, Your Honour.

23 PRESIDING JUDGE: Let's hear the rest of the question  
24 first, Mr Agha.

11:38:17

25 MR GRAHAM:

26 Q. Mr Brima, you referred earlier on to sporting activities  
27 being organised by the PRO unit. Were you a participant?

28 MR AGHA: Again, that is leading.

29 MR GRAHAM: Rephrase, Your Honours.

1 Q. Mr Brima, did you play any role in these sporting  
2 activities?

3 A. Yes, I used to play volleyball for the army.

4 Q. How long did you serve with the PRO unit?

11:39:04 5 A. Well, it was the PRO unit that I served until the time of  
6 the AFRC.

7 Q. Do you know whether prior to the coming in the AFRC  
8 government, whether the government was engaged in any military  
9 operations?

11:39:38 10 A. Yes.

11 Q. Can you tell this Court the nature of the military  
12 operations?

13 A. Well, when I was in the PRO unit, a military, they were  
14 engaged in series of operations.

11:40:24 15 Q. What kind of operations? Could you tell the Court a little  
16 more details as to the kind of operations?

17 A. Well, like the military was on some operations, like  
18 fighting the RUF or defending certain areas or districts which  
19 the RUF had already put under their control.

11:41:19 20 Q. Mr Brima, did you take part in any of these operations?

21 MR AGHA: That is a leading question, Your Honour.

22 PRESIDING JUDGE: I think counsel is entitled to put that  
23 to him, MR Agha, because that's part of the allegations against  
24 the accused and he is entitled to answer them. So I will allow  
11:41:41 25 the question.

26 MR GRAHAM: Thank you, Your Honours.

27 Q. My question was whether you took part in any of these  
28 operations?

29 A. I did not take part in none of these operations. I told

1 you that I was on study leave and by then I was at Freetown  
2 Technical Institute. The only thing that I was fortunate to  
3 attend was the general muster parades.

4 Q. Mr Brima, where were you when the May 1997 coup took place?

11:42:46 5 A. I was in my house at 7 Battalion Goderich Barracks.

6 Q. Do you remember or recall what you were doing at the time?

7 A. Well, I was with my wife.

8 Q. Mr Brima, were you a member or part of those who effected  
9 the coup of May 25th, 1997?

11:43:38 10 A. No.

11 Q. Mr Brima, can you tell this Honourable Court how you came  
12 to know about the May 25th, 1997 coup?

13 A. I knew about this coup through my officer, Captain Paul  
14 Thomas.

11:44:16 15 Q. Can you please spell that, for the convenience of the  
16 Court?

17 A. P-A-U-L, Paul; T-H-O-M-A-S, Thomas.

18 Q. Mr Brima, what did Captain Paul Thomas tell you about the  
19 May 25th, 1997 coup?

11:44:52 20 A. Well, Captain Paul Thomas, he was the one that addressed  
21 us, the soldiers, at 7 Battalion, when he briefed us with the  
22 situation report that he had.

23 Q. When did this address by Captain Paul Thomas take place?

24 A. This address took place by 6 o'clock to half past six in  
11:45:44 25 the morning.

26 Q. Where did this address take place?

27 A. This address took place at the drills square 7 Battalion,  
28 which we used to call parade ground.

29 Q. Mr Brima, what did Captain Paul Thomas say during this



1 address?

2 A. Captain Paul Thomas said he had got information from his  
3 superior that there was firing going around Freetown, and more  
4 especially, at the AHQ. Yes, he said he believed that the RUF  
11:46:53 5 had entered Freetown, and later he told us that he had got an  
6 information from -- other information from the chief of defence  
7 staff that it was soldiers who had taken over.

8 Q. Mr Brima, how did you come about to get to the parade  
9 ground to hear the address by Captain Paul Thomas?

11:47:44 10 A. Well, early that Sunday morning I was in the house with my  
11 wife, then the military bugler or the battalion bugler, he blew  
12 the bugle. This bugle that he blew in the army is called Fire  
13 Alarm. Any soldier who heard this bugle sound, even if you are  
14 sleeping, you should wake up and respond immediately to the call.

11:48:25 15 So I myself when I heard the sound, I was fortunate to wake up  
16 and I joined my colleague soldiers to go to the drill square.

17 But this military bugle which was blown which was called  
18 Fire Alarm, it was a normal military bugle which was blown and  
19 the response that I gave to the sound of the bugle, it was a  
11:49:00 20 normal military drill. The drill is even when I am here, if I am  
21 a soldier, if I heard that sound, the next thing that I would do  
22 is to take my uniform trousers and put it on, and I would hold my  
23 boots in my hands and I would hold my uniform jacket and my cap  
24 and run directly to the drill square, because something has  
11:49:37 25 happened which it is not normal to have happened. Or, perhaps,  
26 they need soldiers to immediately respond to any situation which  
27 the army wants to put under control.

28 That happened again and at one time when this May 8  
29 incident happened in Foday Sankoh's house in 2000, it was the

1 same military bugle that was blown which made every soldier to  
2 jump up and put on his military uniform and report to the  
3 immediate commander.

11:50:53 4 Q. Mr Brima, do you know any members -- do you know any of the  
5 coup makers --

6 MR AGHA: Objection. That is a leading question, Your  
7 Honour. There is no foundation either for it.

8 PRESIDING JUDGE: Yes, we have not reached that stage yet,  
9 Mr Graham.

11:51:04 10 MR GRAHAM: Very well, Your Honour.

11 Q. Mr Brima, as a result of what you were told by Captain Paul  
12 Thomas at the parade, what did you do?

13 A. After he addressed us, we went immediately to the ammo  
14 dump.

11:51:32 15 Q. What is the ammo dump? Spell that for the Court.

16 A. A-M-M-O, ammo, D-U-M-P, dump. Where ammunition is kept.

17 Q. Mr Brima, can you tell this Court what did you do when you  
18 got to the ammo dump?

11:52:28 19 A. When I reached the ammo dump, the arms store man, or the  
20 armorer, issued me with my personal rifle and full magazine with  
21 ammunition.

22 Q. What did you do after that?

23 A. After that I reported back to the drill square where they  
24 gave me my own area of assignment. I went and deployed there.

11:53:01 25 Q. Who gave you your area of assignment?

26 A. Captain Paul Thomas.

27 Q. Mr Brima, what did you do with the ammunition that was  
28 given to you?

29 A. The ammunition that was given to me, that was my own

1 personal ammunition. Each soldier in the army is entitled to one  
2 rifle and four magazines and a bandoleer. That was to defend  
3 myself before ever I would defend the officer.

11:54:26

4 Q. Mr Brima, can you tell this Court what your area of  
5 assignment was?

6 A. Yes. I was deployed at the guardroom at the 7th Battalion,  
7 which was the main entrance which leads to in and out of the  
8 barracks. That is where I was deployed.

11:55:07

9 Q. Mr Brima, when you went to the armoury to collect your  
10 ammunition, who was there with you?

11 MR AGHA: Your Honour, I don't think --

12 PRESIDING JUDGE: That's leading.

13 MR GRAHAM: I will rephrase it, Your Honours.

11:55:29

14 Q. When you went to the armoury to collect the ammunition,  
15 were you alone?

16 A. No. I have told you that this was a normal military drill.  
17 I was with my comrade soldiers and even Captain Paul Thomas, he  
18 also went for his own supply.

11:56:04

19 Q. Mr Brima, do you know presently where Captain Paul Thomas  
20 is?

21 A. I learned that Captain Paul Thomas was in Holland.

22 Q. Mr Brima, how long did you spend at the post that you were  
23 deployed at?

11:56:53

24 A. I spent three to four hours at the post that I was deployed  
25 at the 7th Battalion.

26 Q. Was that the amount of time you spent per day?

27 A. Well, they declared a stand-by.

28 Q. Mr Brima, during this period of your deployment where was  
29 your wife at the time?

1 A. I left my wife in the house.

2 Q. Mr Brima, can you tell this Court what you did after your  
3 three-, four-hour deployment?

4 A. After my three-, four-hour deployment late Captain Simbo  
11:57:56 5 Sankor came with a vehicle with soldiers in it. He ordered us so  
6 as to get into the vehicle. And I went into the vehicle.

7 Q. Could you please spell Simbo Sankor?

8 A. Simbo, S-I-M-B-O, Sankor, S-A-N-K-O-R.

9 Q. Did you know Captain Simbo Sankor prior to this day that  
11:58:52 10 you're referring to?

11 A. I did not know Captain Simbo Sankor before because I had  
12 not worked with him.

13 Q. Do you know where Captain Simbo Sankor is presently?

14 A. Captain Simbo Sankor, he was one of the people who was  
11:59:25 15 executed by firing squad.

16 Q. Which firing squad are you talking about, can you tell this  
17 Court?

18 A. The firing squad, that was when the 24 military officers  
19 were executed.

12:00:09 20 Q. When was this? Can you advise the Court when this took  
21 place?

22 A. This was October 1998.

23 Q. Do you know who ordered the firing squad?

24 MR AGHA: Your Honour, I would object. There is no real  
12:00:36 25 foundation as to why there was an execution, as to why there was  
26 a firing squad or any detail in respect to this matter, or even  
27 how he came to know about it.

28 PRESIDING JUDGE: Yes, I think you will have to lay some  
29 foundation, Mr Graham, and also establish some relevance before

1 too long.

2 MR GRAHAM:

3 Q. Mr Brima, you mentioned that Captain Simbo Sankor was  
4 executed by firing squad. Do you know why he was executed by  
12:01:17 5 firing squad?

6 A. Well, Captain Simbo Sankor and 23 others, these were the  
7 people that were arrested by the SLPP government for the  
8 overthrow of the SLPP government. So it was because of that that  
9 he was executed.

12:01:55 10 Q. When you say "overthrow of the SLPP government," what do  
11 you mean by that?

12 A. Well, when the AFRC came into power, the government -- when  
13 the government came back, the SLPP came back, those were the  
14 officers that were held responsible. These were the ones that  
12:02:34 15 were executed.

16 MR AGHA: Your Honour, I believe further foundation needs  
17 to be laid as to how he knows all this information. Where is he  
18 getting it from? Is it within his personal knowledge, is it  
19 first-hand, was he told this? How does he come by this  
12:02:49 20 information?

21 PRESIDING JUDGE: Yes, lay some foundation, Mr Graham.

22 MR GRAHAM: Your Honour, we are in the process of doing  
23 that. My learned friend seems to want to tell us how to conduct  
24 our leading. But, Your Honours, I'm coming to that.

12:03:03 25 PRESIDING JUDGE: You have to lay the foundation before he  
26 gives the information, not after he gives it.

27 MR GRAHAM: Very well, Your Honour.

28 Q. Mr Brima, can you tell this Court how you came to know that  
29 these 23 officers -- sorry, 24 officers were arrested for being

1 responsible for the overthrow of the SLPP government?

2 A. Well, I heard that on the radio, too, some of the officers  
3 that were executed, their own wives again talked about it.

4 Q. Did you know whether after their arrest anything happened,  
12:04:17 5 after the arrest of these 24 officers?

6 MR AGHA: Your Honours, again how do we know they were  
7 arrested.

8 PRESIDING JUDGE: I think you can safely assume they were  
9 arrested, Mr Agha. I will allow that question.

10 MR GRAHAM: Your Honours, I will move on.  
12:04:56

11 Q. Mr Brima, you mentioned earlier that Captain Simbo Sankoh  
12 ordered you to board a vehicle. Where did you go?

13 A. When I got into the vehicle with Captain Simbo Sankoh, we  
14 drove to Cockerill. That is the army headquarters.

15 Q. Could you please spell Cockerill for the convenience of the  
12:05:30 16 Court?

17 A. C-O-C-K-E-R-I-L-L, Cockerill.

18 Q. At Cockerill, what did you do?

19 A. Well, at Cockerill, Captain Sankoh assigned me on special  
12:06:10 20 duty to take notes of details of all the vehicles that the  
21 soldiers would seize when you were coming into Cockerill. So  
22 that was the duty that I was given to do.

23 Q. Did you have an overall boss or supervisor at the time?

24 A. Yes, I had a commander who was my overall commander,  
12:06:56 25 Captain - retired - Alie Messeh Koroma.

26 Q. Could you spell that for the Court?

27 A. Alie, A-L-I-E. Messeh, M-E-S-S-E-H. Koroma, K-O-R-O-M-A.

28 Q. Who was he?

29 A. Captain Messeh Koroma was a soldier and he was an officer.

1 Q. Did anything else happen at Cockerill while you were there?

2 A. Yes, Corporal Gborie came to Cockerill. He drove down into  
3 the compound. When he was coming out, he talked to  
4 Captain Messeh, saying the firing -- the firing pin, the one in  
12:08:31 5 the gun, had got missing, and later I saw when Captain Gborie had  
6 left, he came later with my dad.

7 Q. Could you spell Gborie for the convenience of the Court?

8 A. Gborie, G-B-O-R-I-E.

9 MR GRAHAM: Your Honours, I thought I heard the

12:09:29 10 interpreters say Captain Gborie not corporal.

11 PRESIDING JUDGE: I've got corporal in my notes.

12 JUDGE DOHERTY: I have captain.

13 PRESIDING JUDGE: Perhaps you can clear that up. I thought  
14 he said Corporal Gborie.

12:09:46 15 MR GRAHAM:

16 Q. Could you tell this Court whether he was a captain or a  
17 corporal?

18 A. Gborie was a corporal.

19 Q. What happened when Corporal Gborie came back to Cockerill?

12:10:15 20 A. When Corporal Gborie came back to Cockerill, I saw him. I  
21 saw him with my dad.

22 Q. What did Corporal Gborie do when he came in with your  
23 father?

24 A. He drove and went down with him into the compound.

12:10:50 25 Q. Do you know where they went?

26 A. No.

27 Q. Did you speak to your father at this time?

28 A. No.

29 Q. Did your father say anything to you at this time?

1 MR AGHA: Your Honour, these are leading questions again.

2 PRESIDING JUDGE: I will allow it, Mr Agha. Go ahead,

3 Mr Graham.

4 MR GRAHAM: Thank you, Your Honours.

12:11:20 5 Q. Did you see your father again after he came in with  
6 Corporal Gborie?

7 A. Well, my father from then onwards, I only heard that  
8 fighting was going on at Aberdeen between the soldiers and the  
9 SLA. So that was the time that Corporal Gborie came and took my

12:12:08 10 dad again to go and repair a gun that was faulty. He was

11 repairing this faulty gun. The Nigerians that were towards  
12 Aberdeen, they were the ones that launched a bomb which came and  
13 fell around the area where my father was working. Then my dad

14 fell into a coma. Then he was conveyed to 34 Hospital. From

12:13:01 15 there he was at 34 Hospital and he died.

16 Q. Mr Brima, before I go on, you earlier on said you heard  
17 there was a fight between soldiers and SLA. What do you mean by  
18 soldiers and SLA?

19 A. There was no fight between the soldiers and the SLA. I

12:13:39 20 said there was fighting going on between the SLA soldiers and the  
21 Nigerian.

22 Q. Thank you for that clarification.

23 A. That is the Nigerian ECOMOG.

24 Q. Do you know where your father was carrying out the repairs?

12:14:03 25 MR AGHA: Leading question, again, Your Honour.

26 PRESIDING JUDGE: Perhaps just lay some foundation for how  
27 he would know that.

28 MR GRAHAM: Your Honours, he has said earlier on that his  
29 father was talking about Captain Gborie to go and effect some



1 repairs, and I am just asking where this took place.

2 PRESIDING JUDGE: Perhaps you can lay the foundation as to  
3 how he would know that.

4 MR GRAHAM:

12:14:39 5 Q. Mr Brima, how do you know that Captain Gborie took your  
6 father to go and effect repairs?

7 A. I did not say Captain Gborie. I said Corporal Gborie.

8 Q. Thank you for your correction. Corporal Gborie.

9 A. Alie told me that through my sisters and brothers who were  
12:15:07 10 in the house with my dad. They were the ones that later went and  
11 informed me at the hospital, and some soldiers, who were wounded  
12 soldiers at that particular battle, when they were taken to the  
13 34 Hospital, they themselves informed me about that.

14 Q. Mr Brima, what did you do when you heard of your father's  
12:15:37 15 death?

16 A. When I heard about my father's death, I was sad.

17 Q. Mr Brima, how long were you on your assignment at  
18 Cockerill? How long?

19 A. I was there for only a day or two.

12:16:17 20 Q. Can you tell this Court where you went after that?

21 A. After that day, the 26th, I left for Wilberforce Barracks,  
22 which was the 1st Battalion.

23 Q. Do you know what date this was?

24 A. It was on 26 May 1997.

12:17:03 25 Q. You said you left for Wilberforce Barracks. Did you arrive  
26 at Wilberforce Barracks?

27 A. No, I had an accident on the way.

28 Q. Could you describe what happened regarding the accident?

29 A. Well, this accident, I had it at Spur Road towards the

1 Lebanese Ambassador's house. I, the driver, Corporal Fanka Sesay  
2 [phon], with three military police, we were in the vehicle. So  
3 we had this accident, the vehicle hit the fence, which was a big  
4 fence. The driver died, who was Corporal Lansana Kamara; then  
12:18:23 5 Corporal Fanka Sesay died, and I with the three military police,  
6 we had internal pain and we were conveyed to the 34 Military  
7 Hospital.

8 Q. How long were you at the military hospital?

9 A. At the military hospital I stayed there for long, but I was  
12:19:07 10 there on and off. So I was not there at one time; I was there on  
11 and off. I was there for a time, when I feel better I was  
12 discharged. I was going there on and off.

13 Q. Do you remember who the medical officer in charge was?

14 A. Well, I can recall the doctor. The doctor was retired,  
12:19:57 15 Dr Alie Kanu, retired Colonel David S Sesay, Major Cliff,  
16 Corporal Dello Fornah, one Sergeant Henry Bangura, with one staff  
17 sergeant, Komba Moigboi.

18 Q. Can you please gently and patiently spell these names for  
19 the convenience of the Court?

12:20:44 20 A. Colonel Alie Kanu: A-L-I-E, K-A-N-U. David Sesay:  
21 D-A-V-I-D; S; Sesay, S-E-S-A-Y. Major Cliff, C-L-I-F-F.  
22 Corporal Dello: D-E-L-L-O, Dello; Fornah, F-O-R-N-A-H. Henry  
23 Bangura: H-E-N-R-Y; Bangura, B-A-N-G-U-R-A. Komba Moigboi:  
24 K-O-M-B-A; M-O-I-G-B-O-I, Moigboi.

12:22:35 25 Q. Mr Brima I'm going to put to you words from Prosecution  
26 witness TF1-153, which was made to the Court on 22nd September  
27 2005.

28 MR AGHA: May we kindly be provided with a copy of the  
29 transcript.

1 MR GRAHAM: Unfortunately I have made my notes out of  
2 transcript with the relevant references. I don't have a copy of  
3 the transcript, but I believe if my learned friend needs some  
4 time to check from his case manager, the Court will kindly grant  
12:23:31 5 him -- okay, Your Honour, we could proceed and take this after  
6 lunch. I think that would be the most convenient thing to do  
7 now.

8 PRESIDING JUDGE: I think if you are going to ask a  
9 question like that you should be quoting from a transcript, not  
12:23:48 10 from your own notes.

11 MR GRAHAM: Very well.

12 Q. Mr Brima, whilst at the hospital, did you receive any  
13 visits?

14 A. Yes.

12:24:32 15 THE INTERPRETER: Your Honour, the witness's mic is not on.

16 THE WITNESS: Yes, My Lord, the mic is giving me problems.

17 PRESIDING JUDGE: What sort of problems?

18 THE WITNESS: It short-circuits.

19 PRESIDING JUDGE: What does that mean; that you can't hear  
12:25:01 20 what people are saying at times?

21 THE WITNESS: At times I'm not getting what they say. Then  
22 at times when I'm talking it goes off.

23 PRESIDING JUDGE: Mr Court Officer, can you just take a  
24 look at that microphone and see if you notice any obvious faults  
12:25:27 25 there. All right. Mr Brima you let us know if you have any more  
26 troubles with the microphone.

27 THE WITNESS: Yes, My Lord.

28 MR GRAHAM:

29 Q. Mr Brima, I asked that whilst at the hospital did you

1 receive any visits?

2 A. Yes.

3 Q. From whom did you receive visits?

4 A. I used to have a visit from Major Tarawallie -

12:26:52 5 T-A-R-A-W-A-L-L-I-E - and Captain Paul Thomas - P-A-U-L,

6 T-H-O-M-A-S.

7 Q. Mr Brima, do you remember when these visits take place?

8 PRESIDING JUDGE: What was that question - when "this

9 visit" or "these visits?"

12:27:36 10 MR GRAHAM: Yes, the visits, because my understanding was

11 he had more than one visit.

12 PRESIDING JUDGE: So visits plural?

13 MR GRAHAM: Plural; yes, Your Honour. I'm referring

14 particularly to the visit by Captain Paul Thomas, the names that

12:27:50 15 he referred to. Major Tarawallie and Captain Paul Thomas.

16 Q. Do you recall when they visited you at the hospital?

17 A. He visited me on 31st May 1997.

18 Q. Did they say anything to you when they visited you?

19 A. They only gave me a gift.

12:28:36 20 Q. What gift did they give to you?

21 A. They gave me money, which I cannot remember the amount, and

22 they gave me rice, chit paper that is used to collect five bags

23 of rice to take care of the burial ceremony of my father.

24 JUDGE SEBUTINDE: I'm sorry. I'm having problems with the

12:29:11 25 interpretation. What was that after the rice?

26 THE INTERPRETER: Your Honour, chit rice.

27 PRESIDING JUDGE: I think, Mr interpreter, did you say chit

28 paper?

29 MS THOMPSON: Your Honour, it's C-H-I-T. It's a voucher.

1 PRESIDING JUDGE: Yes, that is what understood. C-H-I-T  
2 paper.

3 THE INTERPRETER: Yes, Your Honour.

4 JUDGE SEBUTINDE: Then you said to collect something.

12:29:50 5 THE INTERPRETER: Yes, Your Honour; five bags of rice.

6 PRESIDING JUDGE: It is five bags of rice for the burying  
7 of his father.

8 MR GRAHAM:

9 Q. Did you indeed use the chit to obtain the five bags of  
12:30:23 10 rice?

11 A. Yes, I sent my sister to collect them.

12 Q. Mr Brima, apart from the visits you received from  
13 Major Tarawallie and Captain Paul Thomas, did you receive any  
14 other visits at this time?

12:30:59 15 A. Yes, I also had a visitor who was Corporal Tamba Gborie,  
16 Sergeant Abu Sankoh.

17 MR GRAHAM: Gborie and Abu Sankoh, you have heard the names  
18 before.

19 Q. Do you know whether either of these two men have any  
12:31:23 20 aliases?

21 A. Well, it is one person that I know that has an alias, who  
22 is Abu Sankoh. Corporal Gborie, I did not know any alias for  
23 him.

24 Q. Would you please tell this Honourable Court what the alias  
12:31:56 25 for Abu Sankoh is?

26 A. His alias name was Zagalo.

27 Q. Would you please spell Zagalo for the convenience of this  
28 Honourable Court, Mr Brima?

29 A. Z-A-G-A-L-O, Zagalo.

1 Q. Do you recall how long the visit by Corporal Gborie and  
2 Abu Sankoh lasted?

3 A. Well, they did not stay for a long time with me.

4 Q. During the period of their visit did any one of them tell  
12:32:59 5 you anything?

6 A. Yes. They invited me to attend a meeting, which was an  
7 AFRC members meeting.

8 Q. What do you mean by AFRC?

9 A. Arms Forces Revolutionary Council.

12:33:48 10 Q. And did you say anything in response to what they said to  
11 you?

12 A. Well, I told them that let them go, I was coming.

13 Q. At this point in time, did you know whether any one of them  
14 were members of the AFRC?

12:34:27 15 A. Yes, because I had already heard Corporal Gborie announce  
16 on the radio.

17 Q. What did you hear Corporal Gborie announce on the radio?

18 A. Corporal Gborie announced that he had taken over from the  
19 SLPP government.

12:35:11 20 Q. Mr Brima, can you tell this Court what your understanding  
21 of taking over is?

22 A. Well, what I understood was that they had taken over the  
23 government; that is, the army had taken over the government from  
24 the SLPP.

12:35:37 25 Q. Do you remember where you were when Corporal Gborie made  
26 this announcement on the radio?

27 A. Well, I was in the hospital, because sincerely the  
28 announcement that I heard was a repeated announcement. I was in  
29 the hospital when I heard that.

1 Q. They repeated the announcements over what medium?

2 A. Over SLBS, the Sierra Leone Broadcasting Corporation, FM  
3 99.9.

4 Q. Mr Brima, did you attend the meeting?

12:36:48 5 A. Yes.

6 Q. From where did you attend the meeting?

7 A. Repeat that question.

8 Q. I'm saying that -- did you go to the meeting from the  
9 hospital?

12:37:15 10 A. Yes. When I told them to go, they did not go. They went  
11 with me.

12 Q. Did you tell them how you felt about their invitation?

13 MR AGHA: That is a leading question, Your Honour.

14 PRESIDING JUDGE: Yes, that is leading, Mr Graham.

12:37:46 15 MR GRAHAM: Thank you, Your Honour.

16 Q. How did you feel about the invitation?

17 A. Well, I did not feel happy because I had certain concerns  
18 in my heart, like I thought about my family. I thought about my  
19 studies, then again I thought about my life. Then I thought  
12:38:16 20 again about the RUF.

21 THE INTERPRETER: When they called the RUF, correction,  
22 interpreter.

23 THE WITNESS: These were the concerns that I had.

24 MR GRAHAM:

12:38:36 25 Q. Mr Brima, can you tell this Court what it is that concerned  
26 you about the RUF?

27 A. Well, what really concerned me about the RUF, I knew that  
28 we had been fighting against the RUF, so when I was informed that  
29 they had called, the RUF -- when I heard on the radio that they

1 had called the RUF, I was not happy.

2 Q. Mr Brima, where was the meeting held?

3 A. The meeting took place at Cockerill.

12:39:48

4 Q. Mr Brima, how did you get to the meeting place from the  
5 hospital?

6 A. Well, they came with their vehicle. When I was invited to  
7 go, I told them that I was going, but they did not leave me  
8 behind. I was loaded into the vehicle and all of us went to  
9 Cockerill. So this is the way that I went and attended the  
10 meeting.

12:40:16

11 Q. Mr Brima, do you know which part or area in Cockerill that  
12 this meeting was held?

13 A. This meeting was held at the AHQ, army headquarter  
14 conference hall.

12:40:58

15 Q. Do you remember the time, approximately, when this meeting  
16 started?

17 A. No, no, no.

18 Q. Do you recall those who were present at the meeting?

12:41:40

19 A. I can recall Major Johnny Paul was there, Sergeant Abu  
20 Sankoh, Corporal Gborie, Hassan Bangura, Sergeant Ibrahim Kamara,  
21 with other people whose names I cannot recall.

22 Q. Could you spell the name Hassan Bangura for this Court,  
23 please.

24 A. Hassan, H-A-S-S-A-N. Bangura, B-A-N-G-U-R-A.

12:42:53

25 Q. Do you know whether Hassan Bangura has any aliases?

26 A. I don't know him. I don't know about him having alias  
27 names.

28 Q. Mr Brima, what transpired at the meeting? Can you tell  
29 this Honourable Court.



1 A. Well, I can remember what took place because it was in that  
2 meeting that I was appointed as council member. They said  
3 because of the good works of my dad and it was a  
4 secretary-general who was the late Colonel Abdul Karim Sesay. He  
12:43:58 5 was the one that said that word.

6 JUDGE SEBUTINDE: Sorry, Mr interpreter, you said the good  
7 works of what?

8 THE INTERPRETER: My dad.

9 MR GRAHAM:

12:44:36 10 Q. Mr Brima, were you told the good works, your father's good  
11 works that merited your appointment as PLO?

12 MR AGHA: Your Honour, that's --

13 PRESIDING JUDGE: I do not think -- there was no evidence  
14 of what he was appointed to, was there?

12:44:57 15 MR GRAHAM: Sorry, Your Honours. He said council. He was  
16 appointed council member.

17 PRESIDING JUDGE: But you are asking PLO.

18 MR GRAHAM: Yes, I will withdraw that, Your Honours.

19 Q. Mr Brima, my question was: Were you told at the meeting  
12:45:20 20 the good works done by your father which prompted your  
21 appointment as council member?

22 A. Just like I had said before, my dad when Corporal Gborie  
23 went and took him, when he took him to Cockerill, when he said  
24 that the firing pin in the gun was missing, it was my dad that  
12:45:49 25 went and made a firing pin. Just like I had told this Court  
26 before, my dad he was an armourer in the army. Those were his  
27 works what he knew and he understood. When they took him again,  
28 when the twin-barrel gun had a blockage when they were fighting  
29 at Aberdeen, it was again my dad that went and cleared that

1 twin-barrel gun. Those were the things that I was told and they  
2 said for the good works of my dad, that was why I was appointed  
3 as council member.

12:46:57 4 Q. Upon your appointment as council member, were you told what  
5 your responsibilities was going to be as council member?

6 A. Repeat that.

7 Q. Were you told what you were going to be doing, your  
8 responsibilities, as a council member at this meeting?

9 A. I do not understand the question clearly.

12:47:36 10 MR GRAHAM: Okay. Your Honour, I will move on.

11 Q. Mr Brima --

12 PRESIDING JUDGE: I think we leave it there, Mr Graham, and  
13 take the lunch break.

14 MR GRAHAM: Grateful, Your Honour.

12:47:46 15 PRESIDING JUDGE: We are going to adjourn for lunch.

16 Mr Brima, you are reminded again do not talk about the case or  
17 the evidence. We will adjourn now until 2.15.

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

19 [AFRC06JUN06 - EKD]

14:17:13 20 [Upon resuming at 2.13 p.m.]

21 PRESIDING JUDGE: That lady who just walked into court. It  
22 is -- stand up, please. That bar table has a meaning. It means  
23 that you don't walk in front of the bar table and never between  
24 the witness and the Court. So next time you'll have to go  
14:17:47 25 around.

26 Mr Brima, I remind you you are still on your former oath  
27 and, Mr Graham, you continue.

28 MR GRAHAM: Good afternoon, Your Honours.

29 Q. Good afternoon, Mr Brima.

1 A. Good afternoon.

2 MR GRAHAM: Your Honours, I'm going to commence at this  
3 point by going back to the reference I wanted to make to the  
4 transcript, specifically referring to the transcripts of the  
14:19:04 5 proceedings of September 22, 2005, page 12. Your Honours, I will  
6 be reading from lines 23 to page 13.

7 PRESIDING JUDGE: I don't suppose you have brought  
8 transcripts for the trial judges? If I can attract the attention  
9 of the legal officer sitting in front of us, can you download  
14:19:41 10 three page 12s of 22 September, please?

11 MR GRAHAM: Sorry, Your Honour, we had it in mind to make  
12 copies for you, but with the time constraints -- it won't happen  
13 again.

14 PRESIDING JUDGE: What about the Prosecution? Do you have  
14:19:58 15 copies of those transcripts?

16 MR AGHA: We managed to get one of our own copies, so we're  
17 able to see, thank you, Your Honour.

18 PRESIDING JUDGE: If you can just pause for a moment,  
19 Mr Graham.

14:20:28 20 MR GRAHAM: Your Honours, I think whilst Court Management  
21 is doing that, I will also be going on to pages 15 and 16 of the  
22 same transcript, if they can print that as well. Pages 15 and 16  
23 as well. Thank you.

24 PRESIDING JUDGE: So that is pages 12, 15, 16.

14:20:46 25 MR GRAHAM: Thirteen is included, Your Honours.

26 PRESIDING JUDGE: Twelve, 13, 15, 16.

27 MR GRAHAM: That is correct, Your Honour.

28 JUDGE SEBUTINDE: This was witness TF1?

29 MR GRAHAM: Sorry, Your Honour, TF1-153.

1           PRESIDING JUDGE: The Prosecution has a copy. It doesn't  
2 look as though the Bench is going to get a copy. You can put  
3 your questions, Mr Graham, and the Prosecution will no doubt  
4 object if the questions are not consistent with the transcript.

14:22:33 5           MR GRAHAM: Very well, My Lord. As a matter of courtesy, I  
6 was also going to inform the Court that we are also going to make  
7 some references to the transcript of May 17, pages 2 to 3 and  
8 then 8 to 9.

9           PRESIDING JUDGE: Ask your questions, Mr Graham.

14:23:51 10          MR GRAHAM: Okay, grateful, Your Honour.

11 Q. Mr Brima, I'm going to read to you portions of the  
12 transcript of the proceedings dated September 22, 2005,  
13 specifically page 12 to page 13. I will be starting from page  
14 12, line 23. With Your Honours' permission, I may read. I will  
14:24:25 15 ask a few questions of you at the end of it. From line 23,  
16 Your Honours:

17           "Q. Tell me what happened -- tell us what happened at the  
18 Wilberforce barracks?

19           "A. Well, during that morning all of us were sitting down,  
14:24:51 20 we were surprised. We were asking ourselves what had been  
21 happening. So it was not long afterwards we saw Alex Tamba  
22 Brima. He came with one Landrover and the British High  
23 Commissioner's jeep. He came with it in the barracks. So  
24 everybody gathered around him. So I went and met him. I  
14:25:14 25 said, 'Fellow, how did this thing manage to crop up?'

26           "Q. Mr Witness, I'm going to have to ask you to slow down  
27 because the interpreter is going to have to interpret your  
28 response from Krio to English just like he is doing for me  
29 right now from English to Krio.

1 "A. Okay.

2 "Q. So I'm going to ask you to" --

3 THE INTERPRETER: Your Honours, I would like counsel to go  
4 a little bit slower so I could do the interpretation very well.

14:25:47 5 MR GRAHAM: It is interesting we are talking about slowing  
6 down also in the transcripts. Your Honour, I will slow down.

7 Q. "Q. So I'm going to ask you to sort of slow down with your  
8 response, okay?

9 "A. All right.

14:26:15 10 "Q. Again I apologise for cutting you off, but feel free  
11 to continue.

12 "A. Well, I said that morning we were sitting, we were all  
13 in doubt as to what happened. So we were in that doubt  
14 when we saw Alex Tamba Brima, he came into the barracks.

14:26:52 15 He came with a Landrover, the new type Landrover, white  
16 one. He said, 'Well,' he said, 'they had overthrown.' So  
17 after when he said that they had overthrown, so people  
18 gathered around him, because everybody was surprised."

19 MR GRAHAM: Your Honours, that is the end of line 19 of  
14:27:35 20 page 13.

21 Q. Mr Brima, I'm first going to ask you, without calling his  
22 name, do you know the witness TF1-153?

23 A. Except if I see the witness's name.

24 MR GRAHAM: Your Honours, I will go on. In due course, I  
14:28:26 25 will seek your permission to have the name written on a piece of  
26 paper for security reasons, and I will forward it to Mr Brima,  
27 but I will ask him a few questions.

28 PRESIDING JUDGE: There is another way to put this  
29 evidence, of course. I will leave it to you, Mr Graham.

1 MR GRAHAM:

2 Q. Mr Brima, do you drive in any vehicle belonging to the  
3 British High Commission?

4 A. No.

14:29:18 5 Q. Did you at any time make an announcement to anyone at  
6 Wilberforce Barracks - at any time - that you had overthrown the  
7 government?

8 A. No.

9 Q. Mr Brima, did you announce to anyone that SAJ Musa was to  
14:29:54 10 arrive?

11 MR AGHA: Your Honour, I think that is leading. I don't  
12 think it was part of the transcript.

13 MR GRAHAM: I'm sorry, Your Honour.

14 Q. Mr Brima, did you go to Wilberforce Barracks at all on May  
14:30:26 15 25th?

16 A. No.

17 Q. Mr Brima, coming back to the meeting that was held at  
18 Cockerill, did you receive any other appointment apart from the  
19 one you earlier mentioned to this Court?

14:31:08 20 MR AGHA: Your Honour, that is a leading question.

21 PRESIDING JUDGE: I will allow it, Mr Agha.

22 MR GRAHAM:

23 Q. Mr Brima, did you hear me?

24 A. You have to repeat the question.

14:31:33 25 Q. I said did you receive any other appointment apart from the  
26 one conferred at the meeting?

27 A. No, I didn't receive any other appointment.

28 Q. Mr Brima, earlier on you had told this Court the  
29 appointment was conferred on you by reason of your father's work.

1 I want to ask you why did they appoint you and not any of your  
2 brothers?

3 A. Well, I would say the AFRC members could be the best people  
4 to give an answer to that question, but I really don't know why  
14:32:52 5 they appointed me.

6 Q. Mr Brima, why did you not refuse the appointment?

7 A. Repeat the question.

8 Q. Why did you not refuse the appointment that was conferred  
9 on you at the meeting at Cockerill?

14:33:28 10 A. That one, I was definitely afraid. I had heard some past  
11 experiences during the NPRC regime when Major Yayah Kanu was  
12 given an appointment and he refused to take it he was killed. So  
13 I too was afraid for my life.

14 Q. How do you know that he was killed because of his refusal  
14:34:19 15 to accept the appointment?

16 A. Well, he was interviewed over the news, over the radio by  
17 Robin White, and I heard him refuse it. I was a soldier and he  
18 was my officer. When he turned down the appointment, he was  
19 killed. So that's how I knew.

14:34:59 20 MR AGHA: Your Honour, what is the foundation for his  
21 knowledge? It seems to me that the evidence is being led and  
22 then the foundation is coming after the evidence.

23 PRESIDING JUDGE: Well, it is in now, Mr Agha. I take your  
24 point, though. I made a similar comment earlier. What was  
14:35:27 25 that -- the name of the person who was killed was somebody Kanu;  
26 is that correct?

27 MR GRAHAM:

28 Q. Mr Brima, could you spell --

29 A. Major Yayah Kanu, Y-A-Y-A-H and Kanu, K-A-N-U.

1 Q. Mr Brima, were you told your duties as council member?

2 A. Yes.

3 Q. What were you told was your duties?

14:36:59

4 A. They said my duty as council member and when I was given  
5 the other appointment as PLO 2, they said I was to monitor, to  
6 supervise, the various ministries and parastatals.

7 Q. Can you tell this Honourable Court which ministries you are  
8 referring to?

14:37:47

9 A. I'm talking about the Works ministry and the Labour  
10 ministry.

11 Q. Then, in respect of the parastatals?

12 A. The parastatals were Sierratel and Customs and Excise  
13 department.

14:38:22

14 JUDGE SEBUTINDE: Mr Graham, is the witness describing his  
15 duties as a council member? Is that what he is describing?

16 MR GRAHAM: Your Honour, I believe he is giving us the  
17 ministries that were assigned to him. I'm going to go over --

14:38:41

18 JUDGE SEBUTINDE: You asked him his duties as a council  
19 member. Is that what he is describing, or he is describing  
20 duties as something else?

21 MR GRAHAM: Your Honour, I realise in his testimony he  
22 mentioned a second appointment so I'm going --

14:38:56

23 JUDGE SEBUTINDE: But you had asked him before if he was  
24 appointed to any other thing to which the answer was no. So that  
25 is why I am asking were these his duties as council member? It  
26 logically follows. My question logically follows; are we to  
27 understand that he is describing his duties as a council member?

28 MR GRAHAM: Your Honours, pursuant to his answers I was  
29 going to follow up to clarify, but I will take the cue from the



1 Bench.

2 Q. Mr Brima, the two ministries that you mentioned, Ministry  
3 of Works and the Ministry of Labour, were these assigned to you  
4 as a result of your position as a council member?

14:39:51 5 A. No, it was when I was appointed as PLO 2.

6 Q. When were you appointed as PLO 2?

7 A. I can't remember the date now, but it was at the second  
8 meeting.

9 Q. When did this second meeting take place, Mr Brima?

14:40:31 10 A. Well, I can't tell now.

11 Q. But do you know where it took place?

12 A. Well, I can't tell now, because the meetings were taking  
13 place at different venues.

14 Q. Mr Brima, as a council member, were you given any other  
14:41:08 15 designation?

16 MR AGHA: Your Honours, can we clarify at which meetings  
17 we're at or what is the position, because I'm not quite sure  
18 whether this is the first meeting, the second meeting or when  
19 these appointments were made. Perhaps if I learned counsel for the  
14:41:26 20 Defence could lay some foundations and move from meeting to  
21 meeting it may serve to clarify matters.

22 PRESIDING JUDGE: Yes, Mr Graham, can you do it meeting by  
23 meeting so we can follow the sequence.

24 MR GRAHAM: Very well, Your Honour.

14:41:43 25 Q. Mr Brima, when you were appointed as PLO were you -- when  
26 you were appointed as PLO what duties were assigned you?

27 A. Well, when I was appointed PLO 2 the duty that I was given,  
28 that's what I talked about. It was at the second meeting that I  
29 was appointed to supervise, monitor, and co-ordinate the various

1 ministries and parastatals that were assigned to me.

2 Q. As PLO please tell this Court the ministries and  
3 parastatals that were assigned to you in your capacity as PLO.

4 A. As PLO the ministries were Works and Labour ministries.

14:43:19 5 And the parastatals were Sierratel, Customs and Excise  
6 department. These were the ministries and parastatals.

7 Q. Mr Brima, did you ever assume your assigned position at the  
8 Ministry of Works?

9 A. No.

14:44:06 10 Q. Why no?

11 A. Repeat that question.

12 Q. I asked whether -- you have told this Court you were  
13 assigned the Ministry of Works by reason of your appointment as  
14 PLO, and I'm asking you did you ever perform any supervisory

14:44:47 15 functions over the Ministry of Works?

16 MR AGHA: That's a leading question, Your Honour. I would  
17 object to that.

18 PRESIDING JUDGE: I think your original question was, "Did  
19 you assume your position?" I have got a note that your question  
14:45:18 20 which was not objected to was, "Did you assume your position at  
21 the Ministry of Works?" And he said no. Now you're asking why;  
22 is that correct?

23 MR GRAHAM: Yes, and he seems not to have understood the  
24 question I asked.

14:45:38 25 PRESIDING JUDGE: Maybe you could ask the question again.

26 MR GRAHAM:

27 Q. Mr Brima, did you ever take up the position assigned at the  
28 Ministry of Works during the time of the AFRC regime?

29 A. No.

1 Q. Can you tell this Court why no?

2 A. Well, I was seriously ill, like what I complained about to  
3 this Court yesterday, I am suffering from hypertension and high  
4 blood pressure. So when that ministry was assigned to me, I was  
14:46:51 5 unable to go there because I was admitted.

6 Q. Mr Brima, did you take up the position assigned to you --

7 PRESIDING JUDGE: Just a minute. I didn't quite understand  
8 that answer. The last part of that answer was "because I was  
9 admitted." What does that mean? Admitted to where or what?

14:47:19 10 THE WITNESS: I was admitted at the hospital.

11 MR GRAHAM:

12 Q. At which hospital?

13 A. At the 34 Military Hospital.

14 Q. Where is the 34 Military Hospital located?

14:47:45 15 A. At the Wilberforce.

16 Q. How long were you on admission?

17 A. Well, like I told this Court before now I was admitted --  
18 it is just like I am now in detention. It was on and off.

19 Sometimes when the pressure is normal the doctor would say I

14:48:13 20 could go out. So they would bring me to the house. Sometimes  
21 the pressure would rise so I had no permanence there. So I was  
22 in the hospital on and off.

23 Q. Mr Brima, did you take up the position given to you as  
24 being in charge of the Ministry of Labour?

14:48:58 25 MR AGHA: Objection. It is a leading question,  
26 Your Honour.

27 PRESIDING JUDGE: He said he was given that position. I  
28 think he is entitled to answer whether he took that up or not. I  
29 beg your pardon. The answer was to monitor. All right. That is

1 a valid objection, Mr Graham. He didn't say he was appointed to  
2 be in charge. He said he was appointed to monitor.

3 MR GRAHAM: Thank you.

4 Q. Mr Brima, did you ever monitor the Ministry of Labour after  
14:49:39 5 the ministry was assigned to you?

6 A. No.

7 Q. Can you tell this Court why no?

8 A. Well, it's the same thing that I said before, because of a  
9 deterioration in my health.

14:50:11 10 Q. Did you perform any monitoring functions over the Labour  
11 ministry at all during the period of the AFRC?

12 MR AGHA: Your Honour, these are all leading questions.  
13 There is a proper and a better way, I would submit, in framing  
14 these questions so the answer isn't a yes or no. These are  
14:50:36 15 questions which are more properly appropriate in  
16 cross-examination.

17 PRESIDING JUDGE: Mr Agha, he has said -- these are his  
18 words: "I was to monitor and supervise the various ministries,"  
19 and he mentioned Labour. He is being asked if he did actually  
14:50:54 20 perform any of those functions. I will allow the question.

21 MR GRAHAM: Thank you, Your Honour.

22 PRESIDING JUDGE: You better repeat it I think, Mr Graham.

23 MR GRAHAM:

24 Q. Mr Brima, did you monitor and supervise the Ministry of  
14:51:17 25 Labour during the period of the AFRC regime?

26 A. No.

27 Q. Mr Brima, did you monitor and supervise Sierratel during  
28 the period of the AFRC rule?

29 A. No.

1 Q. Why? Can you tell this Court why?

2 A. Because of the same health problems that I had.

3 Q. Mr Brima, did you monitor and supervise the customs  
4 department during the period of the AFRC rule?

14:52:21 5 A. No.

6 Q. Why no?

7 A. Because I was still ill.

8 Q. Mr Brima, the indictment --

9 MR GRAHAM: Your Honours, I will specifically be referring  
14:52:52 10 to paragraph 23 of the indictment and Registry page number 6243.

11 Your Honours, with your permission I will read from paragraph 23.

12 Q. It says: "Alex Tamba Brima was a member of the group which  
13 staged the coup and ousted the government of President Kabbah."

14 What do you say to this?

14:53:56 15 A. I was not a member of that group.

16 Q. Which group are you referring to?

17 A. The group that you asked me about a while ago, that the  
18 group that staged the coup that removed President Kabbah from  
19 power.

14:54:26 20 Q. Mr Brima, I'm going back to the meeting at Cockerill where  
21 you were appointed a council member. Did anyone take notes at  
22 the meeting?

23 A. Yes.

24 Q. Do you know who took minutes at the meeting?

14:55:03 25 A. At that meeting it was the late Colonel AK Sesay.

26 Q. Could you please spell AK Sesay for the convenience of the  
27 Court?

28 A. A-K; Sesay, S-E-S-A-Y.

29 Q. Was an agenda circulated?

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

2 PRESIDING JUDGE: It is leading, Mr Graham.

3 MR GRAHAM:

14:56:09

4 Q. Mr Brima, was anything circulated, any document circulated  
5 prior to the meeting?

6 A. No, no. No.

7 Q. Was any document circulated during the meeting?

8 MR AGHA: Asked and answered, Your Honour.

9 MR GRAHAM: Your Honours, I spoke about prior and during.

14:56:40

10 PRESIDING JUDGE: Yes, that objection is overruled. Go  
11 ahead with your question.

12 MR GRAHAM:

13 Q. Mr Brima, do you remember who chaired that meeting?

14 A. Yes.

14:57:22

15 Q. Who chaired the meeting?

16 A. It was Major Johnny Paul Koroma.

17 Q. Do you recall what other persons were present at this  
18 meeting?

14:57:43

19 MR AGHA: Your Honours, is this the second or the first  
20 meeting - sorry to interrupt my learned friend - just by way of  
21 clarification because I believe at the first meeting the people  
22 who were there were already named? So I am not quite clear.

23 MR GRAHAM: Your Honours, I must concede I think I asked  
24 that question earlier on in respect of the first meeting.

14:58:19

25 PRESIDING JUDGE: Yes, it was the first meeting earlier.

26 JUDGE SEBUTINDE: And Johnny Paul Koroma was one of the  
27 persons at the first meeting.

28 MR GRAHAM:

29 Q. Mr Brima, can you tell this Court what other issues were

1 discussed at the meeting, the first meeting, apart from your  
2 appointment?

3 A. Well, apart from appointment, they introduced some members  
4 to us.

14:59:02 5 Q. Can you tell this Court who did the introduction?

6 A. It was Colonel AK Sesay.

7 MR GRAHAM: Your Honours, Colonel AK Sesay, you've heard  
8 that before.

9 Q. Mr Brima, can you tell this Court members of the meeting  
14:59:33 10 who were introduced?

11 A. He introduced the Supreme Council members to us.

12 Q. And do you recall who these Supreme Council members were?

13 A. Well, those Supreme Council members, some of them whom they  
14 called were not at that meeting. So they just called out their  
15:00:17 15 names to us that these were the Supreme Council members.

16 Q. Do you recall any of the individuals who were present at  
17 this meeting at the time they were introduced?

18 A. Major Johnny Paul Koroma was there, Captain SAJ Musa was  
19 there, Colonel Aviva Brima Kamara was there. Aviva, A-V-I-V-A.  
15:01:22 20 Aviva Brima Kamara was there. He was the under-secretary of  
21 state defence in the AFRC. He introduced Brigadier SFY Koroma to  
22 us. Commander Samuel Gilbert. It was Brigadier SFY who was  
23 chief of defence staff for the Sierra Leone Army, and Colonel  
24 Gilbert was the chief of naval staff for the Sierra Leonean Army.

15:02:20 25 Then they introduced squadron commander who was Flight  
26 Lieutenant King to us. He was the air force commander. They  
27 introduced --

28 JUDGE SEBUTINDE: Flight lieutenant, could you repeat the  
29 name, please?

1 THE WITNESS: Victor L King. They introduced Colonel SO  
2 Williams who was the army chief of staff to us. Then they  
3 introduced Major Abdul Masakema Koroma.

4 MR GRAHAM:

15:03:40 5 Q. Can you spell that, please?

6 A. Abdul, A-B-D-U-L; Masakema, M-A-S-A-K-E-M-A; Koroma,  
7 K-O-R-O-M-A. By then he was the secretary of state north for the  
8 AFRC. Then they introduced Major Abdul Fanna Kamara. Fanna,  
9 F-A-N-N-A. He was the secretary of state south.

15:04:51 10 MR AGHA: Your Honour, with regard to some of these answers  
11 as regarding the position of the person introduced, the  
12 Prosecution would object in that there is no foundation being  
13 laid as to how he knows the position unless the introducer is  
14 actually telling him the position. So I appreciate some of these  
15:05:07 15 are already on record, but if it could perhaps be clarified by  
16 the witness that a foundation should perhaps be laid on what  
17 basis he is saying that Mr X is secretary of state north or what  
18 is secretary of state north, for example.

19 PRESIDING JUDGE: Yes, there has been an objection on the  
15:05:26 20 basis on which the witness is giving evidence. Is it something  
21 he knows from elsewhere or just what he heard at the  
22 introduction?

23 MR GRAHAM: Your Honours, obviously it is difficult to  
24 control the responses of the witness, but I will seek the  
15:05:56 25 necessary clarifications.

26 PRESIDING JUDGE: Bear in mind, Mr Graham, he is your  
27 witness and he does not seem difficult to control. It is just a  
28 matter of putting the questions to him in order.

29 MR GRAHAM: Okay.



1 Q. Mr Brima, have you finished?

2 A. No.

3 Q. I need to ask you a few questions before you proceed. You  
4 have mentioned members of the meeting who were present at the  
15:06:38 5 time of the introduction. In referring to them you have  
6 mentioned their military ranks and also political appointments.  
7 If you could take them in turn and tell this Court how come you  
8 got to know their ranking and positions.

9 A. Because I knew them. I knew their ranks and positions.

15:07:36 10 Most of them I had served with them in the army, a senior  
11 officer. And during the introduction, the secretary-general who  
12 introduced them, he would introduce the man, the name, the rank  
13 and his appointment.

14 Q. Mr Brima, do you have any additional names?

15:08:23 15 A. Yes.

16 Q. Please tell the Court.

17 A. Major Eddie Kanneh.

18 Q. Can you please spell that for the convenience of the Court?

19 A. Eddie, E-D-D-I-E; Kanneh, K-A-N-N-E-H. He was the  
15:09:03 20 secretary of state south.

21 PRESIDING JUDGE: What was that?

22 MR AGHA: He mentioned Eddie Kanneh and then he mentioned  
23 the secretary of whatever. What is his foundation or knowledge  
24 for that?

15:09:22 25 PRESIDING JUDGE: My understanding is that that has already  
26 been asked and he said he knew these men from the army, and also  
27 that as they were introduced at the meeting, their positions were  
28 also introduced as well. I am assuming that is still the same  
29 with Major Eddie Kanneh. If it is not, I am sure Mr Graham will

1 I lay an alternative foundation.

2 JUDGE SEBUTINDE: Mr Graham, we didn't quite catch the  
3 secretary of state for something. Eddie Kanneh, we didn't get  
4 the final response of the witness. Could we have the full answer  
15:10:03 5 back, please?

6 MR GRAHAM: Your Honour, I think because he was interrupted  
7 by my learned friend, but I will --

8 Q. Mr Brima, you mentioned one Eddie Kanneh. How do you know  
9 that he was a secretary of state?

15:10:28 10 A. I came to know through the introduction that the  
11 secretary-general, Colonel AK Sesay, made at the meeting.

12 Q. What was the position of Eddie Kanneh?

13 A. Eddie Kanneh was secretary of state east, Eastern Province.

14 Q. Mr Brima, in your testimony before this Court this

15:11:15 15 afternoon, you have at various times mentioned the  
16 Supreme Council and also council members. Is there a difference  
17 between the Supreme Council and the council?

18 A. Well, it was the Supreme Council members -- it is the  
19 Supreme Council members that I've just named, but I've not  
15:11:50 20 completed naming them.

21 MR AGHA: Your Honour, just by way of clarification, I  
22 wasn't sure that the transcript reflected that those who he  
23 introduced were actually Supreme Council members.

24 JUDGE SEBUTINDE: Yes, I think the questions that Mr Graham  
15:12:09 25 has been asking, according to my understanding, is these were the  
26 members of the Supreme Council who were introduced who were also  
27 present in the meeting. There were others that he said were not  
28 present, but were also introduced. But these names that we are  
29 handling now were of Supreme Council members who were present and

1 introduced.

2 MR AGHA: I stand to be corrected by the transcript, but  
3 I'm not quite sure if that is actually what the transcript  
4 reflects, Your Honour.

15:12:40 5 PRESIDING JUDGE: I thought he was giving direct evidence  
6 now of the people he saw at the meeting, not referring back to  
7 transcript.

8 MR AGHA: What I am suggesting, Your Honour, is that I  
9 don't believe the transcript will reflect that the people he has  
10 named were the Supreme Council members. He was introduced by  
11 Colonel Sesay to certain individuals but whether they were made  
12 clear as Supreme Council members is that which I am not sure  
13 about and I will of course stand to be corrected by the record.

14 PRESIDING JUDGE: If the transcript does contradict him,  
15:13:17 15 and I don't know whether it does or not, that is a matter for  
16 cross-examination; isn't it?

17 MR AGHA: I stand guided by Your Honour.

18 PRESIDING JUDGE: Go ahead, Mr Graham.

19 MR GRAHAM: For the purpose of clarification I think I was  
15:13:36 20 very clear as to the scope, which was that the members who were  
21 introduced who were present at the meeting. Those are the names  
22 I think he is mentioning.

23 Q. Mr Brima, can you please clarify to the Court the names of  
24 the people you just mentioned, whether they were those who were  
15:13:59 25 present at the meeting?

26 A. Yes, they are some of the members who were present at the  
27 meeting.

28 Q. And who were the members who were introduced -- they were  
29 introduced as what at the meeting?

1 A. These members who were present and who were introduced to  
2 us, they introduced them as Supreme Council members, and they  
3 introduced other members to us in absentia. They too were  
4 Supreme Council members.

15:14:39 5 Q. So the names that you are giving to this Court are the  
6 names of Supreme Council members who were introduced and were  
7 present at the meeting?

8 A. Yes.

9 Q. Do you have any more names for council members who were  
15:15:01 10 present and introduced? Supreme Council members who were present  
11 at the meeting and introduced, do you have any more names in  
12 addition to what you have given the Court so far?

13 A. The names that I have of members were those who were not  
14 present. They just introduced them to us in absentia.

15:15:22 15 Q. So can you at this point tell this Court the names of the  
16 Supreme Council members who were introduced but not present at  
17 the meeting?

18 A. Yes.

19 [AFRC06JUN06E - CR]

15:15:40 20 Q. Please tell the Court, Mr Brima.

21 A. They introduced colonel -- Corporal Foday Saybana Sankoh,  
22 who was the RUF leader. They introduced Sam Bockarie, who was an  
23 RUF and they also introduced Mike Lamin to us. These were the  
24 three RUF members who were introduced to us and who were not  
15:16:31 25 present at the meeting.

26 Q. Are these the only Supreme Council members who were  
27 introduced who were not present at the meeting?

28 A. Yes.

29 Q. Mr Brima, you've mentioned council and also Supreme

1 Council. Could you tell this Court whether there's any  
2 difference between the council and the Supreme Council?

3 A. Yes. But before I could tell the Court, these were the  
4 Supreme Council members I'm still emphasising who were introduced  
15:17:29 5 to us. There were council members at the meeting. The meeting  
6 was a general meeting. It was from that meeting when they  
7 introduced those people to us that we knew the Supreme Council  
8 from the council. So there were members who were at this  
9 meeting, like myself here, who were not Supreme Council members.

15:17:59 10 Q. Mr Brima, I will ask the question -- I don't think I've got  
11 the answer that I'm expecting. I will ask again. Mr Brima, what  
12 was the role of the Supreme Council? What did the Supreme  
13 Council do?

14 A. The Supreme Council, from what I know, and what the  
15:18:33 15 Secretary-General told us was that they were the body that takes  
16 all decisions. They make the laws. It was that body that was  
17 the most important body.

18 Q. Mr Brima, can you tell this Court, what was the role of the  
19 council?

15:19:08 20 A. Well, the council would recommend. That was the work that  
21 I knew that the council did; to recommend.

22 Q. What kind of recommendations? Recommend? What kind of  
23 recommendations are you talking about, Mr Brima? Can you tell  
24 this Court?

15:19:42 25 A. For instance, like, we are all here. We say we will want  
26 this paper to go, or we discuss something that we want to move.  
27 That was council's idea, but before it goes to the Supreme  
28 Council, before it could become operational. If the Supreme  
29 Council disapproves of it, it wouldn't be operational.

1 Q. Mr Brima, were you a member of the Supreme Council?

2 A. No.

3 Q. Mr Brima, were you a member of the council?

4 A. Yes.

15:20:41 5 Q. Mr Brima, do you know the composition of the council? The  
6 members, those who made up the council, do you know?

7 A. The council has had civilians, soldiers who were between  
8 the rank and file from officer to the least private soldier.

9 Q. Mr Brima, did you know who made appointments to the  
10 council?

11 A. Well, all I know is that SAJ Musa, who was a Supreme  
12 Council member, he was in charge of the council.

13 Q. Was this SAJ Musa alone who was in charge of the council?

14 A. Yes.

15:22:18 15 Q. Do you know how many members constituted the council?

16 A. The number, they are too many. I cannot remember everybody  
17 now.

18 Q. Can you tell this Court, soldiers that you know who are  
19 members of the council?

15:22:57 20 A. Yes.

21 Q. Please tell.

22 A. We had SAJ Musa. We had Abu Sankoh. We had myself, Tamba  
23 Brima. We had Ibrahim Kamara. We had Brima Kamara, Hassan  
24 Bangura. We had Tamba Gborie, Samba Kargbo, Momoh Bangura,  
15:24:34 25 Santi gie Kanu, Franklin Conteh, Moses Kabi a.

26 Q. Can you please spell for the convenience of the Court  
27 Kabi a.

28 A. Moses Kabi a, M-O-S-E-S K-A-B-I -A; Franklyn Conteh,  
29 F-R-A-N-K-L-Y-N C-O-N-T-E-H; Santi gie Kanu, S-A-N-T-I -G-I -E

1 K-A-N-U; Sul aman Turay, S-U-L-A-M-A-N T-U-R-A-Y; Momoh Bangura,  
2 M-O-M-O-H B-A-N-G-U-R-A; Samuel Kargbo, S-A-M-W-E-L [si c]  
3 K-A-R-G-B-O; Tamba Bri ma, T-A-M-B-A B-R-I -M-A; Hassan Bangura,  
4 H-A-S-S-A-N B-A-N-G-U-R-A; Tamba Gbori e, T-A-M-B-A G-B-O-R-I -E;  
15:27:07 5 Ibrahi m Kamara, I -B-R-A-H-I -M K-A-M-A-R-A; Abu Sankoh, A-B-U  
6 S-A-N-K-O-R [si c]; Bri ma Kamara, B-R-I -M-A K-A-M-A-R-A; Issa  
7 Sesay, I -S-S-A S-E-S-A-Y; Morri s Kall on, M-O-R-I -S [si c]  
8 K-A-L-L-O-N; Deni s Mi ngo, D-E-N-N-I -S [si c] M-I -N-G-O; Gibri l  
9 Massaquoi , G-I -B-R-I -L --

15:28:40 10 MR GRAHAM: Sorry to interrupt. Your Honours, the second  
11 accused Mr Kamara wants to use the restroom, please, with your  
12 permi ssi on.

13 PRESIDING JUDGE: Yes, certainly. He can leave.

14 MR GRAHAM:

15:28:53 15 Q. Yes, Mr Bri ma, you can continue.

16 A. Gi bri l Massaquoi , G-I -B-R-I -L M-A-S-S-A-Q-U-O-I . And many  
17 of the others that I cannot remember their names now.

18 Q. Do you recall the names of any of the civilians who were  
19 members of the council ?

15:29:42 20 A. I can remember one of the names, but I don't know the first  
21 name, but the name is Mr Munu.

22 Q. Would you assist the Court with the spelling of that name?

23 A. M-U-N-U. For the other civilians, I cannot remember them  
24 now.

15:30:34 25 MR GRAHAM: Your Honours, at this point I'm going to refer  
26 to the transcripts of the proceedings of May 17th, 2005.  
27 Speci fically, page 2. I will pause a little but just to allow my  
28 I earned friends on the other side to get their transcripts.

29 MR AGHA: Thank you.

1 PRESIDING JUDGE: You're going to refer to pages 2 to 3 and  
2 8 to 9; is that right?

3 MR GRAHAM: Eight to 9 at this point and 2 to 3.

4 Your Honours, with your permission, I will read from page 2,  
15:32:04 5 starting from line 24. Sorry, Your Honours, I think I will start  
6 from line 18 of page 2.

7 Q. "Q. Witness, we left off yesterday you were telling the  
8 Chamber about the PLOs. I want to ask you about the  
9 Supreme Council. Would you identify the Supreme Council  
15:32:48 10 members? And would you take it slowly one by one because  
11 I'm going to be spelling each of the names as you go  
12 through them. I'm asking you for the Supreme Council  
13 members that you recall.

14 "A. As far as I can recall, Johnny Paul Koroma was the  
15:33:18 15 head of the Supreme Council. You have the vice-chairman,  
16 who was Solomon. SAJ Musa; he was a member of the Supreme  
17 Council. You have the deputy defence minister who was  
18 Colonel Avivavo; he was a member of the Supreme Council.  
19 You get the PLO 1 Abu Sankoh; also he was a member of the  
15:33:58 20 Supreme Council. You get the PLO 2, Tamba Alex Brima; he  
21 was also a member of the Supreme Council. You have the PLO  
22 3, Ibrahim Bazzy Kamara, was also a member of the Supreme  
23 Council. You get Honourable Hassan Papa Bangura; he was  
24 also a member of the Supreme Council."

15:34:38 25 Mr Brima, what do you have to say in response to the fact  
26 that you were, as PLO 2, a member of the Supreme Council -- said  
27 to be a member of the Supreme Council?

28 A. I was not a member of the Supreme Council.

29 Q. Mr Brima, I was referring to answers given by Prosecution



1 witness TF1-334. Do you know Prosecution witness TF1-334?

2 A. If you write his name on a piece of paper.

3 MR GRAHAM: With your permission, I would get a piece of  
4 paper.

15:36:05 5 PRESIDING JUDGE: Is that necessary, Mr Graham?

6 MR GRAHAM: Your Honours, I will pass it on. I don't think  
7 it is relevant at this point. I will address that in due course.

8 PRESIDING JUDGE: You have identified the transcript and  
9 the witness. Look, I will leave it to you. If you want to write  
10 his name on a piece of paper, you go ahead.

11 MR GRAHAM: Okay, I would.

12 Q. Do you know the person whose name is written on that piece  
13 of paper?

14 A. Yes.

15:38:05 15 Q. How do you know him?

16 A. He's a soldier. When I was in the army, I knew him as a  
17 soldier. Then he was a driver, too. Then, later, I knew him at  
18 Pademba Road.

19 Q. Mr Brima, can you explain to this Court what you mean by  
20 Pademba Road?

21 A. Yes, but when I said Pademba Road, I knew him at the  
22 Pademba Road Prisons, which is the central prison in  
23 Sierra Leone.

24 Q. Have you ever seen him in attendance at any of the council  
15:39:19 25 meetings that you attended?

26 A. No.

27 Q. Mr Brima, going back to the -- I think one last question on  
28 this. At Pademba Road Prisons, in what capacity did you know  
29 TF1-334?

1 A. Like I said, when we were outside, I knew him as a driver.  
2 When we went to Pademba Road, I knew him as a prisoner.

3 Q. Do you know why he was a prisoner?

4 A. Well, this person that I'm talking about, the name that you  
15:40:29 5 gave to me, he, at the time, had a problem with the third  
6 accused, who is Santi gie Kanu, for a car. The accused and some  
7 of his other colleagues, including Hassan Bangura and Foday Bah  
8 Marah, went and attacked the third accused at a house, and I was  
9 also unfortunately at the house. So because of that attack, that  
15:41:29 10 was why this individual was imprisoned.

11 PRESIDING JUDGE: Just pause a moment, please. You have an  
12 objection, do you?

13 MR AGHA: It's not an objection, Your Honour. It's just if  
14 possible if this could be redacted from the transcript, because  
15:41:43 15 some of this detail might well identify 334; the information  
16 which is actually being led from this witness. ^

17 PRESIDING JUDGE: Well, we will have to do -- if that can  
18 identify 334, we will also have to make an order prohibiting  
19 anyone in the public gallery from mentioning the name as well.

15:42:07 20 MR AGHA: Yes, Your Honour, and obviously the circumstances  
21 surrounding.

22 MR GRAHAM: Your Honours, if I may just give a brief  
23 response to that. I stand to be corrected, but if my memory  
24 serves me right, when TF1-334 was in the box, he was extensively  
15:42:32 25 questioned and he did give evidence in respect of these very  
26 issues that Mr Brima is --

27 JUDGE SEBUTINDE: Was this not in a closed session?

28 MR GRAHAM: I must admit I'm not quite certain about that.  
29 For the sake of caution, probably -- my learned friend

1 Ms Thompson, who conducted the cross-examination, reliably  
2 informs me it was in open session, but of course it is subject to  
3 confirmation by the Court.

4 PRESIDING JUDGE: Mr Agha, in relation to your comments, it  
15:43:33 5 appears from page 2 that the evidence of this witness was given  
6 in open session. I think that would negate your concerns  
7 regarding the identity.

8 MR AGHA: Thank you, Your Honour.

9 PRESIDING JUDGE: If you have a copy of the transcript,  
15:43:52 10 it's the fourth line from the top. You will see "Open session,"  
11 page 2.

12 MR AGHA: I see that, Your Honour, although the cross may  
13 have been in closed, or parts of it.

14 MS THOMPSON: Your Honour, if I might be of some assistance  
15:44:33 15 here. The evidence in closed session was only in regards the  
16 person this individual worked for, Commander A, and that was it.  
17 Everything else was done in open session, both  
18 examination-in-chief and cross-examination.

19 PRESIDING JUDGE: It seems Justice Doherty remembers that  
15:46:01 20 specific period of the trial and agrees with what Ms Thompson  
21 just said; that the only purpose of the closed session at that  
22 time was to protect the identity of the witness's employer, and  
23 was restricted to that purpose only. I think in those  
24 circumstances, Mr Agha, we will keep this in open session. Go  
15:46:34 25 ahead. The witness was interrupted.

26 MR GRAHAM: Your Honours, I'm done with that line of  
27 questioning. We are moving on. Thank you, I'm grateful.

28 Q. Mr Brima, I'm referring to the first meeting. Apart from  
29 yours, were there any other appointments announced at that first

1 meeting?

2 A. Yes, the main appointments of the PLOs. They introduced  
3 every member, just as I was introduced.

4 Q. So can you tell this Court the additional appointments that  
15:47:22 5 were made, apart from yours? Can you tell this Court.

6 A. Well, I can't remember all of them for now.

7 Q. Do you remember any?

8 A. Well, like the one that I told you about myself, that is  
9 what I can remember, because I was just at the meeting, but, to  
15:47:50 10 be frank, I was afraid.

11 Q. I'll move on. After the first meeting, did you attend any  
12 other meetings?

13 A. Yes.

14 Q. Can you recall how many?

15:48:07 15 A. I attended many meetings. I cannot remember the total  
16 number of meetings that I attended.

17 Q. Where did these meetings usually take place?

18 A. These meetings, the places were not the same. We used to  
19 always meet at the State House, at the army headquarters as well.  
15:48:48 20 We held meetings at defence headquarters. We held meetings at  
21 Lower BOP.

22 Q. Do you know who --

23 JUDGE SEBUTINDE: I'm sorry, what are these acronyms?  
24 Please explain.

15:49:16 25 MR GRAHAM:

26 Q. Can you please explain the acronyms?

27 PRESIDING JUDGE: What's Lower BOP, for a start?

28 THE WITNESS: I cannot explain that to you, because it is  
29 where the British High Commissioner's office is located now.

1 From number 1 Scan Drive is Upper BOP. From the British High  
2 Commission to the -- that's the only name I know for it. I don't  
3 know what BOP actually means.

4 MR GRAHAM:

15:50:03 5 Q. Mr Brima, can you tell this Court whether you know of  
6 anyone who was living at Lower BOP?

7 A. Yes.

8 Q. Would you tell this Court?

9 A. Lower BOP was where Major Johnny Paul Koroma stayed.

15:50:37 10 Q. During the period that Johnny Paul Koroma stayed there,  
11 what was his position?

12 A. He was the head of state, and he was the first minister  
13 too, and the chairman for the AFRC.

14 Q. Mr Brima, were all the meetings you attended council  
15:51:13 15 meetings?

16 A. Yes.

17 Q. Mr Brima, do you know who determined where the council  
18 meetings were to take place?

19 A. Well, some council meetings could just be emergency  
15:51:41 20 meetings. If the chairman saw it necessary that the venue should  
21 be changed, it would be done.

22 Q. In the absence of emergency meetings, who normally summons  
23 council meetings?

24 A. Well, normally who would call council meetings was the  
15:52:10 25 chairman and the vice chairman.

26 Q. How were you normally invited to attend these meetings?

27 A. They used to invite me through the radio handsets, or they  
28 would serve me a letter that I should go to a meeting.

29 Q. How were you served with these letters?

1 A. Well, if they called me over the radio handset, there was  
2 an officer who was controlling the radio handset, which was the  
3 control channel. Then from the control channel, when we would  
4 meet that officer, he would refer us to the secretary-general and  
15:53:20 5 we'd go to the secretary-general, then he would give us the  
6 letter.

7 Q. Mr Brima, did anyone else attend council meetings apart  
8 from council members?

9 A. Except Chairman Johnny Paul, whom I called. Then when  
15:53:56 10 there were emergency meetings, some of the Supreme Council  
11 members would come, like the army chief of staff, the defence  
12 chief of staff, the naval chief of staff, or the air wing  
13 commander.

14 Q. Apart from the service commanders who you have mentioned,  
15:54:23 15 do you know of any others who were not members who attended  
16 council meetings?

17 A. No.

18 Q. Mr Brima, was there, at the time of the May 25th, 1997  
19 coup, a body which was referred to as the Armed Forces  
15:54:49 20 Revolutionary Council?

21 A. Repeat that question, sir.

22 Q. I'm saying that was there a body after May 25th, 1997,  
23 which was referred to as the Armed Forces Revolutionary Council?

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

15:55:22 25 PRESIDING JUDGE: It is leading, Mr Agha, but I will allow  
26 it.

27 MR GRAHAM: I also believe that earlier on the witness --

28 PRESIDING JUDGE: Don't worry, I'm allowing the question.

29 MR GRAHAM: The question is allowed. There is no need to

1 flog a dead horse. I will proceed.

2 Q. Mr Brima, I will ask you again, was there a body which was  
3 referred to as the Armed Forces Revolutionary Council after May  
4 25th, 1997?

15:55:47 5 A. Yes.

6 Q. And is this council -- is this body, the Armed Forces  
7 Revolutionary Council, or the AFRC -- was it the same as the  
8 Supreme Council?

9 A. Well, the government was the Armed Forces Revolutionary  
15:56:16 10 Government.

11 Q. Mr Brima, you just said "council," so could you please  
12 clarify whether you are referring to the Supreme Council?

13 PRESIDING JUDGE: He said government. He said "Armed  
14 Forces Revolutionary Government."

15:56:37 15 MR GRAHAM: Government.

16 Q. I was asking about the council, so if you could please just  
17 stick to the council. I am trying to find, Mr Brima, whether you  
18 can tell this Court whether the armed forces -- first, I think  
19 you -- Mr Brima, do you know those who made up the Armed Forces  
15:57:06 20 Revolutionary Council? Do you know the members of the Armed  
21 Forces Revolutionary Council?

22 A. Well, from what I got from the secretary-general, it was  
23 the Supreme Council that made up the Armed Forces Revolutionary  
24 Council.

15:57:41 25 Q. Mr Brima, can you tell this Court at the time -- what was  
26 your rank at the time you were appointed a council member?

27 A. I was a corporal.

28 Q. Did you remain a corporal --

29 A. Yes.

1 Q. I'm sorry, I haven't finished my question. Did you remain  
2 a corporal up to the point -- up to the time your appointment as  
3 a council member ended?

4 A. Yes.

15:58:30 5 MR GRAHAM: Your Honours, with your permission, I would  
6 want to go back to the May 17, 2005 transcripts, specifically  
7 page 9. Page 9 of the May 17, 2005 transcripts.

8 PRESIDING JUDGE: That's for witness TF1-334, is it?

9 MR GRAHAM: That's right, Your Honour.

15:59:19 10 PRESIDING JUDGE: You said you were going to refer to pages  
11 8 and 9. Is that still correct?

12 MR GRAHAM: At this point in time I refer to page 9.

13 PRESIDING JUDGE: I can't hear you, I'm afraid.

14 MR GRAHAM: At this point in time, I'm referring to page 9.

15:59:50 15 Q. Yes, I'm reading from line 14, Mr Brima.

16 "Q. Seventeen men who plotted the coup, would you name  
17 them? You started with Zagalo.

18 "A. Staff Sergeant Zagalo. That's Abu Sankoh; he was the  
19 PLO 1.

16:00:18 20 "Q. Pause there. Next?

21 "A. You get Sergeant Tamba Alex Brima; you get Sergeant

22 Ibrahim Bazzy Kamara; you get Honourable Corporal Hassan

23 Papah Bangura; you get Corporal Foday Kallay; Corporal

24 Adams; you get Hector Bob Lahai; you get Sullay; you get

16:01:01 25 Abdul Sesay; you get Ibrahim Bi oh Sesay; you get Rambo; you  
26 get Adams."

27 MR GRAHAM: Your Honour, that is the end of my --

28 Q. Mr Brima, I need to ask a few questions of you. Were you  
29 part of the 17 who plotted the May 25th, 1997 coup that overthrew



1 the government of President Kabbah?

2 A. No.

3 Q. Were you ever a sergeant?

4 A. No.

16:02:06 5 MR GRAHAM: Your Honours, at this point, with your  
6 permission, I would humbly want to refer to the indictment,  
7 Registry page number 6240 of the indictment.

8 PRESIDING JUDGE: Yes, we will make this the last question.

9 MR GRAHAM: This is the last question.

16:02:54 10 PRESIDING JUDGE: I can't hear you, I'm sorry.

11 MR GRAHAM: I'm sorry, Your Honour, this is my last  
12 question.

13 PRESIDING JUDGE: Yes, go ahead.

14 MR GRAHAM: For today.

16:03:06 15 PRESIDING JUDGE: That was understood, Mr Graham.

16 MR GRAHAM: I will refer to paragraph 2.

17 Q. Mr Brima, paragraph 2 of the indictment alleges as follows:

18 "He joined the Sierra Leone Army in April 1985 and rose to  
19 the rank of staff sergeant." Mr Brima, did you, during the

16:03:47 20 period as a serving soldier of the Sierra Leone Army, ever rise  
21 to the rank a sergeant -- of a staff sergeant?

22 A. No.

23 MR GRAHAM: Your Honour, I don't have any further questions  
24 of the accused for today. I'm grateful for the time.

16:04:16 25 PRESIDING JUDGE: Thank you, Mr Brima. You wanted to say  
26 something, Mr Agha?

27 MR AGHA: Yes, Your Honour. I rise not to object this  
28 time. I have been reliably informed by my case manager, coming  
29 back to the question of the closed or open session of witness

1 334, that, in fact, it was during cross-examination where he was  
2 referred to in prison, and that was actually in the closed  
3 session. So I would actually request that that part regarding  
4 the prison and the fight with Five-Five be redacted from the  
16:04:52 5 public transcript. There is a reference which is on 17th June  
6 2005, pages 7 to 12. That's the Kanu cross-examination.

7 PRESIDING JUDGE: Pages?

8 MR AGHA: Page 7 to 12.

9 MR GRAHAM: Your Honour, we don't have any objections to  
16:05:21 10 that, subject to the pleasure of the Court in this regard.

11 PRESIDING JUDGE: That was witness 334, was it?

12 MR AGHA: Yes, in cross-examination, Your Honour.

13 PRESIDING JUDGE: The part that was in closed session, can  
14 you tell me what that concerned again?

16:05:43 15 MR AGHA: That was where he was asked questions about  
16 whether he'd been in prison and in Pademba Road, et cetera, asked  
17 personally, and why he was in there, I believe.

18 PRESIDING JUDGE: We will need to identify the part of the  
19 evidence given today that covers that. Mr Agha, I'm going to  
16:07:46 20 make an order redacting some evidence from the transcript. You  
21 tell me if it doesn't quite cover the protection that witness 334  
22 enjoyed. I'm ordering that the evidence given today by the  
23 accused Mr Brima regarding Pademba Road and the capacity at  
24 Pademba Road in which he knew witness TF1-334 be redacted from  
16:08:27 25 the transcript. Does that cover it?

26 MR AGHA: I think perhaps, Your Honour, we may also want to  
27 add the reason why he ended up in there, which was a dispute with  
28 Santi gie Kanu, Five-Five, which I believe was mentioned.

29 PRESIDING JUDGE: Yes, I will go back over that, because it

1 is important. We are ordering that the evidence given today by  
2 this witness that refers to witness TF1-334 and deals with his  
3 knowledge of that witness, TF1-334, in Pademba Road and why he  
4 had reason to know that TF1-334 was in Pademba Road; all of that  
16:09:39 5 evidence given by the witness, Mr Brima, today, must be redacted  
6 from the transcript.

7 MR AGHA: Thank you, Your Honour.

8 PRESIDING JUDGE: There is just one other thing. I can  
9 make an order forbidding members of the public who have heard  
16:10:04 10 that evidence not to repeat it outside the Court, for whatever  
11 it's worth, Mr Agha. Are you asking for that as well?

12 MR AGHA: I would be grateful, just for the abundance of  
13 caution for the protection of the witness, Your Honour.

14 PRESIDING JUDGE: Those members in the public gallery who  
16:10:27 15 may have heard some evidence today given by the witness in the  
16 witness box now, who is Mr Brima, one of the persons accused of  
17 various counts, the evidence dealt with his meeting a witness  
18 with the pseudonym TF1-334 in Pademba Road, and Mr Brima gave  
19 evidence of meeting him there and why that particular witness,  
16:11:02 20 TF1-334, was in Pademba Road. Now, that evidence should really  
21 have been given in closed session. You have been able to hear  
22 it, but we're making an order that you do not repeat that  
23 evidence outside of this Court. Does that cover your concerns,  
24 Mr Agha?

16:11:34 25 MR AGHA: Yes, thank you, Your Honour.

26 PRESIDING JUDGE: I think that's about the best we can do.  
27 We're going to adjourn the Court now until 9.15 tomorrow. You've  
28 got something to say, Mr Knoops.

29 MR KNOOPS: Just now we are wrapping up things, I observe

1 that the record doesn't reflect the identity of the legal  
2 assistant who came in this afternoon. The lady at my right side.  
3 She is a legal assistant of the Kanu Defence team and her name is  
4 not reflected on the record. I apparently omitted to introduce  
16:12:09 5 her. My apologies for that Your Honours. If Your Honours agree,  
6 I will give her name for the purpose of the record. She will  
7 assist the Kanu Defence team.

8 PRESIDING JUDGE: Yes, by all means.

9 MR KNOOPS: Her name is Anne-Marie Verwiel. Thank you.

16:12:54 10 PRESIDING JUDGE: We welcome Ms Verwiel, who is the legal  
11 assistant for the Kanu Defence team. We will make sure that is  
12 noted on the record.

13 MR KNOOPS: I'm grateful, Your Honour. Thank you very  
14 much.

16:13:09 15 PRESIDING JUDGE: As I said, we're going to adjourn until  
16 9.15 tomorrow. Again, Mr Brima, I warn you not to speak of your  
17 evidence or this case with any other person. I would remind the  
18 parties that tomorrow afternoon, every Wednesday afternoon, is  
19 reserved for our other duties, not pertaining to actually sitting  
16:13:39 20 in court. Tomorrow we will start at the normal time, 9.15. We  
21 will adjourn at the normal time for lunch, which is 12.45, but we  
22 won't come back in the afternoon. Tomorrow afternoon will be  
23 vacated, and the next sitting will then be on Thursday.

24 [Whereupon the hearing adjourned at 4.12 p.m.,  
16:14:43 25 to be reconvened on Wednesday, the 7th day  
26 of June 2006, at 9.15 a.m.]  
27  
28  
29

EXHIBITS:

Exhibit No. D14 14

WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ALEX TAMBA BRIMA 2

EXAMINED BY MR GRAHAM 2